

**MARION TOWNSHIP  
BOARD OF TRUSTEES  
REGULAR MEETING  
JULY 8, 2021**

**MEMBERS PRESENT:** Scott Lloyd, Greg Durbin, Bob Hanvey, Tammy Beal, Les Andersen, Dan Lowe, and Sandy Donovan

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** John Gormley, Phil Westmoreland, Dave Hamann

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**CALL TO ORDER**

Bob Hanvey called the meeting to order at 7:52 pm. The meeting was also available to attend online.

**PLEDGE OF ALLEGIANCE**

**BOARD MEMBERS PRESENT**

The board members introduced themselves.

**CALL TO THE PUBLIC**

Peggy Woodard, 2720 Harvest Dr., was present to ask the status of the landlocked property owner on Harvest Drive who has a landscaping business. Dave Hamann said that of last week, Carlisle Wortman was sending a violation notice. John Gormley explained the show cause process and said that there is a process that needs to be followed.

Susan Schooley, 459 E. Davis Rd., said she was attending for the same reason as Ms. Woodward, and thanked the board for moving the process along. She also said she disagrees with Bob Hanvey's opinion that the township should show leniency with enforcement; she believes the leniency belongs in the ordinance, not the enforcement.

Bernie Brosnan, 2782 Harvest Dr., said he supports Ms. Woodward's comments.

Tim Ryan, 459 E. Davis Rd., played an audio tape from May 10 demonstrating the noise coming from the landscape business.

**APPROVAL OF AGENDA**

Items #11—Approve Banking Institutions and #12—American Rescue Plan Act were added to the agenda. Greg Durbin motioned to approve the agenda as amended. Les Andersen seconded. **Motion carried.**

**CONSENT AGENDA**

Les Andersen motioned to approve the consent agenda. Scott Lloyd seconded. **Motion carried.**

**BALDWIN SHOW CAUSE HEARING**

Anthony Baldwin, 2889 High Meadows, and his fiancé Elizabeth were present for the show cause hearing. Elizabeth said they have been trying to get rid of stuff, and they are asking for an extension and direction from the Board. Bob Hanvey asked if they were running a landscape business; Mr. Baldwin said yes, and they have 3-4 trucks. Mr. Hanvey asked if they have abandoned vehicles; Mr. Baldwin said yes,

a couple. Tammy Beal asked about the number of dogs; Elizabeth said they currently have four pit bulls and they only let one out at a time on a chain. Mr. Hanvey asked if they have what would be considered “junk” on the property; Mr. Baldwin said yes, if you’re from the city. They stated they have no employees. Sandy Donovan asked about the shipping containers. They said they have a 40’ long container with personal belongings. They also now have a pink school bus. In response to a question from Les Andersen, Dave Hamann said that any structure over 200 square feet requires a permit. Mr. Hanvey asked how far from the property line the shipping container is; Mr. Baldwin said about eight feet.

Greg Durbin said there needs to be a remediation plan for the property owner to follow. Mr. Hamann said this activity would be considered a Home-based Business which would require a Special Use Permit approved by the Planning Commission and the Board.

Tammy Beal motioned to have the property owner submit a remediation plan including applications for necessary permits by July 29 to be included in the August 12 board packet. Greg Durbin seconded.  
**Motion carried.**

### **TAMARACK PLACE FINAL SITE PLAN REVIEW**

Mike West from Westview Capital was present on behalf of this project. Mr. West said preliminary approval was granted last December, the Board approved in February, and the Planning Commission recommended final site plan approval at its June 22 meeting. The engineer and planner’s comments have been addressed and a revised site plan has been submitted by Desine. Les Andersen asked about the letter from the LCRC; Mr. West said their concerns have been addressed. Dan Lowe asked about the lighting; Mr. West said they will all be “down” lighting. With regard to the PUD agreement, John Gormley said there are three items of concern: Road improvements requiring a \$150,000 bond; the timing of each phase; and access controls during construction. Bob Hanvey said he would like the attorney to review and Master Deed and Bylaws as well.

Les Andersen motioned to grant final site plan approval for Tamarack Place contingent on the attorney’s approval of the Master Deed and Bylaws, and the PUD agreement amendments. Tammy Beal seconded.  
**Motion carried.**

### **VINTAGE MARKET SPECIAL EVENT**

Jada and Jordan Wester, who own property at 2948 Cedar Lake Road, and own Like Mother, Like Daughter shop at 120 N. State St. in Howell, were present to ask for the board’s approval of a Special Event Permit for a Vintage Market on September 24-25. Bob Hanvey said this is a non-conforming parcel. Andy Herald, 1881 Cedar Lake Road, said he owns property that borders this parcel, and he would rather have a vintage market than another house. The board members discussed having more than 50% of the goods being sold as agriculture and not using the existing buildings could allow the owner to hold the farmer’s market. She will contact the zoning administrator to discuss her options.

### **GRAVEL/PAVED PARKING LOTS**

Phil Westmoreland said it is really up the Board what conditions/criteria is used. He said that storms sewers, retention ponds, and shifting are issues that need to be managed, although gravel does allow some filtration.

Andy Herald, 1881 Cedar Lake Road, said the township put in a gravel parking lot, so others should be allowed. Bob Hanvey explained that was the first phase of the project. The board members discussed the situation at Howell Storage; he would like to expand the business, but doesn’t want to pave the entire lot.

Les Andersen motioned to extend the meeting beyond 9:30 pm. Scott Lloyd seconded. **Motion carried.**

The board members discussed Section 18 of the zoning ordinance vs. the engineering standards.

Greg Durbin motioned to postpone action on this item. Sandy Donovan seconded. **Motion carried.**

## **CRYSTAL WOOD TREES**

Dan Lowe said he had some prices but would like to get more. He will provide the information by Thursday, July 15 at noon for the next meeting packet.

## **LIVINGSTON COUNTY CATHOLIC CHARITIES**

Greg Durbin motioned to approve the request from Livingston County Catholic Charities to use the township hall basement from November 29 through December 15, 2021. Les Andersen seconded.

**Motion carried.**

## **ATTORNEY MEETING REVIEW**

Bob Hanvey provided a review of the recent meeting with the attorney. Dan Lowe asked about the Motor Vehicle Code and Motor Carrier Safety Act. More information will be provided for a future meeting.

## **GENERAL FUND FY 2021-22 BUDGET AMENDMENT**

Les Andersen motioned to adopt a resolution to amend the 2021-22 budget for the Sexton, as presented. Tammy Beal seconded. Roll call vote: Hanvey, Lowe, Donovan, Andersen, Durbin, Beal, Lloyd—all yes.

**Resolution passed 7-0.**

## **APPROVE BANKING INSTITUTIONS**

Les Andersen motioned to approve the list of approved banking institutions to include MSUFCU and Mercantile Bank, as presented. Tammy Beal seconded. **Motion carried.**

## **AMERICAN RESCUE PLAN ACT**

Greg Durbin motioned to adopt a resolution to authorize the supervisor to submit the necessary paperwork. Les Andersen seconded. Roll call vote: Donovan, Andersen, Durbin, Beal, Lloyd, Lowe, Hanvey—all yes. **Resolution passed 7-0.**

## **CORRESPONDENCE & UPDATES**

Les Andersen passed out a paragraph for the board members to review regarding operating a business in Marion Township.

Two invoices were received from the LCRC for Burkhart Road and Triangle Lake Road and they were less than expected.

## **CALL TO THE PUBLIC**

Lisa Kirk, 2935 High Meadows, thanked the board and said she doesn't believe the Baldwin's are being truthful about the activity on their property.

## **ADJOURNMENT**

Sandy Donovan motioned to adjourn at 9:51 pm. Les Andersen seconded. **Motion carried.**

Submitted by: S. Longstreet

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Tammy L. Beal, Township Clerk      Date

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Robert W. Hanvey, Township Supervisor      Date