

**HOWELL TOWNSHIP BOARD REGULAR MEETING
MINUTES**

3525 Byron Road
Howell, MI 48855
July 8, 2019
6:30 P.M.

MEMBERS PRESENT:

Mike Coddington	Supervisor
Jean Graham	Clerk
Jonathan Hohenstein	Treasurer
Matthew Counts	Trustee
Harold Melton	Trustee
Evan Rudnicki	Trustee
Jeff Smith	Trustee

MEMBERS ABSENT:

Supervisor Coddington called the meeting to order at 6:30 p.m. The roll was called.

All rose for the Pledge of Allegiance.

APPROVAL OF THE AGENDA:

JULY 8, 2019

MOTION by Melton, seconded by Graham, **“TO APPROVE THE JULY 8, 2019 AGENDA AS PRESENTED.”**
Discussion followed. Motion carries.

JUNE 10, 2019 MEETING MINUTES

MOTION by Rudnicki, seconded by Melton, **“TO APPROVE THE JUNE 10, 2019 MEETING MINUTES AS PRESENTED.”** Discussion followed. Motion carries. (See June 10, 2019 Regular Meeting Minutes)

CORRESPONDENCE:

No additions.

UNFINISHED BUSINESS:

None.

CALL TO THE PUBLIC:

No response.

NEW BUSINESS:

A. REZONING VERN BROCKWAY, PARCEL #4706-27-200-006 MFR TO RSC

Attorney, David Bittner from Barley and Bittner P.C., representing applicant Vern Brockway, presented the applicant’s plans on the parcel, explaining the parcel is next to the parcel what used be known as Kelsey Hayes but is now Lucy Road Resources LLC. The request is for the parcel to be rezoned from MFR (Multiple Family Residential) to RSC (Regional Service Commercial). The intent use is for mini warehouse storage units.

- The Township Planning Commission voted 3 to 2 to deny the request for approval based on the findings discussed at the June Meeting.
- The County Planning Commission, “Took No Action” and encouraged further review.
- Questions and comments were taken from the Board.

- Mr. Bittner commented he did not understand, a previous decision by the Township, why a fence was required to be placed between two abutting properties that Mr. Brockway owns. It was explained the reason why the fence was required is because one of the properties was Master Planned for Multiple Family Residential and other property is in a heavier industrial zoning. The fence was required as part of the consent judgment and because of the zoning.
- Trustee and Planning Commission Representative Counts explained the reasons why they did not approve the request at the Planning Commission was heavily based on the Township Planner’s report. If rezoned, would the use be conducive to the Master Plan.
- Mr. Bittner is asking that this issue be taken back to the Planning Commission for further review to find some type of conclusion that would make this work or perhaps a Special Use or a Conditional Rezoning.
- The Township cannot put conditions on a rezoning the requester has to ask for a Conditional Rezoning and state what those conditions will be.
- **MOTION** by Graham, seconded by Smith, **“TO SEND BACK THE REQUEST FOR REZONING OF PARCEL #4706-27-200-006, VERN BROCKWAY, FROM MFR TO RSC, TO THE ZONING ADMINISTRATOR, PLANNING COMMISSION AND THE TOWNSHIP PLANNER TO WORK WITH THE APPLICANT FOR A CONDITIONAL REZONING AND FURTHER REVIEW.”** Discussion followed. A roll-call vote was taken: Smith – yes, Melton – yes, Hohenstein – no, Coddington – yes, Counts – no, Rudnicki – yes, Graham – yes. Motion carries 5 to 2.

B. REZONING STEVE GRONOW, PARCEL #4706-27-100-025 AR, RSC TO MFR

Tim Zimmer, representing Steve Gronow and Chestnut Development, presented the request for parcel to be rezoned from AR (Agricultural Residential, RSC (Regional Service Commercial) to MFR (Multiple Family Residential) for an 86 unit rental development.

- It is determined that it is consistent to the Master Plan.
- The Township Planning Commission recommended approval by a 5 to 0 count.
- The County Planning Commission also gave their recommendation for approval.
- Trustee and Planning Commission Representative Counts explained the project is basic to the 2 and 3 bedroom units that Chestnut Development is placing at Burkhart and Mason Roads.
- Trustee and Planning Commission Representative Alternate Smith added there is a lot of natural area around this parcel and there will be restrictions on the development to preserve it including a walking path.
- Discussion on past aerial accidents that happened in this area and buffers to keep these units safe.
- **MOTION** by Hohenstein, seconded by Counts, **“TO ACCEPT THE RECOMMENDATION FROM THE TOWNSHIP PLANNING COMMISSION, TO REZONE PARCEL #4706-27-100-025 FROM AR, RSC TO MFR, BASED ON THE TOWNSHIP PLANNING COMMISSION, THE COUNTY PLANNING COMMISSION AND THE TOWNSHIP PLANNER AS PRESENTED.”** Discussion followed. A roll-call vote was taken: Hohenstein – yes, Smith – yes, Counts – yes, Rudnicki – yes, Coddington – yes, Graham – yes, Melton – yes. Motion carries 7 to 0.

REPORTS:

A. SUPERVISOR:

(Supervisor Coddington reported on the following items)

- Working with attorneys on issues.

B. TREASURER:

(Treasurer Hohenstein reported on the following items)

- Starting collecting the Summer Taxes. Residents should have started receiving their Tax Bills around July 1st.
- Roads:
 - a) Bridge on Marr Road is restricted to one lane until MDOT & LCRC can replace the bridge.
 - b) Allen Road to the east of Oak Grove Road; problem with dead trees and too close to the road. County Road Commission stated they are unable to deal with them at this time because there are so many trees that need to be removed throughout the County. The County is suggesting that the Township hire outside tree removal services. It is the consensus of the Board that this is supposed to be done at the County expense and not at the Township expense.
- There is one property on Crandall Road that is in the foreclosure process. Since there is no sewer or water to this parcel it is not recommended that the Township try to acquire this property.

C. CLERK:

(Clerk Graham reported on the following items)

- Received final bills for the Spring Clean-Up Day: total of \$3,194.06, which is a little higher than last year. This year ads were placed in the paper and we had a few more vehicles come through the line.

D. ZONING:

(See Zoning Administrator Daus' prepared written report)

E. ASSESSING:

(See Assessor Kilpela's prepared written report)

F. FIRE AUTHORITY:

(Supervisor Coddington reported on the following items)

- Having to update software because it is no longer compatible with the State's system.

G. MHOG:

(Treasurer Hohenstein reported on the following items)

- The Cross Country Main is not funded. This main will be needed by 2023, so the project will need to be started by 2021.
- See written June 19, 2019 MHOG Meeting Report for other items not discussed.
- Supervisor Coddington added that the property that is needed for park on Mason Road is owned by MHOG. It once belonged to the County. A Quick Claim Deed has been signed off by the County Commissioners to MHOG. Next step is to see what MHOG plans are for the property. Perhaps the Township can get an easement to the Township park-land behind MHOG's piece.

H. PLANNING COMMISSION:

(Trustee Smith reported on the following items)

- Approved Preliminary Site Plan for Chestnut Development LLC on parcel #4706-27-100-025.

I. ZONING BOARD OF APPEALS (ZBA):

(Trustee Rudnicki reported on the following items)

- Approved -10 ft. variance to the side yard to allow for construction of an accessory structure on Parcel #4706-23-300-050.
- Passed that the interpretation for a limestone symbol on the wall of building would be considered a sign.

J. WWTP:

(Treasurer Hohenstein reported on the following items)

- No meeting.

K. HAPRA:

(Trustee Rudnicki reported on the following items)

- Approved Liquor License for an additional day for the Melon Fest; would like to do a Pre-Sale Event.
- The expenses on the Aquatic Center is mostly due to staff.
- Hot tub at the Aquatic Center is still down.
- Trying to acquire estimates for resurfacing some of the tennis courts at the Bennett Center.
- Hired a new Festival and Special Events Coordinator.
- Aquathlon participation was up.
- Summer Camps are completely full. Will need to expand next year.

L. PROPERTY COMMITTEE:

(Treasurer Hohenstein reported on the following items)

- Pine View – waiting to hear back from Pineview’s attorney.
- Oak Grove property aka Doc Earl’s property – Purchase agreement has been submitted. Discussion on the issue of which forms the agreement needs to be submitted on. The Property Committee would like the agreement to be on our form. This issue will go to the attorney for review and opinion. Discussion followed.
- Discussion on the issue with Mr. Mills farming Township property without permission. Will send another letter to Mr. Mills’ attorney.
- Trustee Smith added: discussion on acquiring a Quiet Title on Township owned properties at \$3,500.00 per parcel. This will be brought back to the Board.

CALL TO PUBLIC:

No Response.

DISBURSEMENTS: REGULAR AND CHECK REGISTER:

MOTION by Hohenstein, seconded by Rudnicki, **“TO APPROVE THE REGULAR DISBURSEMENTS THROUGH JULY 2, 2019 AND CHECK REGISTER AS PRESENTED, ALSO ANY CUSTOMARY AND NORMAL PAYMENTS FOR THE MONTH.”** Discussion followed. Motion carries.

ADJOURNMENT: **MOTION** by Counts, seconded by Hohenstein, **“TO ADJOURN.”** Motion carries. The meeting adjourned 7:45 p.m.

As Presented: _____ X _____

Howell Township Clerk
Jean Graham

As Amended: _____

Mike Coddington
Howell Township Supervisor

As Corrected: _____

Dated: _____ 08.12.2019 _____

Debby Johnson, Recording Secretary