

**HOWELL TOWNSHIP PLANNING COMMISSION
MEETING MINUTES**
Howell Township Hall
May 28, 2019
6:30 p.m.

MEMBERS PRESENT:

Andrew Sloan Chairman
Matthew Counts Board Rep.
Martha Haglund Commissioner
Carolyn Henry Commissioner
Peter Manwiller Commissioner

Also in attendance: Zoning Administrator Joe Daus
 Township Planner Paul Montagno

MEMBERS ABSENT:

Wayne Williams Secretary

Chairman Sloan called the meeting to order at 6:30 p.m. The roll was called.

All rose for the Pledge of Allegiance.

Acknowledgment to the resignation of Howell TWP Planning Commission Vice-Chairman, Mark Freude.

ELECTION OF VICE-CHAIRPERSON: MOTION by Henry, seconded by Counts, “**TO APPOINT COMMISSIONER MARTHA HAGLUND AS THE VICE-CHAIRPERSON.**” Discussion followed. Motion carried.

APPROVAL OF AGENDA: MOTION by Haglund, seconded by Henry, “**TO APPROVE THE MAY 28, 2019 AGENDA AS AMENDED: CORRECTION TO ITEM 13.A – CHANGE PARCEL #4706-27-300-006 TO THE CORRECT AND INTENDED PARCEL #4706-27-200-006.**” Discussion followed. Motion carried.

APPROVAL OF MINUTES: MOTION by Henry, seconded by Haglund. “**TO APPROVE THE APRIL 23, 2019 PLANNING COMMISSION MEETING MINUTES AS PRESENTED.**” Discussion followed. Motion carried.

CORRESPONDENCE:

Will be discussed during the Public Hearing regarding the applicant Chestnut Development, LLC – File #PC-2019-04, Parcel #4706-27-100-025, request to re-zone from AR, RSC to MFR, labeled Item 13.B on the Agenda.

TOWNSHIP BOARD REPORT:

(Board Rep. Matthew Counts reported on the following items)

- A May meeting was held.
- Approved to accept Farm Leases as recommended by the Farm Lease Committee, except for Oak Grove parcels #4706-25-100-028, 4706-25-200-046 and 4706-25-200-047, until negotiations and an agreement has been approved.
- Accepted Ordinance #262 for the Fire Prevention Code Ordinance
- Approved re-zoning of parcel #4706-27-200-001, 2198 W. Highland Rd. from SFR to NSC.
- Accepted resignation of Planning Commission Vice-Chairperson, Mark Freude.

ZONING BOARD OF APPEALS REPORT:

(Chairman Andrew Sloan reported on the following items)

- Granted a -26 ft. variance to petitioner Jared Runyan, File #PZBA-2019-02, Parcel #4706-14-300-019, 3410 Byron Road to allow for the construction of an accessory structure within side yard setbacks.

HOWELL TOWNSHIP PARKS REPORT:

(Commissioner Martha Haglund reported on the following items)

- Sidewalk/Pathway Ordinances and priority map are still in the works, will get to that during next month’s Planning Commission meeting.
- Argentine Township was awarded \$300,000 in grants from the Trust Fund to start their 2 mile ~~tradeoff~~ ^trail^, this area is part of the 14 mile stretch that’s going to go from Linden to Fenton Township.

PUBLIC HEARINGS:

A. VERN BROCKWAY – FILE #PC-2019-03, PARCEL #4706-27-200-006 – REQUESTING TO RE-ZONE FROM MULTIPLE FAMILY RESIDENTIAL (MFR) TO REGIONAL SERVICE COMMERCIAL (RSC).

- **MOTION** by Counts, seconded by Henry, **“TO OPEN THE PUBLIC HEARING AT 6:38 P.M. FOR PUBLIC INPUT REGARDING THE REQUEST TO RE-ZONE PARCEL #4706-27-200-006 FROM MULTIPLE FAMILY RESIDENTIAL (MFR) TO REGIONAL SERVICE COMMERCIAL (RSC).”** Motion carried.
 - Planner’s Review, written and reported by Township Planner, Paul Montagno was discussed.
 - David Bittner, Barley & Bittner, P.C. Attorneys at Law, representing applicant Vern Brockway: The applicant’s intention with the property and its proposed re-zoning is a self-storage facility. There are no site plans as of right now.
 - Chairman Sloan invites the Public to comment on the application to re-zone parcel #4706-27-200-006 from MFR to RSC:
 1. Steve Gronow, Chestnut Development: Stated that the property in question is right next to a property he owns and that he has no objection to this proposed re-zoning.
 - **MOTION** by Henry, seconded by Haglund, **“TO CLOSE THE PUBLIC HEARING AT 6:48 P.M. FOR PUBLIC INPUT REGARDING THE REQUEST TO RE-ZONE PARCEL #4706-27-200-006 FROM MULTIPLE FAMILY RESIDENTIAL (MFR) TO REGIONAL SERVICE COMMERCIAL (RSC).”** Discussion followed. Motion carried.
 - **MOTION** by Counts, seconded by Manwiller, **“TO RECOMMEND DENIAL OF THE REQUEST TO RE-ZONE PARCEL #4706-27-200-006 FROM MULTIPLE FAMILY RESIDENTIAL (MFR) TO REGIONAL SERVICE COMMERCIAL (RSC) BASED ON THE FINDINGS THAT HAVE BEEN DISCUSSED.”** Discussion followed.
- Rollcall was taken: Henry – no, Manwiller – yes, Counts – yes, Sloan – no, Haglund – yes. Motion carried 3 to 2.

B. CHESTNUT DEVELOPMENT, LLC – FILE #PC-2019-04, PARCEL #4706-27-100-025 – REQUESTING TO RE-ZONE FROM AGRICULTURAL RESIDENTIAL, REGIONAL SERVICE COMMERCIAL (AR, RSC) TO MULTIPLE FAMILY RESIDENTIAL (MFR).

- **MOTION** by Henry, seconded by Haglund, **“TO OPEN THE PUBLIC HEARING AT 7:05 P.M. FOR PUBLIC INPUT REGARDING THE REQUEST TO RE-ZONE PARCEL #4706-27-100-025 FROM AGRICULTURAL RESIDENTIAL, REGIONAL SERVICE COMMERCIAL (AR, RSC) TO MULTIPLE FAMILY RESIDENTIAL (MFR).”** Motion carried.
- Planner’s Review, written and reported by Township Planner, Paul Montagno was discussed.
- Tim Zimmer, Livingston Engineering, representing applicant Chestnut Development, LLC: Stated he’s willing to answer any questions about the request.
- Chairman Sloan invites the Public to comment on the application to re-zone parcel #4706-27-100-025 from AR, RSC to MFR:
 1. Pam Altemus, 2500 Popple Lane, Howell Township: Part of her property backs up to the property in question, wants to know how the proposed re-zoning will impact her property. She states there are wetlands covering parts of the property in question and asks if the water will be re-routed or if the water will come onto her property. Discussion followed.
 2. Public Correspondence from Ali Ftouni: parcel #4706-27-100-008, was read aloud by Chairman Sloan. Discussion followed.
 3. An employee from the Panhandle Eastern Pipe Line Company (PEPL): Shared concern over an easement that may pertain to both properties. Discussion followed.
- **MOTION** by Henry, seconded by Counts, **“TO CLOSE THE PUBLIC HEARING AT 7:27 P.M. FOR PUBLIC INPUT REGARDING THE REQUEST TO RE-ZONE PARCEL #4706-27-100-025 FROM AGRICULTURAL RESIDENTIAL, REGIONAL SERVICE COMMERCIAL (AR, RSC) TO MULTIPLE FAMILY RESIDENTIAL (MFR).”** Discussion followed. Motion carried.
- **MOTION** by Haglund, seconded by Manwiller **“TO RECOMMEND APPROVAL TO RE-ZONE PARCEL #4706-27-100-025 FROM AGRICULTURAL RESIDENTIAL, REGIONAL SERVICE COMMERCIAL (AR, RSC) TO MULTIPLE FAMILY RESIDENTIAL (MFR) ACCORDING TO THE PLANNER’S REPORT.”** Discussion followed.

Rollcall was taken: Counts – yes, Haglund – yes, Henry – yes, Manwiller – yes, Sloan – yes. Motion carried unanimously, 5 to 0.

NEW BUSINESS:

A. TEMPORARY SITE PLAN REVIEW APPLICANT: MICHAEL CROSBY – FILE #PC-2019-06, PARCEL #4706-32-400-002

- Applicant, Michael Crosby, Vevay Township, Mason, MI: 3rd year in a row applying for a temporary site plan review for the same location in Howell Township, specifically with intent to set up a tent for retail sales of fireworks. The property owner has signed off in agreement with the applicant as the case was last year and the same before.

This year the dates of operations are: June 15, 2019 through July 15, 2019. Hours of operation are: 10 a.m. to 9 p.m. The days of July 3rd and 4th will most likely open before 10 a.m.

Brought attention to the changes the State made in regards to fireworks: “State law permits, under MCL 28.457, the ignition, discharge, and use of consumer fireworks at the following times: December 31 until 1 a.m. on January 1, The Saturday and Sunday immediately preceding Memorial Day until 11:45 p.m. on each of those days, June 29 to July 4 until 11:45 p.m. on both of those days, July 5 if that date is a Friday or Saturday, until 11:45 p.m., The Saturday and Sunday immediately preceding Labor Day until 11:45 p.m. on each of those days.”

- **MOTION** by Counts, seconded by Henry, “**TO APPROVE THE TEMPORARY SITE PLAN APPLICATION, FILE #PC-2019-06, PARCEL #4706-32-400-002, BASED ON THE INFORMATION PROVIDED.**” Discussion followed.

Rollcall was taken: Manwiller – yes, Henry – yes, Counts – yes, Haglund – yes, Sloan – yes. Motion carried 5 to 0.

B. SITE PLAN REVIEW APPLICANT: CHESTNUT DEVELOPMENT, LLC – FILE #PC-2019-05, PARCEL #4706-27-100-025.

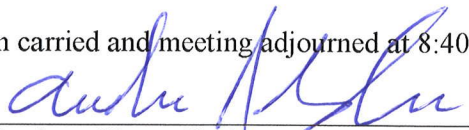
- Planner’s Review and Recommendations, written and reported by Township Planner, Paul Montagno was discussed.
- Tim Zimmer, Livingston Engineering, representing applicant Chestnut Development, LLC: Went through both Township Planner’s and Township Engineer’s Review and Recommendations. Addressed issues currently in the process of being fixed. Discussed other details of concern about the project.
- It is stated that missing details and issues of concern on the preliminary site plan should be worked out and brought back for review.
- **MOTION** by Manwiller, seconded by Counts, “**TO POSTPONE ACTION ON THE PRELIMINARY SITE PLAN APPLICATION FOR THE CHESTNUT DEVELOPMENT, PARCEL #4706-27-100-025 UNTIL ALL DETAILS MENTIONED ARE ADDRESSED BY THE APPLICANT.**” Discussion followed.

Rollcall was taken: Haglund – yes, Sloan – yes, Manwiller – yes, Henry – yes, Counts – yes. Motion carried 5 to 0.

ADJOURNMENT:

MOTION by Counts, seconded by Manwiller, “**TO ADJOURN.**” Motion carried and meeting adjourned at 8:40 P.M.

Approved: _____


Andrew Sloan, Chairman

As Presented: _____

As Amended: X _____


Wayne Williams, Secretary

As Corrected: _____

Dated: 06.25.19


Josie Modrack, Recording Secretary