

HOWELL TOWNSHIP PLANNING COMMISSION – ELECTRONIC, ZOOM

APPROVED - MINUTES: JULY 28, 2020, 6:30 P.M.

3525 BYRON RD. HOWELL TOWNSHIP HALL, HOWELL MI 48855 (517-546-2817)

**MEMBERS PRESENT:**

Andrew Sloan Chairman  
Martha Haglund Vice-Chairwoman  
Wayne Williams Secretary  
Matthew Counts Board Representative  
Carolyn Henry Commissioner  
Peter Manwiller Commissioner  
Glen Miller Commissioner

**MEMBERS ABSENT:**

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

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

Mr. Chair recognized the Pledge of Allegiance was not on the Agenda due to the meeting's virtual venue, reminded members and the public that the Planning Commission made an oath to uphold the constitution.

**APPROVAL OF AGENDA: MOTION** by Henry, seconded by Haglund, **"TO APPROVE THE JULY 28, 2020 PLANNING COMMISSION AGENDA AS PRESENTED."** Motion carried 6 – 1. Discussion followed.

Mr. Chair voted against approving the agenda because he believes the Zoom venue discriminates against low-income residents who cannot afford to own a computer and persons of disability unable to use a computer screen for long periods of time, stating that audio-only is not as efficient. Feels the Township has been inconsistent, holding in-person Board meeting on July 13, 2020 and in-person ZBA meeting on July 20, 2020.

**APPROVAL OF MINUTES: MOTION** by Haglund, seconded by Counts, **"TO APPROVE THE JUNE 23, 2020 PLANNING COMMISSION MINUTES AS PRESENTED."** Motion carried. Discussion followed.

Vice-Chairwoman Haglund thanked Mr. Chair for bringing the inconsistent venue to their attention.

**TOWNSHIP BOARD REPORT:** (Board Representative, Matthew Counts reported on the following)

- July 13, 2020 Board Synopsis.
- Regal Demolition was hired to demolish potentially hazardous abandoned barns on Township owned properties.
- Answered questions about the upcoming August 10, 2020 Township Board meeting, believes the venue being in person or virtual depends on the Governor's status on 10-person limitations indoors.

**ZONING BOARD OF APPEALS REPORT:**

- July 20, 2020 Zoning Board of Appeals Synopsis. No further questions.

**ZONING ADMINISTRATOR REPORT:** (Zoning Administrator, Joe Daus, reported on the following)

- Monthly Permit List.
- As of right now there is not anything on the August 25, 2020 Planning Commission agenda.

**HOWELL TOWNSHIP PARKS REPORT:** (Vice-Chairwoman Martha Haglund reported on the following)

- Nothing to report.

**UNFINISHED BUSINESS: COMBINED PRELIMINARY/FINAL SITE PLAN REVIEW** – Nexthome Statewide Realty. J.A.C Property Enterprises, LLC. File #PC-2020-05. Parcel #4706-26-100-040. Vacant lot on M-59 (Highland Rd).

- Township Planner, Paul Montagno briefed over the Planner's Report (dated: 06.18.2020, revised: 07.22.2020). Thanked the Applicant's effort to address outstanding issues. Biggest issue at the June meeting was the lack of parking presented on the first site plan. The revised site plan includes updated parking with deferred spaces but still not in compliance with Township regulations. Detention pond is in the front-yard setback which is in violation of the Zoning Ordinance. The site seems too small to accommodate the size of the proposed building, until those issues can be dealt with, does not recommend approval at this time.
- Applicant, Aaren Currie is present to speak on the outstanding issues. Believes the proposed building is harmonious to similar parcels to the right and left of the proposed site. Has considered the parking needs of the proposed building and believes it is not a health and safety concern. Lucas Curd, Engineer of the proposed project, has been in contact with the Livingston County Drain Commission in regards to their requirements, believes the detention pond on the site plan is up to engineering standards. Applicant said a reduced building size wouldn't work for the use intended.
- The harmonious parcels to the right and left of the proposed site may have been accepted under certain circumstances, a different Zoning Ordinance, and/or a different Commission at the time. The Planning Commission does not have the authority to wave the facts of the Zoning Ordinance. Planner suggested a different layout for parking

and suggested appropriate locations for detention pond. The size of the building is what dictates the required size of the parking lot and detention spot. Members asked if the Applicant would be willing to build in phases to fix the issue of the building too big for the site. Commissioners asked the Applicant if they needed more direction from them.

- Commissioners requested Zoning Administrator, Joe Daus if he could look into the circumstances the parcels next to the proposed site were approved under and let them know next Planning Commission meeting.

**MOTION** by Haglund, with a friendly amendment by Manwiller, seconded by Manwiller, **“TO POSTPONE ACTION ON THE COMBINED PRELIMINARY AND FINAL SITE PLAN FOR NEXTHOME REALTY, J.A.C. PROPERTY ENTERPRISES, FILE #PC-2020-05, PARCEL ID 4706-26-100-040, UNTIL SUCH TIME THE APPLICANT IS READY TO BRING IT BACK BEFORE THE PLANNING COMMISSION OR WITHDRAW.”**

Discussion followed. The Applicant is allowed one year before the site plan process would need to restart.

The roll was called. Henry – yes, Miller – no, Manwiller – yes, Counts – yes, Sloan – yes, Haglund – yes, Williams – yes. Motion carried 6 – 1.

**OTHER BUSINESS: INDUSTRIAL FLEX ZONE / proposed changes to the Township Zoning Map** – Revised name from Innovation Zone: continued discussion.

- Township Planner, Paul Montagno refers to the latest draft of the proposed Industrial Flex Zone Ordinance, dated 07.23.2020. The reason for the name change was because of existing property owner’s concerns that the name Innovation Zone would affect future financing/marketing. Added measurable performance standards to the language.
- Amy Cyphert from Corrigan Oil concerns: 1. Language on vehicle time frame. Stated Corrigan does not own or control what happens to abandoned vehicles until they’re titled abandoned, which takes a certain amount of time. The lot is used frequently by the Sherriff’s Department, many vehicles are part of investigations, fatalities, court cases, etc. they stay on property until deemed able to be released by police department, which is not controlled by Corrigan Oil. Typically have auctions quarterly at the property, however depending on when the title transfer is complete and when an auction is published in the newspaper, Corrigan may not be able to move the cars every 60 or 90 days. Can guarantee cars be gone within a year. 2. Language on number of vehicles per lot. Limiting cars allowed per lot to 50 vehicles as stated would hinder the facility based on the size of the property being over 3 acres. Stated that Corrigan Oil is not a junk or salvage yard, does not sell parts of cars only whole vehicles. Commissioners asked if Corrigan would consider a privacy fence. Ms. Cyphert would speak to property owner.
- Cary Lyons from Precise Finishing Systems: One concern is the language on noise/vibration. Commissioners asked what a reasonable sound decibel would be for their facility so they could work that into the ordinance language, Mr. Lyons stated he’d work on getting that number. Second concern is the use of fabricating metal products being considered a special use with conditions, stated that’s one of the main things done at the facility. Planner stated a Special Use permit is only required for new uses, since Precise Finishing is existing it would not affect them. Would not affect new owners if current owners decided to sell unless the use is inactive for over 12 months.
- Commissioners commented in favor of the new title and suggested putting a measurable number to the language regarding vehicles per parking lot. Further discussion on the time-frame allowed for parked vehicles. Township Planner will bring back edits to the next Planning Commission meeting.

**OTHER BUSINESS:** Commercial building standards – discussion.

- Discussion on creating a set of standards an applicant is required when constructing commercial buildings. Planner said he would be willing to add this to the ongoing list of Zoning Ordinance Text Amendments being worked on with Zoning Administrator. Can pull together some examples of building material requirements for the next meeting.
- Discussion among Commissioners: priority is the proposed Industrial Flex Zone but willing to have a discussion on what these standards would entail. Some members requested waiting until in-person meetings start again..

**CALL TO THE PUBLIC:**

- Dee Maisano, 3728 Amber Oaks: proposed apartments going behind Kroger. Suggests the Township put houses there with a mortgage.
- Julia Barker, 336 Keenen Court: proposed apartments going behind Kroger. Concerned with the light at M-59 and Oak Grove. Wants the Township to remain family-based. Additional concerns regarding traffic mentioned.
- Renee MacDonald, 3700 Amber Oaks: proposed apartments going behind Kroger. Traffic concerns, major need for a left-turn light.

- ^Commissioner^ Peter Manwiller, 359 Ventura Court: proposed apartments going behind Kroger. Traffic concerns and reiterated resident’s concerns mentioned at past meetings.
- Commissioners commented: Annex and Westview Capital site plans are the two proposed apartments for that area. These site plans were approved conditional that traffic studies are provided. The Planning Commission and the Township Board hear the resident’s concerns and take them seriously. Township doesn’t own that road and it’s not the Township’s responsibility, can’t manage it. Thanked the public and suggested writing correspondence on the issue.
- Commissioners wished Recording Secretary, Josie Modrack, good luck as it is her last Planning Commission meeting with Howell Township.

**MOTION** by Miller, seconded by Haglund, **“TO ADJOURN.”** Motion carried. Meeting adjourned at 8:30 P.M.

Approved: \_\_\_\_\_

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Andrew Sloan, Chairman

As Presented: \_\_\_\_\_

As Amended:   8/25/2020  

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Wayne Williams, Secretary

As Corrected: \_\_\_\_\_

Dated:   08/25/2020  

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Josie Modrack, Recording Secretary