

HOWELL TOWNSHIP PLANNING COMMISSION

Howell Township Hall

August 22, 2017

6:30 p.m.

MEMBERS PRESENT:

Andrew Sloan Chairman
Mark Freude Vice Chairman
Wayne Williams Secretary
Matthew Counts Board Rep.
Carolyn Henry Commissioner
Peter Manwiller Commissioner

MEMBERS ABSENT:

Adam Dale Commissioner

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

Chairman Sloan called the meeting to order at 6:30 p.m. The roll was called. All rose for the Pledge of Allegiance.

Chairman Sloan paid tribute for former Planning Commission member, John Hubbel, who recently passed. Mr. Hubbel also served as a Howell Township Trustee, a member of the Board of Review and was an asset to the community.

APPROVAL OF THE AGENDA:

MOTION by Freude, seconded by Henry, **“TO APPROVE THE AUGUST 22, 2017 AGENDA AS PRESENTED.”** Motion carried.

APPROVAL OF MINUTES:

MOTION by Manwiller, seconded by Williams, **“TO APPROVE THE JULY 25, 2017 MEETING MINUTES AS PRESENTED.”** Motion carried. (See July 25, 2017 Meeting Minutes)

CORRESPONDENCE:

Planning & Zoning News.

TOWNSHIP BOARD REPORT:

(Counts)

- Accepted a bid to have the Township pavilion/gazebo repaired.
- Deputy Supervisor Kilpela gave the Financial Report.

ZONNG BOARD OF APPEALS REPORT:

(Sloan)

- Approved several variances for front and rear yard setbacks for Devine Grounds.

ZONING REPORT:

(Daus)

- No report.

PUBLIC HEARINGS:

- A) REZONING, BEDROCK VENTURES, LLC, PARCEL #4706-32-300-003, FILE #07.17.05, FROM “AR” TO “NSC”.
 - **MOTION** by Henry, seconded by Freude, **“OPEN THE PUBLIC HEARING FOR BEDROCK VENTURES, LLC, PARCEL #4706-32-300-003, FILE #07.17.05 REZONING FROM “AR” TO “NSC” AT 6:35 P.M.”** Motion carried.
 - Zoning Administrator Daus introduced the application from owners Bedrock Ventures, LLC on a 40 acre parcel. They are requesting to rezone 4.24 acres of that parcel from “AR” Agricultural Residential to “NSC” Neighborhood Service Commercial.

- Applicant Brad Jonckheere of Bedrock Ventures, would like to change to zoning to allow a micro-brewery in an existing vacant building.
- Township Planner Montagno gave a synopsis of his report from Carlisle/Wortman Associates. The parcel is located on the north side of Mason Road in an agricultural district but the use is a gravel pit. Surrounding area is primary residential or open space. Through the Master Planning process and developing a Future Land Use Map, it will take the southern half of this 40 acre parcel and designated it as Local Commercial which contains the 4.24 acre piece that is in question. If the Planning Commission wishes to go forward with this, it will be a recommendation to the Township Board for final approval. Another option the application can do, is to come back with a Conditional Rezoning. Planner Montagno stated that this is appropriate type of use for the area. He gave his findings and his recommended items to be addressed. (see Carlisle/Wortman report, dated 8/21/2017)
- Chairman Sloan took comments from the public: There was no response.
- **MOTION** by Henry, seconded by Counts, **“TO CLOSE THE PUBLIC HEARING AT 6:45 P.M.”** Motion carried.
- Chairman Sloan took questions and comments from the Planning Commission. Discussion followed. It was the consensus of the Commissioners that more clarification, on the potential use of the property, is needed before making a decision.
- The applicant will consider a requesting a Conditional Rezoning.
- **MOTION** by Freude, seconded by Henry, **“TO TABLE THE DECISION, TO ALLOW THE APPLICANT TO COME BACK AND AMENDED HIS APPLICATION TO A CONDITIONAL REZONING.”** Motion carried.

B) **KENNEL ORDINANCE – PROPOSED TEXT AMENDMENTS:**

Proposed changes: **Modify Article II DEFINITIONS**, Section 2.02 Definitions. **Modify Article IV “AR” AGRICULTURAL – RESIDENTIAL DISTRICT**, Section 4.03 Permitted Principal Special Uses with Conditions. Section 4.04 Permitted Accessory Uses. Section 4.05 Permitted Accessory Uses with Conditions. **Modify Article VI “SFR” SINGEL-FAMILY RESIDENTIAL DISTRICT**, Section 6.04 Permitted Accessory Uses. **Modify Article VII “MFR” MULTIPLE-FAMILY RESIDENTIAL DISTRICT**, Section 7.04 Permitted Accessory Uses. **Modify Article IX “NSC” - NEIGHHBORHOOD SERVICE COMMERCIAL DISTRICT**, Section 9.03 Permitted Principal Special Uses with Conditions. **Modify Article X “RSC” REGIONAL SERVICE COMMERCIAL DISTRICT**, Section 10.03 Permitted Principal Special Uses with Conditions. **Modify Article XI “HSC” HIGHWAY SERVICE COMMERCIAL DISTRICT**, Section 11.03 Permitted Principal Special Uses with Conditions. **Modify Article XII “HC” HIGHWAY SERVICE COMMERCIAL DISTRICT – Section 12.03 Permitted Principal Special Uses with Conditions.** **Modify Article XIV SUPPLEMENTAL REGULATIONS**, Section 14.42 Rural Kennels.

- **MOTION** by Freude, seconded by Henry, **“TO OPEN THE PUBLIC HEARING ON THE KENNEL ORDINANCE AT 7:05 P.M.”** Motion carried.
- Township Planner Montagno stated this change is to better define the types of kennels; Commercial and Rural and to a better definition of Household Pets. It was also inserted; animals six months old and younger. He stated that this will take care of the concerns from the Board and other feed backs that were received.
- Chairman Sloan open the public for comments or questions. There was no response.
- **MOTION** by Counts, seconded by Williams, **“TO CLOSE THE PUBLIC HEARING AT 7:07 P.M.”** Motion carried.
- Chairman Sloan took questions and comments from the Planning Commission.
- **MOTION** by Henry, seconded by Freude, **“TO RECOMMEND THE KENNEL ORDINANCE TO THE TOWNSHIP BOARD FOR APPROVAL AS PRESENTED.”** Motion carried.

UNFINISHED BUSINESS:

- A. HAMILTON PROPANE, PARCELS #4706-21-300-011 & 12, PARCEL #4706-21-300-023 & 024, FILE #07.17.06, PRELIMINARY SITE PLAN.
- Chairman Sloan stated that the applicant came to the Planning Commission in June and is back again with a more completed site-plan.
 - It was noted by the Commissioners that there was some significant changes that was required.
 - There were no reports in on time.
 - The applicant stated that they have met with several of the required entities and have taken care of several of the issues. They stated they are closing on the property next week. They are willing to make any necessary changes that are needed to pass the Site-Plan Review.

- Township Planner Montagno did not have his report for this project. He stated this is a preliminary site-plan. It is possible to move forward the preliminary site-plan contingent with conditions. He stated some of the outstanding items from the previous reports. There were no issues of the lay-out but the details need to at the level we require. He is willing to do an administrative review next week to see if there are any major conflicts they may have and then come back for a final site-plan review.
 - Questions and concerns came from the Commissioners.
 - **MOTION** by Manwiller and by a Friendly Amendment to the motion from Henry and seconded by Freude, **“TO APPROVE PRELIMINARY SITE-PLAN AS PRESENTED, CONTINGENT UPON THE ADMINISTRATIVE REVIEW, ENGINEER REVIEW AND ANY LOCAL GOVERNMENTAL REVIEWS.”** Discussion followed. Motion carried.
- B. CHESTNUT DEVELOPMENT, PARCEL #4706-32-400-012, FILE #04.17.03, FINAL SITE PLAN REVIEW.
- Township Planner Montagno introduced the site-plan. This is an 84 unit, for-lease, multi-family housing development located on a 16.7 acre parcel located to the northwest side of the intersection of Mason Road and Burkhart Road surrounding Angelo’s Party Store. He stated that there were several issues that the Planning Commission had discussed at the Preliminary Review. They are meeting these requirements. There are still a few items that have not yet been met. Planner Montagno gave his items of direction, which yet need to be addressed. (See Carlisle/Wortman report from 08/18/2017)
 - Engineer, Brent LaVanway, from Boss Engineering showed plans for the site of Chestnut Development and the improvements that have been made to previous plans including open spaces, trees, and sidewalks.
 - Brad Opfer from Chestnut Development showed plans and some of the examples for the architectural aspects of the buildings.
 - Questions and concerns were given by the Commissioners.
 - **MOTION** by Henry and by a Friendly Amendment to the motion by Counts and seconded by Manwiller, **“TO APPROVE CHESTNUT DEVELOPMENT, PARCEL #4706-32-400-012, FINLE SITE PLAN, FILE #04.17.03 CONTINGENT UPON: THE ITEMS IN THE SITE PLAN REVIEW FOR HOWELL TOWNSHIP REPORT, DATED AUGUST 18, 2017 FROM CARLISLE/WORTMAN BE ADDRESSED; IN ADDITON, LEGAL REVIEW FOR ANY BOND THAT MAY BE POSTED FOR FUTURE SIDEWALKS INSTALLATION AND THAT THE FINAL SITE PLAN REVIEW IS CONDITIONAL ON, THE SIDEWALKS BEING SHOWN ON THE SITE PLAN; IN ADDITION, PLANS WILL BE REVIEWED BY LOCAL GOVERNMENTAL UNITS AND ANY OUTSTANDING ITEMS BE ADDRESSED.”** Discussion followed. A roll-call vote was taken: Manwiller – yes, Counts – yes, Williams – yes, Freude – yes, Henry – yes, Sloan – yes. Motion carried 6 to 0.

NEW BUSINESS

- A. MARR BIBLE CHURCH, PARCEL #4706-09-300-033, FILE #07.17.05 PRELIMINARY AND FINAL SITE PLAN REVIEW.
- Township Planner Montagno introduced the site plan. This is for a 1-story, 2,344 square foot addition to an existing church building at the corner of Burkhart Road and Marr Road. The addition will be on the back/east side at the south end of the building. The addition is appropriate and logical. Although the existing building is a legal nonconforming because it does not meet the setback requirements on either Marr Road or Burkhart Road but the proposed addition does meet the zoning requirements. Architectural design is consistent with the existing building. The parking meets the required standards. There are no issues with the nearby wetlands. Planner Montagno discussed his areas of concerns.
 - Engineer, Brent LaVanway, from Boss Engineering gave an overview of the plans for the site.
 - Pastor Szelkowski stated that the addition is for added classrooms and lobby space. The plans do not show the existing lighting. The parking lot will not be any larger. Hopefully there will be a phase II and then the rest of the parking lot will get paved. There will not be any added plumbing. There will be a firewall between the new and the existing building.
 - Questions and comments from the Commissioners.
 - The applicant is seeking Final Site Plan Approval.

- **MOTION** by Freude, and by a Friendly Amendment to the motion by Henry and seconded by Williams, **“TO APPROVE MARR BIBLE CHURCH, PARCEL #4706-09-300-033, FILE #07.17.05 FOR FINAL SITE PLAN CONTINGENT UPON THE ENGINEER’S REPORT, FIRE MARSHAL’S REPORT AND ITEMS TO BE ADDRESSED FROM THE CARLISLE/WORTMAN REPORT DATED 08/15/2017.”** Discussion followed. Motion carried.

- B. DEVINE GROUNDS, PARCEL #4706-20-100-025, FILE #2017-03 FINAL SITE PLAN REVIEW.
 - Township Planner Montagno introduced the site plan. The existing 2 story 1,200 square foot building is located at 4959 W. Grand River, Howell, MI, southeast section of Warner Road, Fleming and Grand River Ave. The site plan is for a 1 story 400 square foot addition and an installation of a parking lot. It is in the “NSC” Neighborhood Service Commercial District. The proposed use is for a 16 seat coffee/ice cream shop and inspirational gifts. It is an appropriate use for the district. Because the existing building is not conforming to the setbacks but the addition and the required ADA ramp is in need of variances to the setbacks. The access point will be from Grand River Ave. Planner Montagno discusses his areas of concerns.
 - Zoning Administrator Daus explained some history of this project. This was an approved site plan several years ago but due to some issues everything has expired and that is why they are requesting again.
 - Chairman Sloan who also sits on the (ZBA) Zoning Board of Appeals Board explained there are 7 variances to the setbacks were granted at the last ZBA Meeting. ZBA Minutes from 2005 showed much time going over options for other setbacks. These were not addressed again.
 - Applicants Mr. and Mrs. Foldenauer for Devine Grounds, agreed with the Zoning Administrator and the Chairman about the past history of the project. They also stated they have went through many of the local governmental entities and have gotten their approval. The problems with the loss of their drain because of the widening of Grand River and having to move the neighbor’s well to allow for a dentition pond. The original plans shows all the landscaping and other requirements. Also stated the cornerstone is dated 1894. It was burned around 1920 and is known as the old Spool Church.
 - Questions and comments from the Commissioners.
 - **MOTION** by Henry, seconded by Freude, **“TO APPROVE FINAL SITE PLAN FOR DEVINE GROUNDS, PARCEL #4706-20-100-025, FILE #2017.03 CONTINGENT UPON COMPLIANCE WITH THE FOLLOWING: CARLISLE/WORTMAN REVIEW DATED AUGUST 17, 2017, SPICER REPORT DATED 08/10/2017, HOWELL FIRE MARSHAL DATE 08/07/2017 AND THE LOCAL GOVERNMENTAL UNITS.”** Discussion followed. Motion carried.

OTHER BUSINESS:

None.

CALL TO THE PUBLIC:

No response.

ADJOURNMENT: **MOTION** by Freude, seconded by Manwiller, **“TO ADJOURN”** Motion carried, and meeting adjourned at 8:23 P.M.

Approved: _____ X _____

Andrew Sloan, Chairman

As Presented: _____ X _____

As Amended: _____

Wayne Williams, Secretary

As Corrected: _____

Dated: _____ 09.26.2017 _____

Debby Johnson, Recording Secretary