

HOWELL TOWNSHIP PLANNING COMMISSION

REGULAR MEETING

3525 Byron Road
Howell, MI 48855
September 24, 2024
6:30 pm

1. Call to Order
2. Roll Call: () Wayne Williams - Chair () Paul Pominville
 () Robert Spaulding – Vice Chair () Tim Boal
 () Mike Newstead – Secretary () Chuck Frantjeskos
 () Matthew Counts – Board Rep.
3. Pledge of Allegiance
4. Approval of the Agenda:
 Planning Commission Regular Meeting: September 24, 2024
5. Approval of the Minutes:
 Regular Meeting September 5, 2024
6. Zoning Board of Appeals Report:
7. Township Board Report:
8. Scheduled Public Hearings:
9. Other Matters to be Reviewed by the Planning Commission:
 A. Planning Commission Bylaws - Discussion
10. Old Business:
11. New Business:
 A. Guided Mission Investments, PC2024-12, 1800 N. Burkhart Rd. Howell, MI 48855,
 Parcel # 4706-28-100-012. Temporary Use Request.
12. Call to the Public:
13. Adjournment

**This meeting is open to all members of the public under Michigan’s Open Meetings Act.
Persons with disabilities who need accommodations to participate in this meeting should contact the
Township Clerk’s Office at 517-546-2817 at least two (2) business days prior to the meeting.**

DRAFT

HOWELL TOWNSHIP PLANNING COMMISSION
REGULAR MEETING MINUTES
3525 Byron Road Howell, MI 48855
September 5, 2024
6:30 P.M.

MEMBERS PRESENT:

Wayne Williams Chair
Robert Spaulding Vice Chair

Matthew Counts Board Rep.

Tim Boal Commissioner

MEMBERS ABSENT:

Mike Newstead Secretary

Paul Pominville Commissioner

Chuck Frantjeskos Commissioner

Also in Attendance:

Township Planner Paul Montagno, Zoning Administrator Jonathan Hohenstein

Chairman Williams called the meeting to order at 6:30 pm. The roll was called. Chairman Williams requested members rise for the Pledge of Allegiance.

APPROVAL OF THE AGENDA:

Motion by Counts, **Second** by Boal, **“To approve the agenda.”** Motion carried.

APPROVAL OF THE MEETING MINUTES:

August 20, 2024

Motion by Spaulding, **Second** by Boal, **“To approve.”** Motion carried.

ZONING BOARD OF APPEALS REPORT:

Draft minutes are included in the packet. Chairman Williams gave an overview.

TOWNSHIP BOARD REPORT:

Draft minutes are included in the packet.

SCHEDULED PUBLIC HEARINGS:

None.

OTHER MATTERS TO BE REVIEWED BY THE PLANNING COMMISSION:

None.

OLD BUSINESS:

- A. Chestnut Self Storage, PC2024-11, N. Burkhart Rd. Howell, MI 48855, Parcel # 4706-29-200-029. Final Site Plan Review.
Planner Montagno gave an overview of the site plan from Chestnut Development. Chairman Williams inquired into the Tetra Tech letter for a private water system with one meter for the entire project. Mark Melchi, MEGA Engineering, provided a review for Chestnut Development including Road Commission concerns, Drain Commission concerns, directional boring the sewer line, REU calculation, and fence location. Commissioner Boal spoke about the look of the project from the road, the 50’ setback from

Burkhart Road, landscape buffer, REU calculation from Spicer Engineering, and reviewing agencies comments. Vice Chair Spaulding spoke about REU calculation, Drain Commissioners comments and concerns for the proposed development, railroad easement, neighbors south of the railroad and obtaining easements from southern property owners for stormwater, all of the outstanding items from the reviewing agencies. Mark Melchi and Steve Gronow spoke about the railroad easement and the increase in stormwater detention on site and reducing the exit flow rate. Commissioner Counts spoke about the railroad easement, stormwater retention, stormwater issues at Chestnut Crossing, and centralized bathrooms.

Motion by Williams, **Second** by Boal, **“To approve final site plan review for Chestnut Self Storage, PC2024-11, Parcel # 4706-29-200-029, pending approval of the Drain Commission, Road Commission, engineering reports, Fire Marshal, and MHOG.”** Discussion followed. Motion carried.

- B. Wrangler’s Saloon Restaurant, PC2024-10, 4020 W. Grand River Ave. Howell, MI 48855, Parcel # 4706-20-201-018. Final Site Plan Review.

Planner Montagno gave an overview of the site plan from Wrangler’s Saloon. Patrick Cleary, Boss Engineering, spoke about the site plan. Commissioner Boal spoke about the patio in the setback. Vice Chair Spaulding spoke about the need to record the drainage easements and grease trap review. **Motion** by Spaulding, **Second** by Counts, **“Approval for final site plan approval for Wrangler’s Saloon Restaurant, PC2024-10, 4020 W. Grand River, parcels 4706-20-400-004, parcel 4706-20-201-017, parcel 4706-20-201-018 contingent upon approval of the letters from Spicer, the Livingston County Drain Commissioner’s Office, Fire Marshal, and the Township Planner, and the Road Commission, and MHOG.”** Motion carried.

- C. Storage Container Ordinance – Discussion

Planner Montagno provided a brief overview of the updates requested during the last Planning Commission meeting including allowing residents to have storage containers with some guidelines and allow residents to use PODS for moving or other short-term needs. Commissioner Boal asked about allowing accessory structures in front of the residence, a limit for how far off the road accessory structures would be allowed, lot coverage percentage, and number of storage containers allowed per property. Vice Chair Spaulding brought up categorizing shipping containers the same as accessory structures and the differences between the two, limiting the number or storage containers based on acreage, subjective portions of the revisions including the foundation requirements, and screening requirements. Planner Montagno discussed that storage containers are considered outdoor storage and are currently only allowed in the Industrial Zoning District and why the Planning Commission is trying to pass an ordinance to allow them in other zoning districts. Commissioner Boals and Counts discussed separating storage containers from accessory structures in the ordinance. Chairman Williams discussed screening requirements. Commissioner Boal discussed the limit on the number of containers per property using acreage. Planner Montagno will incorporate the requested changes and bring this draft ordinance back to the Planning Commission.

- D. ADU Ordinance - Discussion

Chairman Williams discussed number of access points, and attached versus detached units. Commissioner Boal discussed the zoning implications of adding an ADU to a property in the Single Family Residential zoning district. Commissioner Counts discussed requiring the splitting of property versus keeping the unit close to the primary dwelling. Vice Chair Spaulding discussed the one-thousand square foot limit and instead restrictions using a percentage of the primary dwelling and Principal Resident Exemption and assessment implications. Commissioner Counts discussed the provision over

the number of people that can be in an ADU. Planner Montagno will incorporate the discussion points into the draft ordinance and bring it back to the Planning Commission for further discussion.

NEW BUSINESS:

Chairman Williams discussed alternates for the Planning Commission. Vice Chair Spaulding inquired about the document that Bob Wilson provided to the Planning Commission members before the meeting started.

CALL TO THE PUBLIC:

Bob Wilson, 2945 Brewer Rd.: Discussed the document provided to the Commission, disapproves of the shipping container ordinance, position of the call to the public on the agenda, preference of tiny homes to ADUs.

Shane Fagan, 30 Santa Rosa Dr.: ADU ordinance bedroom requirements, should not permit brothers and sisters sleeping in the same bedroom, discussed the document provided to the Commission by Bob Wilson and Shane's discussion with Cade Wilson; read the entire document to the Commission, discussed neighbor disputes.

Bob Wilson, 2945 Brewer Rd.: Discussed public comment at meetings and public engagement.

It was the consensus of the Planning Commission to add a discussion of the Planning Commission bylaws to the next agenda.

ADJOURNMENT:

Motion by Spaulding, **Second** by Counts, "**To adjourn the longest Howell Township Planning meeting I have ever attended.**" Motion carried. The meeting was adjourned at 9:30 p.m.

Date

Mike Newstead
Planning Commission Secretary

Jonathan Hohenstein
Recording Secretary

DRAFT

**HOWELL TOWNSHIP REGULAR BOARD
MEETING MINUTES**
3525 Byron Road Howell, MI 48855
September 9, 2024
6:30 P.M.

MEMBERS PRESENT:

Mike Coddington	Supervisor
Sue Daus	Clerk
Jonathan Hohenstein	Treasurer
Matthew Counts	Trustee
Jeff Smith	Trustee
Harold Melton	Trustee
Bob Wilson	Trustee

MEMBERS ABSENT:**Also in Attendance:**

21 people were in attendance.

Supervisor Coddington called the meeting to order at 6:30 p.m. The roll was called. Supervisor Coddington requested members rise for the Pledge of Allegiance.

CALL TO THE BOARD:

None

APPROVAL OF THE AGENDA:

September 9, 2024

Motion by Melton, **Second** by Counts, **"To approve the agenda as presented."** Motion carried.

APPROVAL OF BOARD MEETING MINUTES:

August 12, 2024

REGULAR BOARD MEETING MINUTES

Motion by Hohenstein, **Second** by Melton, **"Correction in the unfinished business A with resolution. The first part of the digits 04 should not be in there, otherwise move to accept as presented."** Motion carried.

CALL TO THE PUBLIC:

None

UNFINISHED BUSINESS:

- A. Howell parks and Recreation Continuing Resolution: Treasurer Hohenstein gave an up-date on HAPRA, providing the board with a continuing resolution of the authority. **Motion** by Hohenstein, **Second** by Counts, **"To accept Resolution 09.24.541 approving the continuation of services with Howell Area Parks and Recreation Authority as presented."** Roll Call: Daus- yes, Smith-yes, Counts- yes, Coddington- yes, Hohenstein- yes, Melton- no, Wilson- no. Motion carried 5-2.

- B. Oakland Tactical Filing to the U.S. Supreme Court: Treasurer Hohenstein reported on Oakland Tactical filling with the U.S Supreme Court but that doesn't mean the Supreme Court will accept the case. Trustee Wilson questioned the budget regarding the lawsuit with Oakland Tactical. Discussion followed.
- C. Board Room Sound System: Clerk Daus provided estimate created by American Video Transfer Inc. Matt Eckman from American Video Transfer Inc. discussed options for different types of sound systems. Discussion followed. The board would like quote revised to add Bluetooth, live streaming, pictures of acoustic panels and audio recording.
- D. Trustee Wilson's grievances with Ordinance Enforcement and Zoning Administrator: Trustee Wilson did not provide update with list of names as requested by Trustee Counts and the Board regarding the complaints against Zoning Administrator Hohenstein.
- E. Brewer Road Drainage: Update from Treasurer Hohenstein. Meeting scheduled in 2 weeks with Drain Commissioner and property owners to discuss private drain to be installed. Discussion followed.

NEW BUSINESS

Motion by Smith, **Second** by Hohenstein, **"To deviate from the agenda to New Business F."** Motion carried

- A. End of Year Budget Discussion: Deputy Supervisor Kilpela reported on 2023/2024 budget. Deputy Supervisor Kilpela also addressed the following issues in Trustee Wilson's email: Deputy Assessor Makushik did not request additional money; it was a budget adjustment for the training of the Deputy Treasurer. Explained to Trustee Wilson the difference between net pay and gross pay for the question regarding Treasurer Hohenstein's pay.
- B. Trash Hauling: Deputy Supervisor Kilpela presented options for trash hauling services at the Township Hall. **Motion** by Hohenstein, **Second** by Melton, **"To change garbage service to the Garbage Man including recycling as presented."** Motion carried.
- C. Adding Items to the Board's Agenda: Clerk Daus reports setting a deadline for adding additional items to the agenda packet by Tuesday 5:00 P.M. moving forward.
- D. Spicer Engineering Agreement and Project Estimates: Treasurer Hohenstein discussed the General Engineering Consultant agreement and proposals for projects that have already been started including Grand River Sidewalk, Sewer District 12 and the Tooley Road Park. Discussion followed. **Motion** by Hohenstein, **Second** by Melton, **"To accept the Engineering Consultant Service Agreement with Spicer Engineering as presented."** Motion carried, 1 dissent. **Motion** by Hohenstein, **Second** by Smith **"To approve the engineering proposal with general engineering services proposal not to exceed \$20,000 as presented."** Motion carried, 1 dissent. **Motion** by Hohenstein, **Second** by Counts, **"To accept the engineering project proposal for the Tooley Road Park as presented."** Motion carried
- E. Shiawassee River Superfund Site: Curt Hamilton summarized the EPA 5-year Report and discussed goals for the Shiawassee River Committee.

- F. American Legion Violation: Supervisor Coddington reports that the American Legion has retained an attorney, Township attorney suggests not to openly discuss at an open meeting. Zoning Administrator Hohenstein gave an update on the violation of the American Legion knowingly putting in additional parking without appropriate approvals. American Legions attorney Tara Black- Pearson questioned options that were presented by Zoning Administrator Hohenstein.

Motion by Counts, Second by Smith, "To go back into regular agenda." Motion carried.

CALL TO THE PUBLIC:

Shane Fagan, 30 Santa Rosa Drive- spoke on Howell Park and Recreations future involvement with Tooley Road Park.

John Mills, 1750 Oak Grove Rd.- Spoke on sound system for the Township Boardroom, budget for legal fees of the Township and American Legion violation.

Jonathan Black from Sprung Town Outdoor Services- inquiring about a quote he submitted last month to clean up behind the Township Hall.

Shane Fagan, 30 Santa Rosa Drive- Spoke on sound system for Township Boardroom.

Andrew Hamm, 14 Santa Rosa Drive- Spoke on sound system for Township Boardroom.

REPORTS:

A. SUPERVISOR:

Supervisor Coddington gave an update on the Shiawassee River.

B. TREASURER:

Treasurer Hohenstein reported on collected Summer 2024 taxes thus far. Updated the Board on the Surf Wireless project status and Supervisor Coddington will contact DTE to get a punch list of items to be completed by Surf Wireless prior to final payment.

C. CLERK:

Clerk Daus reported on complaints from voters on Election Day of campaigning that was blocking the driveway.

D. ZONING:

See Zoning Administrator Hohenstein's reports. Discussed Education opportunity for Zoning Administration Certificate program. **Motion by Counts, Second by Smith, "To approve MSU Extension Certificate Program as presented."** Motion carried.

E. FIRE AUTHORITY:

Supervisor Coddington reported on the Fire Authority

F. MHOG:

Trustee Counts reported on MHOG

G. PLANNING COMMISSION:

Trustee Counts reported on Chestnut Self Storage on Burkhart Road, Wranglers Saloon, ADU Ordinance and Shipping Container Ordinance.

H. ZONING BOARD OF APPEALS (ZBA):

Trustee Smith reported on the ZBA.

I. WWTP:

See Reports: Treasurer Hohenstein reported on the North Clarifier repairs of \$6,000 and yearly budget update for storage units. **Motion** by Counts, **Second** by Melton, **“To approve request for Howell Waste Water Treatment Plant for \$6,000 to fix North Clarifier.”** Motion carried. **Motion** by Counts, **Second** by Melton, **“To approve contract conditions for MHOG to account for additional fees of \$1,508.80 for renting storage space.”** Discussion followed. Motion rescinded. **Motion** by Smith, **Second** by Hohenstein, **“To approve the originally presented agreement with MHOG as to rental space that is split up and allocated to the municipalities based on it rewording of the percentage used by that new municipality.”** Motion carried.

H. HAPRA:

Clerk Daus reported on Fall Soccer success and Melon Fest.

I. PROPERTY COMMITTEE:

No report

J. PARK & RECREATION COMMITTEE:

No report

DISBURSEMENTS: REGULAR PAYMENTS AND CHECK REGISTER:

Motion by Hohenstein, **Second** by Melton, **“To accept the disbursements as presented and any normal and customary payments for the month.”** Motion carried.

ADJOURNMENT: **Motion** by Melton, **Second** by Hohenstein, **“To adjourn.”** Motion carried. The meeting was adjourned at 8:37 pm.

Sue Daus, Howell Township Clerk

Mike Coddington, Howell Township Supervisor

Marnie Hebert, Recording Secretary

Howell Township Planning Commission Bylaws

The following rules of procedure are hereby adopted by the Howell Township Planning Commission to facilitate the performance of its duties pursuant to the Michigan Zoning Enabling Act (P.A. 110 of 2006, as amended), the Michigan Planning Enabling Act (P.A. 33 of 2008, as amended), and Ordinance No. 248 PC of the Howell Township Board of Trustees confirming the creation of the Planning Commission with the power to exercise authority conferred upon it as set forth in P.A. 110 of 2006, as amended and P.A. 33 of 2008, as amended.

SECTION 1: Membership, Appointment and Terms

- A. **Membership.** The Planning Commission shall consist of not less than seven (7) members who shall be selected in accordance with the Michigan Planning Enabling Act, P.A. 33 of 2008, as amended. One (1) member of the Township Board shall be a member of the Planning Commission. One (1) member of the Planning Commission shall be a member of the Zoning Board of Appeals.
- B. **Appointment.** The Township Supervisor shall appoint members of the Planning Commission, subject to approval by a majority vote of the members of the legislative body elected and serving.
- C. **Terms.** The term of each member shall be for three (3) years, except for members serving because of their membership on the Township Board, whose term shall be limited to the time they are members of the Township Board, and/or the period stated in the resolution appointing them. When members are first appointed, the appointments may be for less than three (3) years to provide for staggered terms. A successor shall be appointed not more than three (3) months after the term of the preceding member has expired. The term for members appointed to fill a vacancy on the Planning Commission shall be for the remainder of the term of the vacated position.
- D. **Succession.** Each member shall serve until his/her term shall expire. Members may be reappointed by the Township Board. Vacancies resulting from resignation and/or removal shall be filled not more than three (3) months after the term of the preceding member has expired, and shall be appointed for the remainder of the term of the resigning member.
- E. **Removals, Resignations, and Vacancies.** The Township Board may remove a member of the Planning Commission for misfeasance, malfeasance or nonfeasance in office upon written charges and after a public hearing. Failure of a member to disclose a potential conflict of interest as required in Section 6 constitutes malfeasance in office.

To be excused, members of the Planning Commission shall notify the Township Supervisor, Planning Commission Chairperson or other Planning Commission member when they intend to be absent from a meeting. Failure to make this notification prior to the meeting shall result in an unexcused absence.

A member may resign from the Planning Commission by sending a letter of resignation to the Township Supervisor, Township Board or Planning Commission chairperson.

- F. **Compensation.** Planning Commission members shall be compensated as provided by the Township Board.
- G. **Attendance.** Members of the Planning Commission who are absent from three (3) consecutive Planning Commission meetings or four (4) meetings within the calendar year shall be subject to review and/or removal from the Planning Commission by the Township Board, after notice and an opportunity to be heard.

SECTION 2: Officers

- A. **Selection and Tenure.** At the first regular meeting each January, the Planning Commission shall select from its membership a Chairperson, Vice-Chairperson and Secretary, which shall be elected by a majority vote of the membership of the Planning Commission present at the time of election. All officers shall serve a term of one year, or until their successors are selected and assume office. All officers shall be eligible for re-election for consecutive terms for the same office. The member of the Township Board shall not serve as Chairperson of the Planning Commission.
 - B. **Chairperson.** The Chairperson shall preside at all meetings, appoint committees and perform such other duties as may be ordered by the Planning Commission. The Chairperson shall conduct all meetings in accordance with the rules promulgated herein. Ex-officio members are not eligible to serve as Chairperson.
 - C. **Vice Chairperson.** The Vice-Chairperson shall act in the capacity of the Chairperson in his/her absence. In the event the office of Chairperson becomes vacant, the Vice-Chairperson shall succeed to this office for the unexpired term, and the Planning Commission shall select a successor to the office of Vice-Chairperson for the unexpired term.
 - D. **Secretary.** The Secretary or staff designee shall execute documents in the name of the Planning Commission, perform the duties hereinafter listed below, and shall perform such other duties as the Planning Commission may determine.
 - 1. **Minutes.** The Secretary or staff designee shall be responsible for maintaining a permanent record of the minutes of each meeting and shall have them recorded in suitable permanent records maintained by the Township Clerk. The minutes shall contain a brief synopsis of the meeting, including a complete restatement of all motions and record of votes, conditions or recommendations made on any action and record of attendance.
 - 2. **Correspondence.** The Secretary or staff designee shall be responsible for issuing formal written correspondence with other groups or persons, as directed by the Planning Commission. All communications, petitions, reports or other written
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materials received by the Secretary shall be brought to the attention of the Planning Commission.

3. **Attendance.** The Secretary or staff designee shall be responsible for maintaining an attendance record for each Planning Commission member and report those records annually to the Planning Commission for inclusion in the annual report to the Township Board.
 4. **Notices.** The Secretary or staff designee shall issue such notices as may be required by the Planning Commission.
- E. **Township Board Representative.** The Township Board Representative shall present the recommendations of the Planning Commission as required by the zoning ordinance, subdivision ordinance or other ordinances to the Township Board prior to their consideration of such request.
- F. **Zoning Board of Appeals Representative.** The Planning Commission representative to the Zoning Board of Appeals shall report the actions of the Zoning Board of Appeals to the Planning Commission and update the Zoning Board of Appeals on actions by the Planning Commission that relate to the functions and duties of the Zoning Board of Appeals.

SECTION 3: Meetings

- A. **Regular Meetings.** The Planning Commission shall hold not less than four (4) regular meetings each year and by motion ~~resolution~~ shall determine the time and place of such meetings. Other meetings may be held as necessary. When a regular meeting falls on a legal holiday or upon a day resulting in a conflict, the Planning Commission shall, if possible, select a suitable alternate meeting date in the same month as the originally scheduled meeting.

Notice of regular or scheduled Planning Commission meetings shall be posted in general view of the public at the Township Hall. Notice of any meetings shall include the date, time, and place of the regularly scheduled meetings.

All meetings of the Planning Commission shall comply with the requirements of the Open Meetings Act.

- B. **Special Meetings.** Special meetings may be called by the Chairperson or upon written request to the Secretary by at least two (2) members of the Planning Commission. The business the Planning Commission may perform shall be conducted at a public meeting held in compliance with the Open Meetings Act. All costs of special meetings held to consider requests of applicants for approvals under the zoning ordinance (or for such other purposes as may be necessary) shall be paid by the applicant for such requests.
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Notice of special meetings shall be given to the members of the Planning Commission at least forty-eight (48) hours prior to the meeting. Notice shall also be provided to others requiring notification in compliance with the requirements of the Michigan Zoning Enabling Act (P.A. 110 of 2006, as amended). The notice shall state the purpose, place and time of the meeting, and the business which the Planning Commission may perform at the special meeting. The special meeting shall be conducted at a public meeting in compliance with the Open Meetings Act (P.A. 267 of 1976, as amended).

Agenda items that may be legally added without public notice may not be added at a special meeting unless all Planning Commission members are present and unanimously approve an addition to the agenda.

- C. **Public Records.** All meetings, minutes, records, documents, correspondence and other materials of the Planning Commission shall be open to public inspection in accordance with the Freedom of Information Act, except as may otherwise be provided by law.
 - D. **Quorum.** Four (4) members of the Planning Commission shall constitute a quorum for transacting business and taking official action for all matters. Whenever a quorum is not present, those present may adjourn the meeting to another time and day, in accordance with the provisions of the Open Meetings Act, or hold the meeting to consider the matters on the agenda. No action shall be taken at a meeting at which a quorum is not present.
 - E. **Voting.** An affirmative vote of the majority of the Planning Commission membership is required to adopt any part of the Master Plan or amendments to the plan (MCL 125.3843). Unless required by statute, other actions or motions placed before the Planning Commission may be adopted by a majority vote of the membership in attendance, as long as a quorum is present. Voting shall be by voice vote; a roll call vote shall be required if requested by any commission member or directed by the chairperson. All Planning Commission members, including the chairperson, shall vote on all matters.
 - F. **Agenda.** The Chairperson shall be responsible for preparing an agenda for Planning Commission meetings. The order of business for meetings shall be as follows:
 1. Call to Order
 2. Roll Call and Recognition of Visitors
 3. Pledge of Allegiance
 4. Approval of Agenda
 5. Approval of Minutes
 6. Board of Appeals Report
 7. Township Board Report
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8. Scheduled Public Hearings
9. Other Matters to be Reviewed by the Planning Commission
10. Business Items
 - a. Old Business
 - b. New Business
11. Call to the Public
12. Adjournment

G. **Public Hearings.** All public hearings held by the Planning Commission must be held as part of a regular or special meeting of the Planning Commission. The following rules of procedure shall apply to public hearings held by the Planning Commission:

1. Chairperson opens the public hearing and announces the subject.
2. Chairperson summarizes the procedures/rules to be followed during the hearing.
3. Applicant presents the main points of the application.
4. Persons having comments on the application are recognized.
5. Chairperson closes the public hearing and returns to the regular/special meeting.
6. Township Planner/Engineer/other consultants present their report and recommendation.
7. Planning Commission begins deliberation and arrives at a decision.

To ensure everyone has the opportunity to speak, the Chairperson may elect to limit the time permitted for each person to speak, except that the applicant may be permitted additional time as the Chairperson allows. The Chairperson may also elect to allow persons to speak only once, until all persons have had the opportunity to speak, at which time the Chairperson, in his/her discretion, may permit additional comments.

All comments by the public, staff and the Planning Commission shall be directed to the Chairperson. All comments shall be related to the land use request; unrelated comments shall be ruled out of order.

A written notice containing the decision of the Planning Commission will be sent to petitioners and originators of the request.

SECTION 4: Duties of the Planning Commission

The Planning Commission shall take such actions as are required by the Michigan Zoning Enabling Act (P.A. 110 of 2006, as amended) and the Michigan Planning Enabling Act (P.A. 33 of 2008, as amended) in order to perform the following duties:

- A. Take such action on petitions, staff proposals and Township Board requests for amendments to the Zoning Ordinance as required.
- B. Take such action on petitions, staff proposals and Township Board requests for amendments to the master land use plan ("Master Plan") as required.
- C. Prepare an annual report to the Township Board.
- D. Prepare an annual work program and budget, to be included in the annual report.
- E. Review subdivision and condominium proposals and recommend appropriate actions to the Township Board.
- F. Prepare special studies and plans, as deemed necessary by the Planning Commission or Township Board and for which appropriations of funds have been approved by the Township Board, as needed.
- G. Attend training sessions, conferences or meetings as needed to properly fulfill the duties of Planning Commissioner and for which appropriations of funds have been approved by the Township Board, as needed.
- H. Prepare and update as needed, a Master Plan for the Township.
- I. Perform other duties and responsibilities or respond as requested by any Township Board or Commission.

SECTION 5: Duties of the Zoning Administrator and Planning Consultant

- A. The Planning Commission shall be assisted by the Zoning Administrator and Planning Consultant in performing the Planning Commission's duties, as noted in Section 4.
 - B. The Zoning Administrator and Planning Consultant shall be responsible for the professional and administrative work in coordinating the functions of the Planning Commission.
 - C. The Zoning Administrator shall:
 - 1. Review and collaborate the work of the Planning Consultant and Township staff.
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2. Inform the Planning Commission of administrative and enforcement actions taken on behalf of the Township related to the zoning or other appropriate ordinance.
- D. The Planning Consultant shall:
1. Attend Planning Commission meetings.
 2. Consult with the Planning Commission, Zoning Administrator and other Township officials concerning interpretation, procedural questions and other matters arising from the Zoning Ordinance.
 3. Prepare amendments to the Zoning Ordinance as directed by the Planning Commission.
 4. Prepare and forward to the Zoning Administrator written reviews and recommendations, if appropriate, for all requests and development proposals to be considered by the Planning Commission.
 5. Forward application materials to the Planning Commission at least one (1) week prior to the meeting at which the matters will be considered.
 6. Meet with applicants, their representatives and/or Township officials as needed to properly perform project reviews.
 7. Assist the Planning Commission in the preparation and update of the Master Plan and, if required, the Capital Improvements Plan.
 8. Perform other duties as directed by the Planning Commission.
- E. The Planning Commission may be assisted by other professional or Township staff as needed, including the Building Inspector, Township Attorney, Township Engineer or other person or agency.

SECTION 6: Conflict of Interest

- A. A member of the Planning Commission shall only abstain from voting on a motion if he/she has a bona fide conflict of interest. Situations which give rise to a conflict of interest may include:
1. Issuing, deliberating on, voting on, or reviewing a case concerning work on land owned by him or her which is adjacent to land owned by him or her. For the purposes of this section, an "adjacent property" shall include any property falling within the notification radius for the application as required by the Zoning Ordinance and the Michigan Zoning Enabling Act.
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2. Issuing, deliberating on, voting on, or reviewing a case involving a corporation, company, partnership, or any other entity in which he or she is a part owner, or any other relationship where he or she may stand to have a financial gain or loss.
3. Issuing, deliberating on, voting on, or reviewing a case involving a relative or other family member.
4. Issuing, deliberating on, voting on, or reviewing a case which is an action which results in pecuniary benefit to him or her.
5. Issuing, deliberating on, voting on, or reviewing a case where his or her employee or employer is:
 - a. An applicant or agent for an applicant; or
 - b. Has a direct interest in the outcome.
6. There is a reasonable appearance of conflict of interest. An example of this includes a situation where the Planning Commission member is on the Board of Directors of an applicant association.

A member of the Planning Commission who is also a member of the Zoning Board of Appeals shall not participate in a public hearing on or vote on the same matter before the Zoning Board of Appeals that the member voted on as a member of the Planning Commission. However, the member may consider and vote on other related matters involving the same property.

- B. The Planning Commission member declaring a conflict of interest should state the nature of the conflict and whether he or she believes he or she could impartially consider the request before the Commission. He or she should individually decide to abstain from any discussion or votes relative to the matter that is the subject of the conflict. The member declaring a conflict may absent him/herself from the room in which the discussion takes place, unless doing so would violate his or her constitutionally protected rights to participate. He or she should not make any presentations to the Planning Commission as a representative of the proposal.

SECTION 7: Amendments

These By-Laws, in whole or in part, may be altered, amended, added to or repealed by an affirmative vote of a simple majority of the Planning Commission at any regular or special meeting provided that notice of proposed alteration, amendments or repeals shall be submitted to all members of the Planning Commission at least seven (7) days before the regular or special meeting of the Planning Commission at which they are to be considered.

Adopted by the Howell Township Planning Commission at the regular meeting December 18, 2012

Ayes: Ikle, Sloan, counts, Hammond, Henry and Layer.

Nays: None

Members Absent: None

Dated: December 18, 2012

By: _____
Matt Ikle, Chairperson, Planning Commission

By: _____
Andrew Sloan, Secretary, Planning Commission



Carlisle | Wortman
ASSOCIATES, INC.

117 NORTH FIRST STREET SUITE 70 ANN ARBOR, MI 48104 734.662.2200 734.662.1935 FAX

Date: September 17, 2024

Temporary Site Plan Review For Howell Township, Michigan

GENERAL INFORMATION

Applicant:	Castaway Play Café Guided Mission Investments Dwayne Combs
Application Date:	August 16, 2024
Location:	1800 N Burkhart Road
Zoning:	IFZ – Industrial Flex Zone
Action Requested:	Temporary Use Site Plan approval

PROJECT AND SITE DESCRIPTION

The applicant is seeking a temporary use permit to allow for a temporary use per in Section 14.25 of the Zoning Ordinance. The applicant is proposing a haunted house and a Christmas trail through the existing building located at 1800 N Burkhart. The proposal utilizes the northern portion of the of the principal structure, along with a pole tent to serve as an extension of the trail, and a smaller pole tent designated for administrative use during the temporary use. The site is located at the corner of North Burkhart and Hydraulic Drive, north of the railroad.

The proposed pole tent structure acting as the extension of the trail is forty (40) by sixty (60) feet and is located in the northeast corner of the site. The pole tent structure used for an administrative area is twenty (20) feet by forty (40) feet in size and is to be located at the northwest corner of the property..

Benjamin R. Carlisle, *President* John L. Enos, *Vice President* Douglas J. Lewan, *Principal*
David Scurto, *Principal* Sally M. Elmiger, *Principal* R. Donald Wortman, *Principal* Craig Strong, *Principal*
Paul Montagno, *Principal* Megan Masson-Minock, *Principal* Laura Kreps, *Principal*
Richard K. Carlisle, *Past President/Senior Principal*

Figure 1. Aerial Image of Subject Site and Vicinity



The proposed dates for the temporary use are from October 1, 2024, through January 6, 2025. The haunted house is proposed from October 1, 2024, through November 3, 2024. The Christmas trail is proposed to begin on December 14, 2024, and last through January 6, 2025.

Items to be Addressed: None.

FIRE SAFETY REVIEW

We defer to the Fire Marshal for consideration of fire safety measures.

Items to be Addressed: Consider Fire Marshal's comments

PARKING AND CIRCULATION

The proposed temporary use and structures located at the northern end of the parcel do not appear to negatively affect vehicular circulation or parking due to the parking lot being located in the southern portion of the parcel. There is a sidewalk along the frontage of the building that connects the parking lot at the south end of the building to the proposed entrance to the We recommend a barrier be placed north of the northern entrance to direct traffic to the parking lot. Further consideration from the Fire Marshall should be reviewed regarding the safety of the proposed pedestrian circulation.

Items to be Addressed: *None.*

SIGNS

While the applicant has not given any indication of signage in their application, they should bear in mind that all signage must comply with Article 19, *Sign Regulations*, of the Zoning Ordinance. If any other temporary signs are proposed for advertising, a separate sign permit must be obtained from the Township.

We recommend the applicant utilize signage to clearly direct pedestrian traffic and provide clear safety routes using Michigan Occupational Safety and Health Administration (MIOSHA) standards.

Items to be Addressed: *1) Planning Commission to determine if additional exterior safety signs are to be required. 2) If any other signs are proposed for advertising purposes, a separate sign permit must be obtained from the Township.*

TEMPORARY USE

The applicant is seeking a temporary use permit as outlined in Section 14.25 of the Ordinance. Temporary uses are permitted in any district, provided that the Planning Commission determines the following to be true:

- *The location of such uses and their related activities will not adversely affect public health, safety, morals, and general welfare in the district in which it is to be temporarily located.*

The proposed use should not impact public health.

- *All temporary uses shall have a reasonable time limit placed upon their use based upon the normal periods of time such uses need to exist for their expressed purpose. The time limit shall be expressed in calendar dates for the number of days authorized by the Planning Commission.*

The applicant has proposed the time period for this use from October 1, 2024, through January 6, 2025, but has not included proposed hours of operation. Once provided, if the Planning Commission believes these times are reasonable, they should place a condition upon the application that if the temporary use permit is approved, such approval expires on January 7, 2025.

- *Temporary uses may be granted on the basis of compliance with the criteria stated in Section 20.08 (Criteria for Site Plan Review).*

The applicant has provided a sketch plan using sheets from what appears to be the original plan for the development. The Planning Commission should evaluate the plan to determine if there is enough information provided to make a determination on the proposed temporary use.

Items to Be Addressed: *Planning Commission should review the above criteria and determine if there will be adverse impacts with this facility.*

RECOMMENDATIONS

The following items should be addressed by the applicant:

1. Comply with conditions imposed by the Fire Marshal.
2. Provide exterior safety signage that complies with the Michigan Occupational Safety and Health Administration (MIOSHA) standards
3. Apply for a temporary sign permit if any exterior advertising signage is proposed.
4. Comply with conditions imposed by Planning Commission.

We look forward to discussing this with you at the next Planning Commission meeting.



CARLISLE/WORTMAN ASSOC., INC.
Paul Montagno, AICP
Principal



CARLISLE/WORTMAN ASSOC., INC.
Grayson Moore
Community Planner

HOWELL TOWNSHIP
Application for Site Plan Review

3525 Byron Road Howell, MI 48855
Phone: 517-546-2817 ext. 108
Email: inspector@howelltownshipmi.org

File # PC2024-12

Parcel ID #: 4706-28-100-012 Date AUG. 16, 2024
Applicant Name General Mission Investments Applicant Address 1800 N. BURKHART RD
Phone 586 914 7261 Fax 877-755-9329 Email dcombs2ford@yahoo.com
Property Owner Name DWAYNE Combs
Phone 586 914 7261 Fax 877-755-9329 Email dcombs2ford@yahoo.com
Please list all recipients to receive information and/or reports:
Name: OWNER SEE ABOVE Email _____
Name: _____ Email _____
Name: _____ Email _____

Location of Property 1800 N BURKHART RD Current Zoning Classification Z01
Existing Use RETAIL / METAWORKS CAFE Proposed Use HAUNTED / CHRISTMAS TRAIL
REQUEST DATES OCT. 1, 2024 - JAN. 6, 2025

Check One:

- Preliminary Site Plan Review (20.06)
- Temporary Use (14.34)
- Subdivision/Site Plan Condo
- Planned Unit Development (PUD) Type: 1 2 3 4 5
- Final Site Plan Review (20.07)
- Commercial/Industrial Development
- Multi-Family/Condo

Applicant needs to provide the following site plan drawings: four (4) full size copies, eight (8) - 11" x 17" copies, and an electronic set (either on an USB drive or provide an online link) for the preliminary site plan drawings. Drawings shall be submitted with an application for site plan review (20.06 a) thirty (30) days prior to the meeting.

The site plan is to contain the following information or the drawing submitted under the Land Use Permit can be utilized if it also contains the following information and is accurately drawn to scale:

- ✓ a. The date, north arrow and scale. The scale shall be not less than 1" = 20' for property under three (3) acres and at least 1" = 100' for those (3) acres or more.
- b. Statistical data including number of dwelling units, size of dwelling units, if any, and total gross acreage involved. In the case of a mobile home park, the size and location of each mobile home site shall be shown. *Demo Plan*
- c. The location and height of all existing and proposed structures on and within 100' of the subject property's boundary.
- d. All lot and/or property lines are to be shown and dimensioned, including building setback lines on corner lots.
- ✓ e. The location and dimensions of all existing and proposed drives, sidewalks, curb openings, signs, exterior lighting, curbing, parking areas (show dimensions of a typical parking space), unloading areas and recreation areas. *Demo Plan*
- ✓ f. Vehicular traffic and pedestrian circulation features within and without the site. *Demo Plan* *Page 1, 2, 3,*
- g. The location of all proposed landscaping, fences, or walls. *Demo Plan* *6*
- h. Size and location of existing and proposed utilities, including proposed connection to public sewer or water supply system. *Demo*
- i. A location map indicating the relationship of the site to the surrounding land uses.
- j. The location and pavement width and right-of-way width of all abutting roads, streets, alleys, or easements. *Demo Plan*
- k. Show properties and respective zoning abutting the subject property.
- ✓ l. The location and size of all surface water drainage facilities. *Demo*
- ✓ m. Contour intervals shall be shown at a maximum of 2' intervals, with 1' intervals preferred for topographic features of the site. *Demo*

By signing below the applicant understands and acknowledges the following statements:

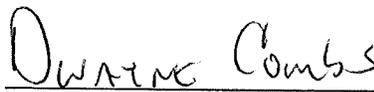
- a. The Planning Commission has sixty (60) days from filing date to approve or deny site plan.
- b. Approval of preliminary site plan is valid for a period of one (1) year from date of approval.
- c. A one (1) year extension may be granted upon written request of the applicant and approval by the Planning Commission.
- d. Approval of preliminary site plan shall expire one year after approval of final site plan unless zoning permit has been obtained.
- e. Approval of the final site plan expires six (6) months after approval unless a land use permit application is applied for and granted.

- f. The final site plan approval shall expire one (1) year following the date of approval unless construction has begun on the property in accordance with the plan.
- g. Applicant may appeal the Planning Commission's ruling of the final site plan to the Board of Appeals within ten (10) days of the Planning Commission's decision on all matters except use of the land, use of buildings, or structures.
- h. The Planning Commission has sixty (60) days from the date of the Planning Commission meeting at which the final site plan was received to approve or deny the final site plan.
- i. Improvements not in conformance with the final site plan shall be deemed a violation of the ordinance and be subject to the penalties of the ordinance.
- j. Sewer system and water system tap in fees, if applicable, must be paid prior to issuance of a land use permit.

Applicant hereby deposes and says that all the above statements and information contained in this application and any statements submitted herewith or on the site plan are true and accurate.



 Owner Signature



 Print Name

8-20-24
 Date

Subscribed and sworn to before me this _____ day of _____, 20____.

 _____ County, Michigan
 Notary Public

My Commission Expires: _____, 20____.

**Howell Township
Reimbursement Agreement**

The applicant accepts responsibility for all expenses at actual cost for professional services related to the application required by the Township for the issuance of any permits, approvals, reviews and attendance at meetings by the Township's Planner, Landscape Architects, Legal Counsel, Engineering and Administrative Staff, over and above the fees listed in the Howell Township fee schedule.

Information for Additional Billing:

Name DWAYNE COMBS Address 1800 N. Burkhart Howell 48855

Phone 586 914 7261 Email dcombs2ford@yahoo.com

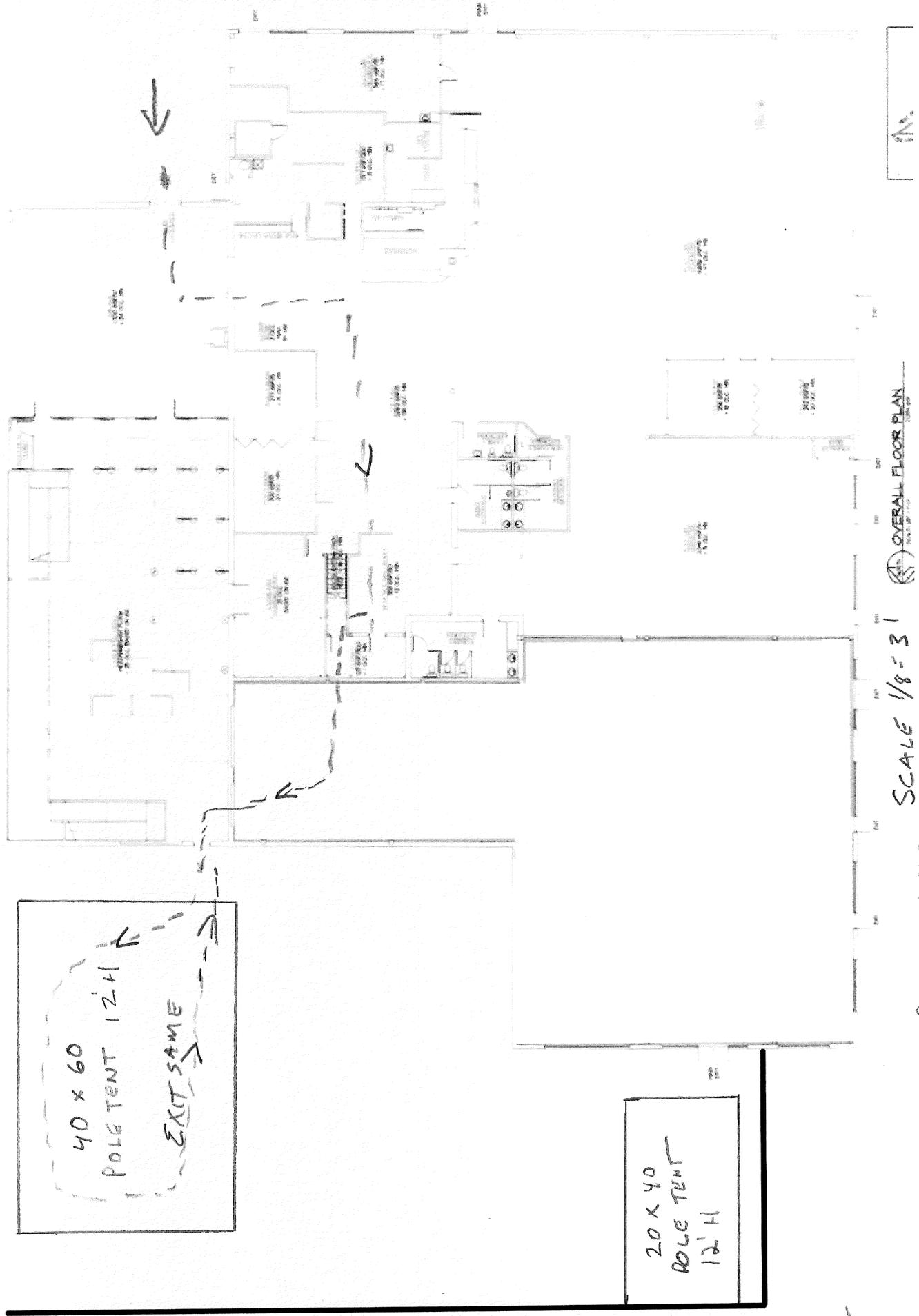
I have read and agree to the reimbursement agreement as presented between myself/my company and Howell Township.

Applicant Signature _____ Date _____

Notary Public
_____ County, Michigan
My Commission Expires: _____

Owner Signature _____ Date _____

Notary Public
_____ County, Michigan
My Commission Expires: _____



40 x 60
POLE TENT 12'H
EXIT SAME

20 X 40
POLE TENT
12'H

OVERALL FLOOR PLAN

SCALE 1/8" = 3'

CIRCULATION

CHRISTMAS PEDESTRIAN CIRCULATION

DEC 14th - JAN 6th

Hydraulic Dr.

Enter/exit AREA

0 20 40 1

