

**MARION TOWNSHIP  
BOARD OF TRUSTEES  
REGULAR MEETING  
APRIL 12, 2018**

**MEMBERS PRESENT:** Tammy Beal, Les Andersen, Greg Durbin, Dan Lowe, Scott Lloyd, Bob Hanvey, and Duane Stokes

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** Phil Westmoreland, Spicer; John Enos, Carlisle Wortman; Dave Hamann, Zoning Administrator

\*\*\*\*\*

**CALL TO ORDER**

Bob Hanvey called the meeting to order at 7:30 p.m.

**PLEDGE OF ALLEGIANCE**

**BOARD MEMBERS PRESENT**

The board members introduced themselves.

**CALL TO THE PUBLIC**

No response.

**APPROVAL OF AGENDA**

Item #16—Requests for Water & Sewer Times Payments was added. Les Andersen motioned to approve the agenda as amended. Tammy Beal seconded. **Motion carried.**

**CONSENT AGENDA**

Les Andersen motioned to approve the consent agenda. Greg Durbin seconded. **Motion carried.**

**2018-19 HOWELL AREA FIRE AUTHORITY BUDGET**

Chief Andy Pless was present to present the budget and answer any questions. Greg Durbin motioned to approve the Howell Area Fire Authority 2018-19 budget as presented. Les Andersen seconded. **Motion carried.**

**MICHIGAN HORSE COUNCIL/CAMP INNISFREE REPORT**

Duane Stokes summarized the March 28 visioning meeting that he attended. The feasibility study will take approximately 4-6 months to prepare.

**CONCEPTUAL SITE PLAN REVIEW PUD #01-18—CASA VILLA GOLF RANCH**

Brent LaVanway from Boss Engineering and Vito Serra, owner of the property, were present to request the board's approval for the Golf Ranch conceptual PUD. There are 49 units with a little less than 50%

open space, which is more than is required by the ordinance. This is what they see as an “empty nester” project with small lots and no maintenance. Greg Durbin asked if the maintenance is included in the association dues; they answer was yes. Scott Lloyd is concerned that there’s no overflow parking, and doesn’t care for the 45’ wide lots. Dan Lowe asked about soil borings in the detention pond area; he feels there should only be 25-30 lots. Mr. LaVanway said this is for conceptual approval only; the drain commission, road commission, etc. will all still have to approve. John Enos said the basin needs to be designed to not hold water in order to be counted toward the open space requirement. Bob Hanvey said that according to the township’s master plan, there should be a variety of housing types, and he feels this is an example. Tammy Beal asked if there are age restrictions; Mr. Serra answered no. The price point is around \$200,000.

Dan Lowe motioned to deny the Golf Ranch conceptual PUD #01-18 as presented. Scott Lloyd seconded.

Discussion: Mr. Hanvey asked John Enos if the motion to deny is passed, can they make some of the suggested changes and bring it back for approval? Mr. Enos said no, it would have to go through the Planning Commission as a new submission. The board members discussed decreasing the number of lots. Mr. Enos said it has already been reduced, from 54 to 49. Scott Lloyd asked the owner how many lots he would be willing to reduce it to. Mr. Serra said 45. Greg Durbin said he feels the township has a need for this type of housing.

Roll call vote: Durbin—no; Stokes—no; Hanvey—no; Lloyd—yes; Beal—no; Andersen—yes; Lowe—yes. **Motion to deny failed 3-4.**

Tammy Beal motioned to postpone until more information is received on the retention basin. The applicant can consider rearranging the site plan, and do more soil borings. Duane Stokes seconded. Roll call vote: Beal—yes; Andersen—yes; Stokes—yes; Durbin—yes; Lowe—no; Hanvey—yes; Lloyd—yes. **Motion carried 6-1.**

### **FINAL SITE PLAN REVIEW SPR #03-17 AND SUP #03-17—MEADOWS WEST**

Jim Barnwell from Desine and Mitch Harris, owner of the property, were present to ask for the board’s approval for Special Use Permit #03-17 and Site Plan Review #03-17 for this project. Mr. Barnwell gave a brief history of this project. The Meadows West will be a separate condo development from The Meadows, with a separate homeowner’s association. Scott Lloyd said he has an issue with no overflow parking and they need to have 6” overhangs. Bob Hanvey passed out his list of concerns with this project. He particularly doesn’t like the statement that the developer can move units anywhere on the property as long as the setbacks are met.

### **Call to the Public**

Mark Mynsberge, 1019 Spirea, is the president of the HOA. He said Yarrow and Sedum are private roads and they’ve spent a lot of money trying to keep them in good shape; Mitch Harris has contributed some. Les Andersen asked Mr.Mynsberge if they are willing to negotiate with Mitch Harris. Mr. Mynsberge said yes on residents of Meadows West using the road, but no construction equipment.

Jim Metzger, 941 Spirea, said he feels this is a good concept, but his major issue is the use of the roads.

Jenny Robinson, 1025 Yarrow, lives on a corner and is very concerned that the big trucks won’t be able to negotiate the corners.

Tom Miller, 16 Sedum, said he has a concern with the grade on the driveways as this development attracts a senior group of people. He’s also concerned about the fire marshal’s statement that there couldn’t be parking on the road. John Enos said the fire marshal’s comment was for the new development, not the existing one. Mr. Miller also said that Mr. Harris’ people don’t take care of the construction areas now.

Jim Barnwell said the roads in the proposed development are wide enough to park on. He read an excerpt from the Meadows Master Deed regarding Mr. Harris' road easements. Dan Lowe suggested they talk with Mr. Coddington, an adjoining property owner, about a possible temporary construction access. Bob Harvey suggested the HOA and Mr. Harris could meet with a mediator such as Frank Mancuso.

Les Andersen motioned to approve the Special Use Permit #03-17 contingent on all of the conditions being met. Greg Durbin seconded. Roll call vote: Harvey, Lowe, Durbin, Beal, Lloyd, Stokes, Andersen—all yes. **Motion carried 7-0.**

Les Andersen motioned to approve final site plan review for SPR #03-17 for Meadows West contingent on all conditions being met. Greg Durbin seconded. Roll call vote: Stokes, Beal, Andersen, Lowe, Harvey, Lloyd, Durbin—all yes. **Motion carried 7-0.**

Les Andersen motioned to extend the meeting beyond 9:30 pm. Duane Stokes seconded. **Motion carried.**

### **2018 TOWNSHIP ROAD PROJECTS**

Les Andersen motioned to approve and authorize the supervisor and clerk to sign the contract from the Livingston County Road Commission for Coon Lake Road (Cedar Lake Road to D-19) at a cost to the township of \$475,000, as presented. Scott Lloyd seconded. Roll call vote: Lowe—no; Durbin—yes; Lloyd—yes; Stokes—yes; Andersen—yes; Beal—yes; Harvey—yes. **Motion carried 6-1.**

Les Andersen motioned to approve and authorize the supervisor and clerk to sign the contract from the LCRC for Bentley Lake Road. Tammy Beal seconded. Roll call vote: Lowe—no; Lloyd—yes; Beal—yes; Harvey—yes; Durbin—yes; Andersen—yes; Stokes—yes. **Motion carried 6-1.**

Board members will bring lists of roads for crack sealing to the next meeting.

### **SEWER CONNECTION POLICY**

Duane Stokes presented the board with some recommendations for additional language for the township's sewer & water ordinance. Dan Lowe said he feels the penalties should be greater. The second violation will be changed to \$2,500, and the third violation to \$5,000. Les Andersen motioned to approve the changes to the sewer & water ordinance as modified. Dan Lowe seconded. Roll call vote: Durbin, Stokes, Harvey, Lloyd, Beal, Andersen, Lowe—all yes. **Motion carried 7-0.**

### **HOMETOWN LAND LEASING**

Les Andersen motioned to extend the lease to Kathy Esper at \$78.50 per acre. Tammy Beal seconded. **Motion carried.**

### **HANDY TOWNSHIP POWER PLANT**

Bruce Powelson attended this meeting and provided the board members with a map.

### **HOWELL LANDSCAPING**

No information yet from the attorney. Mr. Rochowiak asked what information the township was looking for. Bob Harvey said in regard to the type of business. Mr. Rochowiak said he has a letter from the township attorney from 2015 stating that what he's doing is consistent with the previous use. He asked how long his business is going to be on the agenda; Mr. Harvey said probably at least a few more meetings.

### CRYSTALWOOD SEWER LEADS/ROADS

Bob Hanvey has a video of the sewer leads for units 33 and 20. Erv Suida, Howell City DPW, wants to review it. He would also like to meet with Phil, Greg Tatara and Dan Lowe to work on the policy. Phil Westmoreland brought in a can from a sewer lead from lot 43 where the plumber has drained the basement to the sewer system. Bob Hanvey will follow-up with Rick Elkow.

### BUDGET UPDATES

Bob Hanvey will provide an updated budget at the next meeting.

### RECYCLE SIGNS

Sample signs with prices are in the packet. Tammy Beal passed out a bid for an outside camera. Les Andersen motioned to approve funds for signs #1 and #2 (two of each) in the packet. Tammy Beal seconded. Roll call vote: Beal, Andersen, Stokes, Durbin, Lowe, Hanvey, Lloyd—all yes. **Motion carried 7-0.**

### ZBA REPORT

Dave Hamann reported that the ZBA heard two variance requests from Matt Schroeder for an automobile repair facility, and they were both granted.

### TIME PAYMENT REQUESTS

The first request is from Rose Hasenbusch for Foxfire. Dan Lowe said he thought that MHOG would handle this type of request. Bob Hanvey will discuss with Greg Tatara.

The second request is from Walter and Barbara Oleksyk, 3290 Norton Road, for water service.

Tammy Beal motioned to postpone action on this item until the agreement is reviewed by the attorney. Les Andersen seconded. **Motion carried.**

### CORRESPONDENCE/UPDATES

The monthly newsletter from the Livingston County Commissioners is included in the packet.

A letter from the LCRC regarding spring time weight restrictions was received.

### CALL TO THE PUBLIC

Forrest Wyckoff, 3145 Cedar Lake Road, said the township should start work on Cedar Lake Road, such as trees & ditches, even if they can't complete the project this year. He also said he is opposed to the Golf Ranch proposal.

### ADJOURNMENT

Les Andersen motioned to adjourn at 10:15 pm. Scott Lloyd seconded. **Motion carried.**

Submitted by: S. Longstreet

\_\_\_\_\_  
Tammy L. Beal, Township Clerk      Date

\_\_\_\_\_  
Robert W. Hanvey, Township Supervisor      Date