

\*Approved by: \_\_\_\_\_  
Larry Grunn - *Chairperson*

Date: \_\_\_\_\_

**MARION TOWNSHIP  
PLANNING COMMISSION  
REGULAR MEETING  
FEBRUARY 28, 2023 @ 7:30PM**

**PC MEMBERS PRESENT:** LARRY GRUNN - *CHAIRPERSON*  
JIM ANDERSON - *VICE CHAIRPERSON*  
CHERYL RANGE - *SECRETARY*  
BOB HANVEY  
BRUCE POWELSON

**OTHERS PRESENT:** DAVID HAMANN - *MARION TWP. ZONING ADMINISTRATOR*

**MEMBERS ABSENT:** ALISSA STARLING - *PLANNER W/ CARLISLE WORTMAN*

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**CALL TO ORDER**

Larry Grunn called the meeting to order at 7:30pm.

**APPROVAL OF AGENDA**

Jim Anderson made a motion to approve the February 28, 2023 agenda as presented. Bruce Powelson seconded.

**MOTION CARRIED**

**APPROVAL OF MINUTES**

Bruce Powelson made a motion to approve the January 24, 2023 Planning Commission minutes. Jim Anderson seconded. **MOTION CARRIED**

**PUBLIC HEARING**

**RZN# 01-23 MITCH HARRIS REZONING PARCELS 4710-02-400-014, 016, 017, 018**

Mitch Harris is requesting parcels 4710-02-400-014, 4710-02-400-016, 4710-02-400-017 and 4710-02-400-018 to be rezoned as Urban Residential. These parcels are currently zoned as Highway Service. However, they used to be zoned Urban Residential until 2003 when they were rezoned as Highway Service. Mitch Harris would now like to change them back to Urban Residential so he can move forward with his new development, "The Meadows North".

The following residents expressed and discussed their concerns regarding this possible rezoning with Mitch Harris and the Planning Commission.

- Dave Shinn 135 Sedum
- Russell Knox 971 Spirea
- Richard Parker 852 Spirea
- Ruth Clements 804 Spirea
- Mark Mynsberge 1019 Spirea
- Monica Tombers 1018 Spirea
- Dennis McCarthy 908 Spirea
- Jennie Robinson 1025 Yarrow
- Ken Nowak 1263 Peavy
- Andy Herald 1881 Cedar Lake Road
- Pat LaForest 1039 Spirea
- Paul Wuellner 458 Hosta
- Phil Owens 899 Spirea

- Kyle Swieczkowski 1197 Peavy
- Nancy Nelson 916 Spirea
- Jackie Garnett 62 Sedum
- Marie Wolfer 83 Sedum
- Jim Whyte 3505 Prescott
- James Mallon 4411 Hinchey
- JoAnn Buehler 480 Hosta

These are some of the concerns that were expressed to Mitch Harris and the Planning Commission.

- The residents that currently live in and near The Meadows West do not want the residents from The Meadows North using their private roads to gain access to D19.
- The increased traffic in The Meadows West.
- The increased traffic on D19, Peavy and other nearby roads.
- The impact on the nearby wetlands.
- The safety of those who spend time outdoors in The Meadows.
- The usage of the retention and detention ponds.
- The impact on the water and sewer systems.
- The impact on drains #5 and the Marion/Genoa drain.

Dave Hamann explained the process for a rezoning request. Tonight, the Planning Commission can make a recommendation to the Board of Trustees to approve or deny Mitch Harris' rezoning request. From there, the request would go to the Livingston County Planning Department for review and comment. Once they were done with their review, everything would be sent to the Board of Trustees for a final decision.

**NEW BUSINESS:**

**1) RZN# 01-23 MITCH HARRIS REZONING PARCELS 4710-02-400-014, 016, 017, 018 MAKE RECOMMENDATION**

Mitch Harris explained that tonight we are here to discuss the rezoning of the property. All the details for the development have not been decided on yet. Many of these details and concerns will get worked out at a later date if the rezoning is approved.

Jim Anderson stated that if this property stays zoned as Highway Service, a company could decide to purchase the property and have any one of the following businesses operating at this location: Adult entertainment, automobile sales, bowling alleys, hotels/motels and mobile home sales, rentals and services are just a few of the allowed uses under Highway Service.

Bob Hanvey asked Dave what would happen if the Planning Commission denied the rezoning request today, would the applicant have to amend their request and bring it back? Dave Hamann said the applicant is allowed to make changes to the request and come back with the request to a future meeting.

Bob Hanvey made a motion to postpone action on RZN# 01-23 Mitch Harris Rezoning, until the next Planning Commission meeting on March 28, 2023, so Mitch Harris can return with alternative access options to present. Bruce Powelson seconded. **MOTION CARRIED**

**2) CALL TO THE PUBLIC POLICY – ADD TO BYLAWS?**

Larry Grunn thinks we should change the speaking time limit to three minutes instead of five minutes.

Cheryl Range made a motion for everyone to review the policy and be ready to discuss it at the next Planning Commission meeting on March 28, 2023. Jim Anderson seconded. **MOTION CARRIED**

**3) CRYPTO MINE HANDOUT**

Bruce Powelson explained that a Bitcoin farm is a large space, more like a warehouse, where a lot of computer equipment is stored and requires central cooling or air conditioning systems to prevent the computers from overheating and getting damaged. Bruce stated that we should have some language on this topic to help protect the Township.

Cheryl Range made a motion to request Carlisle Wortman to gather more information and samples from other jurisdictions on this topic and present at the next Planning Commission meeting on March 28, 2023. Bruce Powelson seconded.

**MOTION CARRIED**

**4) MEMO TO DISCUSS ORDINANCE ENFORCEMENT**

Jim Anderson said he would like to start seeing the complaint report in the Planning Commission packets each month.

Bruce Powelson made a motion to extend the meeting past 9:30pm. Cheryl Range seconded. **MOTION CARRIED**

Dave explained the complaint/enforcement process to the commissioners. Dave stated that we are a complaint-driven jurisdiction and that we do not drive around and randomly issue tickets to residents who are violating our ordinance.

Tim Ryan, 459 East Davis, made a comment online regarding the enforcement in Marion Township and various commercial businesses that are operating in residential areas.

**UNFINISHED BUSINESS**

**1) TXT# 01-21 KENNELS - RETURNED COMMENTS FROM LIVINGSTON COUNTY PLANNING DEPARTMENT. MAKE RECOMMENDATION TO THE BOARD OF TRUSTEES**

Jim Anderson made a motion to recommend approval of TXT# 01-21 Kennels, to the Marion Township Board of Trustees. Bruce Powelson seconded. **MOTION CARRIED**

**2) TXT# 03-22 OFF-STREET PARKING - RETURNED COMMENTS FROM LIVINGSTON COUNTY PLANNING DEPARTMENT. MAKE RECOMMENDATION TO THE BOARD OF TRUSTEES**

Jim Anderson made a motion to recommend approval of TXT# 03-22 Off-Street Parking, to the Marion Township Board of Trustees. Bruce Powelson seconded. **MOTION CARRIED**

**3) GO# 01-33 CONTINUE PDR ORDINANCE DISCUSSION**

Cheryl Range stated that she would email John Enos regarding the Township's PDR ordinance and will also copy Jim Anderson on the email.

**SPECIAL ORDERS**

**• BUDGET REVIEW FOR INVOICES**

Jim Anderson will work on the Planning Commission budget with Bob Harvey and will prepare something for the next Planning Commission meeting on March 28, 2023.

**ANNOUNCEMENTS**

Jim Anderson asked what we should do if Carlisle Wortman can no longer meet our needs now that Zack Michels is no longer with them. Larry Grunn responded and suggested meeting with John Enos first and then we can go from there.

**CALL TO THE PUBLIC**

Andy Herald, 1881 Cedar Lake Road, would like Marion Township to hurry up and finish the PUD language. Les Andersen, 4500 Jewel Road, would like to hire an enforcement officer to work for one day a week on enforcement issues.

**ADJOURNMENT**

Larry Grunn made a motion to adjourn the meeting at 10:00pm. Bruce Powelson seconded. **MOTION CARRIED**