

*Approved by: _____
Larry Grunn - Chairperson

Date: _____

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

PC MEMBERS PRESENT: LARRY GRUNN – PC CHAIRPERSON
JIM ANDERSON – PC VICE CHAIRPERSON
CHERYL RANGE – PC SECRETARY
BOB HANVEY – MARION TWP BOT REPRESENTATIVE
BRUCE POWELSON

OTHERS PRESENT: DAVID HAMANN - MARION TWP. ZONING ADMINISTRATOR
ALISSA STARLING - PLANNER W/ CARLISLE WORTMAN

MEMBERS ABSENT: NONE

CALL TO ORDER

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

APPROVAL OF AGENDA

Jim Anderson added agenda item “Budget to the agenda. Bruce Powelson made a motion to approve the March 28, 2023 amended agenda as presented. Bob Hanvey seconded. 5-0 **MOTION CARRIED**

APPROVAL OF MINUTES

Cheryl Range made a motion to approve the February 28, 2023 Planning Commission meeting minutes. Jim Anderson seconded. 5-0 **MOTION CARRIED**

NEW BUSINESS:

1) CRYPTO ORDINANCE

Cheryl Range suggested only allowing this in commercial and lite industrial.
Alissa Starling stated that she was speaking to Michael Homier regarding a different jurisdiction and he stated that Townships should definitely start thinking about Crypto ordinances but it does not need to be a priority at this time. Alyssa said that she can still create a definition for a ‘data processing plant.’ She agreed on putting it in lite industrial and treating it like a special use.
Alissa would also like to change the sound requirement in the performance standards. Specifically, the nighttime requirement.
Dave Hamann inquired about which one of the attorneys we should be consulting with. Bob Hanvey explained that Mike Homier was the attorney that was chosen to assist with the Solar Ordinance issues and John Gormley is still the Township attorney that is used for all other matters.
Alyssa will create a definition for a ‘data processing plant’ and also update the sound levels in the performance standards.
Mark Mynsberge resides at 1019 Spirea and inquired about the rezoning options if someone wants to put a Crypto Farm on their property.
Sally Witkowski resides at 3111 Pinckney Road and suggested that we leave the language out altogether. She fears that creating this language will make Marion Township seem more inviting for Crypto companies.
Jim Anderson suggested that Alissa ask our attorney what the different risks are if we create language and if we do nothing.
Mike Brown resides in Conway Township and stated that it is always better to get ahead of the game because the State could come in at any time and take control of an ordinance. Mike also shared that typically Crypto Farms have a noise

level of about 75-90 decibels. Our Solar ordinance allows for 45 decibels during the day and 35 decibels at night. Mike also wanted to say that he thought the Board did a really nice job with the Solar ordinance.

UNFINISHED BUSINESS

1) RZN# 01-23 MITCH HARRIS REZONING PARCELS 4710-02-400-014, 016, 017, 018 MAKE RECOMMENDATION AND FORWARD TO LCPD FOR REVIEW & COMMENT. THEN SEND TO BOT FOR FINAL DECISION

Mitch Harris has returned with changes/provisions to his rezoning application for parcels 4710-02-400-014, 016, 017 and 018. Since the last Planning Commission meeting Mitch Harris has communicated with The Meadows Condominium community President and has their blessing to move forward.

Larry Grunn read a letter from the Meadows president Richard Parker, which states their two conditions for their rezoning request, which resolve the concerns of the Meadows Condominium community.

1. *The property being re-zoned will not use a general private or public roadway connection through the existing Meadows Condominium project along Spirea Lane.*
2. *If connection through Spirea Lane is required by the governing fire authority, it will be set up with a gate that is controlled by the fire authority and will not be open for use of the general public.*

Jim Anderson is still concerned about the increased traffic in this area.

Mark Mynsberge resides at 1019 Spirea and is also concerned about the traffic impact but is more concerned with the possible commercial opportunities that could end up there if the re-zoning is not approved.

Alissa Starling believes that if this property is re-zoned to residential, it will be less of a nuisance to the surrounding community verses the possible commercial development options that could go there.

Rick Thompson resides at 1267 Morning Mist and is concerned about the increased traffic on D19.

Jim Anderson made a motion to recommend approval to the Township Board of Trustees after it is sent to the Livingston County Planning Department for review and comment. Bob Hanvey seconded. Larry Grunn voted NO for this recommendation. 4-1 **MOTION CARRIED**

2) GO #01-23 CONTINUE PDR (PURCHASE DEVELOPMENT RIGHTS) ORDINANCE DISCUSSION

Jim Anderson explained that the land owner has to initiate interest in having a PUD. The Township would then pay the landowner an agreed amount to leave their land the way it is and not develop the property for any other use than what is currently in place. For example, if the land is currently being used for farming, then the land could not be developed for a subdivision or a grocery store. The property would remain as it is and continue being used for farming.

Sally Witkowski resides at 3111 Pinckney Road and inquired about the property being used for solar farms under a PA-116, because the State has now declared Solar Farms to be considered an aggregate use.

Jim Anderson explained that the Township would not be purchasing the property to further any kind of develop on that property. They would simply be paying the landowner so THEY would not be able to change the current use of the property and decide to develop on their property.

Bob Hanvey asked the commissioners if they would be ok with the Township sharing the results from the Land Preservation survey on the website and inform residents where they can view these results.

Jim Anderson made a motion to share the results from the Land Preservation Survey that was taken over the Summer in 2022, on the Township website. Bruce Powelson seconded. 5-0 **MOTION CARRIED**

3) CALL TO THE PUBLIC POLICY – ADD TO BYLAWS?

Larry Grunn suggested changing the time limit for public speakers to three minutes instead of five minutes. Jim Anderson stated that we should add somethings stating that the public is allowed to comment during New and Unfinished Business agenda items. Jessica Timberlake will make these changes to the policy and send it to Jim Anderson for review when finished.

4) REVIEW SPREADSHEET AND DETERMIN WORK PLAN FOR 2023

Dave Hamann stated that we are still waiting for feedback on several items from John Enos and the Attorney. Development Standards, Code Enforcement and Civil Infraction are just a few. Dave will send the outstanding list to Alissa Starling so she can follow up with Planner, John Enos and Attorney, John Gormley.

-EXTEND MEETING-

Bruce Powelson made a motion to extend the meeting beyond 9:30pm. Jim Anderson seconded. 5-0 **MOTION CARRIED**

5) BUDGET REVIEW

Bob Hanvey made a motion to approve the Planning Commission Budget for 2023-2024. Jim Anderson seconded. 5-0 **MOTION CARRIED**

SPECIAL ORDERS / ANNOUNCEMENTS

Jim Anderson asked Bob Hanvey to post the 2023-2024 Budget and PUD Survey results online, along with the Planning Commission packet for tonight's meeting. Bob agreed.

Cheryl Range asked if all the Commissioners could have a hard copy of the finalized Master Plan.

CALL TO THE PUBLIC

Suzi Macaluso resides at 4875 Pinckney Road and wanted to thank the Chairman for letting them speak during agenda items and for putting that in writing.

Mike Brown resides in Conway Township and wanted to second what Suzi said. Mike also wanted to know the name of the lady that presented here at the Township regarding land preservation.

Jim Anderson said her name is "Sara Thomas."

ADJOURNMENT

Jim Anderson made a motion to adjourn the meeting at 9:45pm. Cheryl Range seconded. 5-0 **MOTION CARRIED**

ORIGINAL