

MARION TOWNSHIP
BOARD OF TRUSTEES
REGULAR ELECTRONIC MEETING
JANUARY 28, 2021

DRAFT

MEMBERS PRESENT: Scott Lloyd (township hall); Greg Durbin (township hall); Sandy Donovan (home); Bob Hanvey (township hall); Tammy Beal (home); Les Andersen (home); and Dan Lowe (home)

MEMBERS ABSENT: None

OTHERS PRESENT: Phil Westmoreland, Spicer; Dave Hamann, Zoning Administrator

CALL TO ORDER

Bob Hanvey called the meeting to order at 7:31 pm.

PLEDGE OF ALLEGIANCE

BOARD MEMBERS PRESENT

The board members introduced themselves.

CALL TO THE PUBLIC

Susan Schooley, 459 E. Davis Rd., was present in response to the letter from Jean Root regarding 2960 Harvest Drive. Ms. Schooley said there is traffic, noise, deliveries, explosions, 80' smoke plumes, etc. She feels this is a violation of the zoning ordinance as this is a landscape contractor operation. They have contractor equipment moved in and out on a daily basis, multiple employees, bulk material deliveries, they have blocked driveways at times, they are dumping and storing refuse from the lawn business. In addition to the large building that was constructed over the summer, there are multiple sheds and hoop buildings. There are no agricultural activities. Ms. Schooley said the zoning ordinance is clear about this type of activity in rural residential zoning. She is asking the township board to acknowledge the situation and enforce the ordinance.

APPROVAL OF AGENDA

Items #9—School Election Agreement and #10—Sewer Tap Inspections were added to the agenda. Les Andersen motioned to approve the agenda as amended. Tammy Beal seconded. No objections were heard. **Motion carried.**

CONSENT AGENDA

Greg Durbin motioned to approve the consent agenda. Les Andersen seconded. No objections were heard. **Motion carried.**

COON LAKE GOOSE RESOLUTION

Tammy Beal motioned to adopt a resolution to approve submitting the permit for Coon Lake Canadian Geese management and nest destruction for five (5) years. Les Andersen seconded. Roll call vote: Lowe, Lloyd, Beal, Hanvey, Durbin, Andersen, Donovan—all yes. **Resolution passed 7-0.**

SCHROEDER BODY SHOP

Dave Hamann updated the board on this project. He is withholding the temporary zoning compliance until the owner sets up the review for the February 23 Planning Commission meeting. He will be adding vehicle sales, he is

still working with the City of Howell DPW on the sewer dumping pipe in the parking lot, and the easement agreement still needs to be signed.

SUNRIDGE PHASE III (TAMARACK PLACE)

Bob Hanvey said the Planning Commission motioned to recommend approval for the site plan for this project and it will be on the next board agenda.

The board members discussed the offsite road improvements that were recommended to be done at Mason & Peavy and Kedde & D-19. A traffic study from 2001 indicated the need for a left-turn lane at both intersections. Les Andersen said the LCRC has indicated they weren't planning on putting in turn lanes. They estimate it could cost between \$200-500K.

Phil Westmoreland corresponded with Mike Goral about the most recent traffic study. He thought the volumes looked okay, although he disputed the percentage increase.

Scott Lloyd and Dan Lowe said if they don't make these improvements, it should revert to the original plan. Bob Hanvey said he would like to have the attorney review prior to the next meeting.

Les Andersen motioned to postpone this item until a review is done by the attorney. Dan Lowe seconded. No objections were heard. **Motion carried.**

ELKOW HOMES

Tammy Beal motioned to authorize staff to assign 26 REUs owned by Elkow Homes to designated lots in Marion Oaks. Les Andersen seconded. **Motion carried.**

JEAN ROOT LETTER

Dave Hamann said he received a letter and complaint from Jean Root regarding 2960 Harvest Drive. He said he has no evidence of "explosions." He feels this would fall under the nuisance general ordinance, not the zoning ordinance.

Les Andersen said the whole thing is a mess and feels the township was duped. This type of activity should have required a Special Use Permit with public hearings. Dave Hamann said a Special Use Permit wouldn't be issued for that type of activity because it's not allowed in rural residential.

Greg Durbin said he visited the property last week, but didn't feel comfortable going on the property without authorization. He did say, however, that he didn't see or hear anything out of the ordinary.

Bob Hanvey asked Susan Schooley if the loud sounds could have been tailgates banging. She said no and in addition, there were large plumes of smoke. She also invited the board members to her property to see more of the activity.

Bob Hanvey motioned to pass this situation on to Carlisle Wortman for enforcement. Les Andersen seconded. Roll call vote: Donovan, Durbin, Hanvey, Lloyd, Beal, Andersen, Lowe—all yes. **Motion carried 7-0.**

2021-22 ROADS

Les Andersen said he talked with the LCRC regarding cost-sharing on Schafer Road, and was told a non-primary road would be a 70/30 split. They are planning to do Howell Township's portion of Burkhart Road this year. The small portion in Marion Township could cost as much as \$380,000 per mile; our section is about ½ mile, so the township's share could be approximately \$96,000.

Dan Lowe said he wouldn't do Schafer Road as there isn't much traffic. He feels Cedar Lake Road needs improvements that would benefit more residents. He suggested making repairs in phases so when it comes time to pave it, it will be ready.

Greg Durbin said there is a small section of public road in Sundance Meadows that needs repair.

Les Andersen said the parking lot repairs need to be done; he would like to see some bid specs.

SCHOOL ELECTION AGREEMENT

Greg Durbin motioned to adopt a resolution to authorize the clerk to sign the four-year agreement for Howell, Pinckney, and LESA school elections. Scott Lloyd seconded. Roll call vote: Beal, Andersen, Donovan, Durbin, Lowe, Hanvey, Lloyd—all yes. **Motion carried 7-0.**

SEWER TAP INSPECTIONS

Dan Lowe said there have been some sewer taps that have been done in Marion Creek that didn't have an inspection. The ordinance needs to be put in place so that violations and fines can be issued. Bob Hanvey said the mechanism for collecting the money needs to be decided, and then the ordinance will have to be published and then becomes effective after 30 days.

Mr. Lowe suggested having a list of qualified contractors similar to Hamburg Township. Bob Hanvey said he will call Hamburg Township for more information.

Dave Hamann said he can let them know that photos are no longer acceptable, and inspections must be done during the township's regular business hours.

CORRESPONDENCE & UPDATES

Letters were received from Carlisle Wortman, the sheriff's department, and Catholic Charities.

Bob Hanvey said the first round of documents for the HVM lawsuit have been compiled.

CALL TO THE PUBLIC

Jim Anderson, 84 Cranbrook Drive, said that a left-turn lane is needed for the entrance to Cranbrook and Kingswood as a safety upgrade. He also asked about the engine braking signs and what the status is. Dan Lowe said the signs should be ordered and installed. Tammy Beal said the county was going to do the installation. In addition to the locations previously identified, there should be one on D-19 at Brighton Road or Triangle Lake Road. Tammy Beal said she would also like one on Schafer Road.

ADJOURNMENT

Greg Durbin motioned to adjourn at 9:05 pm. Les Andersen seconded. No objections were heard. **Motion carried.**

Submitted by: S. Longstreet

Tammy L. Beal, Township Clerk Date

Robert W. Hanvey, Township Supervisor Date