

**MARION TOWNSHIP PLANNING COMMISSION
AGENDA**

**REGULAR MEETING
Tuesday – October 20, 2026
7:30 pm**

Virtual access instructions for participating in the meeting are posted on www.mariontownship.com
MEETING WILL BE HELD IN MAIN HALL

CALL TO ORDER

PLEDGE OF ALLEGIANCE

MEMBERS' PRESENT

PUBLIC COMMENT

APPROVAL OF AGENDA: *October 20, 2026, Regular Meeting*

APPROVAL OF MINUTES FOR: *September 22, 2026, Regular Meeting*

NEW BUSINESS

OLD BUSINESS

1. Public Hearing for SUP# 02-26 Legacy Farms 775 Sexton Rd
2. Draft Data Center Ordinance
3. Consider forwarding the Data Center Ordinance to the Livingston County Planning Department for review.

CORRESPONDENCE AND UPDATES

PUBLIC COMMENT

ADJOURNMENT

Next Meeting is scheduled for November 24, 2026, at 7:30 PM

Marion Township Public Participation Policy at Township Planning Commission Meetings

The Public shall be given an opportunity to be heard at every Township Planning Commission Meeting following the adoption of this Policy.

The Planning Commission Chairperson is the moderator of the meeting. In the absence of the Chairperson, the Planning Commission VICE-Chairperson shall be the moderator of the meeting.

The Public attending the meeting either in-person or on-line may speak during the “Public Comment” part of the meeting agenda. To preserve order, those attending in-person will speak first. When all in-person attendees have been heard, the moderator will ask if any on-line attendee wishes to speak.

When recognized by the moderator, in-person attendees shall come to the podium. The moderator will request that they give their name and address before they begin their comments.

When all in-person attendees have finished speaking, the moderator will ask if anyone attending the meeting on-line wishes to speak. Online attendees may unmute themselves and when recognized by the moderator may speak. Online attendees will also be asked for their name and address.

All comments shall be addressed to the Township Planning Commission members. The “Public Comment” is for attendees to provide information or opinions to the Township Planning Commission and is not intended to be a dialogue. Anyone needing a response should contact officials or staff during normal office hours.

The Public attending the meeting either in-person or on-line will be allowed to ask questions and make comments about NEW and UNFINISHED agenda items. These questions and comments must be made during the discussion of that agenda item. Anyone that would like to speak will raise their hand indicating their desire to speak.

When recognized by the moderator, in-person attendees shall come to the podium. The moderator will request that they give their name and address before they begin their comments.

When all in-person attendees have finished speaking, the moderator will ask if anyone attending the meeting on-line wishes to speak about the NEW or UNFINISHED agenda item. Online attendees may unmute themselves and when recognized by the moderator may speak. Online attendees will also be asked for their name and address.

The moderator can close the questions and comments session about a NEW and UNFINISHED agenda item at his/her discretion.

To preserve efficiency, at any time during the meeting, each speaker, whether in-person or online will be limited to THREE MINUTES.

Next Meeting is scheduled for November 24, 2026, at 7:30 PM

**MARION TOWNSHIP
PLANNING COMMISSION
REGULAR MEETING MINUTES
SEPTEMBER 22, 2026 / 7:30PM**

PC MEMBERS PRESENT:

**LARRY FILLINGER – CHAIRPERSON
CHERYL RANGE – SECRETARY
SCOTT LLOYD
RICK NOVAK
BRUCE POWELSON**

PC MEMBERS ABSENT:

NONE

OTHERS PRESENT:

**SCOTT RICHARDSON – ZONING ADMINISTRATOR
MARTHA HAGLUND – LIVINGSTON COUNTY PLANNING DEPARTMENT**

CALL TO ORDER:

Larry Fillinger called the meeting to order at 7:30 p.m.

MEMBERS' PRESENT:

All Planning Commissioners were present.

PUBLIC COMMENT:

No comment was made by the public.

APPROVAL OF SEPTEMBER 22, 2026, PLANNING COMMISSION MEETING AGENDA:

Scott Richardson said there was a mistake on the agenda and the next Planning Commission meeting is October 20th, not on October 27th. This meeting will also take place on the lower level of the Township.

Cheryl Range made a motion to approve the September 22, 2026 Planning Commission agenda as amended. Bruce Powelson seconded. **5-0 MOTION CARRIED**

APPROVAL OF AUGUST 25, 2026, PLANNING COMMISSION MEETING MINUTES:

Bruce Powelson made a motion to approve the August 25, 2026, Planning Commission meeting minutes as presented. Scott Lloyd seconded. **5-0 MOTION CARRIED**

NEW BUSINESS:

1) CONSIDERATION OF RECOMMENDING APPROVAL FOR A SMALLER CLUBHOUSE AT MARION OAKS

Tanya Carter with Capital Construction explained that Capital Construction is proposing an amendment to the Marion Oaks Master Deed and Bylaws regarding the amenities, specifically the clubhouse and the pool. During the permit process, there were inconsistencies found regarding the size and requirements for the Clubhouse and pool. These inconsistencies were found in the consent judgement, the site plans from Boss Engineering and the bylaws. The consent judgement states the pool should be a

DRAFT

minimum of 1500 sq. feet however, the site plans from Boss Engineering state the pool should be 4000 sq. feet. The bylaws mention a building pavilion, which is not mentioned in the consent judgement or the Boss Engineering site plans. Tanya Carter explained that Capital Construction and the HOA Board are concerned because a building of this size is considered a commercial building instead of residential. Capital Construction has proposed to reduce the size of the clubhouse to 2800 sq. feet, so the clubhouse can be classified as a residential structure.

Scott Lloyd is concerned about the number of restrooms not being enough for a subdivision of this size.

John Martin resides in Marion Oaks and is upset about the many broken promises that have been made in the past by Capital Construction. Mr. Martin stated the clubhouse and pool are going to be too small for this neighborhood. Mr. Martin also expressed concerns about the missing HOA funds and the increased dues and other grievances with Capital Construction.

Bruce Powelson made a motion to deny Capital Construction's request to amend the bylaws which would allow a change in building size for the proposed clubhouse and pool. Cheryl Range seconded. **5-0 MOTION CARRIED**

OLD BUSINESS:

1) CONSIDERATION TO RESCHEDULE THE PUBLIC HEARINGS FOR SUP# 01-26 AND SUP# 02-26 TO OCTOBER 20, 2026.

Larry Fillingner made a motion to reschedule the public hearings for SUP# 01-26 D2 Contracting and SUP# 02-26 Legacy Acres, to Tuesday, October 20, 2026. Rich Novak seconded. **5-0 MOTION CARRIED**

OLD BUSINESS:

2) DATA CENTER ORDINANCE DISCUSSION

Martha Haglund with the Livingston County Planning Department reviewed the recent language changes to the Data Center ordinance. Additional changes were discussed during the meeting, and Martha will implement these changes and bring a revised draft to the next Planning Commission meeting in October.

CORRESPONDENCE AND UPDATES:

There were no comments or updates discussed.

PUBLIC COMMENT:

No comment was made by the public.

ADJOURNMENT:

Scott Lloyd made a motion to adjourn the Planning Commission meeting at 8:50pm. Cheryl Range seconded.

5-0 MOTION CARRIED

MINUTES TAKEN BY: Jessica S. Timberlake

Legacy Acres Supplemental Response

Special Use Permit for Agricultural Based Tourism and Entertainment Activities

Applicants	Troy and Britney Hoskins
Property	775 Sexton Road, Howell, Michigan 48843
Parcel	10-14-300-009 (Livingston County full ID: 4710-14-300-009)
Review	Livingston County Department of Planning memorandum dated August 17, 2026
Submitted	September 9, 2026

Purpose of This Response

This supplement responds to the outstanding items identified in the County planning review and should be read with the original application and Existing Conditions Site Plan. Legacy Acres will use existing buildings, pastures, parking, access, utilities, grading, and drainage. No new construction or material site alteration is proposed.

The requested use remains incidental to the working farm. Agriculture, livestock care, poultry and egg production, fiber production, gardening, and land stewardship will remain the principal uses of the property.

Response to Planning Review Items

1 Site Operations and Potential Impacts

Circulation and parking. The designated guest parking and overflow parking areas were included on the originally submitted site plan and are reiterated here for clarity. Guests will enter through the existing driveway on Sexton Road and park entirely on-site. The horseshoe driveway allows vehicles to circulate and turn around without backing onto Sexton Road. The designated parking field can accommodate approximately 80 vehicles. No roadside parking, paved parking area, new driveway, or change to the existing access is proposed.

Transportation. Transportation will vary by program. Schools, youth groups, and community organizations may arrive through carpooling, passenger vans, or buses, reducing the number of individual vehicles. Other visitors may arrive in individual cars. Vehicles will not queue or park along Sexton Road.

Staff parking. Legacy Acres is currently family-operated. Family members park in the existing garage, so no additional employee parking is required. If nonresident staff are added later, they will use designated on-site parking.

Restrooms. Visitors will have access to existing restroom facilities in the guesthouse and pool house. For larger scheduled groups, portable restrooms may be added as needed to supplement the existing facilities and improve efficiency.

Trash collection. Legacy Acres maintains three residential trash bins. Visitor waste will be collected in designated containers and transferred to the existing bins for regular disposal. Larger programs may use additional temporary waste containers as needed.

Noise. Routine programming will involve normal conversation, agricultural instruction, animal interaction, and ordinary farm sounds. A DJ or speaker system may occasionally be used during larger holiday or seasonal agricultural events. Amplified music will end no later than 9:00 p.m. and will be managed to minimize impacts on neighboring properties.

2 Building Dimensions and Setbacks

The following dimensions and nearest-property-line setbacks supplement the submitted site plan. Measurements are approximate and describe existing conditions.

Structure	Dimensions	Above Grade Area	Nearest Setback	Use and Access
Large barn	120 x 32 ft	3,840 sq ft	265 ft from Wolf Ridge Drive	Primary agriculture only; no visitor access
Attached lean-to	120 x 15 ft	1,800 sq ft	265 ft from Wolf Ridge Drive	Agriculture with supervised visitor passage to pastures
Small livestock barn	32 x 30 ft	960 sq ft	180 ft from Wolf Ridge Drive	Agriculture with supervised visitor access
Guesthouse	20 x 20 ft; 2 levels	800 sq ft	200 ft from Sexton Road	Existing restroom and visitor-support access
Pool house	10 x 20 ft	200 sq ft	15 ft from Wolf Ridge Drive	Existing restroom and visitor-support access
Main house	Existing	Excluded	Not applicable to requested use	Private residence; no visitor access

3 Relationship Between Agriculture and Agribusiness

The proposed visitor activities arise directly from the existing agricultural operation and remain secondary to it. Visitors may learn about or participate in livestock husbandry, poultry and egg production, alpaca fiber, gardening, crops, composting, conservation, and land stewardship. The working farm will continue regardless of the visitor schedule.

Area	Classification	Description
Main house	Private	The residence is reserved for the owners and has no visitor access.
Large barn	Primary agriculture	The enclosed barn supports farm

Area	Classification	Description
		operations and is not open to visitors.
Lean-to	Agriculture and agribusiness	The structure supports the barn and may provide supervised passage to animal pastures.
Small livestock barn	Agriculture and agribusiness	The barn houses livestock and may be accessed during supervised educational experiences.
Livestock pastures	Agriculture and agribusiness	The pastures remain in active agricultural use; visitors may enter designated areas under supervision.
Garden	Agriculture and agribusiness	The garden produces crops and may support supervised planting, harvesting, and food-production education.
Guesthouse and pool house	Visitor support	Existing restrooms support scheduled visits. The full accessible areas are included in the floor-area calculation.
Pool	Optional visitor amenity	The pool may be used by reservation-based families, private groups, and organizations as part of a scheduled Legacy Acres visit.
Pond wooded area and trails	Conservation education	Existing natural areas may support supervised wildlife observation, stewardship, and outdoor learning.
Parking area	Agribusiness support	The designated field provides on-site guest and overflow parking.

4 Agribusiness Floor Area

Legacy Acres has conservatively included the complete above-grade area of each visitor-accessible structure, even where visitors primarily use only a passageway or restroom.

Visitor Accessible Space	Area
Large barn lean-to	1,800 sq ft
Small livestock barn	960 sq ft
Guesthouse two above-grade levels	800 sq ft
Pool house	200 sq ft
Total	3,760 sq ft

The total visitor-accessible floor area is approximately 3,760 square feet, below the 10,000-square-foot maximum in Section 17.33(B)(3). The enclosed large barn and main house are excluded because they are not part of the visitor-accessible agribusiness space.

5 Pool and Pool House

The existing pool and pool house may be used by reservation-based families, private groups, and organizations as an optional recreational component of a scheduled Legacy Acres visit. Pool access may be offered alongside farm experiences, animal interaction, agricultural education, or other approved on-site programming. Use is private, scheduled in advance, and limited to the reserved group. The pool and pool house are existing amenities, and no expansion or structural changes are proposed.

6 Programming Types Frequency Attendance and Hours

Routine programming. Legacy Acres initially anticipates approximately two to three reservation-based programs or group visits per week. Frequency may vary seasonally with weather, agricultural cycles, livestock activities, and community interest.

Larger seasonal programming. Legacy Acres anticipates approximately four to six larger seasonal or holiday agricultural events per year. Examples may include harvest activities, spring farm experiences, animal-focused programs, and similar seasonal offerings.

Attendance and hours. All business programming will be by advance reservation, accommodate no more than 100 participants, and occur within the requested operating hours of 9:00 a.m. to 9:00 p.m. Larger programs will remain within the central portion of the property and designated areas shown on the site plan.

Demonstrated site capacity. Legacy Acres has previously accommodated several private gatherings of a similar size entirely on-site. Those gatherings demonstrated that parking, circulation, activities, restroom access, and waste management can be contained within the property without disturbing neighboring properties or obstructing surrounding roads.

7 Signage

No roadside signage is proposed. Limited internal signs may direct visitors to parking, restrooms, activity areas, and emergency exits. Internal signs will be informational or directional, will not be illuminated, and will not be intended for viewing from the roadway.

8 Permit Amendments and Personal Residential Use

Legacy Acres acknowledges that exceeding any maximum frequency, attendance, operating hours, or intensity formally approved for agribusiness programming may require an amendment to the Special Use Permit. A separate permit will not be required for each agribusiness program conducted within the approved limits.

These operational limits apply to activities conducted as part of the Legacy Acres agribusiness and are not intended to restrict customary, noncommercial use of the residence and property by the owners, their family members, and personally invited guests. Personal residential activities will remain subject to generally applicable Township ordinances.

9 Outside Agency Review

Legacy Acres acknowledges that the Township may refer the application to outside agencies having applicable jurisdiction. The proposal uses existing structures, parking areas, driveway access, utilities,

grading, and drainage conditions. It does not include new construction, earth disturbance, drainage modifications, driveway alterations, paved parking, changes to the existing well or septic systems, or conversion of agricultural barns into indoor public-assembly spaces.

Accordingly, the applicants do not believe the proposal triggers separate permits or approvals from every agency listed in Section 17.33(C)(12). Legacy Acres will cooperate with any applicable agency review identified by the Township and comply with any legally required approval directly related to the proposed use.

Supplemental Site Plan Information



Existing Conditions Site Plan submitted with the application

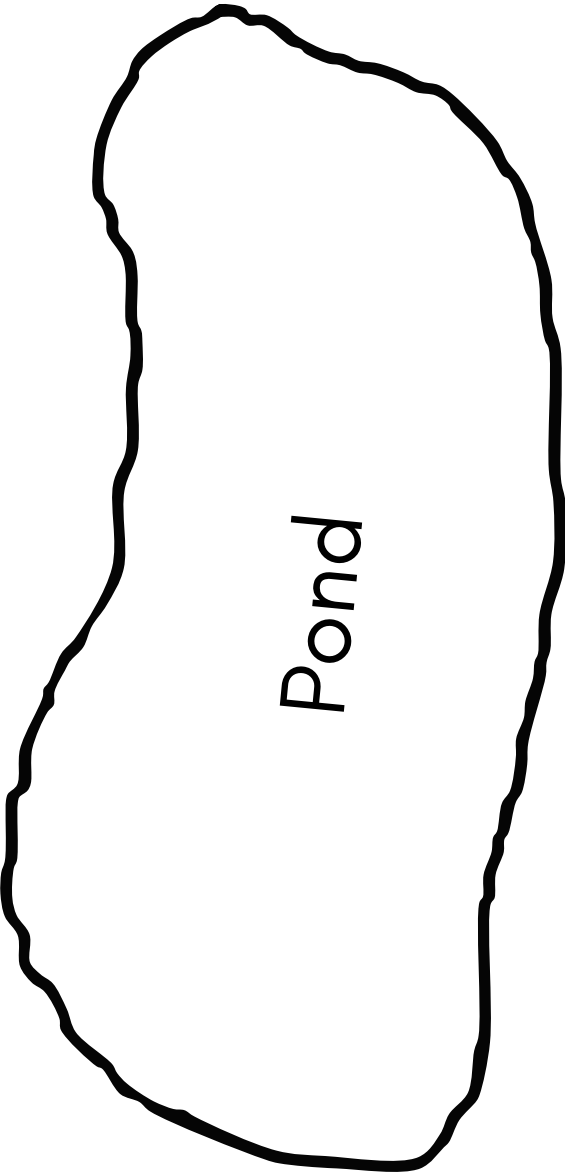
The original site plan identified the existing structures, pastures, parking, pool, pond, wooded area, garden, and landscaping. This supplement adds the building dimensions, setbacks, access classifications, and operating details requested in the planning review. No physical site changes are proposed.

Conclusion

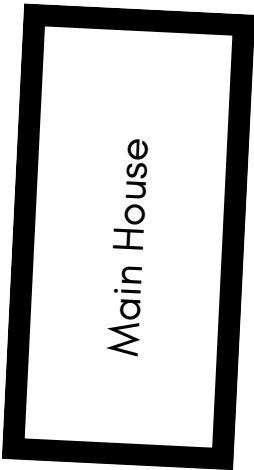
The submitted application and this supplement demonstrate that the proposed use can operate within the existing farm without changing the rural character of the property. Legacy Acres respectfully requests that the Planning Commission recommend approval of the Special Use Permit to the Township Board, with any conditions limited to standards and outside-agency reviews that apply to the proposed use.

Sexton Road

535.63 ft



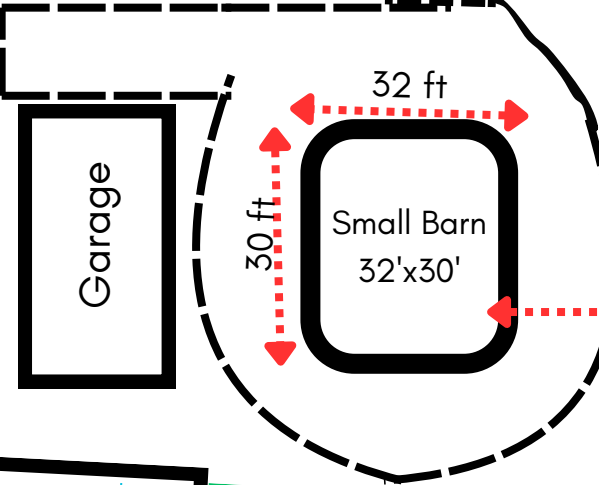
Pond



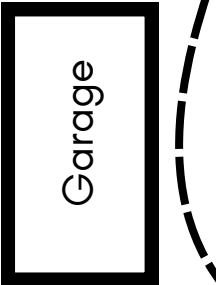
Main House



Driveway



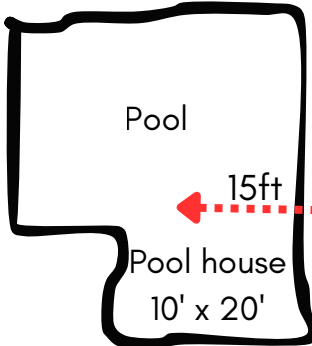
Small Barn
32'x30'



Garage



Guesthouse
20'x20'



Pool

Pool house
10' x 20'



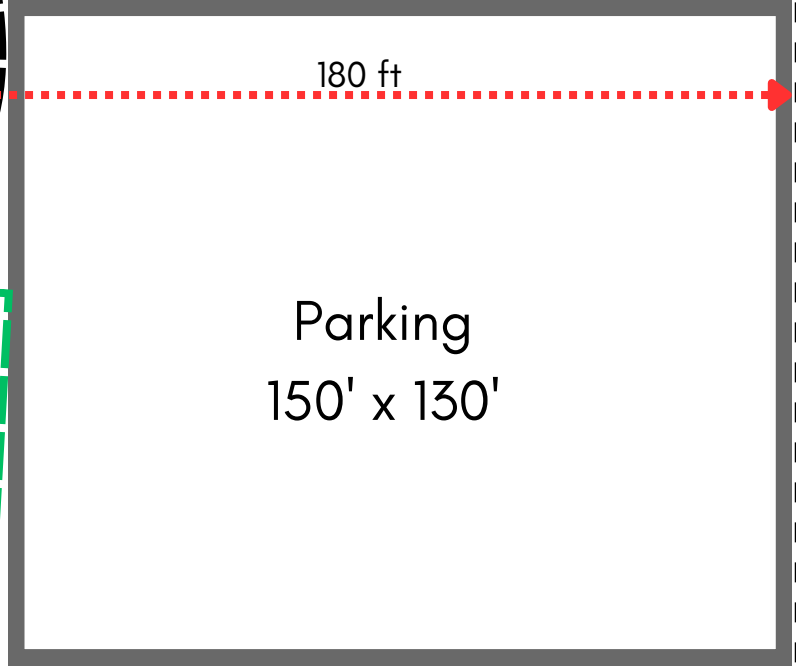
Alpaca
pasture



Barn
120' x 32'
Lean to 120' x 15'



Alpaca Pasture



Parking
150' x 130'

743.98 ft

Wolfe Ridge

Open Pasture

320 ft

120 ft

200 ft

20 ft

20 ft

360 ft

32 ft

30 ft

32 ft

180 ft

265 ft

15ft

Sexton Road

535.63 ft

Sexton Rd

Sexton Rd

Sexton Rd

Sexton Rd

Wolfe Ridge

Wolfe Ridge

Wolfe Ridge

Wolfe Ridge

Wolfe Ridge



Pond



Main House

Driveway



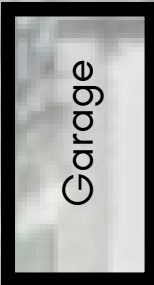
Pool

Pool house
10' x 20'

15ft



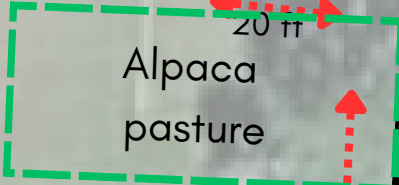
Guesthouse
20'x20'



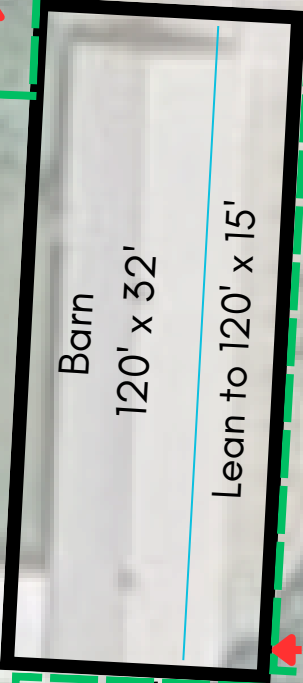
Garage



Small Barn
32'x30'

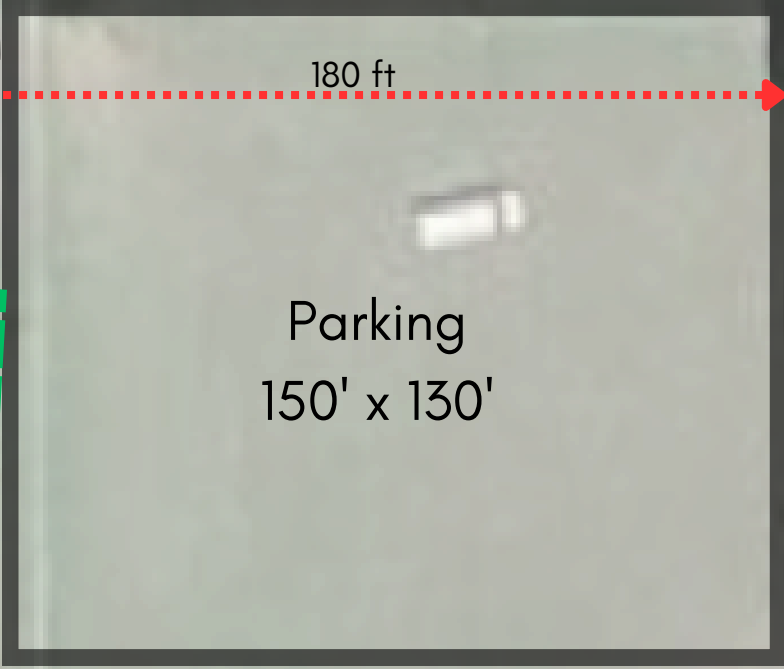


Alpaca
pasture



Barn
120' x 32'
Lean to 120' x 15'

Alpaca Pasture



Parking
150' x 130'

120 ft

320 ft

265 ft

360 ft

743.98 ft

Open Pasture

Tom Kizer
910 Sexton Rd.
Howell, MI 48843
810-923-9320
kizer3@msn.com
September 17, 2026

To: The Members of the Marion Township Board and Planning Commission
2877 W. Coon Lake Rd.
Howell, MI 48843

Re: Proposed Commercial Agribusiness at 775 Sexton Road

Dear Members of the Township Board and Planning Commission:

I am writing to respectfully express my opposition to the proposed commercial operation at 775 Sexton Road and to ask that the Township carefully consider its compatibility with the surrounding neighborhood and the existing rural character of this area.

My family has lived in Marion Township for three generations. My brother and I are the third generation of our family to live here, and his children are the fourth generation who hope to continue making this community their home. Over the years, our family has developed a strong appreciation for the rural character, quiet surroundings, and residential nature of this portion of the Township.

I recognize that property owners have the right to make reasonable use of their property, and I appreciate that the Township must consider applications based upon its zoning ordinance and applicable standards. My concerns are not directed personally toward the property owner or the proposed business. Rather, they relate to the nature, scale, and potential impact of a public-facing commercial operation in this particular location.

1. Compatibility with the Existing Rural Character

The surrounding area has historically been characterized by homes, agricultural uses, open land, and relatively low levels of commercial activity. A business that invites members of the public to visit the property to view or interact with animals would represent a significant change in the character and intensity of use of the property.

2. Increased Traffic and Road Safety

A commercial operation that attracts members of the public, employees, deliveries, and service vehicles could substantially increase traffic on the surrounding rural roads. These roads serve existing residents and were not designed for a significant increase in commercial or visitor

traffic. I ask the Township to carefully consider the anticipated volume and type of traffic and its effect on the surrounding residents and roads.

3. Noise, Odors, Dust, and Other Impacts

The proposed use could result in increased noise, odors, dust, lighting, and other activities associated with maintaining animals and receiving visitors. These impacts may be particularly noticeable to neighboring properties because of the rural and residential nature of the surrounding area.

4. Hours of Operation

I am also concerned about the proposed hours of operation. Commercial activity beginning early in the morning or continuing into the evening could have an impact on the quiet and peaceful nature of the surrounding neighborhood. If the use is permitted, I believe the Township should carefully consider whether reasonable limitations on operating hours are appropriate.

5. Long-Term Precedent

Finally, I respectfully ask the Township to consider the precedent that approval of a commercial operation of this nature could establish for other properties in the Township's rural areas. Decisions concerning individual properties can have broader consequences for the character and development of the surrounding community.

I understand that the Township must apply its zoning ordinance and other applicable standards to the request before it. I respectfully ask that the Board and Planning Commission carefully evaluate whether the proposed use, including its anticipated traffic, hours of operation, and impacts on neighboring properties, is consistent with those standards and compatible with the existing character of the area.

I appreciate the time and responsibility required of the Township Board and Planning Commission in considering this matter. My purpose in writing is simply to make my concerns known in a respectful and constructive manner. I intend to attend the upcoming public hearing and would appreciate the opportunity to address these concerns in person.

Thank you for your consideration and for your service to Marion Township.

Respectfully,



Tom Kizer

September 22, 2026

Marion Township Planning Commission:

You have received and discussed **PRELIMINARY REVIEW OF SUP# 02-26 / LEGACY ACRES / 775 SEXTON RD** at your last meeting, and approved scheduling for a Public Hearing on this request. Your deliberations have included a detailed review of the application by Martha Haglund who itemized a number of questions that had not been addressed within the application including items such as parking, traffic, mitigation of impact of events on nearby neighbors, sanitation, setbacks, signage, the number and frequency of events, the location and scope of the “agri-business”, noise mitigation, the possible need for higher standards to mitigate adjacent impacts, and the need for specific approval by a host of township and county governing agencies. Ms. Haglund’s report concluded with recommendations to the Planning Commission itemized in nine distinct items that should be requested from the applicant. I was not in attendance at your August 25 meeting, and the Minutes indicate some of these topics were discussed, but the community is in need of specific documented reassurances on **all of these issues**.

Marion Township has wrestled with the issues of “Agri-business and Agri-Tourism/Entertainment” in the past. With the support of Marion Township residents, the Planning Commission and Board of Trustees has made a resistant stance on our behalf to limit noise, traffic, and commercial events in rural residential areas. Conflicts surrounding such applications, in fact, led to the development of the language in Special Land Use Section 17.33 of our Zoning Ordinance, under which this application is submitted. Our ordinance emphasizes the expectation that the Township continue to resist approving entities that will adversely impact the rural residential experience of the surrounding community.

There isn’t any guidance about how accessory business activities are to be deemed “clearly incidental to the primary agricultural use” of a property. As a farmer, I would expect to see that an agricultural entity’s primary use would be able to demonstrate serious accepted business practices, guided by a legitimate longitudinal business plan with a realistic intent for profit, evidenced by a history of agricultural revenue and expense reporting to relevant tax authorities, etc. This would be a logical context in which to judge a request for a supplemental Agri-Tourism Special Use application to determine how proposed business activities support farming. Instead, the Courts have addressed this void for purposes of protection under the State’s Right To Farm Act by defining farming with extreme leniency. The Right To Farm Act has therefore

become a convenient cover for a host of business activities that have very little to do with the actual support of growing crops or raising livestock for food.

I encourage the Township to maintain a rigorous standard in evaluating applications under this ordinance. Business activities linked to “farming” appear to easily excuse avoidance of the usual regulatory oversight (such as building codes, inspection of infrastructure, noise levels, etc.) that businesses providing services to the public usually require. Ms. Haglund’s list of questions and recommendations need explicit documented response and review. The need for review by the governmental entities itemized in C. Performance Standards, Item 12, is key to understanding the impact issues regarding roads and traffic, environment, and health and safety. The legislated Right To Farm does not obviate need for adherence to such standards. For this application, I would like to propose some additional items for consideration as well. Review of the applicant’s Facebook page shows advertisements and images of previous “events”. These show people having a good time, but also reveal food, drink, including possible alcohol, music with loudspeakers, playing in the pool, etc. Does the application adequately clarify the intent of these activities as part of future “events”? (See attached copy of a Legacy Acres event invitation.) **I suggest adding at least the following to Ms. Haglund’s important questions:**

1. Will music or other content be broadcast during events? During what hours? With what specific equipment and with what sound characteristics?
2. Will food be served at events? Where will food for public consumption be prepared, stored? Does planned food service require application and licensing under Michigan’s Food Law, Act 92, P.A. 2000?
3. Will the pool be accessible to the public? If so, does the applicant have appropriate licensing under the following regulatory guidance? <https://www.michigan.gov/egle/-/media/Project/Websites/egle/Documents/Programs/DWEHD/Public-Swimming-Pool/Public-Swimming-Pool-Public-Act-and-Rules.pdf>
4. Is alcohol to be served at events? By charging for attendance and participation, the applicant will be required to hold a Liquor License from the Michigan Liquor Control Commission (MLCC) and document compliance and have trained server staff.
5. Inviting the public into buildings, including farm buildings, requires compliance with building codes of the Department of Licensing and Regulatory Affairs (LARA). These regulations mandate structural integrity, adequate egress, sanitary facilities, and fire safety standards to ensure public health and welfare. Is there provision to inspect the relevant farm buildings with that intent?

6. How does the applicant comply with recommended petting zoo safety regulations, such as strict biosecurity measures, physical barriers, and health monitoring to prevent zoonotic disease transmission and physical injury. Operators must secure a USDA Class C Exhibitor License under the Animal Welfare Act, maintain current veterinary health certificates for all animals, and carry minimum \$1–2 million in liability insurance.

Personally, I don't see how 100-person events can be undertaken without an adverse impact on adjacent neighbors. I encourage you to decline the application for Special Use on these grounds alone, but feel strongly that the lens through which you evaluate this must include clear documentation in response to all of the above concerns.

Sincerely,

Susan Schooley

459 E Davis Rd

Howell, Michigan

LEGACY ACRES TWILIGHT *Farm Night*

AN UNFORGETTABLE EVENING OF FAMILY FUN,
FARM LIFE, AND FRESH AIR.

 **SATURDAY
MAY 24**
4:00 PM - 8:00 PM

TICKETS
\$15
PER PERSON
— ~~45~~ —
*Limited
Spots!*



ENJOY AN EVENING FILLED WITH:



Up-close chicken & goat interactions



Help with real farm chores



Learn how we care for the animals



Mini fishing lessons



Paddle boat rides



Small zip line fun



Weather permitting pool time



Poolside twilight movie float



Build your own potato grow bag to take home



**PRE-ORDER
BABY CHICKS
FOR FUTURE
PICKUP!**

Make memories. Connect with nature. Experience farm life. 



LEGACY ACRES

A PLACE TO GROW, LEARN
AND CREATE MEMORIES TOGETHER.

**LIMITED TICKETS
RESERVE EARLY!**



Legacy Acres

Date: September 20, 2026

To: The Marion Township Planning Commission and Township Board

Subject: Formal Opposition to the Proposed Large-Scale Agribusiness Development

Dear Members of the Planning Commission and Township Board,

I am writing as a local Township resident to formally voice my strong opposition to the proposed large-scale agribusiness development. While my property sits approximately one mile away from the proposed site, the far-reaching environmental and communal impacts of this operation directly affect me, my property, and the broader Township community. I wish to submit this letter anonymously due to privacy concerns, but I urge the board to fully consider the substantive issues raised below.

My primary opposition stems from the severe threat this development poses to our local natural habitats and the surrounding agricultural ecosystem. The industrial scale of this operation at this specific location will significantly disrupt the existing environment in several critical ways:

- **Destruction of Wildlife Habitats:** The introduction of increased heavy truck traffic, industrial noise, and artificial lighting will fragment local woodlands and wetlands. This will inevitably displace native wildlife species that rely on these contiguous natural corridors.
- **Strain on Agricultural Resources:** The intense water demands and potential runoff from a commercial operation of this magnitude threaten the local water table and the integrity of the surrounding soil. This directly jeopardizes the livelihoods of neighboring traditional family farms.
- **Environmental Degradation:** Increased pollutants, potential chemical runoff, and emissions from heavy equipment will compromise the air and water quality that defines our rural area.

The very identity of Marion Township relies on preserving its rural character and protecting our natural resources. Allowing an industrial-scale agribusiness to compromise these surrounding agricultural areas sets a dangerous precedent for future zoning and development decisions.

I respectfully request that the Planning Commission and Township Board deny the permits or zoning variances requested for this project, and instead prioritize the long-term preservation of our natural habitats and traditional farming community.

Thank you for your time, consideration, and dedicated service to our community.

Respectfully submitted,

A Concerned Marion Township Resident

Charles & Kelly Russell

1112 Gray Fox Court

Howell, MI 48843

August 30, 2026

Marion Township Planning Commission

2877 W. Coon Lake Road

Howell, MI 48843

Re: Proposed Data Center Overlay / D-19 Corridor

Dear Planning Commissioners,

Kelly and I will be out of town and unable to attend the September 22 Planning Commission meeting, but after reviewing the August Planning Commission packet, I wanted to make sure our concerns regarding the proposed Data Center Overlay are part of the discussion and the public record.

We live at 1112 Gray Fox Court, very near the Sexton Road and D-19 corridor. I was surprised and concerned to see that the Township is considering directing large-scale and hyperscale data centers toward the D-19 area. The Township's own planning materials specifically identify D-19 as a potential location for this type of development and recognize that the effect on surrounding property values is something that should be considered.

I understand the Township needs to establish reasonable regulations for data centers, and I appreciate the work that has already gone into trying to protect residents through setbacks, noise requirements, screening and infrastructure standards. My concern is more fundamental: **I don't believe large-scale industrial uses like hyperscale data centers belong next to established Rural Residential neighborhoods.**

Our area is made up of homes, farms and open land. That rural character is a large part of why people chose to live here and a large part of the value of our properties. Even with berms and landscaping, a large data center, utility substations, major electrical infrastructure, generators and the associated development would permanently change the character of this area.

We are also concerned about the potential for continuous noise from cooling systems, mechanical equipment, transformers and other equipment associated with a facility operating 24 hours a day. **In a quiet rural residential area like ours, that has a very different impact than it would be in an established industrial district.**

I am also concerned about what follows. The Township's own planning staff has acknowledged that extending water, sewers, roads and other infrastructure into rural areas for a data center could create additional development pressure in areas that have historically remained rural.

For those reasons, we respectfully ask the Planning Commission to **remove the Sexton Road/D-19 residential area from any proposed Data Center Overlay District** and instead direct large-scale and hyperscale data centers toward appropriately planned Industrial or Highway Service areas.

We are not opposed to responsible development. We simply believe existing residential neighborhoods and the investments families have made in their homes should be protected when there are more appropriate locations available for industrial use of this magnitude.

*** Please include this letter in the record for the September 22 meeting and provide a copy to the Planning Commissioners prior to their discussion. ***

Thank you for your consideration.

Sincerely,

Charles Russell

Kelly Russell

1112 Gray Fox Court

Howell, MI 48843



RESIDENT RESPONSE AND OBJECTION

Legacy Acres – Special Use Permit #02-26

775 Sexton Road, Marion Township

To Scott Richardson, the Marion Township Planning Commission and Township Board:

We are residents of the Wolf Ridge subdivision adjoining and near the Legacy Acres property at 775 Sexton Road. After reviewing the Legacy Acres application, the applicable Township ordinance, and the August 17 review prepared by the Livingston County Planning Department, we would like to formally express several concerns regarding the requested Special Use Permit.

We want to begin by making something clear. **We are not opposed to farming or legitimate agricultural use of this property.** We live in a rural community, understand its agricultural character, and recognize that this particular property has historically been used for agricultural purposes. Our concern is with the **intensity of the Agricultural-Based Tourism/Entertainment use now being requested, its relationship to the actual agricultural use of the property, and its potential impact on the surrounding residential properties and infrastructure.**

The application is being presented under Section 17.33 as Agricultural-Based Tourism/Entertainment. We understand that this type of activity can be permitted by Special Use Permit. However, Section 17.33 also requires that these activities be operated on the same premises as the principal agricultural use and be **“clearly incidental to the principal permitted agricultural use on the property.”**

After reviewing the application, that leaves us with a fairly basic question:

What is the principal agricultural business at Legacy Acres, and what is actually incidental to what?

The Livingston County Planning Department appears to have identified the same issue. Its review states that the site plan does not distinguish between the agribusiness portion of the property and its primary agricultural use. The planner specifically asks what portions of the structures will be used to conduct business and accessed by visitors.

We believe that relationship should be clearly established before a Special Use Permit is approved.

Previous Use of the Property

We also think it is important to put the previous use of this property into perspective.

The property was previously operated as a horse farm. Our understanding is that the previous owner provided riding lessons to individuals. That type of activity is consistent with the agricultural and rural character that the surrounding residents have historically experienced at this location.

The County Planning review itself describes the property as a previous horse farm and notes that many of the same buildings and structures remain.

However, we do not believe the previous operation of a horse farm should be viewed as evidence that the proposed use will have a similar impact on the surrounding area.

A horse farm providing individual riding lessons is vastly different in intensity from an Agricultural-Based Tourism/Entertainment operation authorized to bring as many as 100 visitors at a time onto the property.

The potential effects on traffic, parking, noise, sanitation, emergency access and neighboring homes are simply not comparable.

Size and Frequency of Events

The application describes reservation-only programming involving anywhere from a few people to as many as **100 visitors**, with operating hours from **9:00 AM until 9:00 PM, Year-round with an emphasis on March through December.**

Yet the County Planning review specifically notes that the application does **not identify the anticipated frequency of programming.**

We believe this is a significant unanswered question.

A handful of agricultural educational events involving 100 people during the course of a year is one thing. Events involving 100 people every weekend, or potentially several times per week, year round is entirely different.

Once that number of people is regularly being brought onto the property, we think it is reasonable to ask whether we are still dealing with an agricultural operation with incidental tourism and entertainment, or whether the agricultural component has instead become incidental to a much larger event or entertainment operation.

The Township's ordinance allows the Special Use approval to establish a maximum number of events per year, number of persons per event and hours of operation.

We strongly believe those limits should be clearly established rather than leaving the approval open-ended.

Traffic

Traffic is one of our biggest practical concerns.

An event involving 100 visitors could produce dozens of vehicles arriving within a relatively short period of time. That does not include employees, vendors, deliveries or service vehicles associated with the operation.

At the conclusion of an event, many of those vehicles could then be leaving at approximately the same time.

We believe the Township should evaluate the traffic impact based upon the **largest event being requested — 100 visitors — not the traffic generated by a small agricultural program.**

The County Planning Department has already identified traffic as an area requiring additional information. Its recommendation calls for a site plan addressing circulation, parking and potential traffic impacts and also calls for approval from applicable governing agencies, including the Livingston County Road Commission.

We believe those questions should be answered **before approval rather than after traffic problems occur.**

We also have concerns regarding the ability of Sexton Road and the surrounding road system to accommodate concentrated event traffic. We intend to gather additional information regarding those conditions and may address that issue separately as this process continues.

Our Subdivision's Private Road

There is another traffic and infrastructure issue of particular importance to our subdivision.

Our subdivision consists of **19 homes served by a private road. The subdivision residents are responsible for maintaining and repairing that road and bear the associated costs.**

Legacy Acres is not part of our subdivision and does not contribute to the maintenance or repair of our private road.

For that reason, approval of this Special Use Permit should not create, imply or assume any right for Legacy Acres customers, employees, vendors or event traffic to utilize our privately maintained road.

We therefore request that any Special Use Permit contain an explicit condition that:

Legacy Acres customers, employees, vendors and event-related traffic shall not use our subdivision's private road for ingress, egress, parking, overflow parking or turnaround purposes unless the applicant first demonstrates an existing legal right to use the private road for those purposes.

The residents who pay to maintain a private residential road should not be expected to absorb additional traffic, wear or maintenance costs associated with an adjoining business operation.

Existing Drainage Concerns

This issue is compounded by an existing infrastructure problem at our subdivision entrance.

We already experience drainage issues along Sexton Road that create problems at the entrance to our subdivision and affect our private road.

These are existing conditions our residents are already dealing with, and we do not believe they should be overlooked when considering a Special Use that could substantially increase traffic immediately adjacent to our entrance.

The County Planning review notes that the applicant's information does not include topographic contour information and states that the Planning Commission may request additional information concerning existing drainage conditions, including a topographic map.

We therefore ask that the existing drainage conditions affecting this area and our subdivision entrance be evaluated before final approval of this Special Use Permit.

Parking, Sanitation and Emergency Access

The County Planning review indicates that overflow parking is proposed in the field west of the barn facilities and states that the field "likely" has sufficient space. It also notes that the application does not identify whether there will be additional non-resident staff or a need for employee parking.

We do not believe "likely" is sufficient when approval is being requested for events involving as many as 100 visitors.

There should be an actual site plan demonstrating how the maximum requested use will be accommodated, including guest parking, employee and vendor parking, vehicle circulation, overflow parking and emergency vehicle access.

We have similar questions regarding septic capacity, restroom facilities, trash collection, noise and fire safety.

These are not issues we have invented as neighboring residents. The County Planning Department itself recommends that the applicant provide a site plan addressing **circulation, parking, sanitation, trash collection, noise and potential traffic impacts**, along with more detailed information regarding the frequency and types of events.

We believe those issues should be resolved before approval rather than after the operation begins.

The Maximum Requested Use Should Be the Standard

One provision of the ordinance particularly stood out to us.

For events, the applicant must demonstrate that the **largest event desired by the facility** can be handled without significant adverse impacts to adjacent neighbors or Township facilities and services, or otherwise creating a detriment to public health, safety or welfare.

We believe that is exactly the standard that should be applied here.

The question should not be what Legacy Acres looks like when ten people attend an agricultural program on a Tuesday afternoon.

The question should be:

What happens when Legacy Acres has the full 100 visitors it is asking permission to host?

What does the traffic look like?

Can the roads safely handle the concentrated arrivals and departures?

Where do all of those vehicles park?

Can emergency vehicles safely enter and exit?

What happens with noise?

What happens at 9:00 PM when a large event concludes and those vehicles leave?

And, most importantly for those of us who already live here, **what effect does that level of activity have on the surrounding residential properties?**

The ordinance also gives the Planning Commission the ability to require higher standards when necessary to protect the rural character of the community, and the County Planning review specifically notes that higher standards may be considered to mitigate impacts on adjacent properties.

OUR REQUEST

For all of these reasons, the undersigned residents respectfully request that the Marion Township Planning Commission **not recommend approval of SUP #02-26 until the outstanding issues identified above and by the Livingston County Planning Department have been addressed and the applicant demonstrates compliance with Section 17.33 at the maximum level of activity being requested.**

We also recognize that, after addressing these issues, the Township may ultimately determine that the proposed Agricultural-Based Tourism/Entertainment use qualifies for approval.

If that occurs, we respectfully request that the following specific conditions and limitations be made part of the Special Use Permit.

Our purpose in requesting these conditions is not to prevent Legacy Acres from operating the agricultural education center described in its application. Rather, we want to clearly define the scope of the approval now so that both Legacy Acres and the surrounding residents understand what is — and is not — permitted in the future.

1. **Traffic and Sexton Road.** Before the maximum proposed use is permitted, Sexton Road, the property's access points and the surrounding traffic pattern should be reviewed by the appropriate agencies. Any improvements determined necessary to safely accommodate the additional traffic generated by the approved use should be completed as a condition of that use.
2. **Existing Drainage Problems.** The existing drainage problems along Sexton Road and at the entrance to our subdivision should be evaluated and appropriately addressed. Any site improvements or increased use of Legacy Acres should not worsen the drainage conditions already affecting our subdivision entrance and private road.
3. **No Use of Our Private Road.** Legacy Acres customers, guests, employees, vendors, contractors and event traffic should be prohibited from using our subdivision's private road for ingress, egress, parking, overflow parking or turnaround purposes unless Legacy Acres can establish an existing legal right to such use. Legacy Acres should also be responsible for clearly communicating this restriction to its guests and service providers.
4. **Clear Signage.** Appropriate directional signage should be required at Legacy Acres and its entrance to direct visitors to the proper access point and reduce confusion or accidental entry onto our private subdivision road.
5. **Defined Limits on Attendance and Frequency.** The permit should establish specific maximums for both **attendance and frequency of events and programs**, including the maximum number of people permitted at one time and the maximum number of events or programs permitted per week, month and/or year. Any increase beyond those limits should require Township review and amendment of the Special Use Permit.
6. **Agricultural Education Only — No General Event Venue.** The Special Use Permit should be limited to the Agricultural-Based Tourism/Entertainment and agricultural education activities described and approved in the application. The property should not be permitted to operate as a general-purpose event venue or rental facility. This should specifically exclude weddings and wedding receptions, corporate events, private parties, fundraisers, concerts or outside entertainment, and similar unrelated events.
7. **No Short-Term or Overnight Rentals.** Overnight lodging or short-term rental of the residence, buildings, grounds or any other portion of Legacy Acres should be specifically excluded from this Special Use Permit.
8. **No Rental of the Property or Amenities for Unrelated Events.** Legacy Acres should not be permitted to rent the property, buildings, grounds, swimming pool or other amenities separately for private or commercial use unrelated to the approved agricultural education operation. The existing swimming pool, in particular, should not be operated or rented as a commercial or public swimming facility.
9. **No Expansion Into Unrelated Commercial Activities.** The Special Use Permit should not authorize unrelated commercial activities, retail operations, entertainment or other commercial

- events beyond the approved agricultural education/agri-tourism use. Any material expansion or change in the nature of the business should require additional Township review and approval.
10. **Admission and Commercial Events.** The permit should not allow the property to evolve into a general admission-based entertainment or event facility. Any admission fees or charges should be limited to the specific agricultural education/agri-tourism activities approved by the Township and should not independently expand the scope of the approved use.
 11. **Alcohol and Marijuana.** The sale of alcoholic beverages, marijuana or similar regulated intoxicating products should not be permitted as part of the approved Special Use. Any future request involving such sales should require separate Township review and any other governmental approvals required by law.
 12. **Parking and Expansion.** Parking should be limited to the areas specifically approved as part of the Special Use Permit. Additional or expanded parking areas should require Township review and approval rather than occurring incrementally as the operation grows.
 13. **Lighting.** Any existing or future exterior lighting associated with the operation should be shielded and directed downward and away from neighboring residential properties and roadways. No lighting associated with the Special Use should create glare or materially illuminate adjoining residential properties.
 14. **Noise, Screening and Buffering.** DJ's and their equipment, specifically loud speaker systems, should be prohibited. Appropriate landscaping, green space, vegetative screening and/or berms should be required where appropriate between the Legacy Acres activity areas and neighboring residential properties as part of an overall noise and visual-impact reduction plan.
 15. **Changes in Use or Intensity.** Any significant increase in attendance, event frequency, operating hours, parking capacity, structures used by the public, or the type of activities conducted on the property should require review by the Township and, where applicable, an amendment to the Special Use Permit rather than being considered automatically authorized under the original approval.

We believe these conditions are reasonable because they accomplish two things.

They allow the applicant to operate the **agricultural education center being presented to the Township today**, while providing reasonable assurance to the surrounding residents that approval of that use will not later become approval for a substantially different commercial event, entertainment or rental operation.

We want to emphasize again that **we are not attempting to prevent the agricultural use of this property.**

We are asking the Township to recognize the difference between the property's historic agricultural use and the intensity of what is now being requested.

A horse farm providing individual riding lessons is one thing. An Agricultural-Based Tourism/Entertainment operation authorized to bring as many as 100 people at a time onto the property is something substantially different.

If the Township ultimately approves this Special Use, we believe this is the appropriate time to establish clear boundaries — not several years from now after the operation has expanded and neighboring residents are attempting to determine what the original permit actually allowed.

Clear conditions protect everyone involved. **Legacy Acres knows exactly what it is permitted to do, the Township has objective standards it can enforce, and neighboring residents know what protections were included when the use was approved.**

We believe that is a fair and reasonable approach that respects the applicant's property rights while also protecting the families who already live here and the rural residential character of this area.

Thank you for your consideration.

Respectfully submitted,
The Residents of the Wolf Ridge Subdivision
19 Homes — Marion Township, Livingston County, Michigan

PRINTED NAME	ADDRESS	SIGNATURE	DATE
Paul Webster	1101 GRAY FOX CT	[Signature]	9-2-26
Holly Gentile	973 GRAY FOX CT	[Signature]	9/2/26
Deanna Ross	1001 GRAY FOX CT	[Signature]	9-2-26
Rachel Ross	1001 GRAY FOX CT	[Signature]	9-2-26
Kenneth Walburn	1056 GRAY FOX CT	[Signature]	9-2-26
Gary Pratt	8750 WOLF RIDGE	[Signature]	9-2-26
Mary Pratt	8750 WOLF RIDGE	[Signature]	9-2-26
Aubrielle Wilson	9456 GRAY FOX CT	[Signature]	9-2-26
Sharon Snell	1181 GRAY FOX CT	[Signature]	9-2-26
Den Smith	1181 GRAY FOX CT	[Signature]	9-2-26
David & Lebbey Tchkowski	8028 GRAY FOX CT	[Signature]	9-2-26
Matt Osinski	946 GRAY FOX CT	[Signature]	9-2-26
Christal Osinski	946 GRAY FOX CT	[Signature]	9/2/26
Pauline Henderson	1225 GRAY FOX CT	[Signature]	9/2/26
DARON DAVIS	1168 GRAY FOX CT	[Signature]	9/2/26
Angela Henderson	1225 GRAY FOX CT	[Signature]	9/2/26
Mark & Mary Ferrugia	1084 GRAY FOX CT	[Signature]	9/2/26
Jill Haas	917 GRAY FOX CT	[Signature]	9/2/26
David Haas	917 GRAY FOX CT	[Signature]	9/2/26
Joe DeKorver	1286 GRAY FOX CT	[Signature]	9-2-26
Charles Russell	1112 GRAY FOX CT	[Signature]	9-2-26
Michael & Donna Dettlo	1244 GRAY FOX CT	[Signature]	9-3-26
ROBERT W. HICKCOX + LEE	1029 11th St	[Signature]	11
Ryan Piper	1000 GRAY FOX CT	[Signature]	9-3-26
BENNETT LOE	918 GRAY FOX CT	[Signature]	9-3-26
Kelly Russell	1112 GRAY FOX CT	[Signature]	9-3-26

Oct. 6, 2026

Planning Commission

I say No to Britney Hoskins
Applicant. The Septon Rd already
has too much traffic for a
small country rd. Everytime the
road is wet every car picks up
dirt under the car and there goes
the road dirt.

We are going to run out of dirt and
gravel and oil, gas and electricity.

No drugs and drinking and parking
on the Septon Rd. Park off the road.

Thank you.

Yours Truly
Mayone Buckelaw