

**WILLIAMSTOWN TOWNSHIP
PLANNING COMMISSION MEETING
MINUTES – 10/5/22**

CALL TO ORDER

The Williamstown Township Planning Commission convened at 7:00pm at the Township Hall, 4990 Zimmer Road, Williamston, MI. Chair Eidt called the meeting to order and reviewed the agenda.

PRESENT: Chair Eidt, Commissioners Stanford, Weston, Giese, Tocarchick, Flore, Davis, Poth, Brinker, and Trustee Creagh.

ABSENT: None. Quorum established.

ALSO PRESENT: Planning Consultant Chris Doozan of McKenna and Deputy Clerk Julie Bellinger, recording secretary, in the absence of Jim Howard, Planning Assistant.

Chair Eidt led the group in the Pledge of Allegiance.

New member Jim Brinker was introduced.

APPROVAL OF AGENDA

Motion by Flore, second by Weston to approve the agenda.

Motion approved 9 – 0.

APPROVAL OF MINUTES

Motion by Creagh, second by Weston to approve the minutes of July 27, 2022.

Motion approved 9-0.

PUBLIC COMMENT

Commissioner Tocarchick acknowledged the Township’s new website and noted that, although it will take time to acclimate to the new location of information/tabs and there are some initial implementation glitches, the updates are an improvement upon the old site.

Closed public comment at 7:05pm.

PUBLIC HEARING

Event Barns

Motion by Stanford, second by Poth to open the public hearing.

Motion approved 9 – 0.

Chris Doozan reviewed the revisions to the Event Barn regulations that had been discussed on August 16th, noting that new text added is underlined in the updated document, and anything crossed out would be deleted.

Noted revisions include Section 3 #1b. (increasing the frequency of events via applicant request, if the initial year of operation is completed to the satisfaction of the Township Board), #6 (one event barn per parcel), #8 (Transportation Impact Analysis), #11 (alcohol licensing), #13 (additional landscaping considerations for screening), #18 (noise standards), #20 (principal residence requirement), #24 (cost recovery provisions should enforcement (police or otherwise) be needed due to an ordinance violation).

Planning Consultant Doozan reviewed the Township By-Laws and reminded the Commissioners that deliberation would not be allowed to occur if there was opposition to the proposed regulation updates. As a result of any stated opposition, the recommendation to deliberate would take place at the November Planning Commission Meeting.

Commissioner discussion:

- Guidance sought on if clarifications regarding the proposed updates would be considered deliberations.
- Clarification questions were approved for discussion and noted below:
 - Discrepancy noted between Pgs. 1 and 3: Event barns defined as one or more permanent buildings, however, pg. 3 states that there cannot be more than one event barn per parcel. This ordinance is for one barn.
 - Clarification needed between Pgs. 2 and 5: Pg. 2 Proposed Ordinance states that NIESA determines occupancy, however, pg. 5 notes that attendance is limited to 150. NIESA's role for ensuring safety was clarified and that 150 occupants are the limit; however NIESA could decrease the occupancy if it was necessary for safety.
 - Clarification needed regarding the Transportation Analysis and how the data is used? It was noted that the Township Board and Planning Commission take the information under consideration to determine if potential impacts need to be mitigated – the applicant would be responsible for proposing the mitigation impacts.
 - Language use/clarification Pgs. 4 and 5:
 - #9 – Parking - Is dust control for the applicant a commitment or requirement? It's a commitment. Definition of side aisle – it is the free and open space for Handicapped Persons.
 - #11 – Alcoholic Beverage - Person serving alcohol needs to be identified – Mr. Doozan will consider revisions.
 - #20 – Residential Dwelling Requirement – Does the owner need to be in residence during the event?
 - #24 - Performance Guarantees – How and who would determine costs?

- With regards to penalties and violations, up to \$500/occurrence, is there a point where so many violations would incur something more severe? It would go before the Board. It is possible the land use could be rescinded.
- It is suggested that additional buildings be considered (ex. a supplemental building where wedding party could prepare and dress) and the language reflect the number determined.
- It was noted that it was not the intent to limit auxiliary buildings that could offer complimentary services.
- The Barn would be primary use. An auxiliary building for complimentary services.
- It was supported that having a complimentary building (ex. a Honeymoon Cottage) should be allowed, it should not be viewed as two event barns.
- It was stated that language deliberation would occur at a later date.

Public comments:

Randy Chambers – Property on Shaftsbury Rd. resides in Dewitt – Mr. Chambers spoke in support of the ordinance, however had concerns with the language. Specifically, attendance limits, primary residence stipulations, permitted months of operations, and the frequency of events allowed per month. He felt, from a business point of view, the current proposed regulations would make it very difficult to be profitable.

Motion by Creagh, seconded by Stanford to close the public hearing.

Motion Approved 9-0.

UNFINISHED BUSINESS

- *Event Barns*

Motion by Tocarchick, seconded by Weston to deliberate the Event Barn Ordinance at the next Planning Commission Meeting in November.

Ayes: Eidt, Stanford, Poth, Weston, Brinker, Creagh, Giese.

Nays: Tocarchick, Flore.

Motion approved 7 – 2.

- *Home Occupations (2.06) - Telecommuting*

Mr. Doozan reviewed his July memo regarding the recommended text amendments for the commission to examine involving telecommuting and revisited background information on the topic.

Commissioner Discussion:

- It was questioned whether this language is needed in the current ordinance?
- What is the percentage of residents who are actually working from home?

- Difficulty in seeing the need.
- Could it lead to neighbor conflicts?
- Is there an example of where harm has occurred not having this language?
- Consistent with Strategic Plan with regards to broadband access.
- More information needed from the Township Board regarding the purpose.

Chair Eidt reminded the commissioners:

- The Township Board wants the PC to add language to the Home Occupations Ordinance to make clear that telecommuting is permitted in the Township.
- Next step would be to schedule a public hearing, but if the PC doesn't believe that this updated language is necessary then it doesn't need to go to public hearing.
- It is important to recognize that people can legally work from home.

Trustee Creagh suggested that this ordinance language be tabled, and he will revisit with Planning Assistant Howard.

Motion by Creagh, seconded by Poth that this topic be tabled until the November Meeting.

Motion approved 9-0

- o *Home Occupations (2.06) – Medical Marijuana*

Mr. Doozan reviewed his August memo regarding the recommended text amendments for the commission to analyze involving Medical Marijuana Facilities. He reviewed the three State Acts on the books that deal with Marijuana, including Section 8.02 (MM) that addresses primary caregivers and land use. Additionally, he highlighted that many communities regulate medical marijuana under their Home Occupations regulations, and this was recently upheld by the Michigan Supreme Court as being compliant with the Michigan Medical Marijuana Act (MMMA). He outlined the amendments and language that would need to be added to the Township zoning ordinance

Discussion ensued, especially around neighbors who may have to live next to a residence where medical marijuana is grown. There was concern shared about the strong odors and lights needed for growing. It was noted that Leroy Township has language in their ordinance that addresses impacts on neighbors. Mr. Doozan, as well as the Commissioners, will review this suggested language. A question was posed regarding property assessments and whether noting when a residence is zoned for growing medical marijuana could be included for future homeowners to be aware of.

Motion by Brinker , second by Weston to have Chris Doozan update the draft language to regulate medical marijuana under the Home Occupation Section (2.06) of the Zoning Ordinance to review at the November Planning Commission Meeting.

Motion approved 9 – 0.

- *Farm signs on residential properties (Article 7)*

Chris Doozan reviewed his August memo about proposed text amendments regarding residential district signs and a new proposed subsection G for Permanent Farm Signs. Standards were suggested regarding number/type, size, setback, and height requirements. Additionally, the word temporary was added in three (3) places.

Discussion ensued regarding suggested sign size. It was proposed that the sign size be increased to twenty-four (24) square feet for improved visibility. This suggestion received support. Inconsistencies were noted regarding height language.

Motion by Flore , seconded by Weston to call for a Public Hearing on the text amendments for identifying farms with one modification; the square feet will be modified from sixteen (16) to twenty-four (24) square feet.

Ayes: Eidt, Stanford, Poth, Weston, Flore, Brinker, Creagh, Giese.

Nays: Tocarchick

Motion Approved.

NEW BUSINESS

- *Capital Improvements Plan (CIP) – Trustee Creagh explained that the Board is looking for direction on how the Township should strategically plan for assets, and what the township infrastructure priorities and projects are moving forward with a minimum cost of \$20,000. Commissioner Stanford shared that he has extensive experience in this type of planning and is willing to lead a subcommittee in this work. Commissioners Tocarchick and Poth volunteered to serve with Stanford. It was noted that MSU Extension provides professional development on Capital Improvement Planning. Commissioners supported seeking this opportunity ahead of this work in an effort to build common understanding of the process and its intended outcomes.*
- *November Meeting Date – Brief discussion of when to reschedule November’s meeting.*
Motion by Weston, second by Poth to change November’s Planning Commission meeting from November 15th to November 2nd at 7pm.

Motion Approved 9 – 0.

- *Slate of Officers – Brief discussion to establish a subcommittee to determine the slate of officers. The subcommittee will consist of Commissioners Giese and Weston.*
- *Home based childcare providers – Commissioner Stanford noted that PA106 of 2022 (HB5041) language just came through from the State. He wanted to ensure the Township’s ordinance language reflects these changes. The PC will bring this to Supervisor Blomquist’s attention.*

PLANNING AND BOARD REPORTS AND REVIEW

Township Board Report - Discussion on Joint planning, Red Cedar Corridors and Safe Pathways to Schools ensued. Review of wind and solar ordinance considerations. It was noted that solar farms are increasing in Livingston County. Commissioner Stanford is willing to organize a tour of current wind/solar sites if members are interested. Solar Zoom Workshops are happening for township residents providing an opportunity to inform, plan, and/or possibly co-op purchase.

CORRESPONDENCE

- Joint Committee on Event Barns: meeting notes (8/16/22)
- Meridian Township master plan letter*
- Perry Township master plan letter*
 - o *Master plan letters could not be addressed in Mr. Howard's absence – it was noted that accessing drafts will be important to review prior to adoption.
- Strategic Plan
- Citizen Planner, Livingston County

CITIZEN COMMENT

Commissioner Weston revisited the joint meeting with the city. He reminded the Commission of the upcoming Walking Tour in preparation for the planning for Safe Pathways to Schools. There will be a session at both the Elementary and High Schools next week on Tuesday, 10/11. Participation is encouraged. There will be kick off meeting to plan on Nov. 3 at the WMS Board Room. It is noted that this initiative fits with the Township Master and Strategic Plans.

Trustee Creagh reminded the Commission that on October 16th there will be a Harvest Festival at the Township Park on Grand River. The overall purpose is to connect community to the park.

Commissioner Tocarchick reminded the Commission that Thursday, October 6th is the Public Accuracy Test ahead of the November General Election at 6pm.

Commissioner Stanford noted the Citizen Planner Opportunity in Livingston County. It entails six (6) in-person classes at the Public Safety Complex beginning October 27th. It is a certificate course for community land use decision-makers.

REVIEW

Chair Eidt reviewed the PC's actions from the meeting:

- *Public hearing for Event Barns will be deliberated at the November PC Meeting*
- *Home Occupations:*
 - o *Telecommuting will be tabled and Commissioner Creagh will get ascertain direction from the Township Board*

- *Chris will update the Proposed Medical Marijuana Draft Language ensuring it is consistent with tonight's discussion; it will be on the Agenda in November*
- *Farm signs public hearing will occur at the November PC Meeting*
- *CIP subcommittee will consist of Commissioners Stanford, Poth, and Tocarchick and will meet and report their determinations at a future meeting.*
- *November's PC Meeting will be Wednesday, 11/2 at 7:00pm*
- *Commissioners Giese and Weston will decide on the Slate of Officers and report their decisions in November*

ADJOURNMENT

Motion by Commissioner Tocarchick, second by Commissioner Weston to adjourn.

Meeting adjourned at 9:24 pm.

Deputy Clerk, Julie Bellinger
(in absence of Mr. Howard)
Jim Howard, Recording Secretary

Secretary Giese