

Superior Township Planning and Zoning Committee
Brimley, Michigan 49715
January 11, 2022
Minutes

Call to order: Meeting called to order at 6:09 p.m.

Present: Elgon Ellis, Jo Harris, George Kinsella, Rick Orsborne, Matthew Maki

Absent: Ken Belk

Motion to approve agenda

Motion to approve: Jo

Motion seconded: Rick

Motion approved

Minutes from December 14, 2021.

Motion to approve: George

Motion seconded: Elgon

Motion approved

Public Comment (3 Minutes per commenter).

Old Business. The following are continuing actions as indicated by italicized text (items 1-4) or are listed if there are any follow-up comments or conclusions (items 5, 6).

1. Status of Township Ordinance update since forwarded to the Township Board. *Pending*
2. Status of old (1919) Ordinance regarding animal noise, number of animals. *In progress*
3. County Animal Control Officer recommendations for updated ordinance. *In progress*
4. County Health Department and Superior Township *continuing review* of unauthorized, unmonitored water system operating within the authorized Township water system, and the disposition of a not yet removed, still in-place septic tank that was addressed in 2019.
5. Passmore building pending Township Attorney recommendations. *Attorney is working on a draft of a letter, planning to be ready by the end of the month.*
6. Discussion about Grosbeck, an unimproved and undeveloped road, and whether the 10 foot setback applies when a property owner places a structure and is making improvements on that structure without a building permit or Zoning Administrator prior approval. *Pending May 1 resolution.*

New Business

Zoning Administrator Report: No new to report, monitoring continuing actions, multiple queries.

Additional Business

Next scheduled meetings:

Monday, February 7, 2022, 6 p.m. at the Smart House (Quarterly Zoning update)

Tuesday, February 8, 2022, 6 p.m. at the Smart House (Planning)

Adjournment. There being no further business, the meeting adjourned at 7:10 p.m.

Matthew Maki
Secretary
Acting Chair

Superior Township Planning and Zoning Committee
Brimley, Michigan 49715
February 8, 2022

Minutes

Call to order: Meeting called to order at 6 p.m.

Present: Elgon Ellis, Jo Harris, George Kinsella, Matthew Maki, Rick Orsborne

Absent: Ken Belk

Motion to approve agenda

Motion to approve: George

Motion seconded: Elgon

Motion approved unanimously

Minutes from January 11, 2022.

Motion to approve: Jo

Motion seconded: Rick

Motion approved unanimously

Public Comment (3 Minutes per commenter).

Old Business. Continuing actions as indicated by italicized text (items 1-4).

Follow-up comments or conclusions (items 5, 6).

1. Status of Township Ordinance update. *On next Township Board Agenda*
2. Status of old (1919) Ordinance regarding animal noise, number of animals. *In progress*
3. County Animal Control Officer recommendations for updated ordinance. *In progress*
4. County Health Department and Superior Township *continuing review* of unauthorized, unmonitored water system operating within the authorized Township water system, and the disposition of a not yet removed, still in-place septic tank that was addressed in 2019.
5. Passmore building pending Township Attorney recommendations. *Certified letter from Attorney. Contained invitation to attend next Township Board meeting and to develop plan of action for way forward for March 1 this year.*
6. Discussion about Grosbeck, an unimproved and undeveloped road, and whether the 10 foot setback applies when a property owner places a structure and is making improvements on that structure without a building permit or Zoning Administrator prior approval. *Developing letter with attorney to summarize process, plans to date, and way forward steps by May 1, 2022.*

New Business

1. Zoning Administrator Report covered in Old Business
2. Communications Tower update: the process is moving forward with more to follow
3. Small Arms firing range (Jerrid McCoy) will coordinate with Zoning Administrator.

Additional Business

Next scheduled meetings:

Tuesday, March 8, 2022, 6 p.m., Smart House

Adjournment. The meeting adjourned at 7: 32 p.m.

Matthew Maki

Secretary, Acting Chair

Superior Township Planning and Zoning Committee
Brimley, Michigan 49715
March 8, 2022

Minutes

Call to order: Meeting called to order at 6:05 p.m.

Present: Elgon Ellis, Jo Harris, Matthew Maki, Rick Orsborne, John Waisanen

Absent: George Kinsella

Motion to approve agenda

Motion to approve: John

Motion seconded: Rick

Motion carried unanimously

Minutes from February 8, 2022.

Motion to approve: Rick

Motion seconded: Jo

Motion carried unanimously

Public Comment (3 Minutes per commenter).

Old Business. Continuing actions as indicated by italicized text.

1. Status of old (1919) Ordinance regarding animal noise, number of animals. *In progress*
2. County Animal Control Officer recommendations for updated ordinance. *In progress*
3. Passmore building pending Township Attorney recommendations. *Certified letter from Attorney. Blight issue, property owner provided a written letter stating the issue will be resolved this year. What remains is provision of a timeline for completion this year.*
4. Discussion about Grosbeck, an unimproved and undeveloped road, and whether the ten feet setback applies when a property owner places a structure and is making improvements on that structure without a building permit or Zoning Administrator prior approval. *Developing letter with attorney to summarize process, plans to date, and way forward steps by May 1, 2022.*
5. Communications Tower update: *the process is moving forward with more to follow.*
6. Small Arms firing range (Jerrid McCoy) will coordinate with Zoning Administrator. *To date there has not been further coordination with the Zoning Administrator.*

New Business

1. Zoning Administrator Report: summarized above under "Old Business".

2. The Zoning Administrator identified pending height measurements on a canopy.

Additional Business

1. Presentation by Bill Schide from Baird Street, Brimley, who related his concerns regarding five lots in the Jordan Beach. His concerns were shared or voiced similarly by other members of the public in attendance (8 total). Other issues were raised, but this summarizes salient issues.

His query addressed several pending Planning and Zoning Committee proposed recommendations to the Township Ordinance now in the hands of the Township Board. The Planning Zoning Committee (PZC) did not recognize the present meeting as the appropriate venue for discussion of the draft Ordinance for several reasons:

- A. The PZC had completed recommended revisions in February 2021.
 - B. The recommended revisions had been provided electronically to the PZC liaison and to the Township secretary to enable distribution of hard copies if needed and to facilitate additions or deletions as the Township Board reviews the draft Ordinance, necessary before setting a date to provide copy(ies) to the public and publish notification for public input and questions. The Ordinance would supersede the existing Ordinance based on an effective date for implementation after the process has been completed.
 - C. The PZC is concerned that copies of the draft recommendations are already in the possession of an unknown number of individuals not serving on either the Planning and Zoning Committee or the Township Board. The draft Ordinance is subject to further changes before the draft reaches final form and the required public meeting. Only confusion can follow if there are two or more drafts circulating before the public meeting.
2. The Zoning Administrator announced there is pending a new ordinance regarding marijuana In the Township, said ordinance to be provided for the PZC to consider. Absent having the ordinance proposal in hand for review, the PZC deferred further discussion until the committee has the document in hand.
 3. The next scheduled meeting Tuesday, April 12, 2022, 6 p.m., Smart House

Adjournment.

Motion to adjourn: Jo

Motion seconded: John

Motion carried unanimously at 7:39 p.m.

Respectfully,

Matthew Maki
Secretary, Acting Chair

Superior Township Planning and Zoning Committee
Brimley, Michigan 49715
April 12, 2022

Minutes

Call to order: Meeting called to order at 6:04 p.m.

Present: Jo Harris, John Waisanan, George Kinsella, Matthew Maki, Rick Orsborne

Absent: Elgon Ellis

Motion to approve agenda

Motion to approve: George

Motion seconded: Jo

Motion carried unanimously

Minutes from March 8, 2022.

Motion to approve: Jo

Motion seconded: John

Motion carried unanimously

Public Comment (3 Minutes per commenter).

- a. One comment regarding the 14 month gap between the Planning and Zoning Ordinance recommendations and the Township Board reviewing them.
- b. One comment regarding noise from ORVs and other recreational vehicles in the waterfront residential district, with a suggestion for limiting access, establishing a curfew to protect residents from evening and night disturbance and posting appropriate restrictions for year-round application.
- c. One comment regarding enforcement of the 25 mph speed limit on streets in the waterfront district

Old Business. Continuing actions as indicated by italicized text.

1. Status of old (1919) Ordinance regarding animal noise, number of animals. *In progress*
2. County Animal Control Officer recommendations for updated ordinance. *In progress*
3. Passmore building pending Township Attorney recommendations. *Certified letter from Attorney. Blight issue, property owner provided a written letter stating the issue will be resolved this year. What remains is provision of a timeline for completion this year.*
4. Discussion about Grosbeck, an unimproved and undeveloped road, and whether the ten feet setback applies when a property owner places a structure and is making improvements on that structure without a building permit or Zoning Administrator prior approval. *Recent development that the Grosbeck street may be used for parking but not for development as that road is not property of any of the adjacent land owners.*
5. Communications Tower update: *the process is moving forward with more to follow.*
6. Small Arms firing range (Jerrid McCoy) will coordinate with Zoning Administrator. *This has been tabled indefinitely due to pending legal actions not yet resolved.*

New Business

1. Zoning Administrator reported the height of a canopy measurements are resolved.
2. Zoning Administrator announced at the March 8 meeting there is pending a new ordinance regarding marijuana, in some form, at the Township board. This Committee is absent having the ordinance proposal in hand for review as of April 12.
3. Ordinance development, approval, implementation procedures.
 - a. The Planning and Zoning Commission has received no draft Ordinance for review, discussion, revision, or recommendation regarding any pending Ordinance pertaining to Marihuana in Superior Township. This is most irregular as this committee, tasked with updating the current ordinance, made recommendations for change for all the Township Ordinances, yet has been entirely excluded from any planning or zoning participation even though all ordinances must have direct Planning and Zoning Commission input.
 - b. Absent having a process to review, discuss, revise, or make recommendations on an Ordinance regarding the extension of Marihuana activities in Superior Township, this Committee makes a recommendation to the Township Board, by way of a draft Ordinance adapted from a Kinross model, that would exclude Marihuana activities in Superior Township.

Motion: (John) *The Planning and Zoning Committee requests for the Township Board to determine if George Kinsella delivered the proposed zoning ordinance he received February 12, 2021, and if they were not delivered to the Township Board we request the Township Board appoint a new liaison.*

Motion seconded by Jo

Discussion.

1. Assertion: (John) George had not delivered the draft ordinance to members of the Township Board in a timely manner, thus the Board did not possess the draft ordinance to act upon it.
2. Counter assertion: (George) the draft ordinance recommendations had been delivered to individual board members in a timely manner.
3. (Matt) The motion to approve would remove further conversation from Planning and Zoning discussion and will leave the conduct of any investigation to the Township Board to arrive at a final determination of the controversy.

Motion carried: In favor: John, Jo, Matt
Against: none
Abstaining: George

Motion: (Matt) that the Superior Township Planning and Zoning Commission should review the Recreational Marijuana Facilities Ordinance #1.141 from Kinross Township for discussion, revision, and any recommendation to develop an Ordinance that may be adapted for use, if any, by Superior Township. Discussion on the proposed Ordinance should be conducted at the next regularly scheduled Planning meeting, May 9, at the Smart House. Recommendations would be forwarded to the Superior Township Board as an additional ordinance for inclusion in their deliberations on draft ordinance recommendations submitted February 2021, pending their review and recommendations prior to public review and hearing.

Motion seconded by: Jo

Discussion. George indicated there is a difference between a Charter and a General Township. Kinross is a charter township, Superior is a general township. George will provide more detail at our next Planning meeting.

Motion carried unanimously

Additional Business

1. The PZC is concerned that copies of the draft recommendations should come into the possession of any individual(s) not serving on either the Planning and Zoning Committee or the Township Board. Draft Ordinances are subject to further changes before the draft reaches final form and the required public meeting as confusion can follow if there are one or more drafts circulating before the public meeting.
2. The next scheduled meetings are as follows:
Planning. Monday, May 9, 2022, 6 p.m. Smart House
Zoning. Tuesday, May 10, 2022, 6 p.m. Smart House

Adjournment. 7:29 p.m.

Motion to adjourn: Matt

Motion seconded: Jo

Motion carried.

Respectfully,

Matthew Maki
Secretary, Acting Chair

Superior Township Planning and Zoning Committee
Brimley, Michigan 49715
May 10, 2022

Minutes

Call to order: Meeting called to order 6:00 p.m.

Present: Jo Harris, George Kinsella, Matthew Maki, John Waisanen, Rick Orsborne

Absent: Elgon Ellis (out of town in lower Michigan)

Motion to approve agenda

Motion to approve: George

Motion seconded: Jo

Motion carried unanimously

Minutes from April 12, 2022.

Motion to approve: John

Motion seconded: Jo

Motion carried unanimously

Public Comment (3 Minutes per commenter). No comments this evening.

Old Business. Continuing actions as shown by italicized text. No changes.

1. Status of old (1919) Ordinance about animal noise, number of animals. *In progress*
2. County Animal Control Officer recommendations for updated ordinance. *In progress*
3. Passmore building pending Township Attorney recommendations. *Certified letter from Attorney. Blight issue, property owner supplied a written letter saying the issue will be resolved this year for all the properties in question.*
4. Communications Tower update: *the process is moving forward with more to follow.*

New Business

1. Zoning Administrator Report: two building permits issued, talks with various people about yard clean up.
2. Zoning Administrator Resignation effective 8 p.m. 05102022 as Superior Township Zoning Administrator. Rick has performed his duties in a thorough, exemplary manner during his entire tenure as Zoning Administrator. His significant service and effective personal and professional diligence were instrumental in moving Superior Township forward in implementing the existing Zoning Ordinance, offering recommendations during on-going revisions and updating, and demonstrating tenacity and flexibility in conducting numberless follow-up conversations. We regret losing a public servant of Rick's proven caliber. Thank you, Rick, for a job well done.

Additional Business

1. Making other changes to language in the proposed Township Ordinance before uploading the document for public review preparatory to a public meeting.

- ability to rebuild on an existing non-compliant footprint so long as the new structure does not increase any non-compliant factors.
- ability to rebuild on an existing non-compliant footprint with a smaller structure that may be less non-compliant.
- ability to build a new structure on a lot so long as it meets set back requirements.
- allowable height should be standardized with a specific measure instead of needing to be approved on an individual case-by-case basis.

2. Distributed copies of the Detour, Pickford, Clark Townships Ordinance in reference To Marihuana Grow Operations.

The intent in making this distribution is for the Superior Township Planning and Zoning Committee to compare two separate ordinances.

- a. one from Charter Township of Kinross to prohibit Marihuana growth operations
- b. one from Detour, Pickford, Clark Townships to allow Marihuana growth operations

Process. The Planning and Zoning Committee review enables members to examine the two ordinances, conduct their own research and analysis of the merits or demerits of each, becoming conversant with the essentials of each ordinance, and then to meet and discuss their findings to decide the best course of action for Superior Township.

General Timeline, subject to modification.

May 10, 2022: distribute the two ordinances to the committee for individual review, fact-finding, and development of possible courses of action.

August 8, 2022: Planning meeting specifically for discussion of the two ordinances to reach consensus for the next step to develop a preferred course of action.

November 7, 2022: Developing a draft of an ordinance for Superior Township that either permits, prohibits, or otherwise regulates Marihuana growth operations in the township.

3. The next scheduled meetings are as follows:

Zoning. Tuesday, June 14, 2022, 6 p.m. Smart House

There being no further business, the meeting adjourned at 7:07 p.m.

Respectfully,

Matthew Maki
Acting Chair
Secretary

Superior Township Planning and Zoning Committee
Brimley, Michigan 49715
June 14, 2022

Minutes

Call to order: Meeting called to order at 6:00 p.m.

Present: Lori Busha (Interim Zoning Administrator), Elgon Ellis (Member), Jo Harris (Member)
Susanne Kniskern (Board Liaison), Matthew Maki (Member), John Waisanan (Member)

Absent: None

Motion to approve agenda

Motion to approve: Susanne

Motion seconded: Jo

Motion carried unanimously

Minutes from May 10, 2022.

Motion to approve: John

Motion seconded: Jo

Motion carried unanimously

Public Comment (3 Minutes per commenter). Mrs. Goetz expressed concern for the process followed and requirements regarding building or rebuilding a previously existing structure.

Old Business. Continuing actions as shown by italicized text.

1. Status of old (1919) Ordinance about animal noise, number of animals. *Progress to date is a likelihood for obtaining a kennel license, pending additional fencing or other needs.*
2. County Animal Control Officer recommendations for updated ordinance. *In progress*
3. Passmore building pending Township Attorney recommendations. *Certified letter from Attorney. Blight issue, property owner supplied a written letter saying the issue will be resolved this year for all the properties in question. Follow up will include trying to obtain a completion date, hopefully before winter weather begins to interfere.*
4. Communications Tower update: This initiative has been cancelled.

New Business

1. Zoning Administrator Report: (see attached)
2. Proposed changes in the proposed Township Ordinance summary (handout)
Motion to approve changes: Jo made the motion to approve recommended changes to the ordinance as final.
Motion seconded: John
Motion carried unanimously

Remaining actions: provide final copy to each member of the committee.

Insure editing for margins, pagination. Provide electronic copy, hard copy for public review
Notification of public meeting date, time, location. Public Meeting. Publish copy with an

“Effective Date” of the Ordinance sometime following the public meeting.

3. **Update:** Distributed copies of the Detour, Pickford, Clark Townships Ordinance in reference To Marihuana Grow Operations. The intent in making this distribution is for the Superior Township Planning and Zoning Committee to compare two separate ordinances.

- a. Charter Township of Kinross to prohibit Marihuana growth and sale operations
- b. Detour, Pickford, Clark Townships to allow Marihuana growth and sale operations

Process. The Planning and Zoning Committee review enables members to examine the two ordinances, conduct their own research and analysis of the merits or demerits of each, becoming conversant with the essentials of each ordinance, and then to meet and discuss their findings to decide the best course of action for Superior Township.

General Timeline, *subject to modification.*

May 10, June 14, 2022: distribute the two ordinances to the committee for individual review, fact-finding, and development of possible courses of action.

August 8, 2022: Planning meeting specifically for discussion of the two ordinances to reach consensus for the next step to develop a preferred course of action.

November 7, 2022: Begin developing a concept ordinance for Superior Township that permits, prohibits, or otherwise regulates Marihuana growth operations in the township.

February 13, 2023: Continue ordinance development, possible completion of development of draft ordinance.

Other Business

The next scheduled meeting is as follows:

Zoning. Tuesday, July 12, 2022, 6 p.m. Township Hall

Respectfully,

Matthew Maki
Acting Chair
Secretary

Zoning Meeting Report

June 14, 2022 Meeting

Lori Busha - Interim Zoning Administrator

- AEI Consultants inquired about Zoning and Building Information for the Family Dollar on M221 in Brimley. This request started in May. I investigated and responded by email and an official Township letter to ~~close~~ all open concerns. June 8, 2022 ~~Closed~~
- Terry Clark (Owner) & Todd Edington (builder) Zoning Permit Application for a house – Site visit then ~~approved~~. Copies of approval sent to Chippewa County and all interested parties on June 9, 2022
- Andy Ulman (Owner) Zoning Permit Application for a pole barn – Site visit and approved. Copies of ~~approval~~ sent to Chippewa County and Mr. Ulman were sent on June 9, 2022.
- Open Zoning Permit Application from June 2021 was found by Bill Beaune. He asked me to investigate this situation. I spoke to one of the owners, Shannon Garvon. She said that it was approved, but the only way she found out about the approval was by reading the Zoning Meeting Minutes. Chippewa County gave them a building permit 7/29/2021. The addition onto their house is completed. Concern Closed.
- At least three complaints of noise, smell from chicken waste and blight was voiced to me this past week regarding the property owned by Joseph Samp. ~~Process is ongoing~~
 - I spoke to Bill Beaune and this has not been the first time there have been complaints. I did not find or receive documentation from Rick on this.
 - I spoke to Chippewa County, Kelly Church, and she said that Mr. Samp is applying for a kennel permit and that the size of his lot is not a concern.
 - I did a site visit on 6/10/2022 and witnessed the excessive blight, noise from barking dogs and the bad smell from the chicken coop. I documented this with pictures. Mr. Samp was not there. The mail carrier arrived while I was there and left mail and packages for Mr. Samp on the end of a trailer in the yard. I left my letter warning of the violations with this mail.
 - This starts the clock where Mr. Samp will have 30 days to fix the complaints and not be in violation. After the 30 days, I will make inquiries of the people who complained to see if there have been any improvements and make a follow-up site visit to confirm. If there is no or insignificant improvement then I will ask the clerk to start the fine and penalties, per the Noise and Blight Ordinances.
- New investigation regarding the Twork property on Irish Line Road. The realtor contacted me about if the lot was buildable. I looked at the 2012 Ordinance, and it is not. Need to understand if there are any changes to the new zoning ordinance for the agricultural areas, as she asked if there were any changes. ~~Not buildable; owner intends to sell the property~~

Superior Township Planning and Zoning Committee

Brimley, MI 49715

July 12, 2022

Minutes

Call to order: Meeting called to order at 6:00pm by John Waisanan, (Acting Chairperson)

Present: Elgon Ellis (Member), Jo Harris (Member), John Waisanan (Member), Susanne Kniskern (Board Liaison)

Absent: Lori Busha (Zoning Administrator), Matthew Maki (Member)

Motion to approve agenda:

- Motion to approve: Susanne Kniskern
- Motion seconded: Jo Harris
- Motion carried unanimously

Minutes from June 14, 2022 meeting:

- Motion to approve: Susanne Kniskern
- Motion seconded: Jo Harris
- Motion carried unanimously

Public Comment: Mr. Stark expressed his concerns over the ongoing problems with the Samp property.

Old Business:

- Please see attached ZA report for updates on ongoing non compliance issues.
 - a. Passmore Building on M-221
 - b. Samp Property on M-28

New Business:

- Please see attached Zoning Administrator Report
 - a. Buncheck Property on Baird St
 - b. Simpkin Property on M-221
 - c. Morgan Property on Green St

Zoning Meeting Report

July 12, 2022 Meeting

Lori Busha - Interim Zoning Administrator

- Closure of the investigation regarding the Twork property (150x150 lot) on Irish Line Road. The realtor contacted me about if the lot was buildable. After the June zoning meeting and discussion regarding this property, the 2012 Ordinance and the pending new ordinance have the same requirements and setbacks. There was also some discussion about where the water and septic was coming from. It is believed that it may be provided from another adjacent property. The listing shows the well and septic are on this property and approved. So, based on the Zoning ordinances the property is not a buildable lot now or with the future zoning ordinance. The realtor asked if the shed that is currently on the lot can be expanded and made into a home. I told her that a variance would need to be submitted. This item is considered closed 6/15/2022.
- New request for Building Permit Application for the Dale & Sue Garrett property on Goldade Road. They will be building a pole barn, storage structure. A site visit was conducted, and the project meets all the setback and zoning requirements. Permit was approved for Township Zoning and sent to Chippewa Building Department. Closed 6/16/2022.
- Samp blight and noise concern are still open. There has been no response back from the registered letter to Samp or the copy of the registered letter to the property owner, Alvin Falkenhagen. Another site visit is scheduled for early the week of July 18th. This item remains open.
- Passmore blight concern is still open. I've contacted Rick Osborn to get any additional information. But he got rid of all Township information. The Township Clerk sent an email to the attorney to get a copy of the letter that was sent to Passmore. I received copies of the letters and documentation that the registered letters were received. When I spoke to Rick, there seems to be a discrepancy between what he was told and what the Passmore letter indicated. Rick thought that the building would be taken down by the end of the summer. The letter does not state that. The letter indicates that something would be done by this year. This item remains open.
- Blight Concern opened for Bunchek property on Baird Street. Registered Letter sent and received on 6/30/2022. The property owner has 30 days to rectify the junk and debris and the abandoned unlicensed RV in the setbacks. This item is open.
- Blight Concern opened for Simpkin property on M221. Registered letter was sent on 7/6/2022. The property owner has 30 days to rectify the abandoned & not habitable home and the abandoned vehicle and various junk and debris/ weeds/ shrubs around the house. This item is open.
- Blight Concern opened for Morgan property on Green Street. Registered Letter sent on 7/6/2022. The property owner has 30 days to rectify the abandoned Mobile Home and the not habitable garage and the excessive debris/weeds/shrubs. This item is open.

- **Blight Concern opened for Harding property on Green Street. Township tax records have an invalid address. Further inquiry, I found another address River Rd in Brimley, which was for sale. This is also invalid. I called the realtor, she said she knew his sister and would ask to have him call me. No word from him yet. The blight concern is to remove the abandoned car, clean up the debris and junk and fix animal egress issues with the Mobile home. This item is open.**
- **In general, there have been several inquiries from people interested in the Irish line property and the Shenandoah property. I've relayed the same information, the Irish Line property is not a buildable lot according to the zoning and the Shenandoah lot could be used for a camper, if torn down. I did inform people who inquired that the zoning is potentially changing in this zone (waterfront), especially around the requirements for rebuilding a structure. This item is closed.**

**Superior Township Planning and Zoning Committee
Brimley Michigan 49715
August 8, 2022**

Call to order: Meeting called to order at 6 p.m.

Present: Elgon Ellis (Member), Susanne Kniskern (Board Liaison), Jo Harris (Member),
Matthew Maki (Secretary), John Waisanen (Chair),
Lori Busha, (Zoning Administrator)

Absent:

Motion to approve Agenda

Motion to approve: Matt

Motion seconded: Susanne

Motion carried

Public Comment (3 minutes per commenter)

Donny Holsworth: concern if any member of Planning/Zoning has any interest in
any aspect of any potential marijuana business in the township.
Opposed to any township participation in that business.

Billi Martini: Expressed strong opposition to any potential marijuana business
in the township

Mrs. Bertram: Expressed opposition to any potential marijuana business operation
in the township

Brian Reattoir: Expressed opposition to any potential marijuana business operation in
the township

Bill Munsell: Observed that the township had opted out of marijuana operations, wanted to
know why a reversal may be a potential issue

New Business

1. Selected John Waisanen as Chair for the Planning and Zoning Committee.
2. Preliminary discussion on the growing of Hemp in Superior Township and potential Ordinance creation. Continue discussion in the November 7 2022 Planning meeting.
3. Committee to discuss / determine under which Township Zoning District a Grow operation should Be classified. Classification will allow committee members clarity in future discussions/ decisions.

MOTION: Matt made the motion, *Any potential marijuana operation planned or proposed shall only be permitted in a district designated as Industrial, subject to complying with all federal, state, local ordinance, and environmental regulations.*

Motion seconded: Jo

Motion carried unanimously

4. Planning Zoning Committee to discuss / share research on Marihuana Grow and Sale Concept. John presented extremely detailed documentation regarding the environmental and Geographical considerations applicable to marijuana growth operations in several Townships in the Upper Peninsula.

General Timeline, subject to modification

November 7, 2022: Begin developing concepts regarding ordinance for Superior Township that permits, prohibits or otherwise regulates, Marijuana grow/sale in the township.

February 13, 2023: Continue ordinance development, possible completion of development of draft ordinance

Other Business

The next scheduled meetings are as follows

Zoning: August 9, 2022, 6 p.m. Township Hall

Planning: November 7, 2022, 6 p.m. Township Hall

Adjournment at 7:55 p.m.

Respectfully,



Matthew Maki

Secretary

Planning and Zoning Committee

Superior Township Planning and Zoning Committee
Brimley, Michigan 49715
August 9, 2022

Call to order: Meeting called to order at 6:08 p.m.

Present: Elgon Ellis (member), Jo Harris (member) Susanne Kniskern (liaison),
Matthew Maki (Secretary), John Weisanen (Chair)
Lori Busha (Zoning Administrator)

Absent:

Motion to approve agenda

Motion to approve: Matt

Motion seconded: Jo

Motion carried

Minutes from July 12 (Regular) and July 15 2022 (Public meeting)

Motion to approve: Jo

Motion seconded: Matt

Motion carried

Public Comment (3 Minutes per commenter).

Old Business. Continuing actions as shown by italicized text.

1. Status of old (1919) Ordinance about animal noise, number of animals. *Progress to date is a likelihood for obtaining a kennel license, pending additional fencing or other needs?*
2. County Animal Control Officer recommendations. No recommendations forthcoming.
3. Passmore building pending Township Attorney recommendations. *The property has been sold. Awaiting clarification in what action(s) the new owner is planning.*
4. *Samp Blight and Noise concern update. Recommendation to video/record several different days, times when the barking is in progress to gauge intensity, duration, frequency.*
5. *Bunchek Blight concern update on Baird Street: continuing*
6. *Simpkin Blight concern update on M221: continuing*
7. *Morgan property Blight concern on Green Street: continuing*
8. *Harding property Blight concern on Green Street: continuing*

New Business

1. Zoning Administrator Report: Attached.
2. Status of Ordinance Approval process
 - a. Recommendations from the public meeting have been applied. Remaining action is to verify page numbers between table of contents and indicated text.
3. **Update:** Marijuana Grow Operations. Extensive review during August 8 Planning meeting. Next step is discuss Superior Township Courses of Action, November 7 Planning meeting.

Process. The Planning and Zoning Committee review enables members to examine relevant ordinances, conduct its own research and analysis of the merits or demerits of marijuana growth or related actions, become conversant with the essentials of environmental, geographical and community criteria, and discuss findings before making a recommendation for the best course of action for Superior Township.

General Timeline, subject to modification.

November 7, 2022: Begin developing concepts regarding ordinance for Superior Township that permits, prohibits, or otherwise regulates Marijuana grow/sale/operations in the township.

February 13, 2023: Continue ordinance development, possible completion of development of draft ordinance.

4. Discussion and Questions with two applicants for permanent Zoning Administrator position.

Only one applicant, Lori Busha was present for the interview.

No one on the committee had received any messages or contact from the other applicant to inform the committee he was going to be late, was interested in requesting an alternative date for the interview, or was no longer interested in the position.

The committee concluded that the second applicant was no longer interested in the position.

MOTION. Susanne made the motion, *That Lori Busha should be accepted as the new Zoning Administrator for Superior Township, effective immediately.*

Jo seconded the motion.

The motion to approve was unanimous.

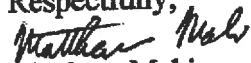
Other Business

The next scheduled meeting is:

Zoning Tuesday September 13, 2022, 6 p.m. Township Hall
Planning Monday November 7, 2022, 6 p.m. Township Hall

Adjournment. There being no further business, the meeting adjourned at 7:11 p.m.

Respectfully,



Matthew Maki

Secretary

Planning and Zoning Committee

Zoning Meeting Report

August 9, 2022 Meeting

Lori Busha - Interim Zoning Administrator

- Samp blight, smell, and noise concerns still open for blight. Follow up site visit to Samp property on July 24, 2022. After talking to the neighbor, Mr. Starr, the noise concerns have improved, especially at night. There was some barking when first arriving at the house. But it quieted down quickly, even while I was walking around the property. Mr. Samp claimed that the registered letter was never received and that he didn't sign for it. I verified the signature against his driver's license. It was not his signature. I have never heard back from the letter sent to the property owner, Alvin Falkenhagen. I walked the property with Mr. Samp and asked him about any improvements. He showed me the chicken coop and showed me where he took out some of the waste and put it into a garden he had out back. The smell was greatly reduced between the last visit and this visit. There was still a lot of blight around the yard. He had a panic attack when I tried to write a ticket against him for the blight concern. He grabbed his license from me and ran away. I was able to calm him down and get him to work with me. I gave him a verbal warning and told him he had to clean up his mess. I told him to start with the little stuff that could be removed, like the old tires and scrap metal. I also told him that he can take these to the Plantation Road drop off site or he could get a scrap metal place to drop off a bin to collect the metal. I followed up my visit with an email a few days later giving him information on what they take at the Plantation Road drop off. He has not responded to my email. A follow up visit is anticipated the week of August 29th. This item remains open.
- Passmore blight concern is still open. The township attorney has the letter that Passmore sent to Rick Osborn. The letter indicates that something would be done by this year. I have left 2 messages with the township attorney to find out next steps in this process, based on the Passmore response. No response yet. This item remains open.
- Blight Concern opened for Bunchek property on Baird Street. Registered Letter sent and received on 6/30/2022. The property owner has 30 days to rectify the junk and debris and the abandoned unlicensed RV in the setbacks. There has been no communication about this property or any actions to clean up the blight. This item is open.
- Blight Concern opened for Simpkin property on M221. Registered letter was sent on 7/6/2022. Registered letter is being returned, unable to be delivered. A second site visit was conducted on 8/2, with no improvements to the property. Seeking additional information on the property owner to take next steps. The home has been abandoned & is not habitable. This item is open.
- Blight Concern opened for Morgan property on Green Street. Registered Letter sent on 7/6/2022. Jackie contacted me with a plan to rectify the blight concerns. She is starting with the lawn. Through phone conversations and email correspondence, she has a plan for cleaning up the property. I will continue to work with her monitoring the plan. Follow up visit scheduled after Labor Day. This item is open.
- Blight Concern opened for Harding property on Green Street. Township tax records have an invalid address. Need assistance to find a valid address/contact information. The blight concern

is to remove the abandoned car, clean up the debris and junk and fix animal egress issues with the Mobile home. This item is open.

- Brook St investigation, regarding the location of the cement pads for the mobile home. I was unable to find any stakes for the property. But based on the neighbors and the clearing around the cement pads, the back of the pads has more than 15ft of clearance and the sides have more than 10ft of clearance, with the front of the pads with more than 25ft of clearance. This item is considered closed.
- 10737 Irish Line Inquiry about 3.67 acre lots for building requirements. The property is zoned agricultural. The owner built his own house on one of the 3.67 acre lots back in 2005, prior to the 2012 Zoning Ordinance. He purchased another 3.67-acre lot and would like his son to build a house on it. Agricultural zoning does not allow dwellings to be built on less than 20 acres. There are several neighbors with this situation and houses built on the lots. I told him he can go to the Zoning Board of Appeals. This item is considered closed.
- Hanna property 10060 Goldade. Request for Zoning approval of a garage structure. Reviewed for Zoning compliance and verified with site visit on 7/18/2022. Zoning is approved. This item is considered closed.
- John McKay inquiry about a possible structure or addition to his garage on his Shenandoah property. There is a question about where the "old" road that is on the plat runs through his property. Two site visits to his property and much discussion. Conclusion is that he needs to either survey his property or to use the surveys of his neighbors to determine where his property is in relation to the "old" "platted road. This is the only way to determine zoning setback requirements. This item is considered closed.
- Inquiry to have a hot dog stand on the Brimley Suites property. The zoning for this property is Waterfront Residential. Zoning for this district does not allow this. As this is a special usage, I informed him that he could make a request for this to the Planning Commission, per the Zoning Ordinance.
- At the last Zoning meeting, Kinsella brought up a concern with the alleyway between the Bakery property and Donny's property on M221. The concern was investigated. A detailed report is attached. Summarized:
 - The shed on Donny's property is not in the alleyway
 - The Bakery building is 10ft away from the 20-ft alleyway (within setback requirements)
 - The fences of all the properties on W. Crawford St. are approximately 7 – 10 feet into the 20-ft alleyway. Additionally, zoning requires properties with fences along an alley to be an additional 3-ft inside their property to allow for snow removal in the alley. So, the fence should be 10 – 13 ft north of where it is currently located.
 - If a more exact conclusion is needed, a survey would need to be requested.

This item is open for discussion of next steps at the Zoning meeting.

Superior Township Planning and Zoning Committee
Brimley, Michigan 49715
September 13, 2022

Call to order: Meeting called to order at 6 p.m.

Present: Elgon Ellis (member), Susanne Kniskern (Board Liaison), Jo Harris (member), Matthew Maki (Secretary), John Waisanen (Chair), Lori Busha (Zoning Administrator).
Absent: None

Motion to approve agenda

Motion to approve: Matt

Motion seconded: Jo

Motion carried unanimously

Minutes from August 8 (Planning) and August 9, (Zoning) 2022

Motion to approve: Susanne

Motion seconded: Elgon

Motion carried unanimously

Public Comment (3 Minutes per commenter).

Donny Holsworth commended the Township Board for the progress on the Township Hall Remodel.

Old Business. Continuing actions as shown by italicized text.

1. Status of old (1919) Ordinance about animal noise, number of animals. *This item is concluded as no additional material has been provided to move this matter forward*
2. County Animal Control Officer recommendations. *This matter is closed for no recommendations.*

Items 3, 4, 5, 6, 7, 8 below are now addressed in the Zoning Administrator's monthly report and will no longer be addressed here except by exception.

3. *Passmore building pending Township Attorney recommendations.*
4. *Samp Blight and Noise concern update.*
5. *Bunchek Blight concern update*
6. *Simpkin Blight concern update on M221*
7. *Morgan property Blight concern on Green Street*
8. *Harding property Blight concern on Green Street*
9. Ordinance update approved by Township Board by a vote of 4 yes and 1 No.

New Business

1. **Clerical corrections to the ordinance update have been made and final document** has been delivered to the Township Clerk. Susanne has posted the final document to the Township website.

2. Lori Busha approved as permanent Zoning Administrator at the 8/23/22 Board meeting
3. Zoning Administrator Report: See attachment.
3. Discussion on how to document when lots are combined for setback/building purposes.
- 4.. **Update: Marijuana Grow Operations.** Extensive review and discussion occurred during the August 8th Planning meeting as to the pros and cons of "Opting In".
Next step is to review and discuss the pros and cons of continuing / updating the current Township Ordinance which "Opts Out".

Process. The Planning and Zoning Committee review enables members to examine relevant ordinances, conduct its own research and analysis of the merits or demerits of marijuana growth or related actions, become conversant with the essentials of environmental, geographical and community criteria, and discuss findings before making a recommendation for the best course of action for Superior Township.

General Timeline, *subject to modification.*

November 7, 2022: Review and Discuss the pros and cons of continuing / updating the current Township "Opt out" ordinance.

February 13, 2023: Begin developing concepts regarding ordinance for Superior Township that permits, prohibits or otherwise regulates Marijuana grow/ sale operations in the township.

May 8 ,2023 Possible completion / development of draft ordinance.

Other Business

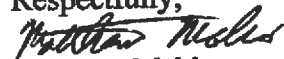
1. The Fall Cleanup Brochure was mailed to all property owners September 12.
2. The Township Website is updated and current for the following committees and may be accessed on the Township website under the *Board Information* tab.
 - a. September 8: All approved Planning and Zoning Minutes
 - b. September 13: All approved Superior Township Board Minutes are updated

The next scheduled meeting is:

Zoning Tuesday October 11, 2022, 6 p.m. Township Hall
Planning Monday November 7, 2022, 6 p.m. Township Hall

Adjournment. Having no further business the meeting adjourned at 6:50 p.m.

Respectfully,



Matthew Maki

Secretary

Planning and Zoning Committee

Zoning Administrator Report

September 13, 2022 Meeting

Lori Busha - Zoning Administrator

Old Business

- Samp blight concerns still open. No video or audio received from neighbor, Richard Starr, regarding noise concerns. Follow up site visit to Samp property on 8/31/2022 and 9/1/2022. Samp refused me access to his property on 8/31. He said he had an appointment and was working on the brakes for his vehicle. He was hostile and yelling at me. I told him I would come back the next day after his work at 8PM. The next day, he was still working on his car and would not get out from under the vehicle. He refused to sign anything. So, I have Jim as a witness to Samp receiving the written violations to the ordinances. He had many excuses why he couldn't get any work done to move the vehicles or clean up the junk. After much talking, I got him to verbally agree to a very limited plan of action. After agreeing to a plan, the next day he went to the Township Hall stating that the vehicles were not a problem according to Bay Mills Fire Chief. He also messaged me that he didn't believe the complaints and asked for written complaints. I contacted Amy Jere, who had a concern with the vehicles and various junk in the driveway, as this poses a potential risk/hazard to any rescue workers trying to put out a fire, etc. Amy contacted the Bay Mills Fire Chief and assistant Chief, they agreed they had no jurisdiction over Superior Township. She is also putting something together for an official complaint. This item remains open.
- Passmore blight concern is pending. Awaiting sale of property. This item remains open.
- Bunchek property blight on Baird Street. Due to lack of action last month, a ticket was issued on 8/10/2022. It was paid. Bunchek has come up with a plan of action to resolve blight concerns. She plans on completing this by mid-September. This item is open.
- Simpkin property blight on M221. Found out that Mike Simpkin works nights and does not answer his door during the day, that's why the registered letter was returned. So, I resent the letter of his ordinance violations on 8/30/2022, regular post. No response to date. I will investigate if Theresa Simpkin is able to be reached. This item is open. *Can Rose*
- Morgan property blight on Green Street, in progress. Site visit 9/9/2022, mobile home egress issues have not been addressed. Grass is getting taller. Call to owner, left message. No response yet. This item is open.
- Harding property blight on Green Street. Still need assistance to find a valid address/contact information. Previous contact was his father, according to Osborn. The father has moved out of the area. This item is open. *Proctor Service*
- Alleyway concern between Holsworth house and the Bakery. Fences are in the alleyway. Township board meeting discussion concluded that no fences would need to be moved. Suggestion for Township to abandon the alleyway and allowing adjacent owners to obtain legal ownership of it. In the interim, waive the setback requirements. So property owners could use the additional 10 feet up to the R.O.W. This item is closed for ZA. Suggestion is open for discussion for the Zoning board.

New Business

- Tremblay property inquiry 7169 S. M221. Phone conversation regarding potential Beauty Shop on the property. Property is zoned Village Center and can be used for a Beauty Shop, either in the house that is currently on the property or by building another structure on the vacant adjacent lot that she owns. Any new building would need Zoning and Building approvals. Site visit to confirm zoning and vacant lot location on 8/9/2022. Closed.
- Passmore property 10372 W. Lake St Loop. Request for Zoning approval of an addition on his house. Zoning reviewed. Site visit and approval 8/10/2022. Closed
- Eby property 11075 W. Irish Line Rd. Request for Zoning approval for an enclosure for his well house and storage. Zoning reviewed and site visit. Approved 8/10/2022. Closed.
- Breslin property 6895 S. Brook St. Request for Zoning approval for a fence. Zoning reviewed and site visit conducted. Approved 8/21/2022. Closed.
- Schwarz property 9412 W. Baird. Request for Zoning approval for a fence. Zoning reviewed and site visit 8/25/2022. Approved. Closed.
- Ulrich property 9429 W. Shenandoah. Request for Zoning approval of a cold storage addition. Reviewed Zoning, completed site visit and approved 8/26/2022. Closed.
- Cammarata multiple property inquires. Received several emails with numerous questions about 3 different properties all in the Waterfront Residential district. Responses sent 8/26 and 8/28. He is interested in using one property as a cabin rental business. This property is not zoned for multiple dwellings or in the business district. He asked about having it rezoned. I told him he would need to submit a request to the Planning committee. This property is amongst other residential properties. This item is considered closed.
- Lipponen property 9962 W. Crawford St. Request for Zoning approval of a garage and enclosed porch. Reviewed zoning, completed site visit and investigation. Approved on 9/1/2022. Closed.
- Jesswein property on M28 inquiry regarding fence. Property is zoned Agricultural. No fence ordinances are violated, 9/6/2022. This item is considered closed.
- Mongene property 8920 S. Lillian Ln. Request for Zoning approval of a mobile home. Zoning reviewed, site visit conducted, approved 9/9/2022. Closed.

Superior Township Planning and Zoning Committee
Brimley, Michigan 49715
October 11, 2022

Minutes

Call to order: Meeting called to order at 6 p.m.

Present: Elgon Ellis (member), John Waisanen (chair), Susanne Kniskern (Board liaison),
Matthew Maki (Secretary), Lori Busha (Zoning Administrator)

Absent: Jo Harris (member)

Motion to approve agenda

Motion to approve: Matt

Motion seconded: Susanne

Motion carried unanimously

Minutes from September 13, 2022

Motion to approve: Elgon

Motion seconded: John

Motion carried unanimously

Public Comment (3 Minutes per commenter).

Old Business.

Update of continuing actions in Zoning Administrators report

New Business

1. Zoning Administrators Report / New items

- 2.. **Update:** Marijuana Grow Operations. Extensive review and discussion occurred during the August 8th Planning meeting as to the pros and cons of "Opting In".

Next step is to review and discuss the pros and cons of continuing / updating the current Township Ordinance which "Opts Out".

Discuss potential liability issues in regard to "opting in" / "opting out"

Process. The Planning and Zoning Committee review enables members to examine relevant ordinances, conduct its own research and analysis of the merits or demerits of marijuana growth or related actions, become conversant with the essentials of environmental, geographical and community criteria, and discuss findings before making a recommendation for the best course of action for Superior Township.

General Timeline, *subject to modification.*

November 7, 2022: Review and Discuss the pros and cons of continuing / updating the current Township "Opt out" ordinance. Discuss potential liability issues in regards to "opting in" / "opting out".

February 13, 2023: Begin developing concepts regarding ordinance for Superior Township that permits, prohibits or otherwise regulates Marijuana grow/ sale operations in the township.

May 8 ,2023 Possible completion / development of draft ordinance.

Other Business

Lori is going to speak to MTA about who is allowed to address her ongoing blight issues in her absence. Also, Lori is going to speak to MTA to get information on the possibility of cleaning up the Harding property and charging it back to the homeowner. What are the proper procedures and documentation that have to take place before the township does the cleanup and chargeback?

The next scheduled meeting is:

Planning Tuesday, November 7, 2022, 6 p.m. Township Hall

Zoning Monday, November 8, 2022, 6 p.m. Township Hall

Adjournment. There being no further business the Zoning Committee adjourned at 6: 40 p.m.

Respectfully,

Matthew Maki

Secretary

Planning and Zoning Committee

Zoning Administrator Report

October 11, 2022 Meeting

Lori Busha - Zoning Administrator

Old Business

- Samp blight concerns. Township Attorney called me to get an update on blight concerns. Asked me to keep taking pictures of concerns. He also said that Amy was not to make a visit to the property. Follow up site visit to Samp property on 9/30/2022. Samp was not there at the time of the visit. Looked like progress was made, pile of wood chips was moved from the driveway. And there was some work being done on the trucks. I messaged Samp later to find out that he is expecting 8 more loads of wood chips, as he has used all of the others up. Samp's plan is to be done with the vehicles. He messaged me to come over November 15th. I'll need a representative to go and see if he has cleared the driveway. Refer to Site Visit Report. If it is not completed, I will issue a ticket. This item is open.
- Passmore blight concern is pending. New owners plan on using this property for vehicle storage. No further updates. This item is open.
- Bunchek property blight on Baird Street, progress. Due to Co-vid her timeline was extended. She has started some cleanup. Refer to Site Visit Report. This item is open
- Simpkin property blight on M221. I had a conversation with Simpkin at the property on 9/28/2022. He had not been to the property for several years. He was shocked with the condition of the property and buildings. I asked him to give me a plan/decision what he was going to do with this in 1 weeks time. I left a follow-up phone message on 10/8/2022. Simpkin called me back. I will meet with him on Wednesday/Thursday this week. This item is open.
- Morgan property blight on Green Street, in progress. Follow-up Site visit 9/29/2022, mobile home egress issues have not been addressed. Grass was addressed. I took pictures and sent an email to J. Morgan (10/3/2022) to get a response on what she will do with the garage and open skirting & window on the mobile home. No response yet. This item is open.
- Harding property blight on Green Street. Township Board has approved and allocated \$350 dollars to use a process server for hard-to-find property owners. Lori to follow-up with Twp Attorney regarding whether Zoning Violations can be left posted to the door after the 3rd attempt. Last information indicates he may be in Westland, MI. This item is open.

New Business

- Mike Smith – Ojala Rd Inquiry – Would like to build a “duplex-like” home on 20 acre property. Zoned Agricultural- allows multiple dwellings. Emailed response back 9/12/2022. This item is closed.
- Shenandoah Foreclosure Property – Bastian new owners –Only a temporary shed is allowed during construction, as the site is non-conforming and there is no footprint for a shed. Emailed response. This item is closed. New item – Progress on renovation revealed that the house will need to be torn down. Interesting in knowing about what they can do. Emailed back response that can build on the existing footprint.
- Schwartz Sign Complaints 9/23/2022– Multiple Garage Sale sign located in Road ROW for multiple months. Garage Sale signs can only be up for 2 weeks a calendar year. Site visit and letter stating the Sign Ordinance were given to Schwartz. He removed his signs. Signs that are on his property are not a concern. This item is closed.
- Holsworth Temporary Structure – Investigation and approval of temporary structure on 9906 W. Township Lane was approved. This item is closed.

- Krutz Building Violation 10/4/2022 – Informed of building going up on Lakeshore Drive that could be in the Road ROW. The partial building is 46 ft from the center of the road. Further investigation needs to be done. Letter mailed to owner regarding building violation. No response yet. This item is open.
- Tagerson S Bear Rd, Blight Complaint 10/6/2022 – Site visit and pictures taken of blight concerns. The owner was not at the property and may not be living there. Refer to Site Visit Report. Lori will follow-up with Blight letter to owner. This item is open.
- Twork Irish Line Inquiry 10/7/2022 – Owner wants to put a Mobile Home on the property but only has 4+ acres and is located in the Agricultural District (which has 20-acre minimums for placing a home). This is the second inquiry in the same area of Irish Line Road, for someone wanting to put up a home. Need insight / discuss with Zoning Board. This item is open.

Note: The Zoning Administrator will be out of Town October 21 – December 12, 2022, who do I provide my files to for follow-up and site visits.

**Superior Township Planning and Zoning Committee
Brimley Michigan 49715
November 7, 2022**

Minutes: Planning

Call to order: Meeting called to order at 6 p.m.

Present: Elgon Ellis (member), Jo Harris (member), Matt Maki (secretary), John Waisanen (chair)
Susanne Kniskern (board liaison)

Absent: Lori Busha (Zoning Administrator)

Motion to approve Agenda

Motion to approve: Elgon

Motion seconded: Susanne

Motion carried unanimously

Public Comment (3 minutes per commenter): Brief comments about status of hemp growth

1. Discussion with Ken Lind regarding potential legal issues facing Superior Township.
2. Discussion/ summary of Conference call between John W , Susanne K. and Attorney John Cusmano of Zaumer PC. . John Cusmano specializes in Municipal law, assessing risks, and liability issues.
3. Discussion on the growing of Hemp in Superior Township and potential Ordinance creation.

General Timeline, subject to modification

February 13, 2023: Begin developing concepts regarding ordinance for Superior Township that permit, prohibit or otherwise regulates Marijuana grow/sale operations in Superior Township.

May 8 , 2023: Possible completion / development of draft ordinance.

Other Business

The next schedule meetings are as follows

Zoning: November 8, 2022, 6 p.m. Township Hall

Planning: February 13, 2023, 6 p.m. Township Hall

Adjournment There being no further business, the meeting adjourned at 7:25 p.m.

Respectfully

Matthew Maki

Secretary / Planning and Zoning Committee

Superior Township Planning and Zoning Committee
Brimley, Michigan 49715
November 8, 2022

Call to order: Meeting called to order at 6:03 p.m.

Present: Elgon Ellis (member), Jo Harris (member), Matthew Maki (Secretary),
John Waisanen (Chair)

Absent: Susanne Kniskern (board liaison), Lori Busha (Zoning Administrator)

Motion to approve agenda

Motion to approve: Jo

Motion seconded: Elgon

Motion carried

Minutes from October 11, 2022

Motion to approve: John

Motion seconded: Jo

Motion carried

Minutes from Planning Meeting, November 7, 2022

Motion to approve: John

Motion seconded: Jo

Public Comment (3 Minutes per commenter)

Mr. Joe Samp commented that while his many dogs made a lot noise, particularly when they were being fed, he had a neighbor that fired weapons or honked his vehicle horn at other times, causing the dogs to break out in barking and for Mr. Samp to have concerns about his safety or that of his dogs.

Old Business.

Update of continuing actions in Zoning Administrators report

New Business

- 1. Zoning Administrators Report / New items**
- 2. Update on Joe Samp property**

- 3. Update: Marijuana Grow Operations.** Extensive review and discussion occurred during the November 7, 2022 Planning meeting regarding potential liability issues with Marijuana operations in Superior Township.

Process.

The Planning and Zoning Committee review enables members to examine relevant ordinances, conduct its own research and analysis of the merits or demerits of marijuana growth or related actions, become conversant with the essentials of environmental, geographical and community criteria, and discuss findings before making a recommendation for the best course of action for Superior Township.

General Timeline, *subject to modification.*

February 13, 2023: Begin developing concepts regarding ordinance for Superior Township that permits, prohibits or otherwise regulates Marijuana grow/sale operations in the township.

May 8 ,2023 Possible completion / development of draft ordinance.

Other Business

Discussion about reviewing a possible rezoning of some currently zoned agricultural land to be rezoned as residential rural. This will be brought up at the next regularly scheduled Zoning meeting, December 13, 2022 for additional discussion.

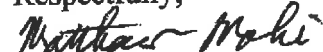
The next scheduled meetings are:

Zoning Tuesday, December 13, 2022, 6 p.m. Township Hall

Planning Monday February 13, 2023, 6 p.m. Township Hall

Adjournment. There being no further business, the meeting adjourned at 7:12 p.m.

Respectfully,


Matthew Maki

Secretary

Planning and Zoning Committee

Zoning Administrator Report

November 8, 2022 Meeting

Lori Busha - Zoning Administrator

Old Business

- Samp blight concerns. An audio tape of the dogs barking at night was texted to me on 10/28. The noise was terrifying and went on for 5 minutes. The Animal Shelter was contacted. They agreed that the dog issue is more than noise and will work together to get this resolved. Samp has been ordered to reduce the number of dogs to 10 dogs by the Animal shelter. This will take some time, as the shelter can only accommodate a few at a time. The water that is being pumped from the dog pens will be tested for urine, etc., as he is pumping this into the road ditch. There is a follow-up visit to check progress on 11/15. Samp will be contacted prior to the visit to let him know that it will be another township employee or employees coming. This item is open.
- Passmore blight concern is pending. New owners plan on using this property for vehicle storage. No further updates. This item is open.
- Bunchek property blight on Baird Street, progress. Due to Co-vid her timeline was extended. She has started some cleanup, site visit on 10/4 showed some progress. Called for final plan to get rid of the camper on 10/20 and left a message, no word back yet. A site visit is planned for 11/17 to see if the camper and blight is fully cleaned up. Refer to Site Visit Report. This item is open
- Simpkin property blight on M221. I received a phone call regarding his plan for this property. He will continue to clean up around the house and garage, smaller item like getting rid of pallets and taking out the trees/schubs, etc. His plan is to get the car removed this fall. The plan to tear down the house will start in the spring. I'll do another progress check by July 15th. He will have the whole thing torn down by September 30th. This item is open.
- Morgan property blight on Green Street, in progress. Spoke to Morgan on 10/12. Her plan is to get the garage emptied out in Apr/May timeframe and use the Twp Cleanup Day to get rid of the junk in the garage. Then she will have the garage torn down, roughly June timeframe. This item is open.
- Harding property blight on Green Street. After several MTA and Twp Attorney calls, we have sent the registered letter of the blight to Harding's bank, as that is where his taxes are paid. The registered letter has had 1 delivery attempt. This item is open.
- Krutz Building Violation– Informed Krutz that his partial structure would need to be taken down, as it is in the ROW and does not meet setback criteria. Site Visit followup scheduled for 10/14. This item is open.
- Tagerson S Bear Rd, Blight Complaint – Blight letter was sent and Tagerson responded to the letter with a plan to have all of the blight fixed within a month. He came into the twp office and spoke to Bill about the blight that he has cleaned up last week. This concern is progressing well. The follow-up site visit is scheduled for 11/17. This item is open.
- Twork Irish Line Inquiry – The owner attended the October Zoning meeting to discuss her concerns. The Twp Clerk provided her the form to fill out for a variance. She will submit a variance in the spring. This item is closed.

New Business

- Terri Forrest – 10/13/22 - M28 – Review, site visit, and approval of zoning for a shed. This item is closed.
- Tilson Road Property Inquiry – 10/17 – Century 21 inquired about the zoning and potential for building a home on this property. The property is zoned Agricultural and is over 20 acres, so a home can be built on it. I emailed him additional information about the zoning for the Agricultural district. This item is closed.
- Old Brimley Grade Property Inquiry – 10/19/2022 – Zoned Agricultural. The property is 400 acres, but is classified as Forestry land. The land would need to have at least 20 acres declassified as Forestry so that it could be built on. This item is closed.
- M28 Inquiry to Build a Home – 10/19/2022 – This property is in the Business/Mixed Use district with 13+ acres. There will be a well and septic and a home can be built on the property. An email was sent with information about this district. This item is closed.

Superior Township Planning and Zoning Committee
Brimley, Michigan 49715
December 13, 2022

Call to order: Meeting called to order at 6 p.m.

Present: Elgon Ellis (member), Matt Maki (member), John Waisanen (Chair), Susanne Kniskern (Board liaison), Lori Busha (Zoning Administrator)

Absent: Jo Harris (member)

Motion to approve agenda

Motion to approve: Matt

Motion seconded: Susanne

Motion carried unanimously

Minutes from November 8, 2022

Motion to approve: John

Motion seconded: Elgon

Motion carried unanimously

Public Comment (3 Minutes per commenter)

Justin LeBlanc (General Manager of Bay Mart) presented his desire to extend the awning beyond the property line to cover additional fuel pumps, and to relay the power line underground to facilitate additional traffic and related activity in the extended area. The question as to who owns the property that would be affected by the awning extension and power line dug under ground was not available at present. Research needs to be done to determine the answer. The intent is to complete all changes by October 2023.

Old Business.

Update of continuing actions in Zoning Administrators report (attached).

New Business

- 1. Zoning Administrators Report / New items**
- 2. Concerned citizen inquiries on two properties**
- 3. Potential Hemp growing / processing inclusion**
 - a. Discussion about adding language to the Zoning District, Agriculture, as follows:

*Article 11, Agricultural District, Section 11.02B (p. 75) Principal Permitted Uses
Hemp Growing Operations shall be restricted to the district zoned Agricultural and must have visibly posted signage identifying the operation and including any Michigan State registration numbers or authorization or, if a test plot under the Michigan State University agricultural program, for conducting research to determine feasibility for growth within given parameters.*

b. Discussion about adding language to the Zoning District, Industrial, as follows:
Article 7, Industrial District Section 7.02 Principal Permitted Uses (p. 57)
Hemp processing shall be restricted to the district zoned Industrial

4. Potential changes to Agriculture Zone

Discussion about changing language to Zoning District, Agricultural, as follows:

Article 11, Agricultural District Section 11.04A, 104D, Regulations and Standards (p.79)

A. LOT AREA – Every lot occupied by a dwelling hereafter erected shall contain an area not less than 5 acres. If more than one dwelling is desired on a lot the minimum lot area is 20 acres.

D. MAXIMUM NUMBER OF DWELLINGS – A lot meeting the 20 acre requirement may contain two dwellings.

Update: Marijuana Grow Operations. Extensive review and discussion occurred during the November 7, 2022 in regards to potential liability issues with Marijuana operations in Superior Township.

Process. The Planning and Zoning Committee review enables members to examine relevant ordinances, conduct its own research and analysis of the merits or demerits of marijuana growth or related actions, become conversant with the essentials of environmental, geographical and community criteria, and discuss findings before making a recommendation for the best course of action for Superior Township.

General Timeline, *subject to modification.*

February 13, 2023: Review information gathered to date and receive final input from community members. Begin developing concepts regarding ordinance for Superior Township that permits, prohibits or otherwise regulates Marijuana grow/ sale operations in the township.

May 8 ,2023 Possible completion / development of draft ordinance.

Other Business

The next scheduled meeting is:

Zoning Tuesday, January 10, 2022, 6 p.m. Township Hall

Planning Monday February 13, 2023, 6 p.m. Township Hall

Adjournment. There being no additional business, the meeting adjourned at 7:02 p.m.

Respectfully,

Matthew Maki

Secretary

Planning and Zoning Committee

Zoning Administrator Report

December 13, 2022 Meeting

Lori Busha - Zoning Administrator

Old Business

- Samp blight concerns. During the site visit, the trucks were still in the driveway. I was able to contact a friend of the family that has made the commitment to help Samp work on the blight concerns. He has decided that he needs to move to a bigger piece of property. He plans on selling the current property this summer. To sell, he will have to clean up the blight concerns. He made some progress after the visit by removing several snow blowers and other metal items. He needs to make continual progress to show that he is committed to cleaning up the blight. The number of dogs on his property is being address by the County Animal Control agent. This item is open.
- Passmore blight concern is pending. New owners plan on using this property for vehicle storage. No further updates. This item is open.
- Bunchek property blight on Baird Street, progress. Some cleanup was started, but the RV is still parked in the road right-of-way. 11/15 text sent to see if she had a plan when things would be finished. She messaged me back that the family member that was taking the RV is currently hospitalized. This item is open.
- Simpkin property blight on M221. I received a phone call regarding his plan for this property. He will continue to clean up around the house and garage, smaller item like getting rid of pallets and taking out the trees/schrubs, etc. His plan is to get the car removed this fall. The car is still on the property and hasn't moved. Called and left message. The plan to teardown the house/garage will start in the spring. I'll do another progress check by July 15th. He will have the whole thing torn down by September 30th. This item is open.
- Morgan property blight on Green Street, in progress. No new updates until April/May --Spoke to Morgan on 10/12. Her plan is to get the garage emptied out in Apr/May timeframe and use the Twp Cleanup Day to get rid of the junk in the garage. Then she will have the garage torn down, roughly June timeframe. This item is open.
- Harding property blight on Green Street. After several MTA and Twp Attorney calls, we have sent the registered letter of the blight to Harding's bank, as that is where his taxes are paid. The registered letter was delivered in Sault Saint Marie to the Credit Union on Nov 7, 2022 @1:29PM. No word from Harding if he received it. This item is open.
- Krutz Building Violation-- Informed Krutz that his partial structure would need to be taken down, as it is in the ROW and does not meet setback criteria. During the site visit, it was found that the partial structure is still up. I send Krutz a letter and he is taking the structure down by December 10th. Site Visit confirms that it is removed. This item is closed.
- Tagerson S Bear Rd, Blight Complaint -- Site Visit on 11/17 confirmed that the blight was cleaned up and removed. This item is closed.
-

New Business

- 415 M28 Property Inquiry – 11/21 – Real-estate Transaction Services about the zoning and other county items. This property is outside of Superior Township, so it was responded to. This item is closed.
- 6976 S. M221 Inquiry – Lynn Auto & Hardware – 11/22 -Zoned Village Center District. I filled out the form and printed on Township letterhead for Real-estate Transaction Services. This item is closed.
- 9628 Crawford Hyde Barn - 11/28– Zoning Build Violation – Steve thought that the builder had gotten all of the permissions to build the barn. He submitted the appropriate paperwork, Lyle completed the site visit and it was approved for Zoning. The approval was sent to Chippewa Building Department. He needs to follow up with them on any permits. This item is closed.
- Baymart Inquiry – 11/28 – Justin LaBlanc contacted me about adding tanks to the Gas Station property. There is a problem with where the tanks are located in relation to the property boundaries. He will bring his survey and site plan information to the December meeting to discuss. This item is open.
- 480 Acre Property Inquiry – 12/5 – The Johnston Family inquired about zoning for 3 adjoining parcels totaling 480 Acres in the Agricultural District. They had questions about having multiple dwellings on the property and about the A1/2 classification on the property. I directed them to the Assessor to discuss the classification codes. This item is closed.