

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