

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

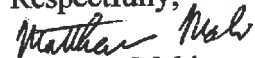
The next scheduled meeting is:

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 platt 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.