



Birch Run Township Planning Commission
Regular Meeting Minutes
February 21st, 2023
11935 Silver Creek Dr., Birch Run, Michigan 48415

Call to Order of Meeting:

Chairman C.J. Norris called the February 21st, 2023, Regular Meeting of the Birch Run Township Planning Commission to order at 19:00 with the Pledge of Allegiance.

Members Present:

C.J. Norris, Chair; Mike Marr, Vice-Chair; Mike Musial, Secretary; Fred Sheridan, Keith Jewell, Ed Munson, Stacey Kue, Members.

Members Absent: None

Others Present:

Six (6) people were in the audience. Also present were Riley Kiessling, Recording Secretary; Gretchen Nielsen, Zoning Administrator; Kurt Kiessling, TWP Trustee.

Agenda:

Motion by Marr seconded by Kue to approve the February 21st, 2023, Regular Meeting Agenda as amended to add a presentation by Jerry Preston under Old Business.

Motion PASSED by unanimous voice vote.

Approval of Meeting Minutes:

Motion by Sheridan seconded by Marr to approve the December 19th, 2022, Regular Meeting minutes as presented.

Motion PASSED by unanimous voice vote.

Election of Officers:

Motion by Marr seconded by Sheridan to nominate Norris as the Planning Commission Chair.

Motion PASSED by unanimous voice vote.

Motion by Sheridan seconded by Kue to nominate Marr as the Planning Commission Vice-Chair.

Motion PASSED by unanimous voice vote.

Motion by Marr seconded by Munson to nominate Musial as the Planning Commission Secretary.

Motion PASSED by unanimous voice vote.

Public Hearing – Site Development Requirements (Section 20.20 & Article 9) & Artificial Pond Ordinance

Began at 19:06

Staff Comments:

Review of (Section 20.20 & Article 9) proposed ordinance changes and updates presented to the PCB by G. Nielsen, Zoning Administrator, as well as forwarded comments from Jason Ball, ROWE Planner.

Review of Pond Ordinance changes by G. Nielsen & comments received from J. Ball. Proposed changes to Pond Permit may be in conflict with Zoning Permits re: days each permit is allotted for. J. Ball recommends amending to “filled within 90 days from excavation” on Pond Permit.

PC Comments:

Concerns with the term “fill” re: recommendation by ROWE on Pond Permits and definition of term.

Public Comments:

Justin Frost: Glad the PCB is looking into the site development requirements.

*Motion by Marr seconded by Sheridan to approve Article 9 Chart Zoning Districts, Regulations, and Map w/ revisions to the text section 5, section 8; Article 13, Section 13.02 Revisions; Article 19 (Driveways) revisions to section 4, section 5, and Table 19-1; Table 9-4 changes to Maximum Lot Coverage to 16% as presented; elimination of Table under Section 20.20, Section H, Subsection 2 as presented.

Yeas: Marr, Sheridan, Munson, Jewell, Kue, Norris, Musial,

Nays: None

Motion PASSED by unanimous roll call vote.

*To be presented as Ordinance #2023-02 on February Township Board Agenda (Item C)

**Motion by Marr seconded by Sheridan to modify Section 14.15 (Artificial Ponds) B as presented, and with the modification to subsection 13 that Pond must be completed within 90 days of excavation.

Yeas: Sheridan, Munson, Jewell, Kue, Norris, Marr, Musial,

Nays: None

Motion PASSED by unanimous roll call vote.

**To be presented as Ordinance #2023-03 on April Township Board agenda.

Public Comment: 20:02 – 20:04

Public comments/correspondence received:

Old Business:

- Presentation by Jerry Preston to give an update about the efforts to bring an Expo Center back to Birch Run Township.
- G. Nielsen to update Marijuana Caregiver Ordinance for PCB Review
- Follow up on fines (values) going forward along with different definitions.

New Business:

PC Annual Report (A):

Report overview given by Musial and discussed by the PCB and found favorable.

David Young – Restaurant Site Plan (E):

G. Nielsen gave an overview of application and zoning conflicts but said that the recent changes approved under site development requirements would fix some of those issues. ROWE Report was also reviewed.

Applicant answered questions posed by PCB, including addressing ADA compliance, lighting for the lot, menu questions.

No issues found with the Fire Department.

Motion by Marr seconded by Kue to approve the site plan for 8010 Dixie Highway with conditions: (1) remove a table to be in line with parking requirements, (2) the landscaping requirements will be waived, (3) that the lighting is sufficient to illuminate the whole lot.

Yeas: Kue, Jewell, Munson, Sheridan, Musial, Marr, Norris,

Nays: None

Motion PASSED by unanimous roll call vote.

Parking Setback Discussion:

Chair C.J. Norris brought attention to the large setback requirements from roads and the issues that has caused to some applicants in recent past, as well as possible issues for other lots in future. Proposed investigating potential changes to the setback requirements in the Zoning Ordinance.

Possible risk to applicants if allowed to operate parking within State setback requirements if allowed by the PCB via ordinance, concerns by PCB on liability to municipality.

G. Nielsen to generate a report for PCB review and discussion.

Reports:

Township Board Representative (*Fred Sheridan*): Government Room TV Display Project update.

Zoning Board of Appeals (ZBA) Rep. (*Mike Marr*): Update from ZBA on Lume variance application; ZBA Regular meetings changed to 3rd Tuesday in May and September.

Zoning Administrator (*Gretchen Nielsen*): In talks with Bob Smith for a proposed strip mall on Birch Run Road. Gave update on Dalton blight issues and that we are on top of the issue.

Other:

Justin & Alyssa Kidd:

G. Nielsen approached the PCB seeking guidance on how to work with the Kidd's on a potential Wedding/Event Barn to be located on Rathbun Rd due to relative newness of Event Barns in Zoning Ordinance. Concerns include type of parking available, changes of property use, engineered drawings vs. CAD drawings, Fire Suppression and Occupancy, As-Built drawings.

Applicant answered questions posed by the PCB regarding the above-mentioned issues, as well as HVAC questions.

Adjournment:

Motion by Sheridan seconded by Norris to adjourn at 20:55

Motion passed by unanimous voice vote.

Respectfully Submitted by:

Riley Kiessler, Recording Secretary

Mike Musial

Planning Commission Secretary