



Birch Run Township Planning Commission
Special Meeting Minutes
January 13, 2022
11935 Silver Creek Dr, Birch Run, Michigan 48415

Call to Order of Special Meeting:

Chairman CJ Norris called the January 13, 2022 Special Meeting of the Birch Run Township Planning Commission to order at 7:00 p.m. with the Pledge of Allegiance.

Members Present:

C.J. Norris, Chair; Riley Kiessling, Vice Chair; Mike Marr, Secretary; Ed Munson, Fred Sheridan, Keith Jewell & Mike Musial, Members.

Others Present:

Corey Trinklein, Recording Secretary; Jason Ball, ROWE Professional Services and Adam Flory, Township Attorney. Nine (9) people were in the audience.

Approval of Meeting Minutes November 16, 2021 Planning Commission Special Meeting:

Motion by Sheridan seconded by Marr to approve the November 16, 2021 Planning Commission Special Meeting as presented.

PASSED: Motion carried by unanimous voice vote

Public Hearing for Recreational Marijuana Retailers and Secure Transport Zoning Ordinance Amendment:

Public Hearing opened at 7:05 p.m.

Staff Comments: Attorney Adam Flory provided review of the Recreational Marijuana Retailers and Secure Transport Zoning Ordinance Amendment.

Public Comment: 7:16 p.m. to 7:20 p.m.

Nathan Kark – Skymint: Thanked commission for all they are doing with this issue.

John Lysakowsky – Resident: Had questions regarding the ordinance.

Public Hearing closed at 7:21 pm

Planning Commission Discussion and Recommendation:

Motion by Sheridan seconded by Marr to recommend approval of the proposed amendment to the Birch Run Township Zoning Ordinance on the marihuana retailer and transport and forward to the Birch Run Township Board at their next meeting for consideration and vote.

Ayes: Marr, Sheridan, Musial, Kiessling, Munson, Norris

Nays: Jewell

PASSED: Motion carried by majority roll call vote

New Business (Items moved ahead on agenda):

Michael Bergman requesting zoning ordinance amendment to allow sales of accessory structures in the C-1 zoning district by the issuance of a special use permit: Mr. Bergman asked about how to proceed to be able to sell outdoor sheds.

Motion by Marr seconded by Sheridan to have ROWE draft zoning ordinance amendment language to allow outdoor sales lots and a set of regulations to go with it.

Ayes: Sheridan, Marr, Kiessling, Munson, Norris, Jewell, Musial

Nays: None

PASSED: Motion carried by unanimous roll call vote

Dave Young asked for amendment to the zoning ordinance for carryout of pizza & bbq. Discussion was held and ROWE will work with Township Office to see if there is a zoning change request application for applicant.

Draft of a caregiver zoning ordinance amendment: Attorney Adam Flory gave a presentation regarding the provided caregiver zoning ordinance amendment.

Motion by Sheridan seconded by Kiessling to establish a public hearing date for March 21st, 2022 for the Caregiver Marihuana Zoning Ordinance Amendment.

PASSED: Motion carried by unanimous voice vote

Old Business:

1. Master Plan Review – Pre-Public Hearing Draft: ROWE provided a memo regarding draft corrections (Attachment A).

Motion by Marr seconded by Sheridan to send the updated Master Plan Pre-Public Hearing Draft out for public comment and review to adjourning jurisdictions and other required public bodies.

Ayes: Kiessling, Munson, Norris, Jewell, Marr, Sheridan, Musial

Nays: None

PASSED: Motion carried by unanimous roll call vote

2. Lot Coverage / Front Setback: No action was taken at this time.

3. Short-Term Rentals: No action was taken at this time.

Open Discussion for Issues not on the Agenda:

Public comments/correspondence received: No public comments

Planning Commission Members: Mike Marr – Found an error in the October 11, 2021 Special Meeting Minutes in regards to the approval of adding Article 5 – Special Land Uses, Section 5.09 Revocation of Special Land Use.

Motion by Marr seconded by Sheridan to clarify the October 11, 2021 minutes as to what actually occurred regarding the adding of Article 5, which was a motion to approve an amendment to the zoning ordinance, adding to Article 5 – Special Land Uses, Section 5.09 Revocation of Special Land Use Approval as presented. The vote was as follows: Ayes being Sheridan, Marr, Norris & the Nays being Kiessling. The motion passed by majority roll call vote.

PASSED: Motion carried by unanimous voice vote

Members in the audience: None

Reports:

Township Board Representative (Fred Sheridan): Has nothing to report

Zoning Board of Appeals (ZBA) Rep. (Mike Marr): Has nothing to report

New Business:

1. Capital Improvement Plan (CIP): ROWE needs to talk to key people at the township regarding creating current inventory of equipment and expected improvements six years out.

2. Setting public hearing dates: The March 21, 2022 meeting will have three public hearings.

Other: None

Announcements:

Township Board Meeting – 2nd Tuesday of each month (Next regular meeting is February 8, 2022)

Planning Commission Meeting – Quarterly (Next regular meeting is March 21, 2022)

ZBA – Semi Annual - 3rd Tuesday of April and October (Next regular meeting is April 19, 2022)

DDA – Meetings are held as needed (Next special meeting is February 9, 2022)

(All meetings are held in the Governmental Center unless noted)

Adjournment:

Motion by Marr seconded by Sheridan to adjourn at 8:39 p.m.

Motion passed by unanimous voice vote

Minutes respectfully submitted by:

Recording Secretary Corey Trinklein

Mike Marr

Planning Commission Secretary

Attachment A



Memorandum

To: Birch Run Township Planning Commission
From: Jason Ball, AICP, ROWE Professional Service Company
Date: January 11, 2022
RE: Master Plan Pre-Public Hearing Draft Corrections

ROWE Professional Services Company is providing this memorandum to Birch Run Township to detail suggested changes received and made to the Pre-Public Hearing Draft of the Birch Run Township Master Plan presented to the Birch Run Township Board on December 14, 2021.

Corrections from Corey Trinklein (edits were received via a marked-up copy of the Master Plan).

- Edit names on page i
- Provide information on list of appendices (this will include notices and information related to adoption)
- Minor edits to brief history of Birch Run Township paragraph
- Removed extra spaces between paragraphs and headings in various sections and made minor typographical corrections.
- Updated building activity table (Table 2-9) with more recent data.
- Removed blank page on 2-11.
- Added 2021 information to Table 3-2 State Equalized Values.
- Removed space in the words “flood plains” on page 4-1.
 - This correction was missed during the first round of edits, it has now been made.
- Added soil type map and updated Table 4-1.
- Removed reference to “church, main streets” at beginning of page 6-1.
- Provided additional information to clarify to DDA boundary description on page 6-1.
- Updated location of water tower on page 8-1.
- Updated fire protection, governmental facilities, and educational facilities information on page 8-3.
- Updated the number of pavilions and type of parking lots at the top of page 8-4.
- Removed reference to “bus riders” on page 9-3 and 9-5.
- Changed “Village of Frankenmuth” on page 9-4 to “Frankenmuth Township”.
- Removed duplicate section related to Open Space Communities.

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Corrections from Kurt Kiessling (edits received in an email, which are copied below with responses.)

- p 1-1 the highlighted county in the map is the incorrect county. You have Tuscola County in red.
 - Corrected.
- On p5-3 the section titled Traffic Accidents. Who studied the traffic accidents and who provided the data? It would appear that 25 year old "data " would not be useful nor relevant to the new plan.
 - This section was not updated. No change made at this time.
- On p 6-1 the section entitled Township Downtown Development Authority Plan. I was not under the impression that the work that Rowe did on the DDA was considered an amendent. Also what is the amendment in 1996? The DDA plan was amended I believe in 2012 to allow the DDA to make a partial yearly payment on the new water tower.
 - All DDA plan changes are considered amendments, otherwise a "new" plan would reset the base for tax capture purposes. Changed information to reflect a 2012 amendment.
- On p 8-2 in the first paragraph last sentence should read " water storage tank completed in 2012". Also in that same sentence thee is a statement that reads " ...future growth because it has the capacity to do one million gallons a day". Where did that number come from? Our DPW Supervisor questions that figure.
 - Correction made and reference to "one million gallons a day" removed.
- On p 8-3 in the section titled "Fire Protection" is outdated because the township no longer operates out of the old fire station located on Birch Run Rd and Silver Creek Drive , but rather out of the new station located at 11235 Dixie Highway. We have been in the new fire station since February 15 of 2018.
 - Updated based on edits from Corey Trinklein
- On p 9-1, what does the term "urban services boundary" mean? can that be written in more straightforward language?
 - New language added: *Establish boundaries to limit further costly extension of "dead end" sewer and water facilities into undeveloped areas as part of the future land use plan.*
- On p 9-4 under goal #2 as part of the list of strategies the last item on that list discusses the idea of amending the zoning ordinance to include buffering requirements of native vegetation along ag land that matches the character of the area. Can you explain this and what is the intent?
 - The purpose of this provision was to create buffers, or breaks that separate agricultural land from residential areas, particularly subdivisions. Providing this break helps reduce dust and nuisance issues created by farming activities. The new language reads: *Amend the zoning ordinance to include buffers of native vegetation between residential areas and agricultural areas to limit potential nuisance concerns and maintain rural character of the township.*
- Also on the same page under Open Space, Parks and Rec specifically the section that discusses " Work in cooperation with..." the second bullet point says ...Village of Frankenmuth; should this not be the Village of Birch Run?
 - Correction made to Frankenmuth Township

- 8. On p 9-5 under Infrastructure, the line that reads: Promote the creation of at least one grade separated crossing of the railroad? Could this be written in plainer language?
 - New language reads: *Promote the creation of at least one un-restricted, or grade separated (e.g., a bridge) crossing of the railroad that allows traffic to continue to move regardless of the presence of train traffic.*
- 9. On p 9-7 the first bullet point statement that reads "Explore the use of "placemeaking" to create a unique environment" What does that mean and can it be written or described in simpler language?
 - New language reads, "*Encourage the use of development practices that enhance community character, particularly in the downtown area.*"

Corrections from Karen Parlberg (edits received in an email, which are copied below with responses)

- Page 1-1 In the picture, the highlighted county is Tuscola, not Saginaw
 - Corrected.
- Page 5-1 Under the section of Road Network...I am not sure how these roads are classified but in my opinion Gera Road, Birch Run Road and Burt Road are also high-traveled roads within the township.
 - These roads, depending on the section are state highways rather than principal roads, but it is confusing. We removed the reference to specific principal roads to address this issue.
- Page 5-3 I mentioned this during the board meeting, but the intersection of Dixie Hwy & Birch Run Road is very prone to accidents and back-ups. Additionally, since this intersection is also angled, it is dangerous. I believe we discussed noting that the Birch Run Road corridor from Dixie Highway to the I-75 ramp is a particularly problematic area.
 - New language reads: *The Birch Run Road corridor, particularly between the I-75 interchange and Dixie Highway, has been identified as a problematic area by Township officials and residents. The corridor is a state trunkline, under the jurisdiction of the Michigan Department of Transportation (MDOT), with mixed jurisdiction between Birch Run Township and the Village of Birch Run. The Township will continue to encourage and collaborate with MDOT to make improvements to the corridor to enhance safety and reduce delays.*
- Page 8-3 Birch Run Township park added another playground equipment area, for a total of 2
 - Corrected.
- Page 8-2 North Elementary removed its wooden activity area and replaced it with a different activity set
 - Corrected.

Additional Corrections Made by ROWE

- Re-formatted headings in the Future Land Use section.
- Corrected Future Land Use Map to remove Dispersed Residential category
- Minor typographical and formatting corrections