

**Special Birch Run Township Planning Commission Meeting  
October 10, 2016 at 7:00 p.m.  
Birch Run Township Meeting Room  
11935 Silver Creek Dr, Birch Run, Michigan 48415**

**Minutes**

The meeting was called to order by Chairman CJ Norris at 7:00 p.m. with the Pledge of Allegiance to the Flag of the United States of America.

**Members Present:**

CJ Norris, Chair; Steve Schaar, Vice Chair; Michelle Duncan, Recording Secretary; Members Mike Marr, Fred Sheridan, Ed Munson and Helen Morse

**Members Absent:**

Elaine Parlberg

Motion by Marr, seconded by Sheridan to excuse absentee Parlberg from October 10, 2016 Special Planning Commission Meeting

Motion Carried by Unanimous Vote

**Others Present:**

Doug Piggott, Rowe Professional Services; Birch Run Township Residents Kurt Kiesling and Ray Letterman, Tim Davison, owner of Dead Creek Saloon

**Roll Call:**

**In Attendance:** Schaar, Marr, Sheridan, Norris, Munson, Morse

**Absent:** Parlberg

**Minutes:**

Approval of August 29, 2016 Regular Meeting Minutes

Motion by Sheridan, seconded by Schaar, to Approve the August 29, 2016, Planning Commission Meeting Minutes

Motion Carried by Unanimous Vote

**Public Meeting:**

Public Hearing: Text Amendment: The proposed amendment language pertains to Article 21, Section 21.02, Definitions and Article 14 Standards for Specific Special Land Uses, Section 14.21 "Outdoor Entertainment & Events"

- i. Public Meeting opened at 7:03 p.m.
- ii. Notification Requirements:
  - \*Birch Run/Bridgeport Herald (September 21, 2016 edition)
  - \*Township Informational Board
- iii. Review the following:
  - \*Proposed Recommendation 2016-01 Amendment Language
- iv. Public Comments/Correspondence

Doug Piggott from Rowe Professional Services reviewed the draft to the zoning ordinance presented at the August 29, 2016. He added special land use in the C1 district for Outdoor Entertainment and Events will require special use review by the planning commission. He also states the specifics are identified in Table 9-3. Sheridan asked if a property owner is approved for six car shows, but they change their mind at the last minute and want ten car shows, do they have to get new approval from the planning commission? Piggott states yes. The owner has to abide by the amount of events approved by the planning commission. If the owner would like more events, they have to go back to the planning commission for approval.

Audience member Kurt Kiesling asked if the approval is for everyone in the C1 district? Marr states yes. Piggott adds each individual owner has to put a formal request into the planning commission for approval.

\*Motion to Approve

\*Approve w/ conditions. (refer to staff reports)

\*Deny

*Motion by Marr, seconded by Sheridan to approve amendment 2016-01 with the addition of the amended Table 9-3 in the C1 district in and of proposed amendment.*

v. Planning Commission Discussion and Recommendation

None

vi. Close Public Meeting at 7:13 p.m.

Motion Carried by Unanimous Vote

#### **Old Business:**

Committee report on Private Roads, which was tabled until further notice and discussed at the planning commission meeting. Discussion of the Committee report on Private Roads has been further tabled until the December 19, 2016 Planning Commission Meeting.

#### **Open Discussion for Issues not on the Agenda:**

Public comments/correspondence received: None

Planning Commission Members: None

Members in the audience:

Tim Davidson, owner of Dead Creek Saloon, would like to know the process of bringing non-zoned commercial properties to be zoned commercial properties. Marr states it is the owner's responsibility to ask the planning commission to consider conditional zoning for the business. Norris adds the owner must bring the specifics to the planning commission of what they would and wouldn't like to have done on their property.

## **Reports:**

Township Board Representative (Fred Sheridan):

Sheridan states the aging parent issue has been tabled until further notice. He also states the medical marijuana issue becomes effective on December 15, 2017. It will be introduced in five different phases. If the township would like to allow this, they have to gather all ordinances pertaining to this issue and submit them in writing to the State of Michigan for final decision. If the township doesn't want to allow this, they do nothing. The township can charge up to \$5,000 per business per year per license. There will be a 3% tax applied thru the State and the township will receive a portion of that tax. Audience member Letterman asked if the township could opt out at a later date? Sheridan states he's unsure. Audience member Kiesling asked if the township would be insulated from law suits if they arise. Sheridan states yes. Kiesling also asks if there is an existing facility who currently grows the marijuana, how would they be stopped from growing it? Sheridan states the decision would be left up to the State. He also adds the earliest applicants can apply is December 20, 2017.

Zoning Board of Appeals (ZBA) Representative (Elaine Parlberg): None (Member Parlberg was absent from the meeting)

## **New Business:**

None

## **Announcements:**

*Upcoming meetings for 2016. All meetings are held in the Governmental Center unless noted:*

Township Board Meeting:	2nd Tuesday of each month
Planning Commission Quarterly Meeting:	Next Meeting is scheduled for
ZBA Semi Annual Meeting:	3rd Tuesday in April and October
DDA Meeting:	To be announced

## **Adjournment:**

Motion by Marr, Support by Morse to adjourn.

Motion Carried by Unanimous Vote

Planning Commission Meeting ended at 7:40 pm.

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CJ Norris  
Chairman

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Michelle Duncan  
Recording Secretary