

Conway Township Planning Commission Meeting Minutes

March 14, 2022

Conway Township Hall – 8015 N. Fowlerville Rd., Fowlerville, MI

Agenda	Items Discussed	Actions to be Taken
<p>AGENDA</p> <p>Call to Order</p> <p>Pledge of Allegiance</p> <p>Roll Call Signin</p>	<p>Attendees:</p> <p>1. Chair Chuck Skwirsk called the Conway Township Planning Commission meeting to order at 7:00pm.</p> <p>Chair Chuck Skwirsk led in the Pledge of Allegiance.</p> <p>2. He called Roll Call of:</p> <p>Planning Commission Members present: Jeff Klein, Londa Horton, Kelly Ralko, Meghan Swain-Kuch, Chuck Skwirsk, Dave Whitt, George Pushies - Ex-Officio</p> <p>Zoning Administrator present: Todd Thomas.</p> <p>Livingston County Planning Commissioner present: Dennis Bowdoin</p> <p>Township Attorney present: Abby Cooper</p> <p>Community Builders (CIP) Master Planners present: Carmen, Justin, Hannah</p> <p>Those absent: Click or tap here to enter text.</p>	
<p>CONSENT AGENDA APPROVAL</p>	<p>3. Planning Meeting Minutes from the last meeting 2/14/2022 A motion was made by Dave Whitt to accept the minutes from the last meeting. Second by Jeff Klein. All in favor. Opposed. Motion passed.</p>	
<p>CALL TO PUBLIC</p>	<p>-0-</p>	
<p>APPROVAL OF PLANNING COMMISSION MEETING AGENDA FOR TONIGHT</p>	<p>Meghan Swain-Kuch made a motion to accept the meeting agenda for tonight. Second by George Pushies. All in favor. Opposed. Motion passed.</p>	

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COMMUNICATIONS	<p>4. Zoning Administrator Report - February 2022 – solar permit building mounted was submitted for February, no application for Luke Bryan.</p> <p>5. Board Ex-Officio Report – February 2022 Board Meeting minutes</p> <p>6. Policy 21 – Chuck Swirsk</p> <p>Abby Cooper was asked by the Board to prepare a policy to prepare how public hearings are to be handled. How to make this a workable policy for the Secretary. Chuck Swirsk asked Dennis Bowdoin when he was the</p>	
	<p>Chair, how was it handled. “I took everything to Chet that I needed and Chet did the agenda and hand delivered agendas to PC members houses. That process carried over to Cindy. The Public Hearing went into the <i>News and Views</i>. “You don’t have any money, so you cannot go to the press.” Todd also did all the notifications, special zoning, and special use. The Clerk has always taken care of that. The difference is that Londa and the previous secretary, we have to notify all surrounding townships for events like for the Master Plan. All have to be notified. The precedent is that the clerk always handled that. I believe everything should be pushed through one hub, Chuck. Who does the mailing for any zoning within 300 feet? Karen, the Assessor, and Todd Thomas do it up to 300’ – we identify the properties and Clerk does the mailing, commented Todd. It’s on the board for tomorrow’s agenda to get the draft in better shape.</p>	<p>Bill will take matter to the Board for tomorrow’s agenda.</p>

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OLD BUSINESS	<p>7. Small Event Template – Meghan</p> <p>Meghan Swain-Kuch pulled from two really good ordinances to make the template. Justin asked to be sent the ordinances from Meghan. Whatever zoning district it is, have a threshold for attendance, like 2500 and down, commented Todd Thomas. Higher than that could be handled by Site Plan review. Justin, a small event if it's an enclosed building, then it's the number of people it holds will be the capacity.</p> <p>8. Solar Survey – Kelly, Abby</p> <p>Kelly sent to the board for a vote, needs our guidance. Make a recommendation. "Solar is coming in; will it tie up money?" Chuck. We could put something on the website for consumer alert, to inform the public. Make sure someone doesn't take the survey multiple times, Meghan. Put a notice in the paper to read the paper. Use electronic means for cost saving. Justin, post on the website and the township will mail it if not available electronically, or when they come in to the office. George, it needs to go further than the <i>News and Views</i>. Meghan, "Can we put up a survey event on WHMI?" Londa commented on development of survey in that it needs to be neutral. Kelly wants input. A farmer can use the farming act to choose how to farm, crops or solar for example, Right to Farm Act. Abby – question 2. What are your concerns – no discount given to electric bills. That should be deleted as a</p>	<p>Meghan to send Justin event template zoning ordinances used</p>

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	<ul style="list-style-type: none"> ii. Commercial – page 2. Front yard prohibited in commercial – solar will not be in front yard. How to handle that – where is house located, Meghan. iii. Ht. 16’ is good to keep, Hannah. From ground to top of the panel. Think about if allow grazing then allow more height. iv. Farms enrolled in PA 116 needs to follows rules for MDARD, must keep drainage, disclose what the drainage was made with, have a plan for replacement. Storm water must be kept onsite and managed onsite and not negatively impact a neighbor as a result of your development. Create retention basins. We have a Michigan and US wetland inventory. Understand where each tile is located. Storm water calculations will have to be verified currently and then calculate the impact of their development. v. This township is only a donor township, we don’t take any water in, we donate water out, Dennis Bowdoin. We have a county drain running right through the middle of this township. Hot and warm weather pattern was different this year, Dave Whitt. No one can build within 50 feet of the drain, Dennis. vi. Fencing – 7 ‘chain link or woven wire, no barbed wire. vii. Power and transmission lines located underground – need feedback. viii. Setbacks 200’ from property line. From wetlands – setbacks – think of this. How are they preventing it flowing back into the wetland? What are the runoff plans? The general standard – water enters at the same rate at the beginning as after development. Building or a structure 6.06L has a different setback for water. ix. Groundcover – native vegetation needs to be established. 	

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	<ul style="list-style-type: none"> x. The fencing doesn't have to follow the setbacks, just the panels. xi. Consider access corridors for wildlife every 1000 feet for migratory patterns. There is a development where it shows the solar panels are laid out in a network of corridors in between. This could be a requirement. Justin will send out pictures of one he knows of. xii. Landscaping- liked Marcellus Township – need feedback xiii. Site plan process: having a conceptual layout plan shows major elements of a site plan. The developer submits before engineering and it comes to the PC for review before they makeup full plans. Full plans would still come through the normal process. What's a reasonable site plan timeframe? What's the process for getting an extension? How many extensions? xiv. Formal Site plan – Planners have a site plan review process. xv. Modifications of site plan – minor changes like location of a panel could it be handled at admin level and major changes come back to Planning Commission. xvi. Decommissioning plan – removal of equipment and restoration of soil up to depth of 4'. Performance guarantee reviewed every 3 years. Insurance and damage to current infrastructure – add, Kelly. 	<p>Justin to send link to access corridors</p>
PLANNING COMMISSION MEMBER DISCUSSION	<p>Dave Whitt has a question for Abby, "If a company applies for multiple projects, what leverage do we have?"</p> <p>Londa Horton – consider small trees in screening versus large trees.</p>	
LAST CALL TO PUBLIC	<p>Attendee – there has been a change to the personnel handbook regarding smoking around the building. PC members get back to Gabi with reply.</p>	

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	Attendee - Public Hearing is the chance for public to give feedback, it's published in the paper to give input.	
ADJOURNMENT	Chuck Skwirsk made a motion to adjourn. Second by George Pushies. All in favor. Opposed. Motion passed. Adjourned at 8:52pm	

**SEE ATTACHED ZO AMENDMENT RESOLUTION BELOW PER ABBY COOPER

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RESOLUTION TO RECOMMEND APPROVAL OF ZONING ORDINANCE AMENDMENTS TO TOWNSHIP BOARD

Conway Township Planning Commission

WHEREAS, the Conway Township Planning Commission ("Township PC") held a public hearing on the following zoning ordinance amendments on December 13, 2021, and recommended approval to the Township Board:

Z-05-22 Conway Township, Zoning Ordinance Amendment, Article 2 Definitions and Article 6 General and Supplemental Regulations, regarding Accessory Buildings and Structures.

Z-06-22 Conway Township, Zoning Ordinance Amendment, Article 7 AR Agricultural Residential District, Article 8 R Residential District and Article 10 C Commercial District regarding Additional Dimensional Requirements.

Z-07-22 Conway Township, Zoning Ordinance Amendment, Article 7 AR Agricultural Residential District, Article 8 R Residential District, Article 10 C Commercial District, and Article 11 I Industrial District regarding Event/Wedding Structures as a Special Use

Z-08-22 Conway Township, Zoning Ordinance Amendment, Article 13 Special Land Uses regarding Special Event/Wedding Structures and Venues.

Z-09-22 Conway Township, Zoning Ordinance Amendment, Article 6 General and Supplemental Regulations regarding Medical Marijuana Uses.

Z-10-22 Conway Township, Zoning Ordinance Amendment, Article 15 Off-Street Parking and Loading-Unloading Standards regarding Parking Space Requirements.

Z-11-22 Conway Township, Zoning Ordinance Amendment, Article 6 General and Supplemental Regulations regarding Solar Energy Collectors.

The above-listed numbers are those assigned by the Livingston County Planning Commission ("LCPC") to the proposed amendments.

WHEREAS, pursuant to statute, these proposed zoning ordinance amendments were provided to LCPC for their review and recommendation;

WHEREAS, the LCPC likewise recommended approval of the above noted amendments with the exception of Z-08-22 related to Special Event Wedding Structures and Venues;

WHEREAS, as to the Special Event Wedding Structures and Venues, the LCPC and it's staff did believe the proposed amendments to be reasonable and appropriate but encouraged the Township to take careful consideration of the comments in their review prior to taking final action, which

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included additional considerations related to noise levels, hours of operation, farming preservation, traffic, setbacks, landscaping, lighting, sanitation, and appropriate bond.

WHEREAS, the Township PC wishes to take additional time to go through the LCPC review and comments in these areas before making a final recommendation on those proposed amendments in addition to allowing the input of its newly engaged planners;

WHEREAS, regarding Z-09-22 relating to Medical Marihuana Uses, the LCPC recommended a definition in Article 2 be added for "Medical Marihuana Caregiver Operation;" however, upon further review, that definition is already in the ordinance at Section 6.25(C)(2).

WHEREAS, the Township PC previously believed it would be necessary to delete the word "special" in 6.25(G)(9); however, upon further review, that word is appropriate in that subsection as Medical Marihuana Caregiver Operations are permitted as a special use in the AR District per Sections 7.03(19) and 6.25G(1).

NOW, THEREFORE, BE IT RESOLVED that:

1. The Township PC recommends to the Township Board the proposed amendments assigned LCPC numbers Z-05-22, Z-06-22, ~~Z-07-22~~, Z-09-22, Z-10-22, and Z-11-22 for approval and proposed revisions to Section 6.25 shall be unchanged from the original vote of the Township PC, as shown on the attached.
2. The Township PC's final recommendation on amendment Z-07-22, relating to Special Event Wedding Structures and Venues, shall be delayed to allow the Township PC more time to explore the various issues outlined in the LCPD's review, and therefore this proposed amendment will not be forwarded to the Township Board at this time.

The foregoing resolutions offered by PC member Meghan Swain-Kuch. Second offered by PC member Kelly Ralko.

Upon roll call vote the PC members voted as follows:

Skwirsk: Yea	Opposed: -0-
Swain-Kuch: Yea	
Klein: Yea	
Ralko: Yea	
Whitt, D.: Yea	
Horton: Yea	
Pushies: Yea	

The Chairperson declared the resolution adopted at the regular meeting of the Conway Township Planning Commission held on March 14, 2022.

Londa Horton

Londa Horton, Secretary

Respectfully Submitted by: PC Secretary Londa Horton

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Z-07-22 Conway Township
Amendments to Zoning Ordinance Article 7: AR Agricultural Residential District, Article 8: R Residential District, Article 10: C Commercial District, and Article 11: I Industrial District

ARTICLE 8. R RESIDENTIAL DISTRICT

Section 8.03 Special Uses

- A. The following uses of land and structures may be permitted upon the issuance of a special use permit in accordance with the procedures and standards contained in Article 13, Special Land Uses.

13. Special Event/Wedding Structures and Venues. (See Section 13.10).

ARTICLE 10. C COMMERCIAL DISTRICT

Section 10.03 Special Uses

- A. The following uses of land and structures may be permitted upon the issuance of a special use permit in accordance with the procedures and standards contained in Article 13 Special Land Uses:

11. Special Event/Wedding Structures and Venues. (See Section 13.10).

ARTICLE 11. I INDUSTRIAL DISTRICT

Section 11.03 Special Approval

- A. The following uses may be permitted subject to the conditions hereinafter imposed and subject further to the approval of the Planning Commission pursuant to the standards of Article 13 Special Land Uses.

10. Special Event/Wedding Structures and Venues. (See Section 13.10).

Township Recommendation: Approval. The Conway Township Planning Commission recommended Approval of this zoning amendment at its December 13, 2021. There were no public comments noted in the minutes.

Staff Recommendation: Approval. The proposed amendments appear to be reasonable and appropriate.

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W. Special Event/Wedding Structures and Venues.

1. Intent and Purpose.

This special land use is for the conversion of existing farm structures or construction of new structures of a farm, rustic or similar style, and the use of surrounding grounds for organized meeting and/or reception space as a gathering place for weddings, parties, and corporate events.

2. Site Requirements and Performance Standards.

All special event/wedding structures, venues, and surrounding grounds shall be subject to the following requirements and standards:

- a. All approved special land uses for special wedding structures, venues, and surrounding grounds are subject to an annual review by the Zoning Administrator for compliance purposes as stated in Section 13.06 (D.).

STAFF COMMENTS: The Township Ordinance regarding permit compliance (Section 13.06 (D.)), states the following:

D. Permit Compliance. *In authorizing any special use permit, the Planning Commission may require a performance guarantee pursuant to Section 3.06 to insure compliance with the requirements, specifications and conditions imposed. All special use permits shall be subject to an annual review by the Zoning Administrator for compliance purposes. The Zoning Administrator shall report any non-compliance findings to the Planning Commission for further action.*

b. The minimum parcel size shall be twenty (20) acres.

c. A five hundred (500) foot open buffer shall be provided on all sides of the property not abutting a public roadway. Special event activities are not permitted within this buffer area. Where possible, agricultural crops shall remain or be grown in the buffer area, or suitable landscaping shall be installed, to maintain the rural/agricultural character of the site.

d. A landscape buffer meeting the requirements of Article 6 shall be installed along all property boundaries abutting a residentially zoned district or residential use. The Planning Commission may request additional landscaping to provide further screening/buffer from lights or noise.

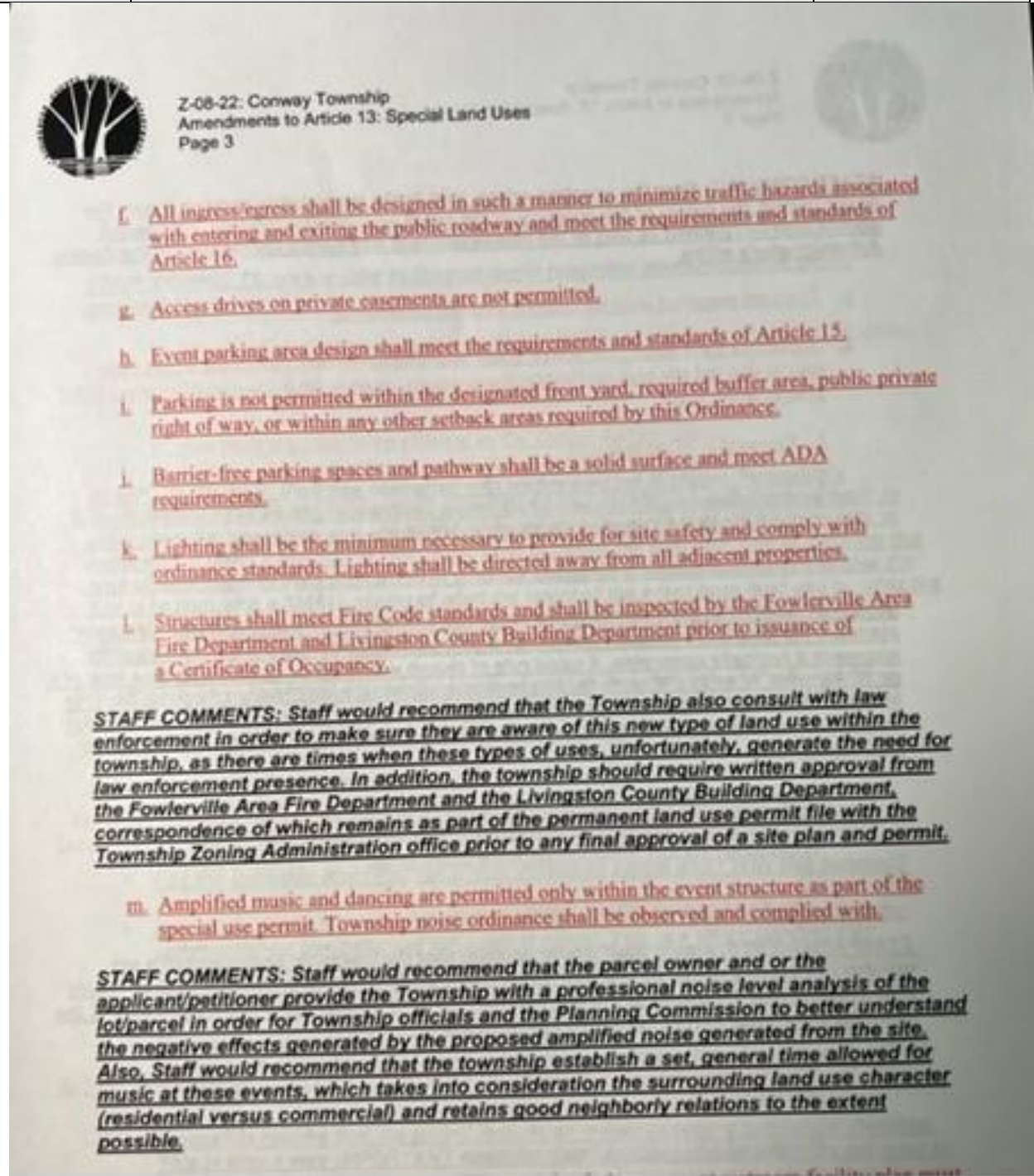
e. Parcels shall have unobstructed frontage and provide direct ingress and egress.

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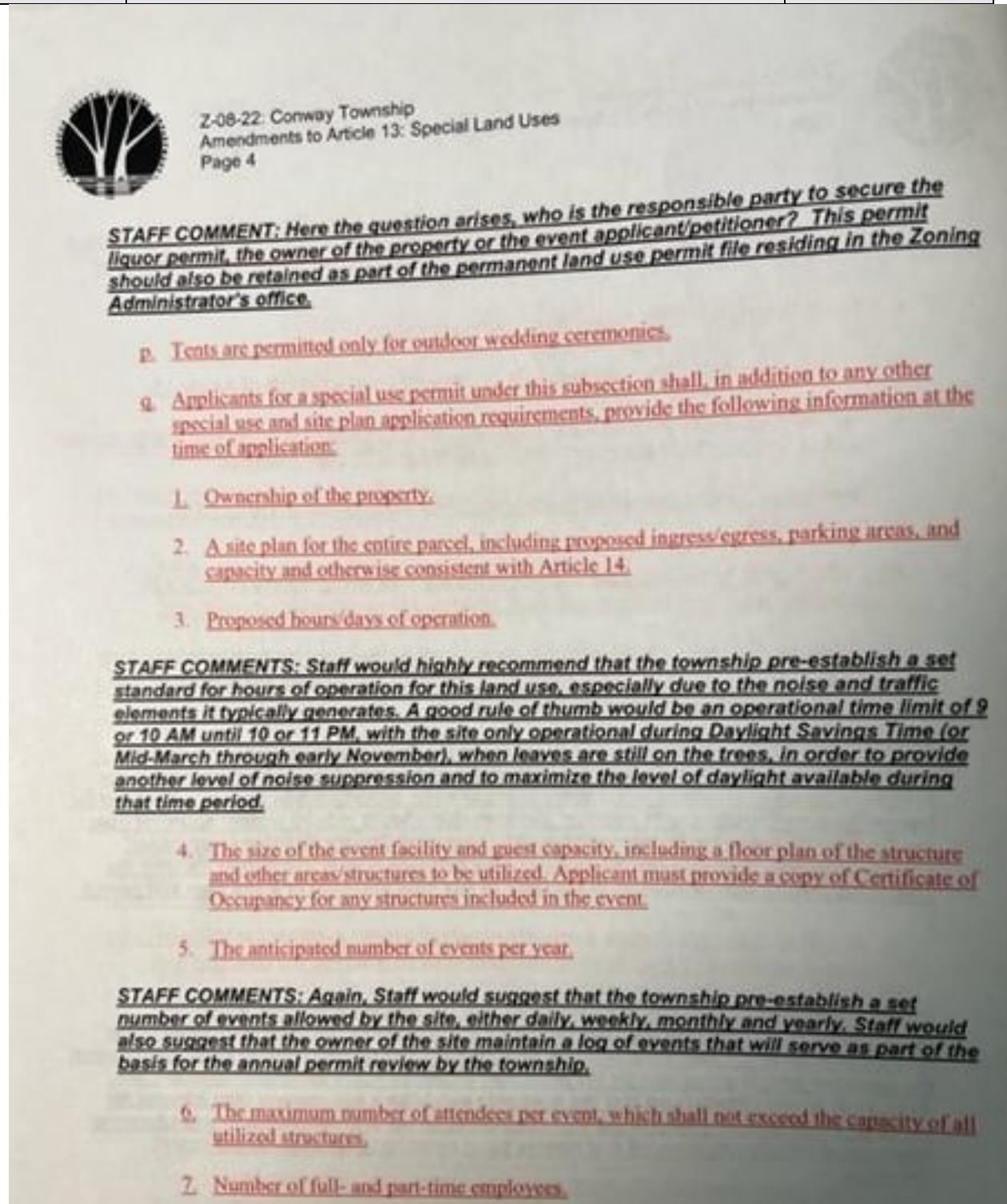


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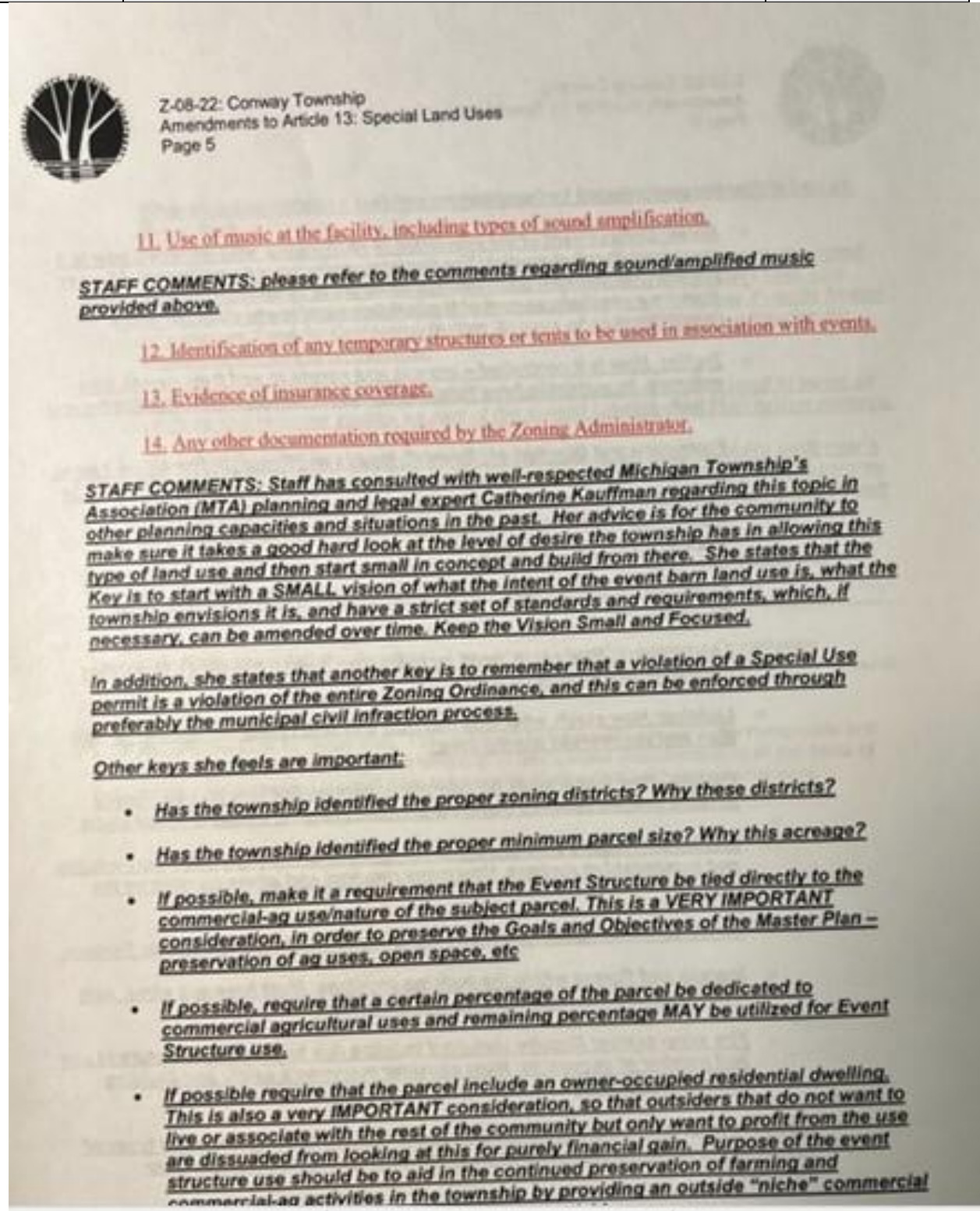


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Amendments to Article 13: Special Land Uses
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• Other Important Issues to Consider:

- Noise: Enforcement of the regulation is challenging, who enforces, how is it measured (Decibel reader). The Decibel reader must be calibrated. Allow or not allow amplified music. Require all doors to be closed during an event. Require a vestibule as part of the building envelope to diminish noise level/effects.
- Traffic: How is it controlled – ingress and egress to and from parcel, who enforces, important to have Road Commission involved as well. Drinking and driving issue.
- Frequency and Duration of "Events": How is an "Event" defined. Can it be all day, half day, etc., What time of year (seasonal, etc.). Is a three-day event by same renter constitute one event or three events? 3-day weekends are important considerations. Five events per week is too many – we need to scale this number way back.
- Setbacks: Ample enough to diminish effects of events on surrounding parcels.
- Landscaping: How much, need for more than normal because of amplified music? Where located on site?
- Lighting: How much, what type and how shielded (same as required for site plan and commercial special uses).
- Parking: How much, allow for non-paved parking but how do you identify parking spaces, required handicap parking, signage, concrete wheel stops.
- Sanitation: Require on-site permanent restrooms or simply allow port-a-johns and handwashing stations. How many required and where location on the site.
- Handicap Accessibility: Must be accessible to all. Handicap parking. Signage.
- Ingress and Egress within the building envelope: Must have exit signs, safe walking to and from parking area and event barn.
- Fire suppression: Require sprinkled building due to commercial nature of use and number of occupants. Must consider everyone's safety and Building Code requirements.

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