

May 7, 2024

EXHIBIT C



10405 Merrill Road
P.O. Box 157
Hamburg, MI 48139
(810) 231-1000
www.hamburg.mi.us

Supervisor Pat Hohl Clerk Mike Dolan Treasurer Jason Negri Trustees Bill Hahn, Patricia Hughes, Chuck Menzies, Cindy Michniewicz

BOARD OF TRUSTEES REGULAR MEETING

Tuesday, May 07, 2024 at 2:30 PM
Hamburg Township Hall Board Room

MINUTES

CALL TO ORDER

Supervisor Hohl called the meeting to order at 2:30 pm.

PLEDGE TO THE FLAG

ROLL CALL OF THE BOARD

PRESENT

Pat Hohl
Mike Dolan
Bill Hahn
Chuck Menzies
Cindy Michniewicz
Patricia Hughes

ABSENT

Jason Negri

CALL TO THE PUBLIC

A call was made with no response.

CONSENT AGENDA

Motion by Michniewicz, Seconded by Menzies, to approve the consent agenda as presented.

Voting Yea: Hohl, Dolan, Hahn, Menzies, Michniewicz, Hughes

1. Township Coordinator Report - April 2024
2. Parks & Recreation - Approved Minutes - March 26, 2024
3. Senior Center Report - April 2024

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4. Parks & Rec - Park Use Request - PYA (Football) - 2024 Season
5. 4-2-24 Hamburg Township Board of Trustees Special Joint Meeting Minutes
6. 4-16-24 River Run Sun SAD 2nd Public Hearing Minutes
7. 4-16-24 Crystal Dr & Crystal Beach Sub SAD 2nd Public Hearing Minutes
8. 4-16-24 Zukey & Redding Dr SAD 2nd Public Hearing Minutes
9. 4-16-24 Teahan Meadows Sub SAD 2nd Public Hearing Minutes
10. 4-16-24 Board of Trustees Regular Meeting Minutes
11. 4-16-24 Board of Trustees Special Strategic Planning Meeting Minutes
12. Parks & Rec - Hamburg Flyer's Field - Updates to Regulations - March 2024
13. Bills List 05.07.24

APPROVAL OF THE AGENDA

Motion by Hohl, Seconded by Hughes, to approve the agenda, moving all sight plan reviews to be presented before unfinished business and also postpone topic 14, Administrative Fee Schedule to a later meeting.

Voting Yea: Hohl, Dolan, Hahn, Menzies, Michniewicz, Hughes

UNFINISHED BUSINESS

14. Request for approval of HPUD amendment Chilson Commons shopping center

Motion by Hohl, Seconded by Hughes, to temporarily suspend the meeting at 3:30 pm to hold the two scheduled SAD public hearing meetings.

Voting Yea: Hohl, Dolan, Hahn, Menzies, Michniewicz, Hughes

Supervisor Hohl recalled the meeting to order at 3:45 pm.

Motion by Dolan, Seconded by Hughes, to deny any change to the PUD related to the current curb cut on M-36.

Voting Yea: Hohl, Dolan, Hahn, Menzies, Michniewicz, Hughes

Motion by Dolan, Seconded by Hahn to approve the boundary adjustment, as proposed by the applicant.

Voting Yea: Hohl, Dolan, Hahn, Menzies, Michniewicz, Hughes

15. Final Site Plan Application for General Planned Unit Development (GPUD23-001)
Motion by Hohl, Seconded by Hahn, to approve final site plan application for the general planning unit development 23-001 for the proposed two-phase project. Phase 1 will include a gas station building of 5475 sq ft., attached to a mixed-use retail/residential building as well as a gas station canopy with twelve pumps installed on parcel B. Phase 2 will include 40 for-rent tenant townhomes in eight buildings with between 4-7 units in each building, and a 1400 sq ft community center/office management building on parcel A, with conditions 1-4 inclusive, the project does meet the site plan reviews standard A-L section 36-73 sub-paragraph 7 of the

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zoning ordinances as discussed at the April 17, 2024 planning commission meeting, as as presented in the staff report.

Voting Yea: Hohl, Dolan, Hahn, Menzies, Michniewicz, Hughes

16. Zoning Map Amendment (ZMA) 24-0001

Motion by Hohl, Seconded by Michniewicz, to approve the ZMA 24-0001 to change the zoning of the parcel commonly know as 9300 Hamburg Rd, tax ID 47-1524-103-038 from medium density residential to neighborhood service zoning ordinance section 36-177 as directed, and direct staff to approve it.

Voting Yea: Hohl, Dolan, Hahn, Menzies, Michniewicz, Hughes

17. Updated Public Safety SOP

Motion by Hohl, Seconded by Hughes, to approve the updated SOP 300-25, as presented in the packet.

Voting Yea: Hohl, Dolan, Hahn, Menzies, Michniewicz, Hughes

18. Hamburg Township Fire Department Millage Proposal

Motion by Hohl, Seconded by Menzies, to support the Fire Department Millage Resolution, as presented in the packet.

Voting Yea: Hohl, Dolan, Hahn, Menzies, Michniewicz, Hughes

UNFINISHED BUSINESS

19. Proposed Budget FY 24/25

To be discussed at the May 21, 2024 Board of Trustees Special Meeting.

20. Administrative Fee Schedule Update – 24.25 FY - 2nd Reading

Tabled - to be reviewed and discussed at a future meeting.

CURRENT BUSINESS

21. Resolution to Establish 45-Day Special Assessment Pay-Off Schedule

Motion by Hohl, Seconded by Menzies, to establish a 45 day based special assessment payoff schedule as presented in the packet.

Voting Yea: Hohl, Dolan, Hahn, Menzies, Michniewicz, Hughes

22. Winans Drive - Road Maintenance Contract Bid Results

Motion by Hohl, Seconded by Menzies, to award a two-year contract to Bob Myers Excavating and Big Barney's for the Winan's Drive Road Maintenance SAD.

Voting Yea: Hohl, Dolan, Hahn, Menzies, Michniewicz, Hughes

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23. AT&T Metro Act Right of Way Permit Extension
Motion by Dolan, Seconded by Michniewicz, to approve the Metro Act ROW extension as presented.
Voting Yea: Hohl, Dolan, Hahn, Menzies, Michniewicz, Hughes
24. WWTP Licensing Compensation
Motion by Hohl, Seconded by Dolan, to approve the licensing stipends as presented in the memo dated May 1, 2024 to DPW staff who achieve their L1 L2 at \$1000, D License at \$2000, and C License at \$3000, and eliminate and give no further consideration to the 10% increases that have been routinely provided for those licensures in the past.
Voting Yea: Hohl, Dolan, Hahn, Menzies, Michniewicz, Hughes
25. DPW Ten Hour Workday
Motion by Dolan, Seconded by Hahn, to authorize the DPW to work a 10 hour workday and direct Michelle in HR to make all the needed changes in our policies to support the presentation to the board in the work study meeting. To be implemented May 20, 2024.
Voting Yea: Hohl, Dolan, Hahn, Menzies, Michniewicz, Hughes

CALL TO THE PUBLIC

A call was made with no response.

BOARD COMMENTS

None.

ADJOURNMENT

Motion by Menzies, Seconded by Hahn, to adjourn the meeting.


Voting Yea: Hohl, Dolan, Hahn, Menzies, Michniewicz, Hughes

The meeting was adjourned at 5:03 pm.

Respectfully submitted,



Jennifer Daniels
Recording Secretary



Mike Dolan
Township Clerk

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PLANNING COMMISSION MEETING

Wednesday, April 17, 2024, at 7:00 PM
Hamburg Township Hall Board Room

MINUTES

CALL TO ORDER

Commissioner Ron Muir acted as Chair, calling the meeting to order at 7:00 pm.

PLEDGE TO THE FLAG

ROLL CALL OF THE BOARD:

1) PRESENT:

John Hamlin
Patricia Hughes
Victor Leabu Jr
Deborah Mariani
Ron Muir, acting chair
Joyce Priebe

2) ABSENT:

Chair Jeff Muck

APPROVAL OF MEETING AGENDA for tonight.

Approval Motion made by Commissioner Mariani, seconded by Commissioner Priebe, to approve the agenda as presented.

VOTE: Ayes (6); Absent (1) Chair Jeff Muck

MOTION CARRIED

APPROVAL OF THE MEETING MINUTES

Approval Motion made by Commissioner Mariani, seconded by Commissioner Hughes, to approve March 20, 2024, Planning Commission Meeting Minutes as presented.

VOTE: Ayes (6); Absent (1) Chair Jeff Muck

MOTION CARRIED

CALL TO THE PUBLIC- Member Muir opened the at large public hearing.

1. Sarah Bennett asked two questions regarding the Hamburg Townhomes. One was regarding the MDOT approved 4-stop intersection and the other question was about the lift station.

Member Muir closed the public hearing.

OLD BUSINESS

1. **Final Site Plan Application for General Planned Unit Development (PCPUD23-0001).** Project located at 10303 Hamburg Road (Parcel A) and 7620 M-36 (Parcel B). Parcel A will consist of 40 attached two-story multi-family units (38,800 SF) and a community center (1,400 SF). Parcel B will include a gas station building (2-story, 5,475 SF) attached to a mixed-use retail/ residential building (2-story, 2,400 SF), as well as a gas station canopy with 12 stalls and a height of 17'. The retail building will be used as offices for the apartment use.

Commissioner Muir opened the meeting to architect named Hunter who briefly addressed the commissioners. Then Commissioner Muir opened the meeting to David Rohr who briefly went over the highlights of his staff report on this case.

Commissioner Muir then opened the meeting to the commissioners. Commissioner Hamlin read through the ordinance, word by word, to ensure all the commissioners are interpreting the ordinance in the same manner regarding this development. David responded that this reading is a strict interpretation of the zoning ordinance regarding this development. All PUDs are used to negotiate, such as density of the development. Commissioner Leabu asked the architect about the lighting. The architect walked the plans over to the commissioner's table to show them where the lighting was being proposed. Victor said that the lighting plan shows that the lights were going to be 16 feet in height. He said that he does not like anything higher than 14 feet. Victor said with approval, the architect would need to lower the height of the lights on site. David suggested that the PC make a condition that the lighting be reviewed by a few PC members to ensure that it meets expectations. Victor reminded the owner and developer that the lighting should be pointed downward and not sideways. Ronnie clarified that the light for the gas station needs to be higher than semitrucks otherwise they would knock the lights off the poles. Victor said that the lights near the intersection off M-36 should be 12-16 foot high.

Commissioner Priebe clarified that the lift station would be shown on the site plan between the gas station and the community center. David agreed. She then asked if the Phase 2 lighting plan would need to be reviewed by the planning administrator and a PC member. David again agreed. Commissioner Mariani clarified if the retail building at the gas station would no longer be used for the community's office rental office. Ronnie said that had been a mistake. Ronnie said it would be used as a restaurant. It is only going to be a one-story building, but it will be the same height as the original design.

Commissioner Muir asked if anyone would entertain a motion to approve the final site plan.

Approval Motion made by Commissioner Priebe, seconded by Commissioner Leabu, recommend that the Planning Commission recommend approval of the final GPUD site plan, as shown on the project plan (Exhibit A), to the Township Board because the project as conditioned it is consistent with the requirements of the General Planned Unit Development regulations and will be able to meet site plan review standards of the zoning ordinance as discussed at the meeting tonight and presented in the staff report with the following conditioned of approval:

Condition 1:

Prior to the issuance of a land use permit as needed all appropriate approvals from local, county, state, and federal agencies, including, but not limited to, Hamburg Township Fire, Accessor, and Public Works Departments, the Livingston County Road Commission, Drain Commissioner, and Health Department; and the Michigan Department of Environment, Great Lakes and Energy and Transportation shall be received.

Condition 2:

A development agreement including master deeds and bylaws will be submitted for this project. This agreement will be reviewed by the Township Attorney. This agreement shall include a cross access agreement that allows public use of the private roadways, sidewalks, and parks within the project.

Condition 3:

The lift station will be shown on the site plan between the gas station and the community center.

Condition 4:

The Phase 2 lighting plan will be reviewed by the Zoning Administrator and a Planning Commission representative.

Roll Call Vote: Ayes (5); Nays (1); Commissioner Hamlin Absent (1) Chair Muck
MOTION CARRIED

NEW BUSINESS

1. Discussion on amending Section 36-429 (Echo) of the Zoning Ordinance.

Commissioner Muir opened the meeting to David. He explained that this came out of the discussion from an organization that is looking to build a tiny home community, across from Chilson Commons. He stated he wanted to have an information discussion about protentional amending the Echo, or the Cottage, or some combination of the two. We want to provide a different style of housing that is denser. Currently, our ordinance doesn't provide a mechanism to provide projects of this nature to move forward in our community. We might want to form a subcommittee to discuss the how and why, and how to amend the ordinance to accommodate this development, encourage future development without creating unattended consequences. Victor and Hamlin agreed that this would be done as one ordinance for the cottage or Echo development for each district. This amendment would be for everyone, not just this nonprofit organization. We thought about bonuses, and maybe focus on an age population if that is legal. The cottage and Echo developments are similar but have separate, competing districts in our ordinance. We are looking to cut down on the complexity of our zoning ordinance.

Commissioner Priebe clarified that when the committee looks at the density bonus, they might want to stay away from 90% open spaces like they did in the past. Such developments would need sewers, but they could be on wells for water. Commissioner Hamlin said that creating townhomes with shared spaces would be more economically feasible than building tiny homes. They could still be purchased by an owner later. Commissioner Leabu agreed that tiny homes that are under 200 SF are currently a fad. It was agreed that a subcommittee would work on amending this part of the ordinance, and a draft would be sent to the other PC commissioners to ensure they stay in the loop of where the process is.

Commissioner Priebe asked the group if they wanted to review the current 50-foot setback from wetlands as discussed in the ZBA last week. She said that this setback distance was arbitrary. When reviewing how far a neighbor's setback is from the water regarding your building project is known as form-based zoning which would require a certified survey. Our ordinance does not require a survey for building homes in residential districts, so it is recommended that we do not do this type of variance review.

ADJOURNMENT

Approval motion was made by Commissioner Leabu, seconded by Commissioner Priebe, to adjourn at 8:15 pm.

MOTION CARRIED

Respectfully submitted,

Lisa Perschke

Planning/Zoning Coordinator & Recording Secretary

David Rohr

Planning & Zoning Director

The minutes were approved as presented/corrected: _____

Commissioner Jeff Muck, Chairperson