



Birch Run Township Planning Commission
Regular Meeting Minutes
December 19th, 2023
11935 Silver Creek Dr., Birch Run, Michigan 48415

Call to Order of Meeting:

Chairman C.J. Norris called the December 19, 2023, Regular Meeting of the Birch Run Township Planning Commission to order at 19:02 with the Pledge of Allegiance.

Members Present:

C.J. Norris, Chair; Mike Marr, Vice-Chair; Mike Musial, Secretary; Keith Jewell & Fred Sheridan, Members.

Members Absent:

Stacy Kue & Ed Munson, Members, were absent.

Motion by Marr seconded by Sheridan to excuse Stacey Kue & Ed Munson from the meeting.

Motion PASSED by majority voice vote.

Others Present:

Two (2) people were in the audience. Also present were Gretchen Nielsen, Zoning Administrator (ZA) and Riley Kiessling, Recording Secretary.

Agenda:

Motion by Sheridan seconded by Marr to approve the December 19th, 2023, Regular Meeting Agenda as presented.

Motion PASSED by majority voice vote.

Approval of Meeting Minutes:

Motion by Marr seconded by Sheridan to approve the September 14th, 2023, Special Meeting Minutes as presented.

Motion PASSED by majority voice vote.

Motion by Sheridan seconded by Marr to approve the September 19th, 2023, Special Meeting Minutes as presented.

Motion PASSED by majority voice vote.

Election of Officers:

To be done at first meeting of 2024.

Public Comment: 19:06 – 19:18

Tina Samson

Guadalupe Ruiz

Old Business:

Green Stones, Inc. – Marijuana Retail @ 12454 Dixie Hwy

Green Stones currently has a meeting scheduled to present their case for a variance before the Zoning Board of Appeals on January 16th, 2024.

New Business:

Non-Conforming Ordinance – Section 13.04: Discussion

Presentation by the ZA on some of the more residential situations in the township that are a non-conforming use in a commercial district within the Township and how the Non-Conforming Ordinance affects them. After discussion, the PC directed the ZA to investigate the concept of a “blanket variance” for non-conforming residential uses.

Short Term Rental Ordinance (STRO) Discussion

The ZA gave an overview of the State of Michigan’s outlook on STRO’s, and asked the PC what they would like to see in such an ordinance for Birch Run; currently, there is nothing on the books. The PC expressed interest in going over Frankenmuth’s ordinance and basing Birch Run’s off that. The PC liked the idea of an annual application and inspection, as well as requiring fire suppression for operations of a certain size. The PC wanted to investigate enforcement practices for the ordinance, too.

Birch Run Speedway

The ZA discussed the Birch Run Speedway with the PC and, among other things, the fencing that they wish to put up and the current situation they have with the new bar, which is currently operating under a Class B Liquor License. However, there are some site plans that have not been submitted and/or updated. The ZA mentioned that we do have an ordinance that discusses fencing, as well as bars being a use-by-right within their zoning. The PC directed the ZA to write to ROWE, PSC for consultation; the PC Chair will sign it.

“As-Built” Requirement – Discussion

The ZA requested clarification on what the PC wants when they require “as-builts”. There are several as-builts that have been required from certain applicants but have yet to be provided. PC Secretary Mike Musial volunteered to draft a list of what is required for as-builts and will submit it to the ZA and the PC for further review. This document will be saved so that it can be provided to anyone with final as-built requirements.

Site Plan Approval Process – Discussion

The ZA referenced the procedures for some of the historical applications that have approached the PC, wanting to improve the process. She presented the newly drafted Site Plan Application, seeking feedback on it and the new “Decision” section. The PC discussed adding under the “Conditional Approval” section the requirement to conform to everything stated at the Public Hearing, as well as requiring a signed and returned copy of the Blight Ordinance from each applicant. The PC directed the ZA to investigate creating a separate Site Plan App Decision document as an alternative to using it in the Site Plan App itself.

The ZA & PC also discussed how to make sure that the applicant is adhering to their site plan application before a Certificate of Occupancy is granted by the Building Inspector.

Capital Improvement Plan – Discussion/Presentation by Clerk Riley Kiessling

Clerk Riley Kiessling presented the previous year’s Capital Improvement Plan to the PC and discussed some of the pending updates to be made to it for the upcoming budget year with them. The PC will look at it again once updates have been made and the Township Budget has been looked at in more depth for the 2024-25 Fiscal year.

Public Comment: 20:51 – 21:02

Tina Samson

Reports:

Township Board Representative (*Fred Sheridan*): The new Cemetery land was purchased earlier today.

Zoning Board of Appeals (ZBA) Rep. (*Mike Marr*): ZBA Meeting scheduled for January 16th.

Zoning Administrator (*Gretchen Nielsen*): None

Other:

None

Adjournment:

Motion by Sheridan seconded by Musial to adjourn at 21:08

Motion passed by majority voice vote.

Respectfully Submitted by:

Recording Secretary, Riley Kiessling

Mike Musial

Planning Commission Secretary