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**Hamburg Township  
Planning Commission  
Wednesday, July 21, 2021  
7:00 P.M.**

**1. CALL TO ORDER:**

The meeting was called to order by Chairman Muck at 7:00 p.m.

Present: Bohn, Hamlin, Hughes, Leabu, Muck & Priebe  
Absent: Muir  
Also Present: Scott Pacheco, Township Planner, Chris Madigan, Planning & Zoning Administrator & Brittany Stein, Zoning Coordinator

**2. PLEDGE TO THE FLAG:** Chairman Muck led those present in the pledge to the flag.

**3. APPROVAL OF THE AGENDA:**

Chairman Muck stated that he would like to change Old Business to Item #7 and New Business to Item #6 because the applicant is present for the Old Business item.

Motion by Hamlin, supported by Priebe

To approve the agenda as amended

VOTE: MOTION CARRIED UNANIMOUSLY

**4. APPROVAL OF MINUTES:**

a) May 19, 2021 Planning Commission Meeting Minutes

The following corrections were made to the minutes

- Page 2 – The question regarding bike racks should reflect that Commissioner Bohn asked that question.
- Page 3 – The question regarding posting of a sign on the property where there is a proposed site plan, should reflect that Commissioner Hamlin asked that question.
- The approval of minutes should reflect that Commissioner Hamlin made the motion, supported by Commissioner Muir
- On page 4 – in the motion for recommendation of the site plan – there is a typographical error “standards”

Motion by Hughes, supported by Muck

To approve the minutes of the May 19, 2021 meeting as corrected

VOTE: MOTION CARRIED UNANIMOUSLY

**5. CALL TO THE PUBLIC:**



Chairman Muck opened the call to the public at 7:06 p.m. Hearing no public comment, the call was closed.

## 6. NEW BUSINESS:

- a) Site Plan Review (SP21-003) to consider an expansion to PRT Brighton Nursery at 4653 Bishop Lake Road (TID15-04-100-004). The site of the nursery is on 13.95 acres near the corner of Chilson Road and Bishop Lake Road.

Mr. David LeClair from Livingston Engineering, representing the applicant (PRT), explained the current site plan as approved by the Planning Commission in 2018 as well as their operation of the greenhouses to grow seedlings for re-forestation projects throughout the mid-west. They would like to expand their operation to six greenhouses, seven new compound areas and no additional buildings. They do wish to put in a new well to support the growing operations, and they will be extending the berm to help screen the greenhouses.

Zoning Coordinator Stein further explained the request including number of employees, traffic, history and site improvements. She discussed the Township Engineering comments, outdoor storage, parking and lighting.

Commissioner Bohn commented that this is a nice use of the property and questioned the storm water management, added nutrients and fertilizer that may be used, and possible light pollution. He also questioned the lease agreement and how the site will be left. Mr. LeClair discussed the storm water drainage that goes into a detention pond which will be expanded. He stated that there is a little bit of lighting on site, but it was discussed in 2018 that they did not want artificial light because it does affect the growing operation. He stated that he could not speak to the lease agreement. The Manager of PRT in Brighton/Howell stated that they do use fertilizer, but they do test at least twice per year and submit to the State for approval. He further stated that they do have a 20 -year lease with an option at the end.

Discussion was held on the existing outfall. Mr. LeClair explained the outlet structure that controls the discharge. They are hoping to leave it intact, however the worst case, they will have to modify the structure.

Discussion was held on the storage area. Discussion was held on peatmoss being stored there for a short period during the winter until they plant. Discussion was held on the location of the storage, south of the septic field. Planner Pacheco stated that they need to put it on their plan, but it is in the same location as they are using now.

Discussion was held on the rear yard setback of 100 feet and the large size of the property.

Clarification of the process was discussed. Planner Pacheco stated that they do not need to come back for a final site plan. A revised plan will be submitted with the conditions addressed for administrative review prior to a Land Use Permit. The final site plan will go before the Township Board for approval.

Chairman Muck concurred that this is a great use of the land.

Motion by Bohn, supported by Priebe

To recommend to the Township Board approval of the final site plan amending the site plan project (SP21-003) to allow an expansion of the commercial nursery on 5.15 acres of leased area on the 457.94 acres site (parcel 15-04-400-004) owned by the DNR, near the corner of Chilson Road and Bishop Lake Road with the following conditions:

1. Prior to the issuance of a Land Use Permit for the project, the comments of the Township Engineer shall be adequately addressed.
2. Prior to the issuance of a Land Use Permit, all state, federal and local requirements shall be addressed including, but not limited to, a permit from the LCRC shall be obtained for the proposed driveway location, a permit from the LCDC shall be obtained for any soil erosion control and drainage requirements, a permit shall be obtained from LCHD for septic and well locations and sizes, approvals shall be obtained from the Hamburg Township Fire District and a land use permit shall be obtained from the Hamburg Township Zoning Department.



3. Outdoor storage of materials shall be addressed. It is recommended that the applicant indicate this storage area on the site plan, and it should not be expanded.
4. Comments from the Engineer shall be addressed:
  - a) The existing detention basin is proposed to be expanded to accommodate the additional run off. The volume calculations are in conformance with the Township ordinance and current Livingston County Drain Commissioner standards (LCDC). However, the existing outfall will likely require modification. The petitioner should provide calculations and details for the modification.
  - b) The petitioner should provide storm water conveyance calculations.
  - c) The proposed gravel sections are similar to the existing surface.

VOTE:

MOTION CARRIED UNANIMOUSLY

## 7. OLD BUSINESS:

- a) Zoning Text Amendment (ZTA20-008): Continued discussion of the draft zoning text amendments to regulate alternative energy systems (Solar and Wind Power)

Planner Pacheco stated that this originally came up for discussion during the February 2020 joint meeting, and we have been discussing it for some time. We looked at other communities' ordinances throughout Michigan and have discussed the pros and cons of solar energy systems. Staff brought a draft ordinance to the Commission in May of this year and made some recommended changes. We discussed the height requirements, and he has brought back those suggestions as well as an analysis from looking at the townships around us and what their current height restrictions are. He is suggesting a 50-foot maximum for small scale wind energy systems, 100-foot maximum for medium scale and 300-foot maximum for large scale systems. He discussed the difference in the three sized project types. He further discussed the maximum heights he is proposing.

It was stated that it has been noted that the draft ordinance has been reviewed by the Township Attorney. She did make some administrative changes.

A general discussion was held on existing projects and the appearance of them. Discussion was also held on more farmers looking at these types of projects because of the prices being paid for the lease of the property. Pacheco stated that our ordinance only allows for large scale systems to be located in General Industrial and Light Industrial Zoning Districts, unless the Commission would like to change it to allow them in an RA, Agricultural district. Under this ordinance, we would not allow a farm field to become a large-scale system. Discussion was held on the wildlife and natural features.

Pacheco reviewed the approval and waiver process to reach the maximum height.

Pacheco stated that this is not a public hearing, and the Commission can make additional changes or suggestions to bring back at a future meeting. If there is no further suggested changes, the Commission can simply direct staff to notice this for a public hearing.

Discussion was held on systems for public property, commercial properties with multiple structures and a subdivision with multiple homes. Discussion was held on a church using a small-scale system. Further discussion was held on the energy going back through the grid and taking advantage of the profit to off set the cost of energy. The small scale and medium scale systems are designed to generate enough to serve the needs of the property. Pacheco stated that none of the communities around us allow for a medium scale system. We are going above and beyond by allowing them and are at the forefront of trying to produce clean energy. There will be changes in these systems moving forward.

Discussion was held on the process of getting the energy back to the utility company as well as dividing it up amongst more than one unit.

The Commission directed staff to notice this Zoning Text Amendment for a public hearing for consideration.

**NEW BUSINESS (continued):**

b) Appointment of officers (Chair, Vice Chair, and Secretary)

Planner Pacheco stated that the Planning Commission by-laws state that the appointment of officers will take place at the Commission's July meeting.

It was stated that currently Commissioner Muck is the Chairperson, Commissioner Muir is the Vice-Chair and Commissioner Hamlin is the Secretary.

Motion by Bohn, supported by Hamlin

To re-appoint Commissioner Muck, Chairperson, Commissioner Muir, Vice-Chair and Commissioner Hamlin as Secretary.

VOTE:

MOTION CARRIED UNANIMOUSLY

**8. ZONING ADMINISTRATOR'S REPORT:**

Chris Madigan, Planning & Zoning Administrator, stated that he has been with the Township approximately two months and has enjoyed it so far. A few items that will be coming forward is the Kroger expansion, who submitted their site plan today, we are going to have residential projects close to the Village Center area coming forward, and we had a pre-application meeting for a car wash today for one of the out-lots in front of Kroger. They are likely to propose a different location.

Discussion was held on the preparation of a use table. Pacheco stated that he is hoping to have that done for the next meeting.

**9. ADJOURNMENT**

Motion by Priebe, supported by Hamlin

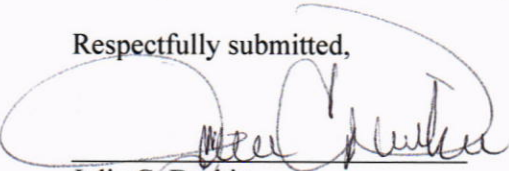
To adjourn the meeting

VOTE:

MOTION CARRIED UNANIMOUSLY

The Regular Meeting of the Planning Commission was adjourned at 8:06 p.m.

Respectfully submitted,

  
Julie C. Durkin  
Recording Secretary

The minutes were approved as presented/Corrected: \_\_\_\_\_

  
Jeff Muck, Chairperson