

BRIDGEWATER TOWNSHIP  
PLANNING COMMISSION MEETING  
MONDAY 7 PM MARCH 18, 2019  
BRIDGEWATER TOWNSHIP HALL  
10990 CLINTON RD.

AGENDA

- I. CALL TO ORDER
- II. ROLL CALL AND DETERMINATION OF A QUORUM
- III. REVIEW AND APPROVE AGENDA
- IV. APPROVAL OF MINUTES
  - A. February 18, 2019 Planning Commission meeting
- V. CITIZEN PARTICIPATION
- VI. PUBLIC HEARINGS
- VII. OLD BUSINESS
  - A. Pre-application presentation follow up - 8430 Kaiser Rd Frey property home occupation
  - B. Pre-application presentation - 13115 E. Michigan Ave. - proposed landscaping business
  - C. Updated bylaws
  - D. Blum Farm site plan review
  - E. Medical Marihuana Facilities
- VIII. NEW BUSINESS
  - A. Proposed ordinance revision home occupation/home business
- IX. COMMUNICATIONS
  - A. Zoning Administrators Report
  - B. Trustees Report
- X. INFORMATIONAL ITEMS

XI. PUBLIC COMMENT

XII. ADJOURNMENT

Monday Feb 18th 2019 7:05

10990 Clinton Rd

! Call to order Chairman Messing 7:06

11 Roll Call about determination of Quarum Baetens, Iwanicki. Messing, Horney, McQueer, were present.

111 Review and approve agenda Dave Horney moved Messing 2nd unanimous.

1V Approval of minutes moved by messing 2nd by McQueer approval was unanimous

V Citizen Participation

None

!V Public Hearing

None

V11 Old Business

A 8430 Kaiser Rd Property Home Occupation. Still concerns about size of property versus Home Occupation Bldg.

B 13115 E. Michigan Ave purposed Landscaping Business. Ordinance states Landscaping Business needs to be on property with residence.

C Bridgewater Tavern no contact with Engineer.

D Update Bylaws updated postponed until March.

V111 New Business

A Medical Marijuana processing and packaging. Owner requests information about medical Cannabis processing plant.

B Medical Marijuana Policy changes would be needed in Bridgewater Twp.

C Meeting Schedule Revision on hold.

V1111 Communications

A Given by Rodney Nany no urgent discussions

B Trustee Report no report Michelle McQueer absent from Board meeting.

C Public Comment None

Adjourned 9:05

**BRIDGEWATER TOWNSHIP  
PLANNING COMMISSION BY-LAWS**

[Additions to the previous (10/6/2018) draft document are shown in blue underlined text,  
and deletions are shown in ~~red strikethrough~~ text]

**I. AUTHORITY**

The following rules of procedure are hereby adopted by the Bridgewater Township Planning Commission (hereinafter referred to as the Commission) to facilitate the performance of its duties as outlined in the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801, et seq., ~~and the~~ Michigan Zoning Enabling Act, Public Act 110 of 2006, MCL 125.3101, et seq., Land Division Act (Public Act 288 of 1967, as amended (MCL 560.101 et seq.)), and Open Meetings Act, Public Act 267 of 1976, as amended (MCL 15.261 et seq.).

**II. DUTIES OF THE PLANNING COMMISSION**

The Planning Commission shall perform the duties outlined in the Michigan Planning Enabling Act, the Michigan Zoning Enabling Act, the Township's Planning Commission Ordinance No. 64, and other applicable laws and ordinance. These duties include the following:

**A. Master Plan.** The Planning Commission shall have the following responsibilities with regards to the Township's Master Plan:

1. The Planning Commission shall be responsible for formulation of the Township Master Plan, review of amendments to the plan, holding hearings on a proposed Master Plan or amendments, and adoption of the plan or amendments. The Planning Commission shall also be primarily responsible for implementation of the Master Plan's policies, and for ongoing evaluation of the plan.
2. If the Township Board has adopted a resolution asserting the right to approve or reject the plan, the Planning Commission shall be responsible for reporting its actions, findings and recommendations concerning the Master Plan or amendments to the Township Board for final adoption.
3. At least once every five (5) years after adoption of a Master Plan, the Planning Commission shall review the plan, and shall make a determination by motion as to whether or not there is a need to commence the procedure to amend the plan or adopt a new plan. The motion and the Planning Commission's findings and conclusions shall be recorded in the meeting minutes.

**B. Zoning Ordinance and Subdivision Regulations.** The Planning Commission shall be responsible for formulation of the Zoning Ordinance in accordance with the requirements of the Michigan Zoning Enabling Act, and for formulation of any Township Subdivision Regulations per requirements of the Michigan Planning Enabling Act and Land Division Act. The Commission shall also be responsible for review of amendments to the Zoning Ordinance and any Subdivision Regulations, for holding hearings on a proposed Zoning Ordinance, proposed Subdivision Regulations or amendments thereto, and for reporting findings and recommendations concerning the Zoning Ordinance, Subdivision Regulations or amendments to the Township Board.

**C. Development Reviews.** The Planning Commission shall be responsible for review and action, or recommendation of an action to the Township Board, on applications for



development, subdivision plat, and land use approvals in accordance with the applicable provisions of the Township Zoning Ordinance, any Township Subdivision Regulations or the Land Division Act, and other applicable state laws and Township ordinances.

- D. Annual Report.** The Planning Commission shall prepare an annual report to the Township Board, which shall include a summary of the Commission's operations and actions, the status of ongoing planning activities and projects, and any recommendations to the Township Board related to community planning, zoning, preservation of land and natural resources, public infrastructure or rural economic development in the Township. The Commission shall determine the specific elements, format, and content of the annual report, after consideration of any direction from the Board on its preparation.
- E. Work Program and Budget.** The Planning Commission shall prepare an annual work program and budget recommendation, which shall be presented to the Township Board.
- F. Other Special Studies or Plans.** The Planning Commission shall be responsible for preparing special studies, corridor or area plans, ~~or capital improvements plans~~ as deemed necessary by the Planning Commission or Township Board and for which appropriations of funds have been approved by the Board.
- G. Training and Education.** Commissioners shall be jointly and severally responsible for attending training workshops, planning conferences or educational programs as needed to properly fulfill Planning Commission duties, and for which the Township Board has approved appropriations of funds.
- H. Review of Certain Public Buildings and Improvements.** Per Section 10.1 of the Planning Commission Ordinance No. 64, the Township Board has exempted the Planning Commission from responsibility for preparation, approval and updating of the Township's capital improvements program of public structures and improvements. However, the Planning Commission retains the following responsibilities for public improvements under the Michigan Planning Enabling Act:
1. The Planning Commission shall have authority to review the location, character, and extent of proposed new, extended or expanded municipal utility service areas, public roads, public sidewalks or pathways, public parks or open spaces, public buildings, and building additions or other structures for public purposes prior to any final approval or authorization for construction in the Township by the Township Board or any outside agency having jurisdiction over the authorization or financing of the project, subject to the following limitations as specified in Section 61 of the Michigan Planning Enabling Act (MCL 125.3861):
    - a. The Commission shall submit its reasons for approval or disapproval to the Township Board and any other outside agency having jurisdiction. If the Commission disapproves, the Township Board or outside agency having jurisdiction may overrule the Commission by a vote of not less than a majority of its total membership.
    - b. If the Commission fails to act within 35 calendar days after receiving the proposal, the project shall be considered as approved by the Commission.



2. Per Section 67 of the Michigan Planning Enabling Act (MCL 125.3867), the Commission may make recommendations to the Township Board from time to time regarding proposals or programs for public structures and improvements, and associated financing.

**I. Site Visits.** Planning Commission members may visit sites subject to an application or other agenda item that is before the Commission, subject to the following:

1. With the exception of sites normally open to the public, all visits by individuals or a quorum of commissioners shall be preceded by receipt of written permission from the owner, or a signed application that includes permission to enter the site.
2. A joint site visit by a quorum of planning commissioners shall also be preceded by public notice in compliance with the Open Meetings Act, which shall state the location, date, time, and purpose of the joint visit, and that no official business or Commission deliberation will be conducted during the visit.
3. During the site visit, commissioners may ask questions of the owner or applicant, but should avoid discussion or deliberation of any application or agenda item.

**J.-H. Other Duties and Responsibilities.** The Planning Commission shall perform such other duties and responsibilities as defined by the Township Board or required by state law or Township ordinance, and shall respond as requested to any other matters referred by the Township Board.

**III. MEMBERS**

All Commission members shall agree to abide by these bylaws, including the following, to be considered Planning Commission members in good standing.

- A. Planning Commission Ordinance Requirements.** The membership requirements and standards outlined in the Township's Planning Commission Ordinance No. 64 shall apply to all Commission members.
- B. Excused Absences.** To be excused, a Commission member shall notify the Chairperson at least two (2) hours before a meeting from which he or she intends to be absent. If the Chairperson is not available, the commissioner shall notify the Vice-Chairperson, Secretary or Township Supervisor (in that order). Failure to make such notification will result in an unexcused absence. If notification is given to anyone other than the Chairperson, that person shall promptly notify the Chairperson.
- C. Resignation.** A Commission member may resign by sending a letter of resignation to the Township Supervisor, ~~with~~ and shall also provide a copy to the Planning Commission Chair.

**IV. OFFICERS, AND THE ROLE OF THE TOWNSHIP CLERK**

- A. Selection.** At the regular meeting in January of each year the Commission shall select from its membership a Chairperson, Vice-Chairperson, and Secretary.
- B. Term.** The Chairperson, Vice-Chairperson, and Secretary shall take office immediately following their election and shall hold office for a term of one year or until their successors are selected and assume office. All officers shall be eligible for re- election.

- C. Chairperson.** The Chairperson shall be the chief executive officer of the Commission and may not be a member of the Township Board or the Township Zoning Board of Appeals. The Chairperson shall:
1. preside at all meetings with all powers under parliamentary procedure; and shall conduct all meetings in accordance with the rules provided herein;
  2. shall rule out of order any irrelevant remarks; remarks that are personal; remarks about another's race, religion, sex, physical condition, ethnic background, beliefs, or similar topics; profanity; or other remarks which are not about the topic before the Commission;
  3. to the extent required by law, sign resolutions contracts or legal documents authorized by the Commission;
  4. appoint committees; appoint officers of committees or choose to let the committees select their own officers; and act as an ex officio member of all committees of the Commission;
  5. appoint an Acting-Secretary in the event the Secretary is absent from a Commission meeting;
  6. represent the Commission, along with the board representative member, before the Township Board; and
  7. perform such other duties as may be ordered by the Commission.
- D. Vice-Chairperson.** The Vice-Chairperson shall act in the capacity of the chairperson in his/her absence. In the event the office of Chairperson becomes vacant, the Vice-Chairperson shall succeed to this office for the unexpired term, and the Commission shall select a successor to the office of Vice-Chairperson for the unexpired term.
- E. Secretary.** The Planning Commission Secretary shall:
1. be responsible for the preparation of minutes, and deliver to the Township clerk for custody the Commission's official minutes and records;
  2. to the extent required by law, co-sign resolutions, contracts and legal documents authorized by the Commission;
  3. be responsible for maintaining an attendance record for each Commission member and report those records annually to the Commission for inclusion in the annual report to the Township board; and
  4. perform related administrative duties to assure efficient and informed Commission operations and such other duties as may be ordered by the Commission.
  5. [provide a copy of the Annual Notice of regular meetings and the Commission's Annual Report to the Township Clerk.](#)
- F. Role of the Township Clerk.** The Township Clerk shall oversee the issuance of such notices as may be required by the Commission, including Open Meetings Act notices, as well as notice required for specific planning or zoning actions under the Michigan Planning Enabling Act or the Michigan Zoning Enabling Act.



**V. MEETINGS**

- A. Notice.** Notice of the date, time, and location of all Commission meetings, and notice of any meeting cancellation, shall be given in accordance with the Michigan Planning Enabling Act, Michigan Zoning Enabling Act, Land Division Act, Open Meetings Act, Township Zoning Ordinance, and other applicable laws or ordinances.
- B. Regular Meetings.** Meetings of the Commission will be held the on the third Monday of every month at 7:00 p.m. at the Bridgewater Township Hall, 10990 Clinton Road, Manchester, MI 48158, unless an alternative public venue is required due to temporary unavailability of the Township Hall or to accommodate the anticipated meeting attendance. When a regular meeting date falls on or near a legal holiday, the Commission may select a suitable alternate date in the same month or may elect to cancel the meeting. An Annual Notice ~~or~~ of regularly scheduled Commission meetings shall comply with the Open Meetings Act.
- C. Special Meetings.** A special meeting may be called by the Chairperson, or by two members of the Commission upon written request to the Secretary. Public Notice of the time, date, and place of the special meeting shall be given in a manner as required by the Open Meetings Act. The Secretary shall send written notice of a special meeting to Commission members not less than 48 hours in advance of the meeting.
- D. Quorum.** Three (3) members constitute a quorum for the transaction of business at all Commission meetings. Whenever a quorum is not present at a regular or special meeting, those present shall adjourn the meeting to another day in accordance with provisions of the Open Meetings Act.
- E. Agenda and Order of Business.** The Chairperson shall be responsible for preparing a tentative agenda for Commission meetings. The agenda may be modified by action of the Commission. The order of business for regular meetings shall be:
1. Call to Order
  2. Roll Call and Determination of a Quorum
  3. Approval of Agenda
  4. Approval of Minutes
  5. Citizen Participation
  6. Public Hearings
  7. Old Business
  8. New Business
  9. Communications
  10. Informational Items
  11. Public Comment
  12. Adjournment
- F. Minutes.** The minutes shall contain a brief synopsis of the meeting, including a complete restatement of all motions and recording of votes; complete statement of the conditions or recommendations made on any action; and recording of attendance. All communications, actions, and resolutions shall be attached to the minutes.
- G. Meeting Cancellation.** The Chairperson or acting Chairperson may cancel a Commission meeting due to inclement weather conditions, power outage or other unavailability of the meeting venue, lack of a quorum of available members, or other

conditions affecting the health, safety or welfare of the members or the public. The Chairperson or Secretary shall promptly notify the Commission members of the cancellation. Notice of the cancellation shall also be posted at the Township Hall and/or on the Township's website.

## **VI. PLANNING COMMISSION ACTIONS AND CONFLICT OF INTEREST**

**A. Conflict of Interest.** Before casting a vote on a matter on which a Commission member may reasonably be considered to have a conflict of interest, the member shall disclose any potential conflict of interest to the planning commission. Failure of a member to disclose a potential conflict of interest as required by these Bylaws constitutes malfeasance in office.

1. Conflict of interest occurs when:
  - a. Planning Commission member owns, leases, or rents property that is the subject of a request.
  - b. An immediate family member is involved in any request for which the planning commission is asked to make a decision. "Immediate family member" is defined as an individual's father, mother, son, daughter, brother, sister, and spouse and a relative of any degree residing in the same household as that individual.
  - c. The planning commission member has a business or financial interest in the property involved in the request or has a business or financial interest in the applicant's company, agency or association.
  - d. There is a reasonable appearance of a conflict of interest, as determined by a majority vote of the remaining members of the planning commission.
2. Once a Commission member discloses a potential conflict of interest, the remaining members of the Commission shall evaluate the potential conflict and shall make a determination by roll call vote as to whether or not there is an actual conflict of interest.
3. A Commission member determined to have a conflict of interest shall not participate in any discussion or decision regarding the property, and to avoid even the appearance of influencing the Commission on any conflicted matter, the conflicted member shall not sit with the Commission until after the matter on which a conflict exists is discussed and any vote thereon is completed.

**B. Parliamentary Procedure.** Parliamentary procedure in Commission meetings shall be informal.

**C. Public Hearings.** All public hearings held by the Commission must be held as part of a regular or special meeting of the Commission after proper notice. The following order of presentation and rules of procedure apply to public hearings:

1. Presentation of petition or request by applicant
2. Consultant Comments
3. Commission member comments
4. The Chairperson opens the public hearing by motion and roll call vote, announces

the subject, and summarizes the procedures to be followed during the hearing and the rules of conduct for public comments, as follows:

- a. All comments must be addressed to the Chairperson.
  - b. Each person will be given an opportunity to be heard. The Chairperson may elect to allow persons to speak only once, or may permit additional public comments.
  - c. The Chairperson may terminate a presentation if comments become excessively repetitive or stray from the issues at hand.
  - d. For large hearings, the Chairperson may impose a time limit of three (3) minutes per person on all individual public comments.
  - e. The Chairperson expects courtesy from all participants during the public hearing; applause, booing, shouting or other public outbursts will not be tolerated.
5. Other persons desiring to comment on the petition are recognized including any letters or petitions received by the Commission regarding the subject.
  6. The chairperson closes the public hearing by motion and roll call vote, and returns to the regular or special meeting.
  7. The Commission discusses, deliberates and takes action on the petition or request by motion and roll call vote.

**D. Motions.** Decisions of the Planning Commission shall be based upon sound planning and zoning principles, applicable ordinance standards, and findings of fact relevant to the request.

1. Commission motions may include some or all of the following elements, as applicable to the request:
  - a. Summary of the request, the proposed action (approval, denial, approval with conditions or recommendation for Township Board action), and any conditions.
  - b. Statement of findings of fact and conclusions that support the proposed action and conditions. Commissioners may choose to make a separate motion identifying relevant findings of fact before making a motion to take action on the request.
  - c. Citing of relevant sections of state laws, Township ordinances, and staff, consultant or agency reports.
  - d. If the decision involves a site plan, plat or other drawings or exhibits, the motion shall include references to the title of the drawing or exhibit, number of sheets, and its creation or revision date.
  - e. Identification of who will be responsible for verifying that all conditions have been satisfied (i.e. Zoning Administrator, Consultant or other person).
2. The Chairperson shall make certain that everyone is clear on the motion, and shall request that the motion be restated if necessary before a vote is taken. The names of commissioners who made and seconded each motion shall be recorded.

**E. Voting.** An affirmation vote of the majority of the quorum of commissioners present at the meeting shall be required for the approval of any requested action or motion



placed before the Commission unless a larger number is required by law.

1. Voting shall ordinarily be voice vote for administrative and procedural actions; provided however that a roll call vote shall be required to open and close a public hearing, to vote on any site plan, special use, rezoning, planned unit development or other application before the Commission, and if requested by any Commission member or directed by the Chairperson.
2. All members of the Commission including the Chairperson shall vote on all matters, but the Chairperson shall vote last on roll call votes. Any member may be excused from voting only if that person has a conflict of interest as determined consistent with the procedure outlined in subsection "A" (Conflict of Interest) above.

**F. Notice of Decision.** The Chairperson or Secretary shall ~~prepare~~ be responsible for ensuring that a written notice of the Planning Commission decision, including the approved motion and any conditions, is sent to the applicant, petitioner or originator of a request. Electronic transmittal of the notice is acceptable, provided that a record of the transmittal is kept by the Secretary.

**VII. OPEN MEETINGS AND FREEDOM OF INFORMATION PROVISIONS**

Commission meetings shall be open to the public and held in a place accessible to the public. All Commission deliberations and decisions shall be made at a regular or special meeting open to the public. A person shall not be excluded from a Commission meeting except for breach of the peace committed at the meeting. All records, documents, correspondence and other materials of the Commission shall be open to public inspection in accordance with the Freedom of Information Act, Public Act 442 of 1976, as amended (MCL 15.231 et seq.), except as may otherwise be provided by law.

**VIII. ADOPTION AND AMENDMENTS**

These bylaws may be amended by the Commission at a regular meeting by a majority vote of the full Planning Commission membership, provided that the bylaws and any potential amendments shall first be included on a Planning Commission meeting agenda for discussion; and provided that all members have received an advanced copy of the proposed amendments at least three (3) days prior to a subsequent regular meeting at which such amendments are to be considered for adoption. Upon adoption, the amended bylaws shall become effective and all previous bylaws shall be repealed.

THESE BYLAWS WERE DULY ADOPTED BY THE BRIDGEWATER TOWNSHIP PLANNING COMMISSION DURING A REGULAR MEETING HELD ON \_\_\_\_\_, 2019.

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Secretary







**LEGEND**  
 FENCE

**NOTES**

- PARKING SPOT WIDTH: 10'
- PARKING SPOT LENGTH: 18'
- PARKING LANE WIDTH: 28'
- ACCESSIBLE PARKING SPOT WIDTH: 10'
- ACCESS LANE WIDTH: 5'

ADA COMPLIANCE  
 - NOT TO EXCEED 5% SLOPE

THE HISTORIC BLUM FARM, AN ESTATE MARK AND CASH-BASED COMPANY FOR THE REDEMPTION FACILITY FOR THE SPECIAL USE PERMIT APPROVED BY THE PLANNING COMMISSION DATED ON JULY 9, 2018

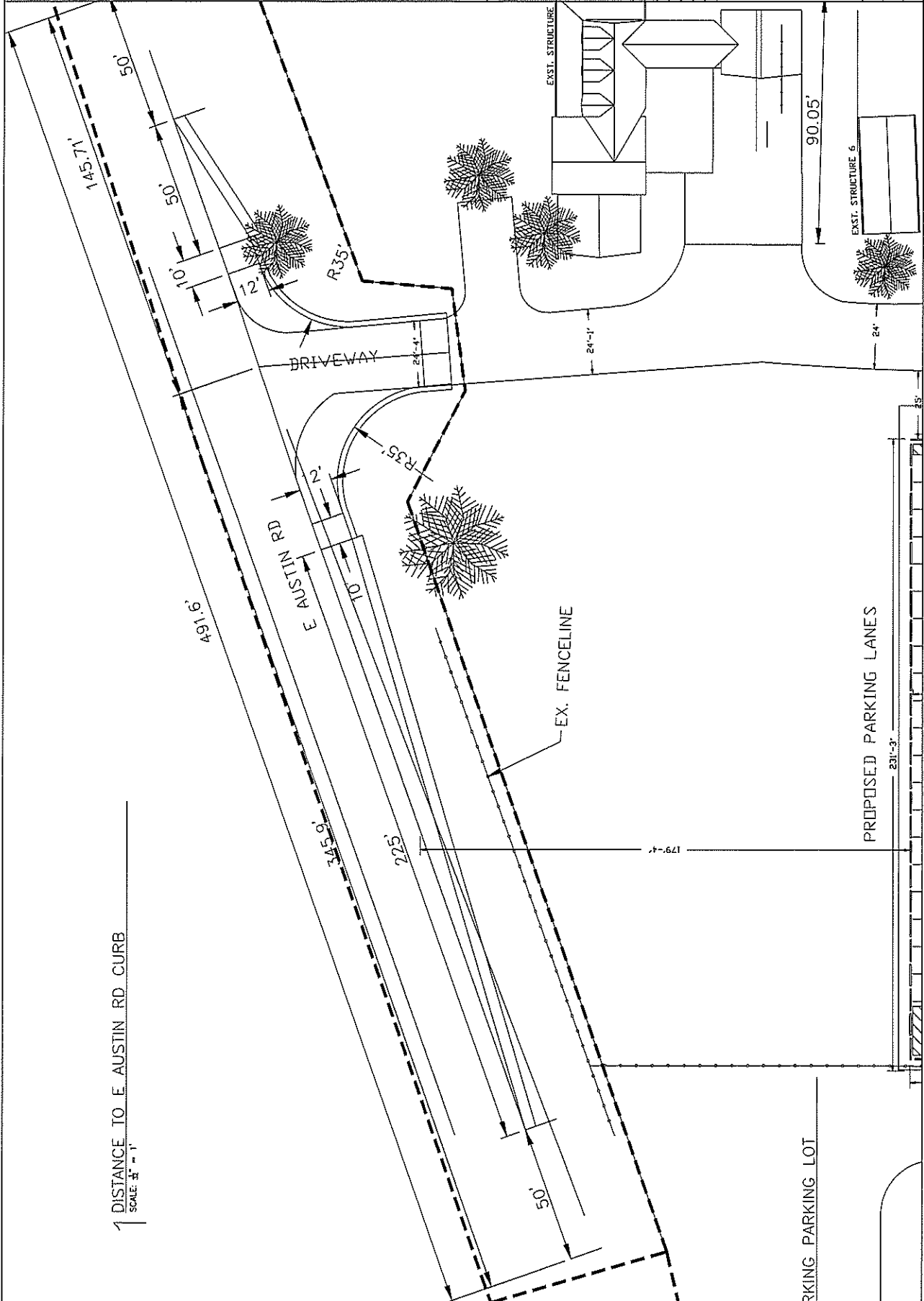
**SITE ADDRESS**  
 10383 E AUSTIN RD.  
 MANCHESTER, WI 48158

**SUBJECT LINE**  
 HISTORIC BLUM FARM MINOR SITE PLAN  
 PROPOSED PARKING LANES

NO.	REVISION	DATE
1	PERMIT	10/29/2017
2	1ST SUBMITTAL	03/10/2018
3	2ND SUBMITTAL	04/02/2018
4	3RD SUBMITTAL	04/15/2018

**PROJECT**  
 HISTORIC BLUM FARM  
 MINOR SITE PLAN  
 PROPOSED PARKING LANES

INTERIOR	PAGE #
DRAWER	5
DRAWER	2



↑ DISTANCE TO E AUSTIN RD CURB  
 SCALE: 1/4" = 1'

1 ACCESSIBLE RAMP ELEVATION WEST FACING EAST  
 SCALE: 1/8" = 1'

LEGEND  
 TRUCKE

- NOTES
- PARKING SPOT WIDTH: 10'
  - PARKING SPOT LENGTH: 18'
  - PARKING LANE WIDTH: 20'
  - ACCESSIBLE PARKING SPOT WIDTH: 10'
  - ACCESSIBLE WIDTH: 5'
- ADA RAMP
- NOT TO EXCEED 5% SLOPE
- THE HISTORIC BURN FARM, AN EVENT BARN AND FARM-BASED TOURISM OR ENTERTAINMENT FACILITY FOR THE SPECIAL USE PERMIT APPROVED BY THE PLANNING COMMISSION DATED ON JULY 9, 2018

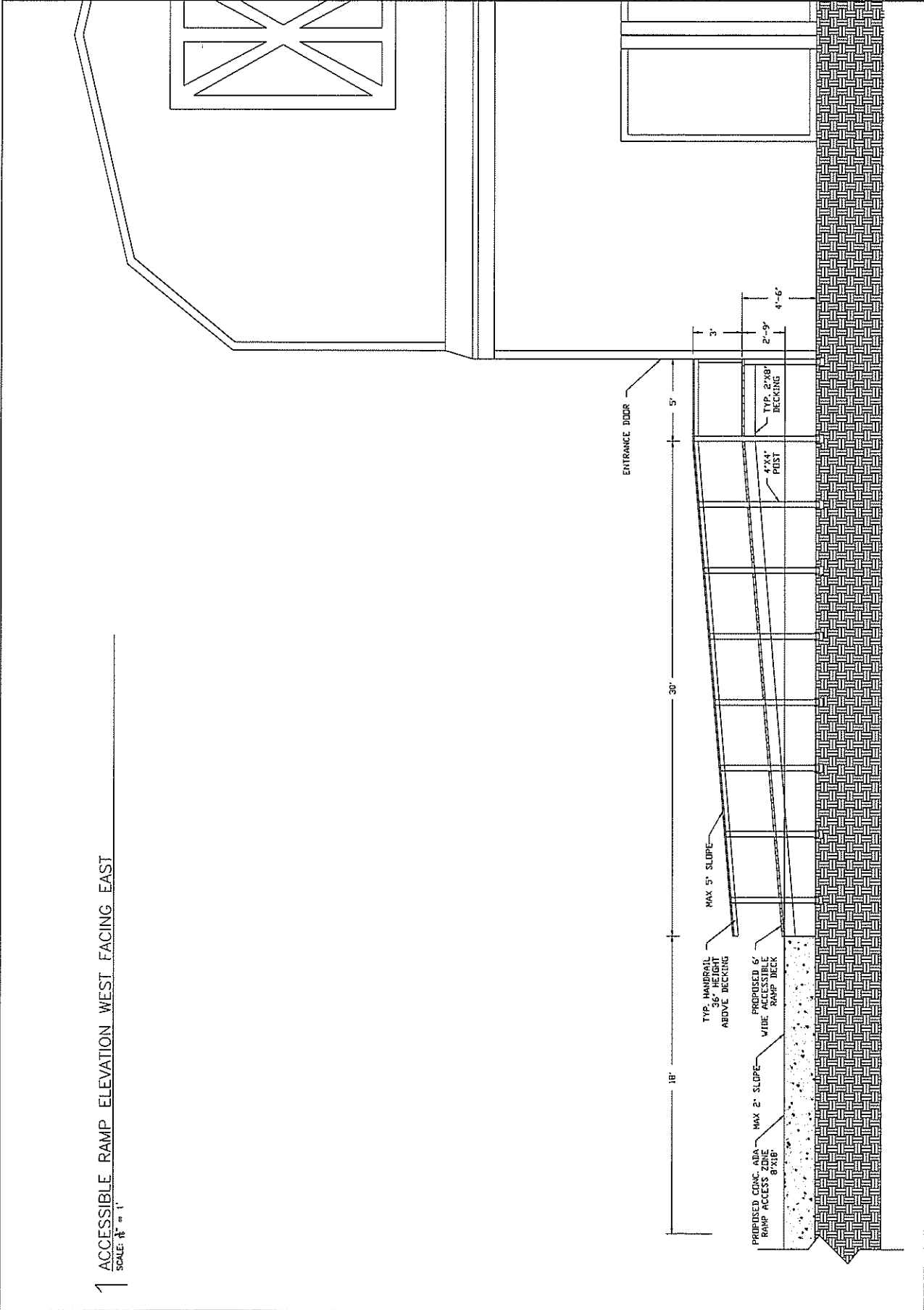
SITE ADDRESS  
 10383 E. ANSTON RD.  
 MANCHESTER, IN 48158

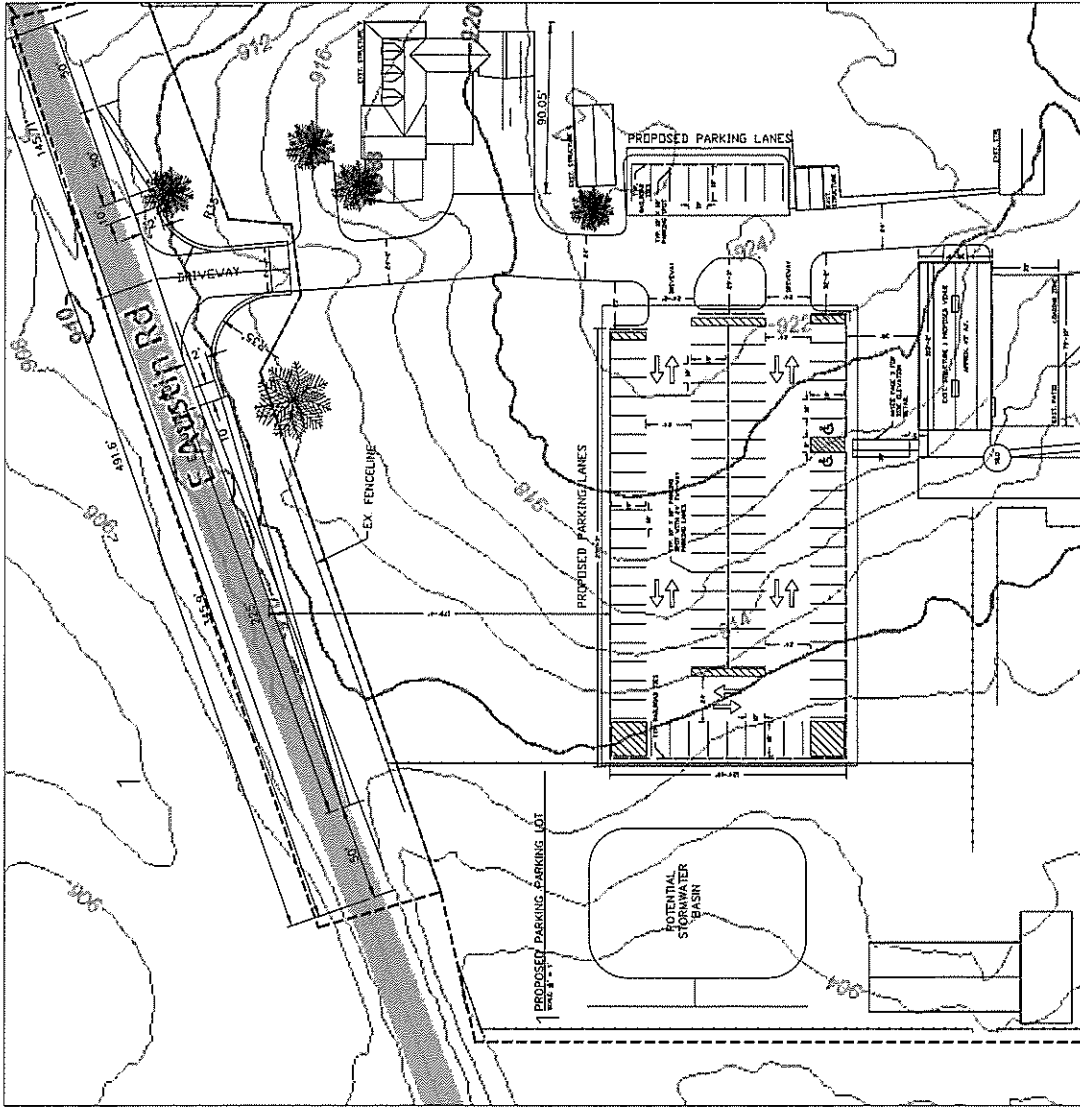
SHEET TITLE  
 HISTORIC BURN FARM (HINOR) SITE PLAN  
 PROPOSED PARKING LANES

NO.	REVISION	DATE
1	1-18-17	10/25/2017
2	2-18-17	01/16/2018
3	3-18-17	04/06/2018
4	4-18-17	04/15/2018

PROJECT  
 HISTORIC BURN FARM  
 HINOR SITE PLAN  
 PROPOSED PARKING LANES

INTERNAL	DATE	PAGE #
	JS	3





1 PROPERTY MAP WITH CONTOUR  
SCALE: 1/4" = 1'

LEGEND  
FENCE

- NOTES
- PARKING SPOT WIDTH: 10'
  - PARKING SPOT LENGTH: 38'
  - PARKING LANE WIDTH: 28'
  - ACCESSIBLE PARKING SPOT WIDTH: 10'
  - ACCESS ISLE WIDTH: 5'
- ADA RAMP
- NOT TO EXCEED 5% SLOPE
- THE HISTORIC BLUM FARM, AN EVENT BARN AND FARM-BASED TOURISM OR ENTERTAINMENT FACILITY FOR THE SPECIAL USE PERMIT APPROVED BY THE PLANNING COMMISSION DATED ON JULY 9, 2018

SITE ADDRESS  
10383 E. AUSTIN RD.  
MANCHESTER, MI 48158

SHEET TITLE  
HISTORIC BLUM FARM MINOR SITE PLAN  
PROPOSED PARKING LANES

NO.	REVISION	DATE
1	DRAWN	10/20/2017
2	1ST SUBMITTAL	03/10/2018
3	2ND SUBMITTAL	04/08/2018
4	3RD SUBMITTAL	04/15/2018

PROJECT  
HISTORIC BLUM FARM  
MINOR SITE PLAN  
PROPOSED PARKING  
LANES

INTERNAL	PAGE #
DRAWER	JS
DRAWER	4



LEGEND  
FENCE

- NOTES
- PARKING FOOT WIDTH: 10'
  - PARKING FOOT LENGTH: 18'
  - PARKING LANE WIDTH: 25'
  - ACCESSIBLE PARKING SPOT WIDTH: 10'
  - ACCESSIBLE WIDTH: 5'
- ADA RAMP
- NOT TO EXCEED 5% SLOPE
- THE HISTORIC BLUM FARM, AN EVENT FARM AND FARM-BASED TOURISM OR ENTERTAINMENT FACILITY FOR THE SPECIAL USE PERMIT APPROVED BY THE PLANNING COMMISSION DATED ON JULY 9, 2018

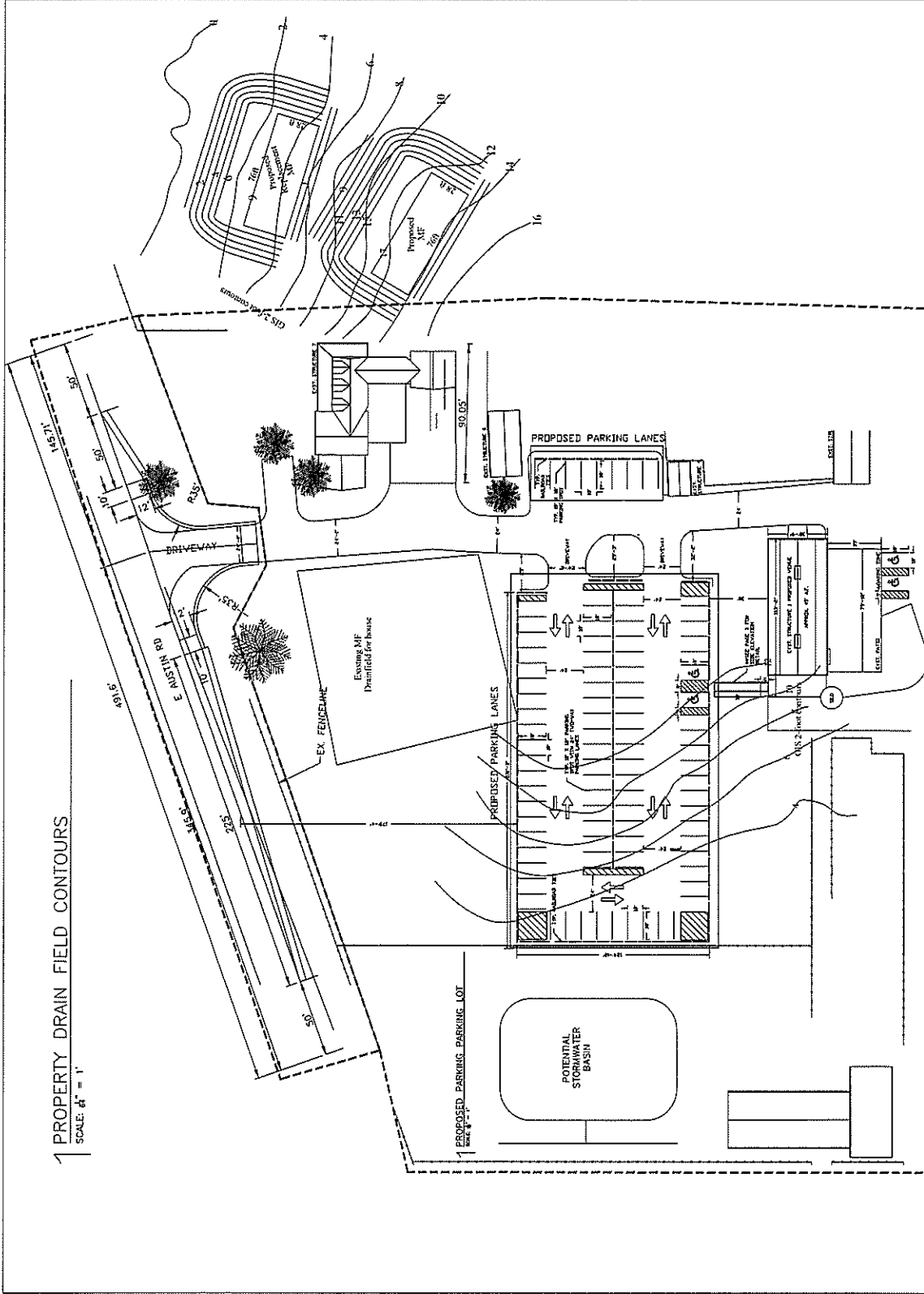
SITE ADDRESS  
10363 E. AUSTIN RD.  
MANCHESTER, WI 43158

SHEET TITLE  
HISTORIC BLUM FARM MINOR SITE PLAN  
PROPOSED PARKING LANES

NO.	REVISION	DATE
1	DRAW	10/25/2017
2	311 SUBMITTAL	07/10/2018
3	2ND SUBMITTAL	04/08/2018
4	3RD SUBMITTAL	04/15/2018

PROJECT  
HISTORIC BLUM FARM  
MINOR SITE PLAN  
PROPOSED PARKING LANES

INTERNAL	PAGE #
DRAWER	J5
DRAWER	5



PROPERTY DRAIN FIELD CONTOURS  
SCALE: 4" = 1"

March 11, 2019

Tom Wharam  
Bridgewater Township  
10900 Clinton Road  
Manchester, MI 48158

Regarding: Historic Blum Farm - Minor Site Plan Review #3  
Construction Plan Review #1

*i*  
initiative

Mr. Wharam,

We have reviewed the plans submitted for the Historic Blum Farm Parking Lot located at 10383 Austin Road, dated April 15, 2018, received by our office on February 21, 2019. It appears the plans have been updated, but the date of the plans was not updated. The plans were reviewed as a minor site plan submittal and as construction plan drawings:

#### Minor Site Plan Criteria

1. *The adequacy of the proposed surface and sub-surface materials and design of the parking facilities.*

The applicant shall include the gravel parking lot cross section as part of the overall construction plan set.

The proposed concrete pavement for ADA parking spots should be 6" thick. The accessible routes to the building can be 4" thick.

2. *Adequacy of access and maneuvering of motor vehicles, delivery vehicles and emergency vehicles.*

Drive aisles and the parking layout are acceptable for passenger car maneuvering.

Loading area(s) for delivery vehicles have been noted on the plans (south side of the barn).

The plans show arrows and parking spot lines to delineate the flow and parking areas through the lot. The lot is proposed to be gravel, therefore any paint

Beckett & Raeder, Inc.  
535 West William, Suite 101  
Ann Arbor, MI 48103

Petoskey Office  
113 Howard St  
Petoskey, MI 49770

Traverse City Office  
921 West 11th St., Suite 2E  
Traverse City, MI 49684

Toledo  
419.242.3428 ph

734 663.2622 ph  
734 663.6759 fx

231 347.2523 ph  
231 347.2524 fx

231 649.1065 ph  
231 944.1709 fx

markings for the arrows and parking spots will need to be reapplied annually or more frequently.

3. *Applicable requirements or recommendations related to storm water management and surface water runoff.*

The proposed stormwater detention pond shall be graded and sized with stormwater calculations for the change in impervious area for the site.

*i*  
*initiative*

Existing and proposed grades should be included to verify positive drainage. It is assumed that the parking lot would sheet flow (1% minimum, 4% maximum; ADA parking area less than 2%) to the proposed pond. Detailed grading information is required.

4. *Any outside agency permits or approvals that would be required for this project;*

Site related permits are anticipated as follows:

- ROW Permit – Washtenaw County Road Commission
- Soil Erosion and Sedimentation Control – Washtenaw County

#### Construction Plan

1. Contact information and the professional seal of the architect, engineer, landscape architect, or land surveyor (registered in the State of Michigan) who prepared the construction plans shall be included on the cover sheet.
2. A topographic survey will be required to accurately show existing elevations and overall conditions on the property. Survey information shall also include the parcel tax ID, legal description, dimensions of the site, rights-of-way, and the gross and net land area.
3. The overall plan set should be drawn to a standard engineer's scale, no greater than 1"=50'.
4. Proposed contours and spot grades on the site plan will be needed to verify if slope requirements are met.
5. The ADA ramp detail does not match the site plan. For instance, the detail shows a length of 35 feet, while the site plan shows 38 feet. The design slopes should be labeled in percentage, not degrees. A five-foot landing area is required at the bottom of the ramp. Detailed spot elevations are required to confirm ADA slope compliance.

6. Spot elevations for Austin Road improvements and the new drive approach shall be included. Include curve-radii and road grades; typical road and approach cross sections; curbs (if applicable), etc.
7. The submittal includes a proposed drain field for a septic system. Additional information is needed on its use in conjunction with this project.
8. Additional information is required for the proposed stormwater basin, including calculations, sizing, depth, outlet controls, pipes, etc.
9. Any existing or proposed private and public utility lines shall be shown on the plans.
10. Soil erosion and sedimentation controls shall be included on the plans as well as for permitting purposes.

*i*  
*initiative*

More detailed information as designed by a registered professional (engineer, surveyor, architect or landscape architect) in the State of Michigan needs to be submitted prior to construction plan approval. Note that additional, new comments may be necessary after the next revision. If there are any questions regarding this review, please feel free to contact me at (734) 239-6610.

Thank you,



Kristofer Enlow, P.E.  
Principal

cc: Tom Wharam, Bridgewater Township Clerk, via e-mail  
Laurie Fromhart, Bridgewater Township Supervisor, via e-mail  
Rodney Nanney, AICP, Building Place Consultants, via e-mail  
Bridgewater Township Planning Commission



**Donald N. Pennington** *Land Use Planning And Consulting*

5427 Pine View Drive Ypsilanti, Michigan 48197 734/485-1445 donpennington@comcast.net

## **MINOR SITE PLAN REPORT**

### **Bridgewater Township Planning Commission**

Event Barn and Farm-based Tourism or Entertainment Facility  
10383 E. Austin Road

Report Date: March 11, 2019

#### **1. Description**

- 1.01 Action requested.** The applicant is requesting minor site plan approval for site improvements associated with an event barn and farm-based tourism or entertainment facility at the Historic Blum Farm, per Section 5.101 (Farm-Based Tourism or Entertainment Activities) and Article 8.0 (Site Plan Review) of the Bridgewater Township Zoning Ordinance No. 67.
- 1.02 Owner and Applicant.** George Barbu, 10383 E. Austin Road, Manchester, MI 48158.
- 1.03 Area and location.** 26.68 acres in the AG (General Agriculture) District on the south side of Austin Road between Schneider Road and Schellenberger Road in the SW quarter of section 2; parcel no. Q-17-02-300-019).

#### **2. Minor Site Plan Review**

We have reviewed the un-dated minor site plan, which includes three (3) separate stapled sections and a total of 18 large plan sheets and one (1) letter-sized sheet. The following review comments are based upon applicable Ordinance standards, including Sections 8.07 (Required Site Plan Information), and 8.10 (Standards for Site Plan Approval):

- 2.01 Required information.** The following minor site plan details required by Section 8.07 (Required Site Plan Information) are missing from the updated plans:
- Name, address, and contact information for the property owner and applicant.
  - Name, address, and contact information for the firm(s) or individual(s) who prepared the updated plans. If a sheet was created by one party and modified by another, both should be referenced on the sheet.
  - Each site plan sheet should be depicted at a standard engineer's scale of 1:10, 1:20, 1:30 or 1:40 as appropriate for the sheet size and legibility, with a clear reference to the scale on the sheet. Where information must be depicted without reference to a specific scale, a "not to scale" note should be included.
  - Each site plan sheet should include a north arrow for reference, along with a legible initial plan date, and any revision date(s) for that sheet.
  - The updated minor site plan should be submitted in a consolidated set (bound or stapled). Each sheet should have a title and sheet number, which should be referenced in a table of contents on a cover sheet included with the set.



**2.02 Outdoor activities.** The approved Special Use Permit for the Historic Blum Farm event barn includes an allowance for limited outdoor activities, but the specific location of this area is missing from the updated minor site plan. We understand from previous discussions with the applicant that the planned the outdoor activities would be held in the “existing patio” area adjacent to the south side of the event barn building. To complete the minor site plan application, the following details need to be added to the site plan:

- Identify the location for outdoor activities per the approved Special Use Permit with a label, dotted outline, and the dimensions and area (sq. ft.) of the space.

**2.03 Exterior lighting.** Exterior lighting details required per Section 5.101.2 are missing from the updated minor site plans. Mr. Barbu commented during the special use permit review process that he did not intend to modify existing exterior lighting. However, it is likely that the State Construction Code will require exterior lighting at the building entrances, including the new barrier-free entrance. In addition, we would note that the approved hours of operation will result in many events concluding well after dark, which should necessitate some provisions for permanent or temporary exterior lighting within the parking lot and driveway areas. The following exterior lighting details need to be added to a revised plan:

- The locations and descriptions of all existing exterior lighting on the event barn and within the area of the site depicted on the minor site plan, with notes as to whether the fixture will be retained, replaced or removed.
- The locations and manufacturer’s specification sheet for all proposed exterior lighting. If confirmed that no new or replacement fixtures are required or planned, add a note to the plan to that effect.
- Please note that any temporary lighting for adequate nighttime safety during events must also comply with Section 11.20 standards, and compliance details must be included on a revised minor site plan.

**2.04 Landscaping and screening improvements.** As part of the approved Special Use Permit, the applicant agreed to “plant 6’ pine trees as a sound barrier” along portions of the lot boundary with the neighboring Hutchinson property to the southeast “within a year of the opening of the facility.” This evergreen screen is subject to the requirements of Section 11.10D (Methods of Screening), which states that, such trees “*shall be planted a maximum of 15 feet apart in at least two (2) staggered rows.*” The following landscaping and screening related details are missing from the updated minor site plan:

- Show the specific location(s) and on-center spacing for all proposed plantings.
- Provide a plant list with species and size/height at planting. Please note that Section 11.10C requires that, “*(P)lant materials shall not include more than thirty percent (30%) of any single plant species.*”
- Add required planting details and a maintenance plan consistent with Section 11.10I (Installation and Maintenance).
- Add a timeline with specific dates for completion of these plantings.

**2.05 Event barn building.** Conceptual floor plans were provided with the Special Use Permit application, but are missing from the updated minor site plan set. An elevation detail of the barrier-free access ramp has been provided, but the location of the lower level barrier-free building access is missing. The following building-related details need to be added to a revised minor site plan set:

- Add the floor plans for the upper and lower level to the site plan set.
- Note the locations of bathrooms, stairs, other interior improvements, and dimensions and floor areas of each room or interior space.
- Note the locations of all existing and proposed entrances, and specify which entrances will be made barrier-free accessible.
- In addition, we recommend that any Planning Commission approval action be contingent upon confirmation from the Western Washtenaw Construction Authority of compliance with public assembly code requirements.

**2.06 Parking and vehicular access.** The updated minor site plan includes the proposed development of 92 regular parking spaces in several locations around the event barn, plus a total of four (4) barrier-free parking spaces. Consistent with the Planning Commission’s preliminary site plan approval, the barrier-free spaces and building access will be paved with concrete and the remainder of the lot will have a gravel surface. The revised parking layout is consistent with Section 12.06 (Design Requirements), and the number of proposed spaces significantly exceeds the minimum required for the planned capacity set by the Special Use Permit. The updated 24.0-foot wide driveway is also consistent with Ordinance requirements.

**2.07 Compliance with farm-based tourism/entertainment standards.** Except as otherwise noted in our report, the application conforms to the applicable requirements of Section 5.101 (Farm-Based Tourism or Entertainment Activities).

**2.08 Outside agency approvals.** Per Section 8.10 (Standards for Site Plan Approval), the applicant is required to confirm that, *“The plan meets applicable standards of governmental agencies with jurisdiction, and necessary outside agency approvals have been obtained or are assured.”* The 1/25/2019 letter from the county Road Commission attached to the plans indicates that the driveway layout and design depicted on the plans is generally acceptable. We have no objection to a Planning Commission determination that the county driveway permit approval is “assured.”

In addition, the applicant has provided documentation from the county Water Resources Commissioner’s office confirming that they have no jurisdiction. Building permits, soil erosion permits, and a new certificate of occupancy as a public assembly building will be required from the Western Washtenaw Construction Authority, but not until after site plan approval has been granted.

### **3. Planning Commission Action on the Minor Site Plan**

For this project, minor site plan approval from the Planning Commission completes the zoning approval process. An approved minor site plan is the “construction plan” for this project, subject only to any necessary building permits before construction can begin.

As noted in Part 2 of our report, some details and items of required information are missing from the updated minor site plan. From a planning prospective, the updated minor site plan application is sufficiently complete for review, but is not ready for final action by the Planning Commission. We recommend that the applicant be advised to revise the minor site plan to address the details noted in our report and Twp. Engineer's report, and any additional issues noted by the Planning Commission, before resubmitting the revised minor site plan for final consideration and action.

Respectfully submitted,

**Donald N. Pennington**  
**Rodney C. Nanney, AICP**  
Township Planning Consultants

# Parking Lot Design Specifications

Historic Blum Barn

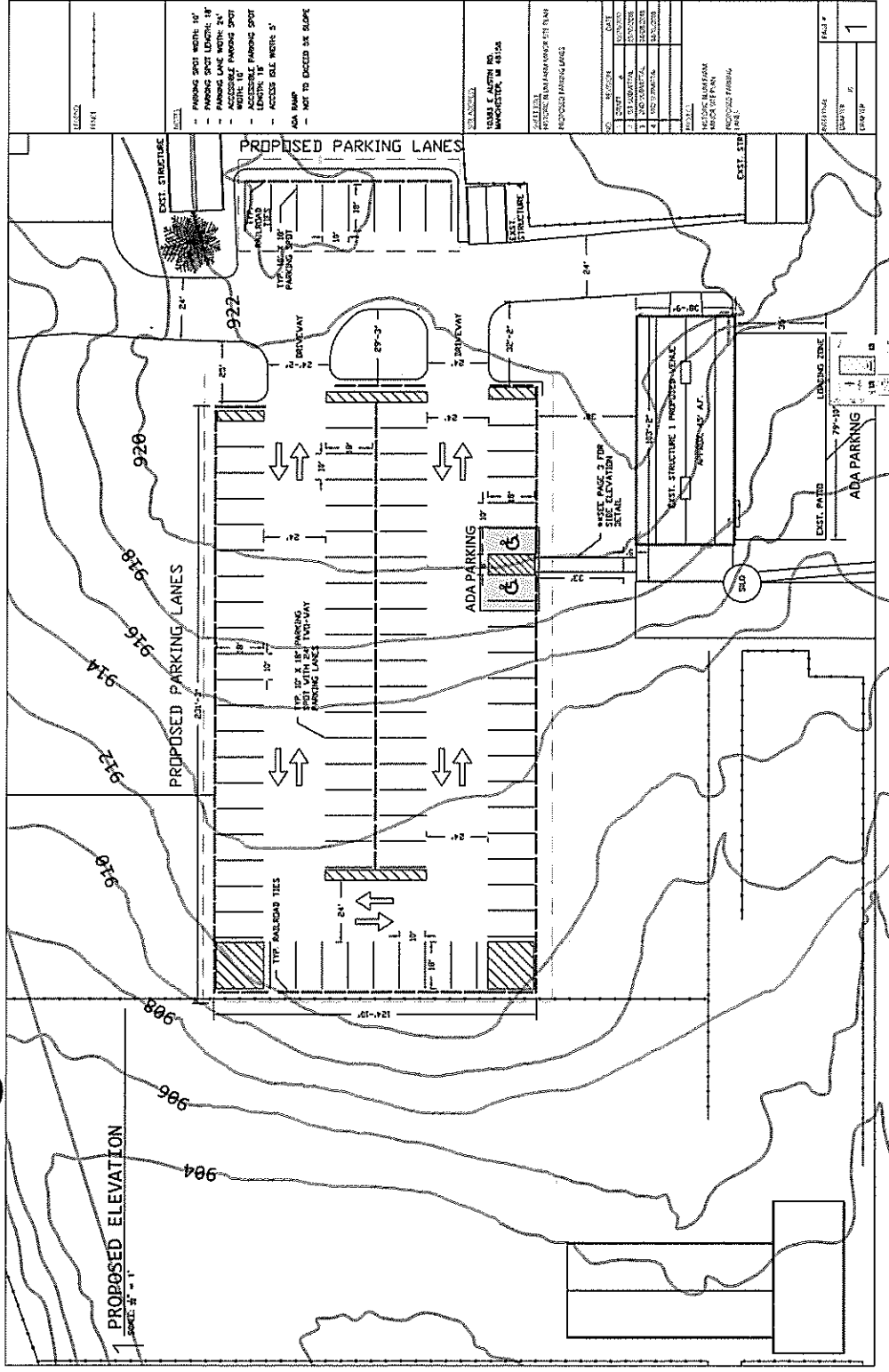
10383 E. Austin Rd.





# Proposed Parking Lot Grades

- Positive drainage not to exceed sheet flow of 4%.
- Concrete pad in ADA parking not to exceed 2%



# Gravel Parking Lot Cross Section



4" min 21AA limestone surface

4" Min Asphalt & 21AA Milling Mix

Subgrade Base

# ADA Parking Space Cross Section

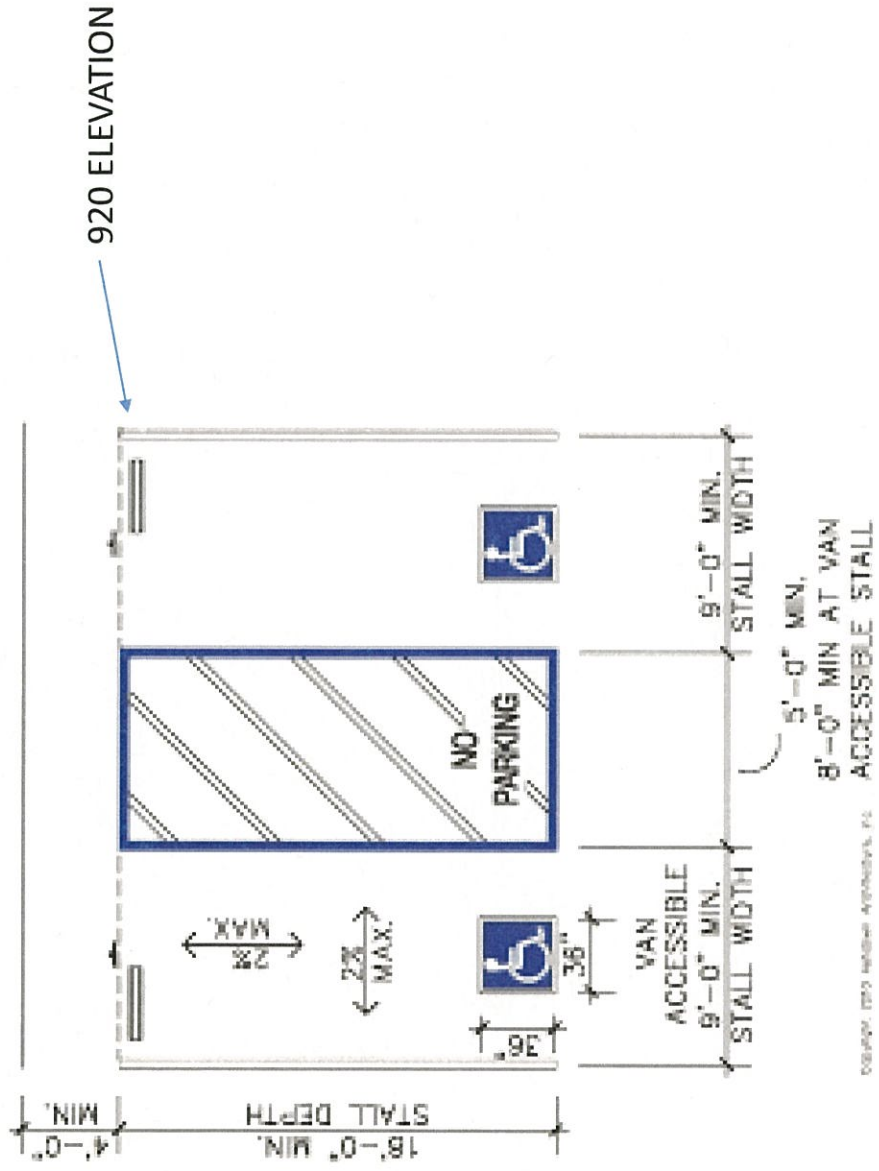


4" Minimum Concrete

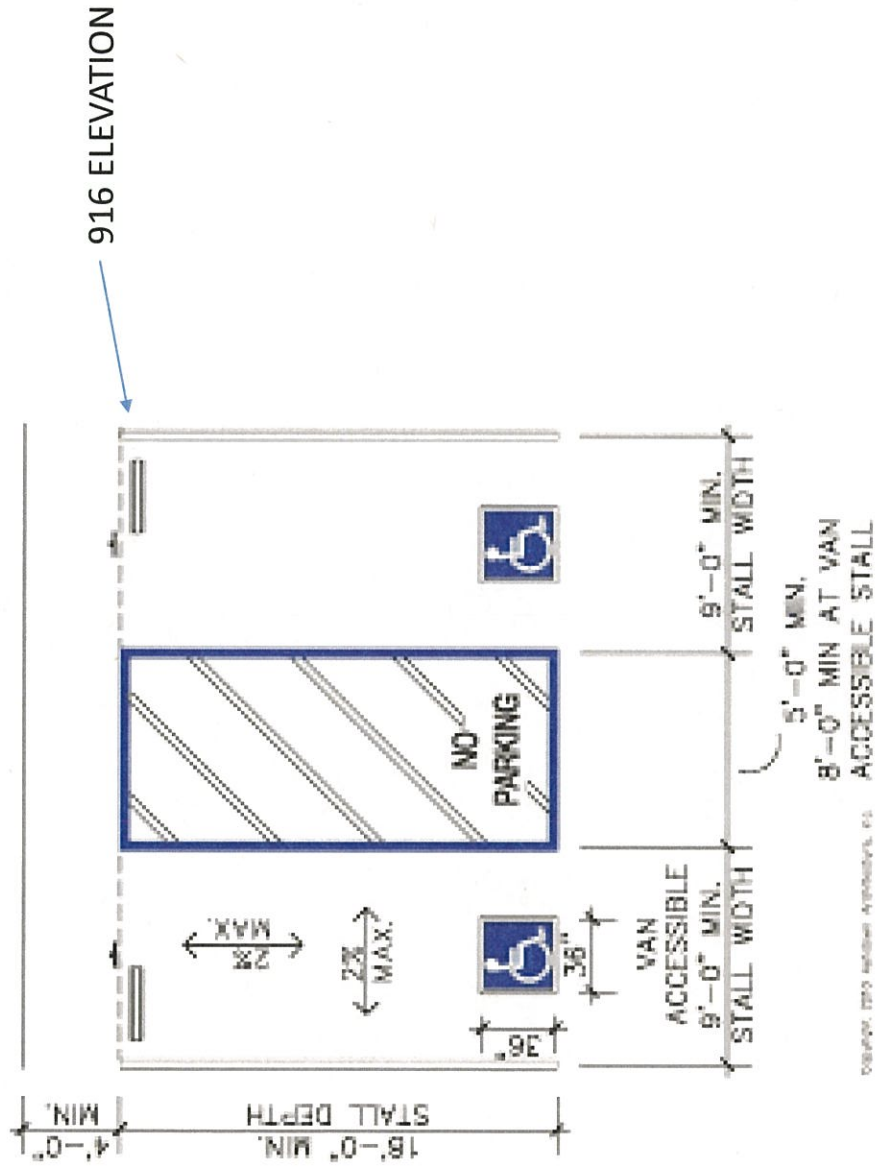
4" Minimum Crushed  
Aggregate Compacted

Subgrade Base

# ADA Parking Space by Parking Lot Proposed Elevation



# ADA Parking Space by Paver Patio Proposed Elevation





# ADA Signage

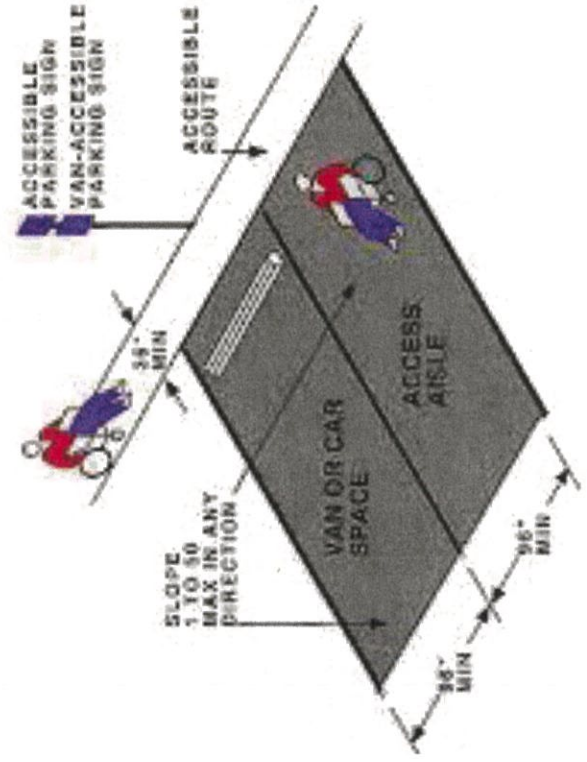
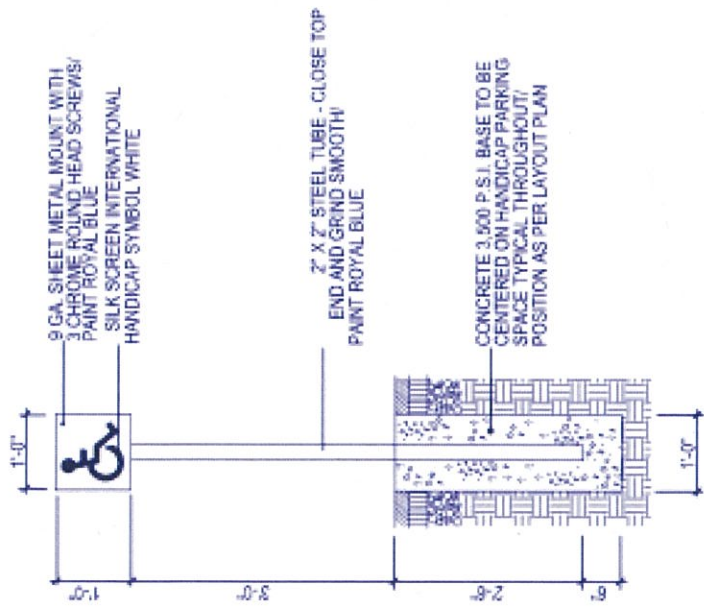


Figure P-3



# WCWRC Drain Jurisdiction

Historic Blum Barn

10383 E. Austin Rd.

**From:** Theresa M. Marsik [mailto:marsikt@washtenaw.org]  
**Sent:** Wednesday, February 06, 2019 8:11 AM  
**To:** Jeremy A. Matthei <JAM@midwesternconsulting.com>  
**Cc:** Kristofer Enlow (kenlow@bria2.com) <kenlow@bria2.com>; rodney@buildingplace.net  
**Subject:** RE: WCWRC Jurisdiction

Jeremy,  
If no construction activities will be performed near the drain, then it doesn't appear that a drain use permit will be required from our office. For plan review under this circumstance, our involvement would be directed by the municipality's storm water ordinance. If Bridgewater Township's Engineer is performing the storm water review, then I would not expect that they would request our involvement in a "review-only" project (meaning, a project where no permit is required).

Thanks,  
Theresa





COMMISSIONERS  
DOUGLAS E. FULLER  
CHAIR  
BARBARA RYAN FULLER  
VICE-CHAIR  
RODRICK K. GREEN  
MEMBER

**WASHTENAW COUNTY**  
**BOARD OF COUNTY ROAD COMMISSIONERS**  
555 NORTH ZEEB ROAD  
ANN ARBOR, MICHIGAN 48103  
[WWW.WCROADS.ORG](http://WWW.WCROADS.ORG)  
TELEPHONE (734) 761-1500  
FAX (734) 761-3737

SHERYL SODERHOLM SIDDALL, P.E.  
MANAGING DIRECTOR

MATTHEW F. MACDONELL, P.E.  
DIRECTOR OF ENGINEERING  
COUNTY HIGHWAY ENGINEER

JAMES D. HARMON, P.E.  
DIRECTOR OF OPERATIONS

DANIEL D. ACKERMAN  
DIRECTOR OF FINANCE & IT

January 25, 2019

**George Barbu**  
10383 E. Austin Road  
Manchester, Michigan 48158

**Regarding: WCRC Permit Application #15356 – Event Barn 10383 Austin Road  
Bridgewater Township**

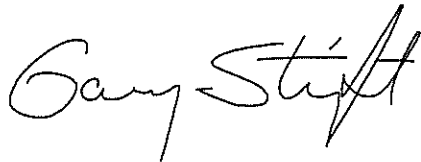
Dear Mr. Barbu:

This letter is provided in response to the site plan for the above referenced project. The following comments must be addressed in accordance with the WCRC Procedures & Regulations for Permit Activities (PRPA) prior to the issuance of a permit:

- The traffic impact assessment provided has been approved. A center left turn lane is not required and the location of the driveway is acceptable.
- Plans must be prepared and sealed by a Licensed Professional Engineer in the State of Michigan.
- A deceleration (225') and acceleration (50') taper must be shown on the plans. The tapers shall be 12' wide at the driveway.
- Provide a cost estimate for all work within the Austin Road right-of-way for approval.
- An inspection deposit in the amount of 3% of the approved cost estimate must be deposited.
- Per Section 2.8 of the PRPA, security in the full amount of the approved cost estimate must be submitted in the form of a letter of credit or certified check.
- Provide the name of the contractor who will be performing the work.
- A certificate of general liability insurance must be submitted per Section 2.6 of the PRPA.

Once the above items have been completed resubmit one set of plans for review. No work within the right-of-way until a permit has been issued. If you have any questions, please do not hesitate to contact me at (734) 327.6692.

Sincerely,

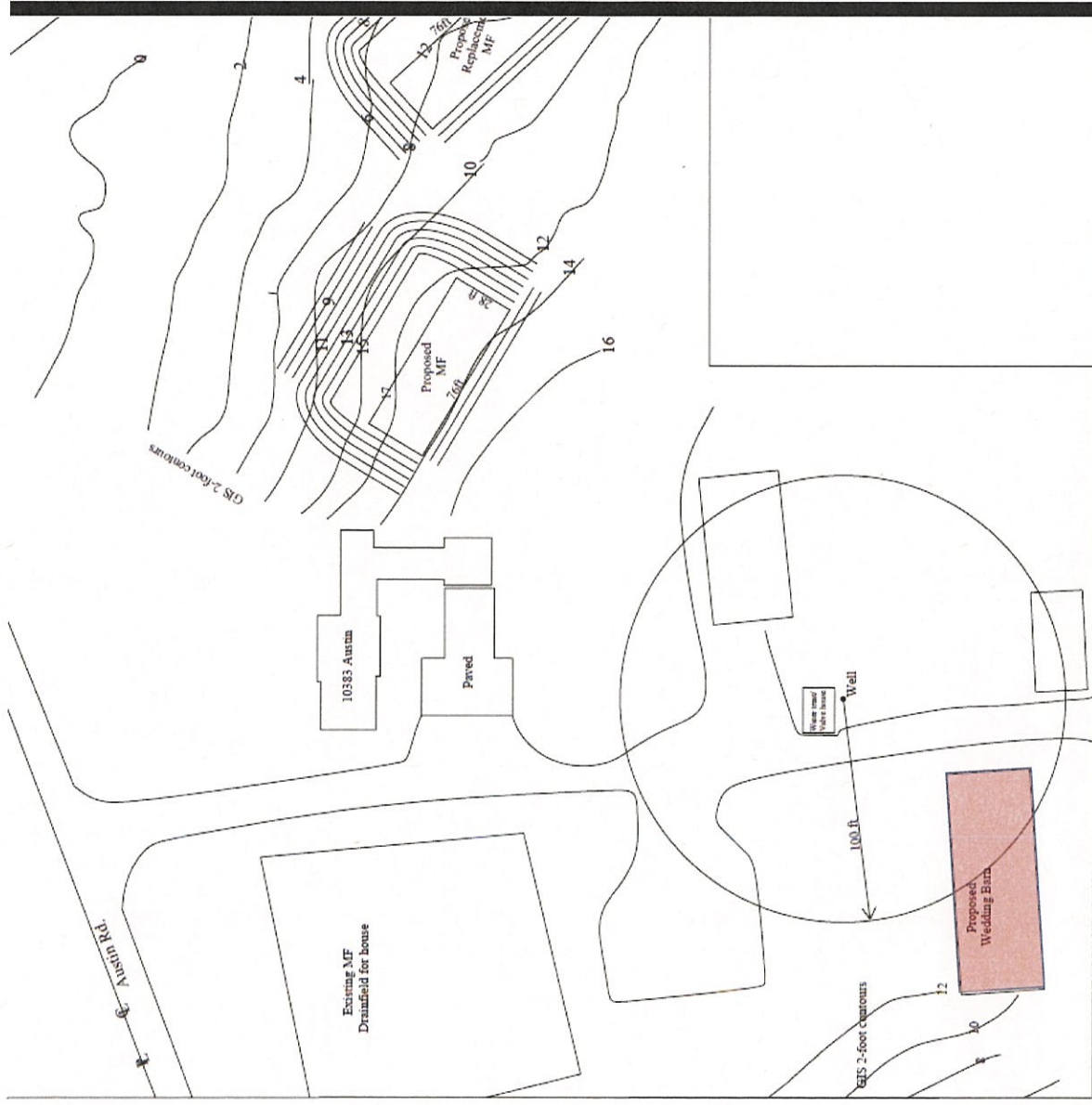


Gary Streight, P.E.  
Project Manager

Cc: Rodney Nanney / Bridgewater Township Planning  
Mark McCulloch, P.E. / WCRC



- Proposed Drain-field Location
- Design by Enviro-Assist 9971 E. Grand River Brighton, MI 48116





**Donald N. Pennington** *Land Use Planning And Consulting*

5427 Pine View Drive Ypsilanti, Michigan 48197 734/485-1445 donpennington@comcast.net

February 13, 2019

Bridgewater Township Planning Commission  
10990 Clinton Road  
Manchester, MI 48158

**Subject: Medical Marijuana Facilities – Policy Discussion**

Dear Planning Commission members:

During their regular February meeting, the Township Board of Trustees took action to adopt a new Marihuana Prohibition Ordinance No. 71, which specifically prohibits recreational marijuana establishments in the Township that would otherwise be allowed under the new law approved by voters in November. During the same meeting, the Board of Trustees also voted to re-open consideration of possibly allowing some medical marijuana facilities in the Township. Included in this second motion was a request that the Planning Commission review medical marijuana facilities again from a future land use and Township development policy perspective, and to make recommendations back to the Township Board.

This memo is intended to help guide Planning Commission discussion of this topic, both generally as applied to all of the potential types of licenses and geographic areas of the Township, and more specifically in relation to the recent proposal for a medical marijuana processing facility in the Hamlet area adjacent to the Xela Pack facility.

The three public acts adopted in 2016 (an amendment to the 2008 *Michigan Medical Marihuana Act*, the *Medical Marihuana Facilities Licensing Act*, and the *Marihuana Tracking Act*) and put into full effect in late 2017 created options for five types of medical marijuana facility licenses:

1. *Growers*
2. *Processors*
3. *Secure transporters*
4. *Safety compliance testing laboratories*
5. *Provisioning centers*

The new laws set up a regulatory and taxation framework for medical marihuana in Michigan that is intended to be similar in character to what has long been applied to the production, distribution, and sales of beer, wine, and liquor. With the Board's decision to re-consider allowing medical marijuana facilities in the Township in some form (to "opt-in"), the questions for the Planning Commission to consider and make recommendations about are:

- *Which of the types of licenses should we allow, and how many of each type?*
- *Where should we allow each type of licensed facility to locate in the Township?*
- *If limiting the geographic area for medical marijuana facilities through establishment of an "overlay zone" is preferred, what is the appropriate location and size for this zone?*

We recommend that each type of license be considered separately by the Commission, and offer the following to help facilitate the discussion:



**Medical marijuana grower:**

A “grower” license allows a commercial entity that cultivates, dries, trims or cures marijuana for sale to a processor or provisioning center. Under state licensing rules, this may include both indoor production within a secured warehouse-style building with artificial lighting, or outdoor production under natural light on a secured site of open ground or within a greenhouse or hoophouse structure. Potential physical impacts could include the visual impact of a large building and necessary security measures, equipment noise, waste disposal, release of odors or chemicals into the environment, and impacts from security lighting or grow lights.

- a. Licensing options for medical marijuana growers include:
  - Allow an unlimited number of grower licenses in the Township.
  - Allow the following number of grower licenses:  zero  one or two  \_\_\_\_\_
- b. Facility options for medical marijuana growers include:
  - Allow all types of indoor and outdoor production.
  - Allow only outdoor production within a secured site.
  - Allow only indoor production within a secured warehouse-style building.
- c. Geographic options for medical marijuana growers include:
  - Allow anywhere in the AG (General Agriculture) District, subject to a minimum lot area of \_\_\_\_\_ acres and a minimum lot width of \_\_\_\_\_ feet.
  - Allow only in a specific geographic area of the Township through establishment of a new “medical marijuana overlay zone.”
  - Allow only for indoor production in the LI (Light Industrial) District.

**Medical marijuana processor:**

A “processor” license allows a commercial entity that purchases marijuana from a grower and extracts resin from the marijuana, creates a marijuana-infused product, and/or prepares packaged marijuana products for sale in a provisioning center. Under state licensing rules, this must take place within a secured building. Potential physical impacts could include the visual impact of necessary security measures, waste disposal, release of odors or chemicals into the environment, and typical parking/traffic activities of a commercial business.

- a. Licensing options for medical marijuana processors include:
  - Allow an unlimited number of processor licenses in the Township.
  - Allow the following number of processor licenses:  zero  one or two  \_\_\_\_\_
- b. Geographic options for medical marijuana processors include:
  - Allow anywhere in the AG (General Agriculture) District, subject to a minimum lot area of \_\_\_\_\_ acres and a minimum lot width of \_\_\_\_\_ feet.
  - Allow only in a specific geographic area of the Township through establishment of a new “medical marijuana overlay zone.”
  - Allow in the C (Local Commercial) and LI (Light Industrial) zoning districts.
  - Allow only in the LI (Light Industrial) District.

**Medical marijuana secure transporter:**

A “secure transporter” license allows a commercial entity that transports marijuana between marijuana facilities for a fee. Under state rules, no substantial amount of marijuana would be kept or secured overnight at this facility. From a land use perspective, this type of facility would be similar to other types of secured package delivery services. Potential physical impacts could include the visual impact of necessary security measures and any outdoor storage lot for business vehicles, vehicle noise, and typical parking/traffic activities of a commercial business.

a. Licensing options for medical marijuana secure transporters include:

- Allow an unlimited number of secure transporter licenses in the Township.
- Allow the following number of secure transporter licenses:  zero  one or two  \_\_\_\_\_

b. Geographic options for medical marijuana secure transporters include:

- Allow only in a specific geographic area of the Township through establishment of a new “medical marijuana overlay zone.”
- Allow in the C (Local Commercial) and LI (Light Industrial) zoning districts.
- Allow only in the LI (Light Industrial) District.

**Medical marijuana safety compliance testing laboratory:**

A “safety compliance testing laboratory” license allows a commercial entity that receives marijuana from a marijuana facility or medical marijuana caregiver, tests it for contaminants and for tetrahydrocannabinol and other cannabinoids, returns the test results, and may return the marijuana to the marijuana facility. Under state rules, this facility would have only incidental amounts of marijuana on-site at any particular time. From a land use perspective, this type of facility would be similar to other types of testing or research laboratories, with similar safety standards. Potential physical impacts could include the visual impact of necessary security measures, waste disposal, and typical parking/traffic activities of a commercial business.

a. Licensing options for medical marijuana safety compliance testing laboratories include:

- Allow an unlimited number of safety compliance testing laboratory licenses in the Township.
- Allow the following number of safety compliance testing laboratory licenses:  
 zero  one or two  \_\_\_\_\_

b. Geographic options for medical marijuana safety compliance testing laboratories include:

- Allow only in a specific geographic area of the Township through establishment of a new “medical marijuana overlay zone.”
- Allow in the C (Local Commercial) and LI (Light Industrial) zoning districts.
- Allow only in the LI (Light Industrial) District.

**Medical marijuana provisioning center:**

A “provisioning center” license allows a commercial entity that purchases marijuana from a grower or processor, and sells or supplies marijuana to medical marijuana qualifying patients directly or through the patient’s medical marijuana caregiver. The facility would have large inventories of marijuana and marijuana-infused products on-site. This is typically a storefront

retail sales operation with an appearance and visual character similar to a medical office or bank (lobby or waiting area, secured sales area, back office, and a secured product storage and receiving space). Potential physical impacts from these facilities can include the visual impact of necessary security measures and signage, and the typical parking/traffic activities of a commercial business. There is also anecdotal evidence from local stories of at least a modest increase in criminal activity near provisioning centers in California and Colorado that suggests a link, but limited empirical research has been done.

a. Licensing options for medical marijuana provisioning centers include:

- Allow an unlimited number of provisioning center licenses in the Township.*
- Allow the following number of provisioning center licenses:  zero  one or two  \_\_\_\_\_*

b. Geographic options for medical marijuana provisioning centers include:

- Allow only in a specific geographic area of the Township through establishment of a new "medical marijuana overlay zone."*
- Allow in the C (Local Commercial) and LI (Light Industrial) zoning districts.*
- Allow only in the C (Local Commercial) District.*
- Allow only in the LI (Light Industrial) District.*

**Additional recommendations:**

From a land use and development perspective, we would recommend that any local licensing ordinance and associated Zoning Ordinance amendments to allow for marijuana facilities in the Township include the following:

- (a) Strict provisions for 24-hour on-site security, odor control, and physical separation of these facilities from institutional uses (churches, schools, public buildings, etc.).
- (b) Limitations on the allowable size of any *growing operation* and on the size and hours of operation for any *provisioning center*, if these types of facilities are allowed.
- (c) Specific limitations related to how the operation is identified from the road.
- (d) The development of any marijuana facility in the Township, whether it involves new development or re-use of an existing building, should be required to follow the Township's detailed site plan review and approval process.

Please call us with any questions about this information at (734) 483-2271.

Respectfully submitted,  
**Donald N. Pennington**  
**Rodney C. Nanney, AICP**  
Township Planning Consultants

**ORDINANCE NO. 67-\_\_\_\_\_**

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF BRIDGEWATER TOWNSHIP, WASHTENAW COUNTY, MICHIGAN.

Pursuant to the authority vested in it by the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended, Bridgewater Township, Washtenaw County, Michigan ordains the following amendments to Sections 4.02 (Table of Permitted Uses by District), 5.204 (Home Occupations), 5.407 (Limited Business Use), 8.02 (Site Plan Approval Required), and 19.03 (Definitions) of the Bridgewater Township Zoning Ordinance No. 67 to update the requirements for home occupations and add provisions for a separate class of home-based limited business uses subject to special use permit and minor site plan approval.

[Additions are shown in blue underlined text, and deletions are shown in ~~red-strikethrough~~ text]

**BRIDGEWATER TOWNSHIP, WASHTENAW COUNTY, MICHIGAN, HEREBY ORDAINS:**

**SECTION 1.**

Section 4.02 (Table of Permitted Uses by District) is hereby amended to revise the entries for "Home Occupations," insert a new "Home-Based Limited Businesses" category, and delete "Limited Business Uses" from the table, as follows:

**Section 4.02 Table of Permitted Uses by District.**

USES	DISTRICTS								USE STANDARDS
	Rural		Residential		Business			Other	
	CP	AG	R-2	R-3	BCD	C	LI	PSP	
<b>RESIDENTIAL USES</b>									
Home Occupations <del>listed in Section 5.204</del>		A	A	A					Section 5.204
<u>Home-Based Limited Businesses</u> <del>Occupations not listed in Section 5.204</del>		S	S	S					Section 5.204
<b>COMMERCIAL USES</b>									
<del>Limited Business Uses</del>		S							<del>Section 5.407</del>

**SECTION 2.**

Section 5.204 (Home Occupations) is hereby re-titled as "Home Occupations and Home-Based Limited Businesses," and amended to update the requirements for home occupations and add provisions for a separate class of home-based limited business uses, as follows:

**Section 5.204 Home Occupations and Home-Based Limited Businesses.**

Home occupations and home-based limited businesses, as defined in Section 19.03 (Definitions), shall be subject to the following:



**A. Use Standards.**

Home occupations and home-based limited businesses shall conform to the following requirements:

1. The home occupation or home-based limited business shall qualify for and receive all applicable local, state, and federal licenses, certificates, and permits.
2. Home occupations and home-based limited businesses shall be limited to single-family detached dwellings, and to other owner-occupied dwellings. ~~The home occupation, and~~ shall be conducted only within the dwelling or within an accessory structure on the parcel.
3. Persons engaged in the home occupation or home-based limited business shall be limited as follows:
  - a. No persons other than members of the family residing on the premises shall be engaged in the home occupation.
  - b. No persons other than members of the family residing on the premises and a maximum of two (2) additional persons not residing on the premises shall be engaged in the home-based limited business, unless an alternative maximum number of additional persons has been authorized by the Planning Commission as part of the special use permit approval.
4. The use of the dwelling and premises for the home occupation or home-based limited business shall be clearly incidental and subordinate to its use for residential purposes. ~~b.~~ There shall be no change in the appearance of the structure or premises, or other visible evidence of the home occupation. External and internal alterations not customary for a single-family dwelling shall be prohibited.
5. The total floor area used by the home occupation or home-based limited business shall be limited as follows:
  - a. Whether the home occupation is conducted within the dwelling unit or within an accessory ~~building-structure~~ on the same lot, the maximum floor area used by the home occupation shall not exceed twenty percent (20%) of the floor area of the dwelling unit.
  - b. The maximum floor area used by the home-based business shall not exceed twenty percent (20%) of the floor area of the dwelling unit, plus up to one hundred percent (100%) of the floor area of one (1) accessory structure on the same lot.
- ~~5.6.~~ Traffic generated by a home occupation or home-based limited business shall not be greater in volume than that normally expected within the neighborhood.
- ~~6.7.~~ Parking for the home occupation shall not exceed two (2) spaces. Maximum parking limitations for a home-based limited business shall be set by the special use permit approval. Such spaces shall not be located in any required yard, and shall be subject to the standards of Article 12.0 (Off-Street Parking and Loading).

- ~~7.8.~~ No signs shall be permitted for the home occupation or home-based limited business, other than a nameplate as permitted for a dwelling per Article 13.0 (Signs).
- ~~8.9.~~ No article shall be sold on the premises except that which is prepared on-site or provided as incidental to the service or profession conducted therein.
- ~~9.10.~~ Exterior display and storage of equipment or materials associated with or resulting from a home occupation or home-based limited business shall be prohibited.
- ~~10.11.~~ Customer or client visits, and deliveries associated with the home occupation or home-based limited business shall be limited to between the hours of 7:00 a.m. and 8:00 p.m., unless alternative hours of operation for the home-based limited business are authorized by the Planning Commission as part of the special use permit approval.

**B. ~~Permitted Home Occupations~~ Allowable Uses.**

~~The following Allowable uses shall be permitted as for~~ home occupations and home-based limited businesses shall be limited to the following:

1. Home offices for such professionals as architects, doctors, brokers, engineers, insurance agents, lawyers, realtors, accountants, writers, salespersons, and similar occupations.
2. Personal services, including beauty and barbershops (one-chair operations only) and animal grooming (provided there is no overnight keeping of animals).
3. Home office for a massage therapist, subject to the standards of Section 5.309 (Therapeutic Massage).
4. Music, dance, arts, gardening, and crafts classes, and private tutoring and instruction, with home occupations limited to ~~for~~ a maximum of five (5) pupils at any given time. Limits on pupils per class and classes per day or week for a home-based limited business shall be set by the special use permit approval.
5. Studios and workshops for artists, sculptors, musicians, and photographers; and for weaving, lapidary, jewelry making, cabinetry, woodworking, sewing, tailoring, custom carpet and rug-making, and similar crafts.
6. Repair services, limited to watches and clocks, small appliances, computers, electronic devices, and similar small devices.
7. A yard or garage sale for household or personal items of the principal residents of the dwelling are not allowed as part of a home-based limited business, but shall be permitted as a temporary home occupation, provided that such activities shall not exceed 15 days per calendar year.
8. Any ~~home-occupation use~~ not specifically listed in this Section may be approved by the Planning Commission as a home-based limited business ~~with a Special Use Permit~~, subject to the provisions of this Section and Article 7.0 (Special Land Uses).



**C. Prohibited Uses.**

The following uses are expressly prohibited as a home occupation or home-based limited business:

1. Motor vehicle and recreational vehicle repair, body and paint shops, welding shops, and storage or dismantling yards.
2. Kennels and veterinary clinics.
3. Medical or dental clinics.
4. Retail sales of merchandise, and eating or drinking establishments.
5. Mortuary and funeral homes.
6. Controlled uses and sexually oriented businesses.
7. Any use or process that creates noise, vibration, glare, fumes, odor, electrical interference, or similar nuisances to persons off the premises; or any use involving electrical equipment processes that create visual or audible interference with any radio or television receivers off the premises or which cause fluctuations in line voltages off the premises.
8. Any use involving outdoor display or storage of materials, goods, supplies, or equipment; or the use of machinery, equipment or facilities not commonly incidental or accessory to a residential dwelling.
9. Any use that would potentially create or exacerbate any hazard of fire, explosion, or radioactivity.
10. Uses similar to the above listed uses, or any use which would, in the determination of the Planning Commission, result in nuisance factors as defined by this Ordinance.

**D. Inspection and Enforcement.**

All home occupations and home-based limited businesses may be subject to inspection by the Zoning Administrator to verify compliance with this Section and Ordinance. Failure to comply with this Section and Ordinance may result in Township action to seek closure of the home occupation or home-based limited business, and such other penalties as provided for in this Ordinance.

**SECTION 3.**

The title and text of Section 5.407 (Limited Business Use) is hereby deleted in its entirety from the Ordinance, and the section is hereby re-titled as "Reserved."

**Section 5.407**     ~~Limited Business Use.~~ Reserved.

**SECTION 4.**

Section 8.02 (Site Plan Approval Required), subsection "B.7." is hereby amended to delete and replace "Home occupations not listed..." with a new "Home-based limited businesses" category, as follows:

**Section 8.02 Site Plan Approval Required.**

Three (3) separate review processes (preliminary/final site plan, minor site plan, and administrative approval) have been established in keeping with the purpose of this Article:

**B. Minor Site Plan Approval.**

The following projects and uses shall be eligible for review and approval of a minor site plan by the Planning Commission prior to establishment, construction, expansion or structural alteration of any structure or use:

1. Farm-based tourism/entertainment activities.
2. Public or commercial riding stables.
3. Accessory dwelling.
4. Adult foster care large group home.
5. Bed and breakfast inn.
6. Child day care home, group.
7. Home-based limited businesses ~~Home occupations not listed in Section 5.204 (Home Occupations).~~
8. Landscaping businesses or seasonal maintenance operations in a Rural District.
9. A change of use for an existing building, construction of an addition to an existing building, or expansion of lawful land use, subject to the following:
  - a. The site has previously received site plan approval.
  - b. The proposed use will not require access changes, additional parking beyond that available on-site, or other substantial modifications to an existing building or site.
  - c. No variances to the requirements of this Ordinance are required.
  - d. The proposed addition or expansion would not increase the total square footage of the building or area occupied by the use by more than twenty percent (20%) or 2,000 square feet, whichever is less.
10. Any parking lot or addition thereto of five (5) or fewer parking spaces.
11. Temporary uses not otherwise regulated by this Ordinance.
12. Similar projects and uses, as accepted by the Zoning Administrator.

The Planning Commission shall have the authority to require submittal of a preliminary and a final site plan for projects and uses otherwise eligible for minor site plan approval where, in its opinion, the complexity or size of the proposed project or use warrants a more intensive review and additional required information.

**SECTION 5.**

Section 19.03 (Definitions) is hereby amended to update the definition of "Home Occupation" and add a new definition for "Home-Based Limited Business," as follows:

**Section 19.03 Definitions.**

Whenever used in this Ordinance, the following words and phrases shall have the meaning ascribed to them in this Section:

116. **Home Occupations and Home-based Businesses:**

- a. **Home Occupation:** ~~Any~~ A business, occupation or similar activity undertaken for compensation by members of the household on land of limited scope and intensity occupied by the household's principal dwelling, and in a manner within a dwelling unit that conforms to the specific home occupation use standards of this Ordinance and is incidental and secondary to the use of the structure as a dwelling unit and premises for residential purposes.
- b. **Home Office.** A type of home occupation in which work for compensation may include receiving or initiating telephone calls, mail, facsimiles or electronic-mail; preparing or maintaining business records; word or data processing; and similar activities.
- c. **Home-based Business.** A business, occupation or similar activity of limited scope and intensity undertaken for compensation by members of the household and a restricted number of non-resident employees on land occupied by the household's principal dwelling, and in a manner that conforms to the specific home-based limited business use standards of this Ordinance and is incidental and secondary to the use of the dwelling and premises for residential purposes.

**SECTION 6.**

All ordinances and amendments thereto that are in conflict with this Ordinance are hereby repealed.



**Draft Date: March 11, 2019**

**SECTION 7.**

Adopted by the Township Board of Trustees for Bridgewater Township, Washtenaw County, Michigan, at a meeting of the Township Board held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. This ordinance shall become effective on the eighth (8th) day following publication thereof.

Dated: \_\_\_\_\_, 20\_\_\_\_  
\_\_\_\_\_  
Laurie Fromhart, Supervisor

\_\_\_\_\_  
Tom Wharam, Clerk

**CERTIFICATION**

The above Ordinance No. \_\_\_\_\_ was adopted at a meeting of the Bridgewater Township Board of Trustees on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_; and published in the \_\_\_\_\_, a newspaper of general circulation in Bridgewater Township, Washtenaw County, Michigan on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Tom Wharam, Bridgewater Township Clerk