



Conway Township Planning Commission

Monday, June 10, 2024 | 7:00pm

Conway Township Hall | 8015 N. Fowlerville Road, Fowlerville, Michigan 48836

1. **CALL TO ORDER / PLEDGE**
2. **ROLL CALL**
3. **CALL TO THE PUBLIC**
4. **APPROVAL OF PLANNING COMMISSION MEETING June 10, 2024 AGENDA**
5. **APPROVAL OF THE May 13, 2024 MEETING MINUTES**
6. **COMMUNICATIONS**
 - a. Zoning Administrator's Report
 - b. Livingston County Planning Commission Update/Report
 - c. Update from the last Board Meeting
7. **OLD BUSINESS**
 - a. Cargo Ordinance – Update (Approved)
 - b. Master Plan updates
 - 1) update the census
 - 2) Maps
8. **NEW BUSINESS**
 - a. None
9. **PLANNING COMMISSION MEMBER DISCUSSION**
10. **2nd CALL TO THE PUBLIC**
11. **ADJOURNMENT**

Any person may speak for up to 3 minutes during the public comment period.

Next Meeting will be Monday, July 8, 2024



Conway Township Planning Commission Meeting Minutes

Monday, May 13th, 2024 | 7:00pm EST

Conway Township Hall | 8015 N. Fowlerville Road, Fowlerville, MI 48836

Agenda	Items Discussed	Actions to be Taken
Attendees	<p>PC Members Present: George Pushies - Ex-Officio, Shawn Morrison, Sarah Porter, Mike Stock, Lucas Curd- Chair, Mike Brown- Vice Chair, and Kayla Poissant- Secretary</p> <p>Zoning Administrator – Russ Cesarz</p> <p>Livingston County Planning Commissioner: Dennis Bowdoin</p> <p>Township Attorney: Abby Cooper, JD, Michael D. Homier (Both ABSENT)</p>	None
Call to Order/Pledge	Chair, L. Curd called the Conway Township Planning Commission meeting to order at 7:00pm and led the Pledge of Allegiance.	None
Approval of Agenda	Motion to accept the meeting agenda as amended for May 13th, 2024. Motion by S. Porter. Support K. Poissant. Motion Approved.	Motion Approved
Approval of April 2024 Minutes	Motion to accept meeting minutes from April 8th, 2024. Motion by L. Curd. Support by S. Morrison. Motion Approved.	Motion Approved
1st Call to the Public	None at this time.	None
Communications	<p>a. Zoning Administrator Report: R. Cesarz stated that there were five waivers last month- three reroofs, one fire restoration, and one for ATT for new equipment. There was also a new house built.</p> <p>b. Livingston County Planning Commission Report: D. Bowdoin stated that the LCPC did a conditional rezoning, and some verbiage changes on ordinances pertaining to the number of animals kept. He said next week’s meeting will be working on Iosco Township’s text amendment with kennels, and Howell Township’s conditional rezoning. He provided information for the next Brown Bag Lunch event for</p>	<p>None</p> <p>None</p>

	<p>Livingston County on June 5th at Genoa Township Hall regarding construction.</p> <p>c. Board Ex-Officio Report: G. Pushies stated that their last meeting was on 4/16/24, and there was an update with the recreation board. The Township phones are in, but the incoming messages are not being forwarded as of yet from the old company. The current number to contact the Township is 588-4188 is the temporary number for now, and the situation should be corrected at any time. G. Pushies stated that there was also an update to the Road Milage, they appointed R. Cesarz as the new Zoning Administrator, they appointed Rachael Kreeger as the new Clerk, and the Cargo Ordinance was being sent back to the Planning Commission to review the Township Attorney's Comments on it. G. Pushies also stated that there were proposed changes to the Wind Ordinance from M. Homier to review at the next meeting. Bill Grubb stated that he will ask M. Homier to attend the next Board Meeting. G. Pushies said there was an update to the Township drains, a pavement preservation update, and a Special Meeting called for 5/14/24 regarding ballot language.</p> <p>M. Stock asked why the Township Board waited so long to finalize the ballot proposal. B. Grubb stated that he was told by the County Clerk that proposal had to be in by May 29th. M. Stock stated that the proposal should have been done months ago and not waited until the April meeting to take action on it. When asked why, B. Grubb stated to ask the former Clerk and M. Stock stated that B. Grubb was the Supervisor. M. Stock also stated that the Wind Ordinance isn't completed yet.</p> <p>M. Brown stated that the Township is out of the Moratorium for the Wind Ordinance, with no ordinance in place for those applying. S. Porter stated the email from M. Homier had the LCPC comments on security deposits, insurance, and decommissioning along with M. Homier's comments. B. Grubb agreed the Wind Ordinance should be able to be done next week.</p>	<p>None</p>
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	<p>M. Stock brought up the PC Training issue and how there is no guidance from the Board yet, and that he felt it was wrong that the Board could not do anything about the Blight in the Township due to it being a complaint-based township.</p> <p>B. Grubb went over the Township’s appeal process. Discussion continued regarding the complaint process, appeal process, and the court process through the Township. M. Stock asked about why the Township doesn’t have enforcement of the ordinances without complaints. Discussion continued. It was stated that after three violations to the same complaint, the Township can then file due process, and it was stated that the violations generally give the homeowner 30 days to correct the issue. B. Grubb stated that the fines are paid to the Treasurer, and all hearings are done in court.</p> <p>G. Pushies stated that clean-out day was scheduled for May 18th, and the Township Planner was discussed. There was also an update to the Township internet with Surf Air, and the company will be coming in as soon as they are done in Williamston.</p> <p>M. Brown brought up the NW corner of the Township that will not be covered by Surf Air, but is covered by TDS.</p>	
<p>Old Business</p>	<p>PC Meeting closed at 7:24pm.</p> <p>Public Hearing to Amend Article 14, Section 14.05(A) and Article 16, Section 16.06(A) to reduce the number of hard copies of the site plan submissions and related information from 12 to 3 and to also require 1 electronic copy when previously an electronic copy was not required opened at 7:24pm.</p> <p>No Public Comments were made.</p> <p>Public Hearing to Amend Article 14, Section 14.05(A) and Article 16, Section 16.06(A) to reduce the number of hard copies of the site plan submissions and related information from 12 to 3 and to also require 1 electronic copy when previously an electronic copy was not required closed at 7:25pm.</p> <p>PC Meeting reopened at 7:25pm.</p>	

	<p>K. Poissant stated that A. Cooper had sent out an email stating the amendment only covered Site Plans and not Land Division due to the ordinance, and that the Township Board could vote to change the Land Division applying with a majority vote. Discussion Continued.</p> <p>Motion to recommend approval to the Township Board and send to the LCPC for review Article 14, Section 14.05(A) and Article 16, Section 16.06(A) to reduce the number of hard copies of the site plan submissions and related information from 12 to 3 and to also require 1 electronic copy when previously an electronic copy was not required. Motioned by G. Pushies. Supported by L. Curd.</p> <p>Discussion- Discussed what version of the ordinances the Township is using by M. Stock which was stated as July 2021. The former Township Clerk duties were discussed.</p> <p>Motion Amended to recommend approval to the Township Board and send to the LCPC for review Article 14, Section 14.05(A) and Article 16, Section 16.06(A) to reduce the number of hard copies of the site plan submissions and related information from 12 to 3 and to also require 1 electronic copy when previously an electronic copy was not required, and to reflect the current ordinance date. Motioned by G. Pushies. Supported by L. Curd. Motion Approved.</p> <p>Motion to recommend the Township Board to revise the Land Division application to remove any and all typos, and to add a conceptual approval to the application. Motioned by G. Pushies. Supported by M. Stock. Motion Approved.</p> <p>A. Cargo Ordinance- L. Curd stated that it was sent back to the PC for review. K. Poissant stated that A. Cooper called her to review her comments. A. Cooper had stated that she was trying to separate cargo containers from storage containers, that Section A only applied to cargo containers and not storage containers based on the wording of the ordinance. Discussion continued. A. Cooper also stated to K. Poissant that the definitions should be combined if the PC is going more on temporary vs. permanent in the ordinance, that if the PC wanted a time limit on the temporary storage/cargo a time limit should be added to the ordinance, and that the civil penalties should not be</p>	<p>Motion Approved</p> <p>Motion Approved</p>
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	<p>referenced again due to possible legal implications and that it is already stated in the General Ordinances. Discussion Continued.</p> <p>Motion to change the word “cargo” in Section 6.18 A in the last sentence to “storage” and add a number 3 under Section C Portable (Temporary) Storage Containers that says “Temporary storage containers will allowed be used on the premises for 60 days or less without a Temporary Land Use Permit.” Motion by K. Poissant. Supported by G. Pushies. Opposed- S. Morrison, M. Stock. Motion Approved.</p> <p>B. Wind Ordinance- L. Curd stated that M. Homier’s comments are at the Township Board.</p> <p>C. Master Plan- L. Curd stated that A. Cooper had sent the order of events via email, and the PC needs to follow the procedure.</p> <p>Motion to appoint K. Poissant as the point of contact for the Conway Township Master Plan for the surrounding Townships and County. Motioned by G. Pushies. Supported by M. Stock. Motion Approved.</p> <p>K. Poissant was told by the PC Board to send the Letter of Intent to the surrounding Townships and County for the Master Plan, and was given envelopes with stamps and will be sent the Township letterhead to send it.</p> <p>L. Curd stated that he got the Master Plan online and was trying to convert it to another format, and updated all of the maps. S. Porter shared with the PC the updates she has made to the census. The PC discussed the timeline of the Master Plan Updates and how to proceed.</p> <p>G. Pushies asked to add a question to the survey questions about using public funds or Township Resources for the enforcement of Township ordinances and potential litigation of the enforcement of the ordinances. The PC agreed to add the question.</p>	<p>Motion Approved</p> <p>Motion Approved</p>
<p>New Business</p>	<p>a. Special Use Permits- M. Stock stated that the PC used to review the list of the Special Use Permits from the Zoning</p>	

	<p>Administrator. M. Stock asked to have the list of the permits to review them next month.</p> <p>b. Microsoft Office vs. Google- M. Stock discussed whether the PC Board had the proper programs installed on their devices to do their jobs properly. K. Poissant stated that she has Office and FoxIT Phantom PDF, but would prefer Google programs compared to Office. S. Porter stated that the former Clerk stated that there was a licensing issue so that is why Office was only on some of the devices. Problems with the new devices were discussed. The Outlook program was also discussed. K. Poissant stated that her main issue was sharing the minutes or files, and how she has to send them. The One Drive for Conway Township was discussed, and the PC members would need to call IT to get access to the One Drive.</p> <p>Motion to the Township Board to have Microsoft Office available on all PC laptops. Motioned by M. Stock. Supported by G. Pushies. Motion Approved.</p>	<p>Motion Approved</p>
<p>Commission Discussion</p>	<p>The PC discussed the enforcement of the Township ordinances, and the fact that the Township has a complaint-based enforcement procedure.</p> <p>M. Brown brought up that K. Poissant didn't have the permission to speak with the Township Attorney, but brought it up so that it wouldn't be used against K. Poissant later on. K. Poissant stated that she has to speak with the attorney regarding the Public Hearings and the notices, and only contacts A. Cooper when the PC Board directs her to. G. Pushies stated he would bring it up with the Township Board. Discussion Continued.</p> <p>The PC discussed the communications between A. Cooper, the Township Board, and the PC Board regarding the Cargo Container ordinances. This included A. Coopers comments about the ordinance to the PC Board and the Township Board. Communication issues were discussed and how to solve the issues. It was discussed that the Township planner, attorney and the PC Board could all sign-off on the proposed ordinances before it goes to the Township Board for approval. Discussion Continued.</p>	<p>None</p>

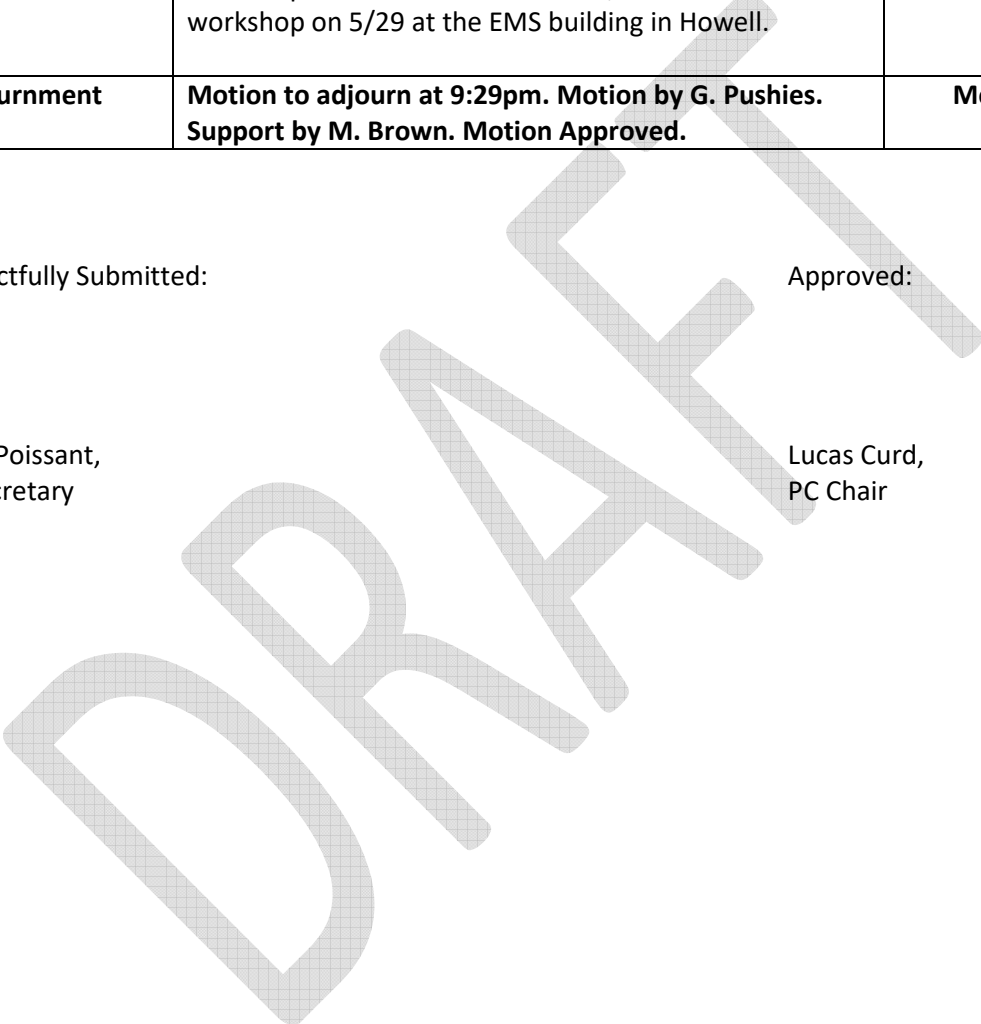
	The ordinances and having a living document were discussed. S. Porter brought up how the Township is adding the approved ordinances to the website, but not adding it into the Zoning Ordinance document itself. It was discussed whether the attorney or the Clerk would be the one in control of the workable copy of the Zoning Ordinances to be able to update it.	
Last Call to the Public	D. Bowdoin stated that he and B. Grubb attended the workshop for the LCPC Master Plan, and there is another workshop on 5/29 at the EMS building in Howell.	None
Adjournment	Motion to adjourn at 9:29pm. Motion by G. Pushies. Support by M. Brown. Motion Approved.	Motion Approved

Respectfully Submitted:

Kayla Poissant,
PC Secretary

Approved:

Lucas Curd,
PC Chair



CONWAY TOWNSHIP
ORDINANCE NO. 2023-05
AN ORDINANCE TO AMEND THE ZONING ORDINANCE
TO DEFINE AND REGULATE CARGO CONTAINERS

The Township of Conway ordains:

Section 1. Addition of Definitions to Article 2 of the Township Zoning Ordinance

The following definitions are added to Article 2 of the Township Zoning Ordinance, consistent with the existing ordering of definitions in that section:

Cargo Container. Any metal or primarily metal container designed or constructed to ship, store, or handle bulk goods or items, or which appears substantially similar to such containers in appearance. Such containers include reusable steel boxes, freight containers, and bulk shipping containers; originally, a standardized reusable vessel that was designed for and used in the parking, shipping, movement, transportation or storage of freight, articles of goods or commodities; generally capable of being mounted or moved on a rail car, or loaded on a ship.

Portable (Temporary) Storage Container. A portable (temporary), or moveable, weather resistant receptacle designed and used for the storage or shipment of household goods, wares, valuables or merchandise (i.e. PODS or MODS), and which is typically leased on a short-term basis for temporary storage purposes.

Section 2. Addition of New Section 6.18, entitled "Cargo Containers and Portable (Temporary) Storage Containers."

New Section 6.18, currently designated as "Reserved," entitled "Cargo Containers and Portable (Temporary) Storage Containers," is added to the Township's Zoning Ordinance and reads as follows:

Section 6.18- Cargo Containers and Portable (Temporary) Storage Containers

A. **Cargo Containers.** Cargo containers are permitted as an accessory use in all zoning districts subject to the requirements of this Section. The following regulations apply to all cargo container and permanent portable (temporary) storage container use in all zoning districts:

~~1.~~ Cargo containers and portable (temporary) storage containers shall not be stacked above the height of a single container

~~2.1.~~ device.

~~3.2.~~ No plumbing may be run or connected to a cargo container or portable (temporary) storage container.

~~4.3.~~ Cargo containers and portable (temporary) storage container shall not be used to store hazardous materials, as defined by the Michigan Fire Prevention Code, 1941 PA 207, MCL 29.1 *et seq.*

~~5-4.~~ Cargo containers and portable (temporary) storage containers shall not occupy required off-street parking, emergency access, ingress, egress, or loading areas.

~~6-5.~~ Cargo containers and portable (temporary) storage containers shall not be located on any utility, right of way, or easement.

~~7-6.~~ No cargo container or portable (temporary) storage container shall be located five (5) feet from a lot line or closer than ten (10) feet from any water or septic line.

~~8-~~ No cargo container or portable (temporary) storage container shall be placed in a location which may cause

~~7.~~ hazardous conditions or constitute a threat to public safety.

~~9-8.~~ No cargo container or portable (temporary) storage container may be used as living quarters.

~~10-9.~~ No structural modifications may be made to cargo containers with the exception of electrification for lighting. All electrical wiring to the container must be placed underground. There shall be no structural modifications to any portable (temporary) storage container.

~~11-10.~~ Applicant must obtain proper electrical permits from Livingston County Building Department for lighting.

~~12-11.~~ No livestock or pets may be stored in cargo containers or portable (temporary) storage containers.

~~13-12.~~ Cargo containers associated with an approved building construction project shall be permitted to remain on-site until the approval of the earlier of lesser of the project's final building inspection or the expiration of the building permit. At the time a cargo container is no longer intended for temporary use, the owner must apply for a land use permit for a cargo container for permanent storage as described in section B of this ordinance.

B. Cargo Containers for Permanent Storage. Cargo containers may be permanently placed on the property for storage purposes upon issuance of a land use permit from the Zoning Administrator and shall adhere to the following restrictions:

1. Permanent Cargo Containers are limited in quantity as follows:
 - a. On a parcel between two (2) to five (5) acres, one (1) cargo container with a maximum of two hundred (200) square feet.
 - b. On a parcel of five (5) to ten (10) acres, up to two (2) cargo containers with a maximum of two hundred (200) square feet per container, not

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to exceed four hundred (400) total square feet.

- c. On a parcel of ten (10) plus acres, up to four (4) cargo containers with a maximum of three hundred sixty (360) square feet per container, not to exceed one thousand four hundred forty (1,440) total square feet. Permanent accessory structures that are over two hundred (200) square feet require additional permitting with the Livingston County Building Department.
2. Cargo containers shall meet all required setbacks of Section 6.06 J. and K., as applicable.
3. Cargo containers shall meet the Maximum Coverage restrictions of Section 6.06 I.
4. Cargo containers shall be located in rear yards with the exception that cargo containers may be allowed in the side yard but not forward of the rear wall of the principal structure.
5. Cargo containers must be screened with shrubbery, trees, privacy fencing and/or natural surrounding so as to not be visible from the street/road and/or neighboring properties.
6. All applicable county building regulations must be followed when cargo containers exceed two (200) square feet.
7. A solid foundation (road base material/gravel or better) is required.
8. Cargo containers shall be painted in solid colors (colors which blend into the surrounding area).
9. Cargo containers shall not be used for any advertising purpose and shall be kept clean of all alpha-numeric signage and writing.
10. Any writing or graffiti that may be placed on the container is the responsibility of the property owner and shall be promptly removed.

C. Portable (Temporary) Storage Containers. Portable (Temporary) Storage Containers are permitted as an accessory use in all zoning districts upon issuance of a temporary land use permit (Section 6.09) from the Zoning Administrator and shall adhere to the following restrictions:

1. No structural modifications may be made to Portable (temporary) Storage Containers.
2. Portable (Temporary) Storage Containers used in a residential district or associated with a residential use must be placed on a driveway or paved area.
3. Portable (Temporary) Storage Containers used for sixty (60) days or less do not require a temporary land use permit.

D. **Referral to Planning Commission.** At any time after receipt of an application for a Cargo Container or Portable (Temporary) Storage Container pursuant to this Section, the Zoning Administrator may elect to refer the application for review and approval by the Planning Commission at no additional cost to the applicant.

E. **Right of Entry and Inspection.** The Township reserves the right to inspect all storage containers during each permitting period to ensure that such structures are compliant with all applicable ordinances and that public safety and other properties are not jeopardized by the condition or deterioration of said structures. It is the duty of the applicant and/or property owner to schedule and complete all necessary inspections. The scheduling of inspections must occur within thirty (30) days from installation of the storage container. Any cost associated with the inspection is the responsibility of the applicant and must be paid within thirty (30) days of the completed inspection.

F. **Civil Infraction.** Any person violating any of the provisions of this ordinance shall be responsible for a civil infraction according Section 5 – Schedule of Civil Fines/Costs of the Municipal Civil Infraction Ordinance.

Section 3. Validity and Severability.

If any portion of this Ordinance is found invalid for any reason, such holding will not affect the validity of the remaining portions of this Ordinance.

Section 4. Repealer.

All other ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent necessary to give this Ordinance full force and effect.

Section 5. Effective Date.

This Ordinance takes effect seven days after publication as provided by law.

**RESOLUTION TO ADOPT AN ORDINANCE TO AMEND THE
ZONING ORDINANCE TO ALLOW AND REGULATE
CARGO CONTAINERS AND PORTABLE STORAGE CONTAINERS**

Resolution No. 240521-_____

Conway Township

WHEREAS, the Conway Township Board of Trustees (“Board”) has previously adopted the Conway Township Zoning Ordinance (“Zoning Ordinance”) pursuant to its powers under the Michigan Zoning & Enabling Act (“MZEA”);

WHEREAS, the Planning Commission has initiated the process to adopt the attached Ordinance No. 2023-05 adding a new Section 6.18 to the Zoning Ordinance to allow and set regulations for cargo containers and other portable storage containers pursuant to its authority under the MZEA and Article 4 of the Zoning Ordinance (“Amendments”);

WHEREAS, the Planning Commission held a public hearing on September 11, 2023, and recommended the Board approve and adopt the Amendments at its September 11, 2023, meeting;

WHEREAS, staff for the Livingston County Planning Commission (“LCPC”) reviewed the Amendments on October 2, 2023 (LCPC #Z-32-23) and the LCPC recommended “approval with conditions” as to the substantive regulations in proposed new Section 6.18 at its October 18, 2023, meeting;

WHEREAS, the Board reviewed the Amendments, considered the LCPC’s recommendation, the Planning Commission’s recommendation, and on December 19, 2023, the Board send the Amendments back to the Planning Commission for further review;

WHEREAS, the Planning Commission considered the recommendations and comments of the LCPC over the course of several meetings, drafted additional changes to the Amendments in response to those comments, and on March 11, 2024, the Planning Commission recommended approval of the Amendments to the Board along with a review from the Township Attorney;

WHEREAS, the Township Attorney reviewed the Amendments and provided comments to the Board pursuant to the Planning Commission’s request;

WHEREAS, the Board requested further work on the proposed Amendments from the Planning Commission in light of comments from the LCPC and the Township Attorney, and after considering both, the Planning Commission further revised the Amendments and again recommended approval to the Board at its May 13, 2024, meeting;

WHEREAS, in consideration of the above, the Board desires to approve and adopt the Amendments, as recommended by the Planning Commission and as further revised;

WHEREAS, authority is provided to the Board to amend the Zoning Ordinance per section 401 of the of the MZEA, MCL 125.3401 and Article 4 of the Zoning Ordinance;

NOW, THEREFORE, BE IT RESOLVED that:

1. The Board hereby amends the Conway Township Zoning Ordinance by adoption of Ordinance No, 2023-05 as presented.
2. The Amendments shall take effect 7 days after publication of notice of adoption.
3. All other ordinances, policies, and procedures that are in conflict with the Amendments herein adopted are repealed.

The foregoing resolution offered by Board Member _____.

Second offered by Board Member _____.

Upon roll call vote the board members voted as follows:

Grubb, B:

Kreeger, R:

Grubb, D:

Pushies, G:

Crampton-Atherton, A:

The Supervisor declared the resolution adopted at a regular meeting of the Board held on May 21, 2024.

Rachel Kreeger, Clerk