

**SUPERIOR CHARTER TOWNSHIP PLANNING COMMISSION  
SUPERIOR TOWNSHIP HALL  
3040 N. PROSPECT, YPSILANTI, MI 48198  
AGENDA  
JANUARY 23, 2019  
7:30 p.m.**

1. CALL TO ORDER
2. ROLL CALL
3. DETERMINATION OF QUORUM
4. ADOPTION OF AGENDA
5. APPROVAL OF MINUTES
  - A. Approval of the June 27, 2018 regular meeting minutes
6. CITIZEN PARTICIPATION
7. CORRESPONDENCE
  - A. Salem Township Draft Master Plan Available for Review
  - B. Van Buren Township Intent to Update Master Plan
  - C. Northfield Township Intent to Conduct Comprehensive Planning
  - D. MSU Citizen Planner Program Information
8. PUBLIC HEARINGS, DELIBERATIONS AND ACTIONS
  - A. STPC #18-14 Ypsilanti District Library – Rezoning
    1. Public Hearing
    2. Deliberation
    3. Action
9. REPORTS
  - A. Ordinance Officer
  - B. Building Inspector
  - C. Zoning Administrator
10. OLD BUSINESS
11. NEW BUSINESS
  - A. Election of Officers for 2019
  - B. Adoption of 2019 Meeting Schedule
12. POLICY DISCUSSION
13. ADJOURNMENT

**SUPERIOR CHARTER TOWNSHIP  
PLANNING COMMISSION  
JUNE 27, 2018  
DRAFT MINUTES  
Page 1 of 3**

6-1 CALL TO ORDER

Chairperson Guenther called the regular meeting to order at 7:30 p.m.

6-2 ROLL CALL

The following members were present: Brennan, Findley, Gardner, Guenther, McGill, and Sani-Yahyai. Also present were George Tsakoff, Township Engineer, and Rick Mayernik, Building/Zoning Administrator.

6-3 DETERMINATION OF QUORUM

A quorum was present.

6-4 ADOPTION OF AGENDA

A motion was made by Commissioner Sani-Yahyai and supported by Commissioner Gardner to adopt the agenda as presented. The motion carried.

6-5 APPROVAL OF MINUTES

A. Minutes of the June 12, 2018 Meeting

A motion was made by Commissioner Findley and supported by Commissioner Brennan to approve the minutes as revised. The motion carried.

6-6 CITIZEN PARTICIPATION

None.

6-7 CORRESPONDENCE

A motion was made by Commissioner Brennan and supported by Commissioner Findley to receive and file a Site Plan Review Report from the Superior Charter Township Fire Chief. The motion carried.

6-8 PUBLIC HEARINGS, DELIBERATIONS AND ACTIONS

None.

**SUPERIOR CHARTER TOWNSHIP  
PLANNING COMMISSION  
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6-9 REPORTS

A. Ordinance Officer

A motion was made by Commissioner Findley and supported by Commissioner Brennan to receive the report. The motion carried.

B. Building Inspector

A motion was made by Commissioner Sanii-Yahyai and supported by Commissioner Gardner to receive the report. The motion carried.

C. Zoning Administrator

A motion was made by Commissioner Findley and supported by Commissioner Gardner to receive the report. The motion carried.

6-10 OLD BUSINESS

None.

6-11 NEW BUSINESS

A. STPC #18-12 SBA Glen Oaks Cooperative Office Addition – Final Site Plan.

David Friedrichs, applicant, showed Commissioners an aerial view of the site and proposed office building. He noted additions such as a rain garden and solar shingles.

Mr. Mayernik reviewed the Planner's Report dated June 8, 2018.

Mr. Tsakoff reviewed the Engineer's Report dated June 20, 2018.

A motion was made by Commissioner Findley, supported by Commissioner Sanii-Yahyai, to approve STPC #18-12 Glen Oaks Cooperative Office Addition Final Site Plan dated May 29, 2018 finding that it complies with applicable Zoning Ordinance requirements, including Section 10.07 (Required Site Plan Information) and Section 10.10 (Standards for Site Plan Approval) subject to the following conditions:

**SUPERIOR CHARTER TOWNSHIP  
PLANNING COMMISSION  
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1. All items in the Township Engineer's Report dated June 20, 2018 be addressed by the applicant.
2. Any required permits from Washtenaw County Road Commission or Washtenaw County Water Resources Commission related to the catch basin be issued.
3. All items in the Township Planner's Report dated June 8, 2018 be addressed by the applicant.

Roll Call:

Yes: Brennan, Findley, Gardner, Guenther, McGill, Sanii-Yahyai.  
No: None.  
Absent: Steele.  
Abstain: None.

The motion carried.

6-12 POLICY DISCUSSION

Commissioner Gardner inquired about Rock Homes that once wanted to build homes in the Township.

Mr. Mayernik replied that Rock seems to be looking to divest themselves of the property that they were once interested in.

Mr. Mayernik informed Commissioners that no site plan applications were received and the July Planning Commission meeting would be cancelled.

6-13 ADJOURNMENT

A motion was made by Commissioner Brennan supported by Commissioner Sanii-Yahyai to adjourn at 8:17 p.m. The motion carried.

Respectfully submitted,  
Thomas Brennan III, Planning Commission Secretary

Laura Bennett, Recording Secretary  
Superior Charter Township  
3040 N. Prospect Rd.  
Ypsilanti, MI 48198 (734) 482-6099



# SALEM TOWNSHIP

9600 Six Mile • PO Box 75002 • Salem, Michigan 48175

Phone: 248.349.1690 • Fax: 248.349.9350

**TO:** Contiguous Municipal Legislative Body, Washtenaw County, Public Utilities,  
Railroad Companies, and Other Public Agencies

**FROM:** Salem Township Planning Commission

**DATE:** 12/19/18

**RE: DISTRIBUTION OF DRAFT MASTER PLAN FOR REVIEW**

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In accordance with the Michigan Planning Enabling Act (PA 33 of 2008 as amended), Salem Township has prepared an updated Master Plan and requests your cooperation in reviewing and commenting on the Plan. The Master Plan is ready for your review and can also be found on the Township's website by using the following link: <http://www.salem-mi.org/>

In accordance with the Michigan Planning Enabling Act, you have 63 days to provide your comments on the Master Plan.

We thank you for your consideration in this matter. If you have any comments on the draft Salem Township Master Plan Update please send comments to the secretary of the Planning Commission, care of Del Wensley, Township Clerk:

PO Box 75002, SALEM, MI 48175

Or

[dwensley@salem-mi.org](mailto:dwensley@salem-mi.org)



# Charter Township of Van Buren

## BOARD OF TRUSTEES

SUPERVISOR  
Kevin McNamara

CLERK  
Leon Wright

TREASURER  
Sharry A. Budd

TRUSTEE  
Sherry A. Frazier

TRUSTEE  
Kevin Martin

TRUSTEE  
Reggie Miller

TRUSTEE  
Paul D. White

August 23, 2018

**Subject: Notice of Intent to Update the Charter Township of Van Buren Master Plan**

To whom it may concern:

Please be advised that the Charter Township of Van Buren has begun preparation of an update to its Master Plan. Consistent with the provisions of Michigan Public Act 33 of 2008, as amended (the Michigan Planning Enabling Act), the Charter Township of Van Buren Planning Commission is providing this notice.

Regular meetings of the Van Buren Township Planning Commission are held on the second and fourth Wednesday of each month at 7:30 PM at Van Buren Township Hall, 46425 Tyler Road, Van Buren Township, Michigan 48111. Additional workshops and meetings for preparation of the Master Plan update may be scheduled. The Planning Commission will be working with its planning consultant, McKenna, regarding preparation of the Master Plan update.

We ask for your cooperation and invite your comments regarding this endeavor. Your comments and/or questions may be sent via mail to the Van Buren Township Planning Commission, 46425 Tyler Road, Van Buren Township, Michigan 48111, via email to [rakers@vanburen-mi.org](mailto:rakers@vanburen-mi.org) or in person at one of our meetings.

When the Master Plan update draft has been approved for public distribution, a copy of the Plan will be uploaded to the Township's website (<http://vanburen-mi.org>) for your review and comment. When the Master Plan update draft has been uploaded, we will send you a letter. If you would prefer to receive future updates only in paper form, please return one signed copy of this letter for our files as authorization.

Thank you for your cooperation with Van Buren Township's master planning process.

Sincerely,

Ron Akers, AICP  
Director of Planning & Economic Development  
*On Behalf of the Van Buren Township Planning Commission*

**I/WE PREFER INFORMATION IN PAPER FORM ONLY:**

Printed Name

Signature

Date

Printed Title and Local Government / Organization



**MCKENNA**

August 24, 2018

Planning Commission  
Superior Charter Township  
3040 North Prospect  
Ypsilanti, MI 48198

**Subject: Planning Commission, Northfield Township, Michigan  
Notice of Intent to Conduct Comprehensive Planning**

Dear Planning Commission,

In accordance with the requirements of Michigan's PA 33 of 2008 and related amendments, this is to notify you that the Northfield Township, Washtenaw County, Michigan, is initiating the process to update its Master Plan. McKenna will be assisting with the planning process.

The Township is asking for your cooperation and assistance in this process. Specifically, we would like to know if you have any thoughts, concerns, or issues you feel should be addressed in this effort that would allow us to work more cooperatively when planning for our area.

Please be notified that you are invited to send a letter and/or email stating your opinions, position, or questions to the Northfield Township (Attn. Steven Aynes, Township Manager), 8350 Main Street – P.O. Box 576, Whitmore Lake, MI, 48189 or email Steven Aynes at [ayness@northfieldmi.gov](mailto:ayness@northfieldmi.gov). You can also email McKenna's Project Manager, Paul Lippens, at [plippens@mcka.com](mailto:plippens@mcka.com).

When the Master Plan draft has been approved for public distribution, a copy of the Plan will be uploaded to the Township's website (<http://www.twp.northfield.mi.us/>) Please contact us at the email provided above if you would prefer to be sent an electronic or physical copy of the plan directly.

Northfield Township thanks you for your cooperation and assistance.

Sincerely,

Paul Lippens, AICP  
Director of Transportation and Urban Design

CC: Steven Aynes, 8350 Main Street – P.O. Box 576, Whitmore Lake, MI, 48189

**HEADQUARTERS**

235 East Main Street  
Suite 105  
Northville, Michigan 48167

☎ 248.596.0920  
F 248.596.0930  
**MCKA.COM**

**Communities for real life.**

# The Citizen Planner Program

MICHIGAN STATE UNIVERSITY | Extension

The Michigan State University (MSU) Extension Citizen Planner Program offers land use education for locally appointed and elected planning officials, zoning administrators and interested residents throughout Michigan.

Citizen Planner is a time-tested educational program proven to be comprehensive without being overwhelming. The program is delivered locally to provide a convenient way for busy community leaders to obtain the latest technical knowledge and the proficiency they need to perform their duties more effectively and responsibly.

## WHY CITIZEN PLANNER?

Local officials have a responsibility to help their communities manage the impacts of economic change and be part of the solutions to challenges their communities face. Local communities that proactively plan to succeed in the New Economy can improve their quality of life and overall sustainability. The Citizen Planner Program empowers local officials to shape the future of their communities by providing them with the tools and education they need to lead.

MSU Extension awards Citizen Planner Classroom Program participants a certificate of completion.

## CITIZEN PLANNER CURRICULUM:

### Classroom Program

Instructors for the training program include MSU faculty, MSU Extension educators, planners and attorneys. The classroom program consists of six sessions:

- **Understanding the Planning and Zoning Context -** Learn the legal framework for your role, know the sources and limitations of planning and zoning authority, and explore your understanding of ethical decision-making.
- **Planning for the Future of Your Community -** Recognize the function and importance of a master plan, know the statutory and general process for developing one, and understand the master plan's relationship to zoning.
- **Implementing the Plan with Zoning -** Discover the importance of zoning, learn how zoning is administered and gain confidence in your zoning reviews, including site plans.
- **Making Zoning Decisions -** Know how to adopt and amend a zoning ordinance, understand the role of the zoning board of appeals and obtain skills in basic property development methods.
- **Using Innovative Planning and Zoning -** Reflect on the ways your community has changed over time, learn innovative urban and rural planning and zoning



techniques, and strategize with placemaking and design-based solutions for local and regional success in the New Economy.

- **Successfully Fulfilling Your Role -** Strengthen your skills in analyzing how to proceed through an ethical issue, reinforce your ability to apply standards to your decision-making and know when to ask for help.

## ALSO AVAILABLE:

### Citizen Planner Online

Citizen Planner Online includes similar content to the classroom program, but it is offered in a flexible, self-paced, online format. Citizen Planner Online is different from other courses - the concepts are



conveyed through stories about issues unfolding in a fictitious community called Spartyville. The situations Spartyville planning officials face are similar to those many communities must address. The online series of seasons and episodes follows a creative storyline that all learners will enjoy. All you need is a broadband internet connection and a computer, laptop or tablet. The online version of the program includes access to:

- Resources similar to the classroom program.
- Relevant web resources, decision-making tools and online exercises.



Photos: iStock.com/7656\_vseerakrpiyawalanakw, Rawpixel, Chonlchai, Zinkevych



## THE MASTER CITIZEN PLANNER CREDENTIAL

Participants who complete the Citizen Planner Classroom Program or Citizen Planner Online are eligible to earn the Master Citizen Planner (MCP) credential. In addition to completing the course, the MCP credential requires passing an online exam and capstone presentation, and meeting annual continuing education requirements.

Master Citizen Planners may receive incentives, such as future course discounts, exclusive training opportunities, and scholarships for annual conferences and regional training offered by partnering organizations. The MCP designation is an achievement recognized as the standard of excellence among planning officials and community leaders in Michigan.



Photo © istock.com/Zinkevych



Photo © istock.com/ChonlaChai

### For More Information

To learn more about the Citizen Planner Classroom Program or to register for Citizen Planner Online, contact Janean Danca, Citizen Planner coordinator, at 269-657-8213 or [cplanner@msu.edu](mailto:cplanner@msu.edu). Visit <http://citizenplanner.msu.edu/>.

## MICHIGAN STATE UNIVERSITY | Extension

MSU is an affirmative-action, equal-opportunity employer, committed to achieving excellence through a diverse workforce and inclusive culture that encourages all people to reach their full potential. Michigan State University Extension programs and materials are open to all without regard to race, color, national origin, gender, gender identity, religion, age, height, weight, disability, political beliefs, sexual orientation, marital status, family status or veteran status. Issued in furtherance of MSU Extension work, acts of May 8 and June 30, 1914, in cooperation with the U.S. Department of Agriculture. Jeffrey W. Dwyer, Director, MSU Extension, East Lansing, MI 48824. This information is for educational purposes only. Reference to commercial products or trade names does not imply endorsement by MSU Extension or bias against those not mentioned. Persons with disabilities have the right to request and receive reasonable accommodations. Produced by ANR Communications and Marketing. IP-WEB-10-2017-PA/MR WCAG 2.0



# Citizen Planner Program

A Land Use Training and Certificate Course for Community Land Use Decision-Makers



CITIZEN PLANNER IS A PROGRAM OF MSU EXTENSION

# MICHIGAN STATE UNIVERSITY | Extension

Greetings from Michigan State University Extension!

Our Government and Public Policy team is here to support you and your community with educational programming and technical assistance. We provide strong, evidence-based information that can help with sound governance and management. Our team of educators have expertise in issues such as economics, fiscal management, boardsmanship, parliamentary procedure, land use planning and zoning, and public policy.

We are excited to share information about our educational opportunities. Included in this letter are brochures about **Citizen Planner**, a land use education program for locally appointed and elected planning officials and interested residents throughout Michigan. This non-credit course leads to a certificate of completion awarded by MSU Extension. Advanced training through the Master Citizen Planner (MCP) credential is also available. The Citizen Planner Program is offered in a classroom or via video conference setting, or through a convenient self-paced opportunity called Citizen Planner Online.

**We ask that you please take a look at the enclosed brochure and share the extra copies with members of your boards and commissions who may like to learn more.**

Below is a map with each educator on our team who is available to assist in arranging a Citizen Planner Program near you. Please reach out to the educator closest to you with any questions about land use policy or governance.

Thank you for your service, we look forward to working with you.

Sincerely,

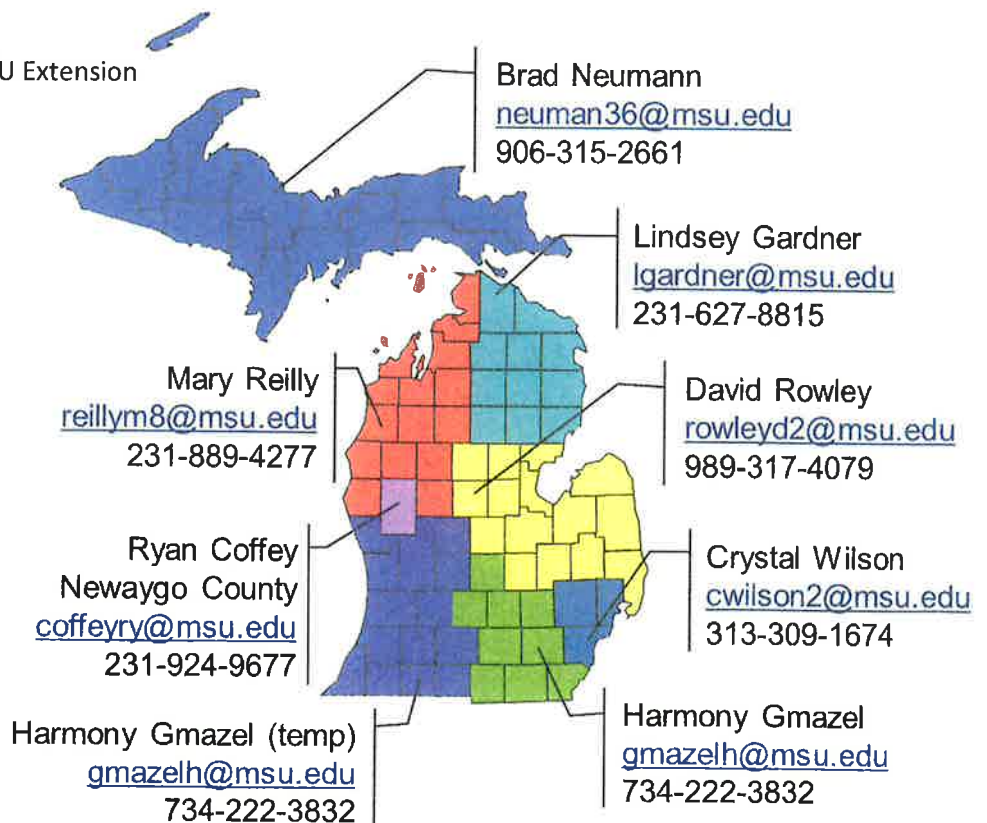
Your friends at MSU Extension



## MSU EXTENSION

Attn: Janean Danca  
Citizen Planner  
801 Hazen St., Suite D  
Paw Paw, MI 49079

269-657-8213  
269-657-8212  
cplanner@msu.edu  
msue.msu.edu



## ZONING DISTRICT AMENDMENT APPLICATION

(This application must be typewritten or printed. ALL questions must be answered.)

### APPLICANT INFORMATION

Name: Kenneth Schwartz

Address: 3040 N. Prospect Road

City: Ypsilanti State: MI Zip: 48198

Telephone: 734-482-6099 Alternate: \_\_\_\_\_

Fax: 734-482-3842 E-Mail: kenschwartz@superior-twp.org

### PROPERTY OWNER INFORMATION

Name: Superior Charter Township

Address: 3040 N. Prospect Road

City: Ypsilanti State: MI Zip: 48198

Telephone: 734-482-6099 Alternate: \_\_\_\_\_

Fax: 734-482-3842 E-Mail: kenschwartz@superior-twp.org

### PROPERTY DESCRIPTION

Address: South of Geddes Road, East of N. Harris Road, North of MacArthur Blvd

Tax Parcel Number: J-10-35-200-001

Legal Description: \*OLD SID - J 10-035-007-00 SU 35-5B COM AT NW COR OF SEC 35, TH S 1-47-15 E

E 753.28 FT ON W/LOF SEC TO POB, TH N 88-27-45 E 968 FT, TH S 1-47-15 E 541.81 FT TH S 88-27-45

W 968 FT, TH N 1-47-15 W 541.81 FT TO POB PART NW 1/4 SEC 35 T2S R7E

**ZONING DISTRICT**

Current A-2 Proposed: PSP

**DRAWING OF PROPERTY:** Attach a scaled drawing of the property in this petition, showing lot line dimensions, bearings, section corner reference, and the use and Zoning District of each adjacent parcel of land. Requests for PC, PM or VC Districts require a site plan that complies with the requirements in Article 7 of the Superior Township Zoning Ordinance.

**REASONS FOR THE PROPOSED ZONING DISTRICT AMENDMENT**

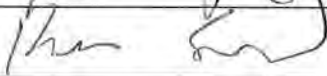
Proposed location for Ypsilanti District Library and parks property.

Attached hereto and made a part of this application are submitted the following:


- Drawings, all on sheets 11 inches by 8 ½ inches in size, drawn to scale, and correlated with the legal description; vicinity map clearly showing location of property, adjacent land uses and zoning classifications.
- A letter of authority or power of attorney in the event the petition is made by a person other than the owner of the property, signed by the owner.
- Complete legal description of the premises, including street address (if applicable.)
- Any additional information or documentation required by the Zoning Ordinance for petition review (for example site plans as required when a rezoning petition is for a Special District such as Planned Community).

I hereby depose and say that all the above statements and statements made in the papers and documents submitted herewith are true and correct. I also hereby acknowledge and understand what is required of a petitioner under Article 18 of the Superior Township Zoning Ordinance before consideration of a zoning district amendment.

Signature of Applicant 

Signature of Owner (s) 

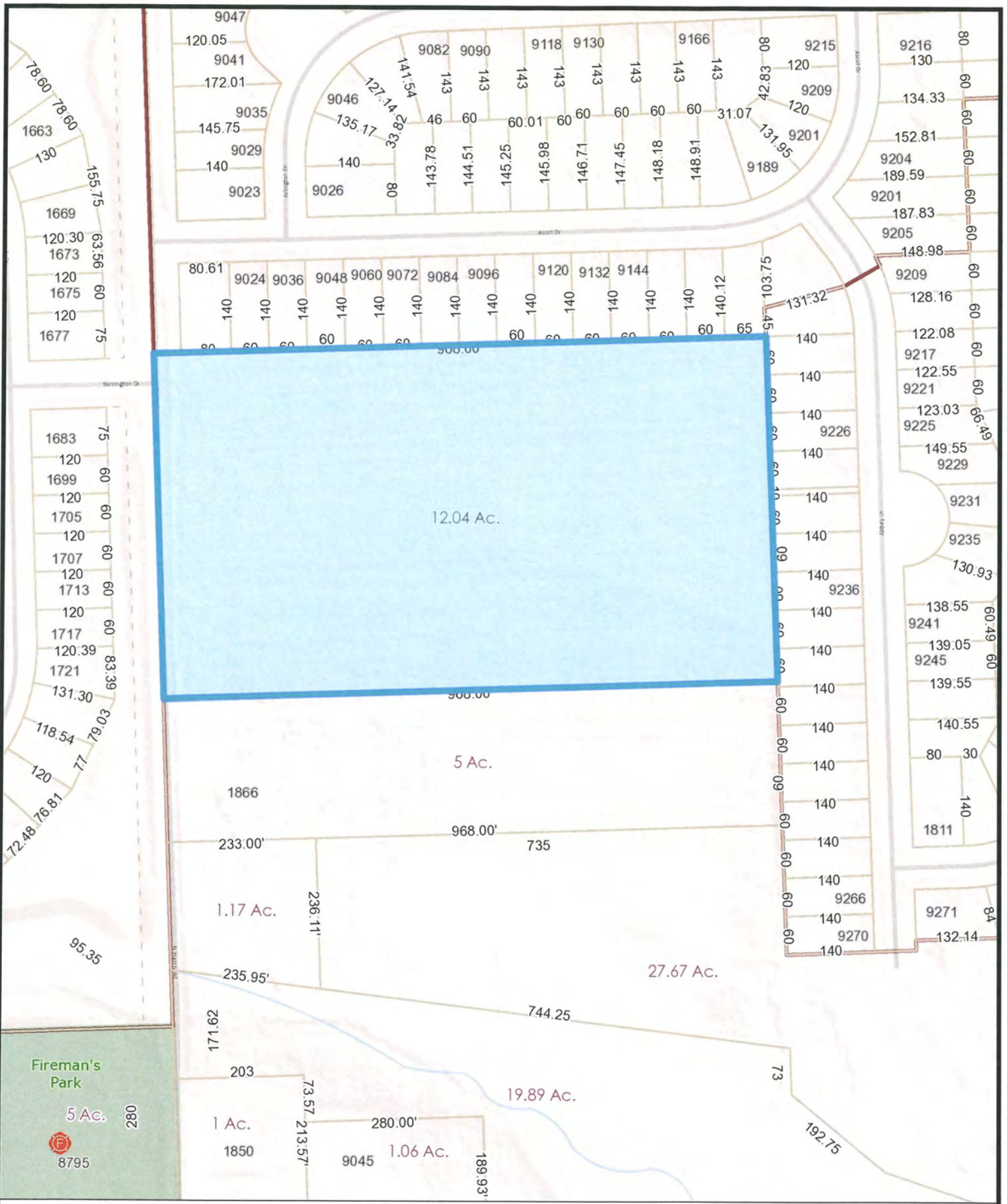
Sworn to before me this 19 day of December 20 18

My commission expires March 20, 2022 

*Superior Charter Township, 3040 N. Prospect Rd., Ypsilanti, MI 48198  
Telephone: 734-482-6099 Website: [superiortownship.org](http://superiortownship.org) Fax 734-482-3842*

(Notary Public, Washtenaw County, Michigan)

To be filled in by Township Clerk or Designee: I hereby state that this application was properly received and  
filed on 12/19/2018 . Signature Laura Bennett



© 2013 Washtenaw County

1: 2,400

Geographic Information System

**NOTE: Parcels may not be scale.**

The information contained in this cadastral map is used to locate, identify and inventory parcels of land in Washtenaw County for appraisal and taxing purposes only and is not to be construed as a "survey description". The information is provided with the understanding that the conclusions drawn from such information are solely the responsibility of the user. Any assumption of legal status of this data is hereby disclaimed.

THIS MAP REPRESENTS PARCELS AT THE TIME OF PRINTING. THE OFFICIAL PARCEL TAX MAPS ARE MAINTAINED SOLELY BY THE WASHTENAW COUNTY EQUALIZATION DEPARTMENT AND CAN BE OBTAINED BY CONTACTING THAT OFFICE AT 734-222-6662.



Date: January 17, 2019

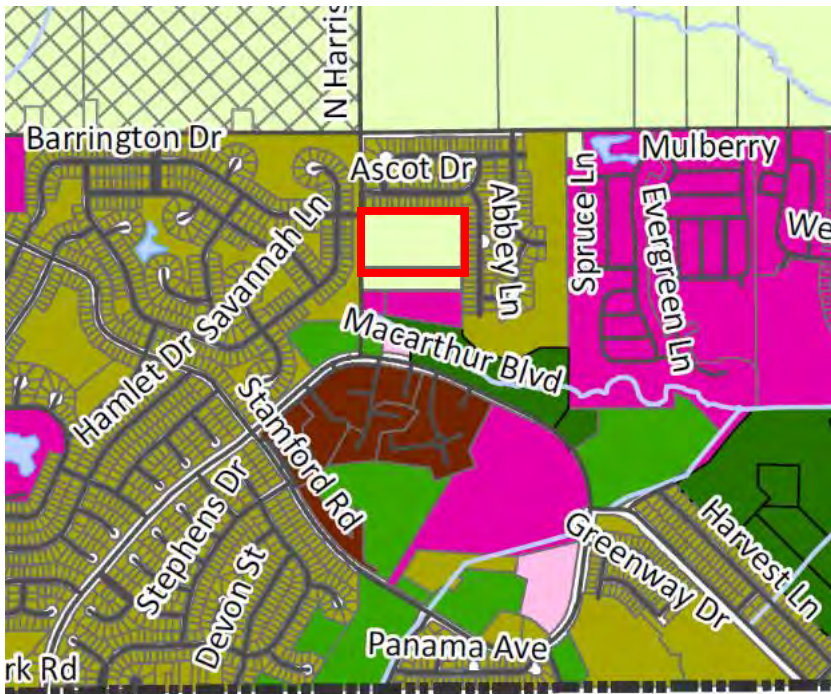
## **Rezoning Analysis For Superior Township, Michigan**

<b>Applicant:</b>	Superior Township
<b>Project Name:</b>	Ypsilanti District Library Rezoning
<b>Location:</b>	Vacant Parcel on east side of Harris Road, south of Geddes Road,
<b>Current Zoning:</b>	A-2, Agriculture District
<b>Proposed Rezoning:</b>	PSP, Public/Semi-Public Services District
<b>Action Requested:</b>	Rezoning from A-2, Agriculture District to PSP, Public/Semi-Public Services District

### **PROJECT AND SITE DESCRIPTION**

Superior Township is proposing the rezoning of a 12-acre parcel of land, known as Tax ID # J -10-35-200-001, from A-2, Agriculture District to PSP, Public/Semi-Public Services District in order to construct an Ypsilanti Township District Library facility. The current zoning of A-2, Agriculture District does not permit a library. A library is a permitted use in the PSP, Public/Semi-Public Services District.

Please note that the applicant has submitted a concept site plan for the future library building. The site plan is for informational purposes only and will require a full site plan review by the Planning Commission in the future.



**Zoning Districts**

- RC - Recreation-Conservation District
- A1 - Agricultural District
- A2 - Agricultural District
- R1 - Single-Family Residential District
- R2 - Single-Family Residential District
- R3 - Single-Family Residential District
- R4 - Single-Family Residential District
- R6 - Manufactured Housing Park District
- R7 - Multiple-Family Residential District
- C1 - Neighborhood Commercial
- C2 - General Commercial District
- O1 - Office District
- PSP - Public/ Semi Public Services District
- PC - Planned Community District
- NSC - Neighborhood Shopping Center District
- VC - Village Center District
- MS - Medical Services District
- PM - Planned Manufacturing District
- OSP - Open Space Preservation Overlay District



## ZONING AND LAND USE

The Zoning and existing land uses for the subject site and surrounding parcels

Direction	Zoning	Existing Use
Subject Site	A-2, Agriculture District	Vacant
North	R-4, Single Family Residential	Single Family Residential
South	A-2, Agriculture District	Vacant
East	R-4, Single Family Residential	Single Family Residential
West	R-4, Single Family Residential	Single Family Residential

## GROWTH MANAGEMENT PLAN

The adopted 2010 Superior Township Master Plan shows the subject site as being within the Geddes Road Urban Sub-area (pg. 6-1), and is designated as “Mixture of Urban Residential Development” on the future land use map (pg. 6-20). The Geddes Road Urban Sub-area coincides with the Township Urban Service Area. This area is primarily single-family residential but does include some multi-family residential, employment, and institutional uses. The Growth Management Plan includes a section that discusses the need for additional and future public facility needs (pg. 6-12). The Plan indicates the need for a new library in the Harris Road/MacArthur Boulevard area.

The applicant is requesting to rezone 12-acres for the purpose of building a public library. The Plan notes a need for a public library in the Harris Road and rezoning the site to allow for the construction of a public library is consistent with the Townships adopted Growth Management Plan.

## REZONING STANDARDS

As set forth in Section 18.06, the Planning Commission shall identify and evaluate all factors relevant to the petition. The facts to be considered by the Planning Commission shall include, but shall not be limited to, the following:

- 1. Whether or not the requested zoning change is justified by a change in conditions since the original Ordinance was adopted, or by an error in the original Ordinance.*
- 2. The precedents, and the possible effects of such precedents, that might result from approval or denial of the petition.*
- 3. The capacity of Superior Township or other government agencies to provide any services, facilities, and/or programs that might be required if the petition were approved.*
- 4. Effect of approval of the petition on the condition and/or value of property in Superior Township or in adjacent municipalities.*
- 5. Relation of the petition to the Township’s adopted Growth Management Plan, and of other government units where applicable.*


We find that the required finding of facts has been met:

1. A millage was passed in part to create a new district library in this portion of Superior Township. The current zoning of A-2, Agriculture District does not permit a library use. The millage was passed after the adoption of the current zoning for this parcel. The construction of the library is not possible without a rezoning.
2. The rezoning from A-2, Agriculture District to PSP, Public/Semi-Public Services District to construct a public library will not create a precedent.
3. The Township Adopted Growth Management Plan has noted a need for a public library in the Harris Road area. Rezoning the site to allow for the construction of a public library is consistent with the Townships adopted Growth Management Plan.
4. The site is located with the urban service boundary which provides the necessary public services to support such as use.
5. Having a public library in the urban service boundary, accessible by transit, and within proximity to the highest density residential portion of the township provides a viable resource and amenity to the community.


## RECOMMENDATIONS

We recommend the rezoning of the 12-acre parcel with Tax ID # J -10-35-200-001 from A-2, Agriculture District to PSP, Public/Semi-Public Services District in order to construct an Ypsilanti Township District Library facility.

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CARLISLE/WORTMAN ASSOC., INC.  
Benjamin R. Carlisle, AICP, LEED AP

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CARLISLE/WORTMAN ASSOC., INC.  
Paul Montagno, AICP  
Associate

January 16, 2019

Lynette Findley, Township Clerk  
Charter Township of Superior  
3040 N. Prospect Road  
Ypsilanti, MI 48198

Re: **Ypsilanti District Library: Superior Branch  
Rezoning Plan Review  
OHM Project No. 0140-19-1010**

Dear Ms. Findley,

On behalf of the Charter Township of Superior (the Township), OHM Advisors has performed a review of the conceptual documents related to rezoning of this 12 acre parcel for the future Ypsilanti District Library, Superior Branch. Documents provided to OHM Advisors from the Township were reviewed and engineering elements to consider throughout the site plan process are outlined below:

1. The current site is a lightly wooded parcel that generally slopes from a high point in the northwest corner of the site to lower ground in the southeast corner; a difference in existing grade relief of about 8 feet across the site.
2. Wetland or floodplain areas are not anticipated to be encountered on the parcel. Surface drainage on the site will trend southeast across the site. We would anticipate stormwater management facilities towards the southeast portion of the site.
3. When designing proposed utilities and planning management of stormwater facilities, the following comments should be considered by the Applicant:
  - a. The nearest accessible public water main is a 12-inch pipe on the east side of N Harris Road, adjacent to the proposed development. Connecting to this existing water main is recommended to provide water service and redundancy to the future library site. The design of proposed on-site water main should be per Township Engineering Standards.
  - b. The nearest available sanitary service is beyond the immediate limits of the proposed site. An 8-inch sanitary sewer is located on the west side of N Harris Road that flows southward to the sanitary sewer along MacArthur Boulevard via S Warwick Court. There does appear to be other options for connection to existing sanitary sewer surrounding the site. These options may be considered further by the Applicant's Engineer during the site plan stage.
  - c. For stormwater management and pre-treatment, green engineering methods could be implemented to minimize environmental impact by utilizing a detention pond and/or rain gardens near the developed portions of the site. This portion of the review would be per Washtenaw County Water Resources Commissioner (WCWRC) Standards and future review.
  - d. We anticipate that stormwater discharge would occur at the southeast corner of the site into an existing drainage course, assuming this outlet is approved in the future by WCWRC.
4. It is anticipated that permits will be required from the following agencies prior to final site plan approval:
  - a. YCUA approval and MDEQ Permits for public water main and sanitary sewer construction (if required)



- b. WCWRC for stormwater management and SESC measures
  - c. Washtenaw County Road Commission for proposed entrance connection to N. Harris Road
  - d. Superior Township Fire Department
  - e. Superior Township Building Department.
5. It is anticipated that the proposed Library will go through the Site Plan and Engineering review processes prior to Construction Approval. The approval process is outlined in the Township's Zoning Ordinance and Engineering Standards; Site Plan review checklists are also included in this manual. It is recommended that these checklists are reviewed and adhered to by the Applicant for each submittal to expedite the review process to the extent possible.

Thank you for the opportunity to assist the Township with this project, and please do not hesitate to contact me at (734) 466-4439 if you have any questions regarding our comments.

Sincerely,  
**OHM Advisors**

---

George A. Tsakoff, PE  
Principal

cc: Ken Schwartz, Township Supervisor  
Richard J. Mayernik, CBO, Township Building Department  
Laura Bennett, Township Planning Coordinator  
Ben Carlisle, Township Planning Consultant

OFFICE OF  
**RICHARD MAYERNIK C.B.O.**  
BUILDING/ZONING OFFICIAL

TOWNSHIP HALL  
3040 NORTH PROSPECT STREET  
COR. PROSPECT & CHERRY HILL RDS.  
YPSILANTI, MICHIGAN 48198  
TELEPHONE: (734) 482-6099  
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**CHARTER TOWNSHIP OF SUPERIOR**  
WASHTENAW COUNTY, MICHIGAN

TO: Superior Township Planning Commission

FROM: Richard J. Mayernik  
Building/Zoning Official

RE: Rezoning Request - STPC 18-14  
J-10-35-200-001

DATE: January 18, 2019

I have inspected the above-referenced parcel and find that it does conform with the Superior Township Ordinance for required signage for a public hearing.

# **Superior Township Monthly Report**

## **December/ January 2019**

### **Resident Debris/ Complaints:**

- 9108 Panama- Shed with large hole- **(Tagged)**
- 1614 Wiard Rd.- Bench & Hamper on Extension- **(Tagged for Removal)**
- 1654 Wiard Rd.- Refuse on Extension- **(Tagged for Removal)**
- 1821 Stephens Dr.- Refuse on Extension- **(Tagged for Removal)**
- 9216 Ascot Dr.- Doors on Extension- **(Tagged)**
- 8689 Nottingham Ct.- T.V. on Extension- **(Tagged for Removal)**
- 1019 MacArthur Dr.- Cardboard on lawn- **(Tagged for Removal)**
- 8265 Plymouth Rd.- Furniture on Extension- **(Tagged for Removal)**
- 1708 Dover Ct.- Debris on Extension- **(Tagged for Removal)**
- 1723 Hamlet- Sofa on Extension- **(Tagged for Removal)**
- 9124 Panama- Debris by garage- **(Tagged for Removal)**
- 9400 Geddes Rd.- Debris in front of house- **(Tagged for Removal)**
- 10119 Avondale- Wood pieces on Extension- **(Tagged for Removal)**
- 8645 Cedar Ct.- Black bags on Extension- **(Tagged for Removal)**
- 8607 Heather- Wood dresser on Extension- **(Tagged for Removal)**

### **Vehicle Complaints:**

- 8960 Nottingham- Vehicle on jacks- **(Tagged for Removal)**
- 1069 Stamford Rd.- Vehicle with expired tags- **(Tagged)**
- 1615 Zoey Ct.- Vehicle with no tags- **(Tagged for Removal)**
- 1718 Bridgewater- Vehicle with expired tags- **(Tagged)**
- 1514 Harvest Ln.- Vehicle parked on lawn- **(Tagged for Removal)**
- 6790 Ford Rd.- Vehicle with no tags- **(Letter sent to owner)**
- 1725 Dover Ct.- Vehicle with no tags- **(Tagged for Removal)**
- 9108 Panama- Wrecked vehicle in driveway- **(Letter sent to owner)**

### **Illegal Dumpings:**

- Yardwaste bags dumped on Gotfredson & Cherry Hill- **(Office Notified)**
- Loveseat Dumped on Vreeland & Prospect Rd.- **(Office Notified)**
- Debris Dumped on LaForge Rd. & Vreeland Rd.- **(Office Notified)**

**SUPERIOR TOWNSHIP BUILDING DEPARTMENT**  
**MONTH-END REPORT**  
**Dec 2018**

Category	Estimated Cost	Permit Fee	Number of Permits
<b>Com/Multi-Family Other Building</b>	<i>\$107,000.00</i>	<i>\$0.00</i>	<i>1</i>
<b>Electrical</b>	<i>\$0.00</i>	<i>\$1,804.00</i>	<i>14</i>
<b>Mechanical</b>	<i>\$0.00</i>	<i>\$3,268.00</i>	<i>25</i>
<b>Plumbing</b>	<i>\$0.00</i>	<i>\$3,852.00</i>	<i>26</i>
<b>Res-Additions (Inc. Garages)</b>	<i>\$169,400.00</i>	<i>\$953.00</i>	<i>2</i>
<b>Res-Manufactured/Modular</b>	<i>\$35,000.00</i>	<i>\$450.00</i>	<i>3</i>
<b>Res-New Building</b>	<i>\$1,422,098.00</i>	<i>\$9,491.00</i>	<i>5</i>
<b>Res-Other Building</b>	<i>\$125,540.00</i>	<i>\$1,032.00</i>	<i>4</i>
<b>Res-Other Non-Building</b>	<i>\$12,704.00</i>	<i>\$100.00</i>	<i>1</i>
<b>Res-Renovations</b>	<i>\$306,740.00</i>	<i>\$2,275.00</i>	<i>7</i>
<b>Totals</b>	<b><i>\$2,178,482.00</i></b>	<b><i>\$23,225.00</i></b>	<b><i>88</i></b>

SUPERIOR TOWNSHIP BUILDING DEPARTMENT  
YEAR-TO-DATE REPORT

January 2018 To Date

Category	Estimated Cost	Permit Fee	Number of Permits
<b>Com/Multi-Family Other Building</b>	<i>\$328,867.00</i>	<i>\$1,246.00</i>	<i>6</i>
<b>Com/Multi-Family Renovations</b>	<i>\$2,561,912.00</i>	<i>\$12,274.00</i>	<i>9</i>
<b>Com-Other Non-Building</b>	<i>\$97,690.00</i>	<i>\$1,650.00</i>	<i>9</i>
<b>Electrical</b>	<i>\$0.00</i>	<i>\$17,044.00</i>	<i>123</i>
<b>Electrical Permits</b>	<i>\$0.00</i>	<i>\$29,500.00</i>	<i>168</i>
<b>Mechanical</b>	<i>\$0.00</i>	<i>\$25,831.00</i>	<i>176</i>
<b>Mechanical Permits</b>	<i>\$0.00</i>	<i>\$37,783.55</i>	<i>229</i>
<b>Plumbing</b>	<i>\$0.00</i>	<i>\$38,438.00</i>	<i>271</i>
<b>Res-Additions (Inc. Garages)</b>	<i>\$1,591,298.00</i>	<i>\$9,692.00</i>	<i>22</i>
<b>Res-Manufactured/Modular</b>	<i>\$4,095,000.00</i>	<i>\$13,450.00</i>	<i>90</i>
<b>Res-New Building</b>	<i>\$10,634,970.00</i>	<i>\$68,414.00</i>	<i>33</i>
<b>Res-New Building (Attached SFD)</b>	<i>\$8,709,811.00</i>	<i>\$56,588.00</i>	<i>53</i>
<b>Res-Other Building</b>	<i>\$860,249.00</i>	<i>\$7,241.00</i>	<i>62</i>
<b>Res-Other Non-Building</b>	<i>\$462,485.00</i>	<i>\$2,786.00</i>	<i>20</i>
<b>Res-Renovations</b>	<i>\$1,155,700.00</i>	<i>\$7,711.00</i>	<i>26</i>
<b>Totals</b>	<b><i>\$30,497,982.00</i></b>	<b><i>\$329,648.55</i></b>	<b><i>1,297</i></b>



# Zoning Report

January 18, 2019

## Project Updates:

**Vibrant Life (former Fairfax Manor)-** Rehabilitation work has been progressing well at the site. The buildings have received all new windows, new roof, new mechanical equipment, new flooring, doors, plumbing fixtures, etc. The 300 and 400 buildings (fronting Geddes) are complete and have received Certificates of Occupancy. The owner is now focusing on completion of the 100 and 200 building (fronting Prospect) and I would expect completion sometime this summer.

**Arbor Woods-** The new owners (Sun Communities) has turned around this failing community and has heavily invested in road and infrastructure repairs, office remodel and placement of brand new homes into what was a half vacant community. I believe there are less than 10 remaining open lots.

**Dixboro House-** This project is still slowly progressing towards final engineering approvals and building permit issuance. The Planning Commission approved the Final Site Plan in June of 2018. Detailed engineering drawings were submitted for OHM review October 31, 2018 and review was authorized on December 3, 2018 after receipt of additional escrow deposits. OHM forwarded their engineering review comments to the applicant on December 21, 2018 for applicant action. At the time of the review letter, OHM had not received any copies of permits from outside agencies (Road Commission, Water Resources, Soil Erosion, Health Department or MDEQ).

**RFC Financial-** The work at this site is now complete and a Temporary Certificate of Occupancy has been issued. Final engineering close-out documents need to be submitted prior to a full C of O.

**Glen Oaks-** The Planning Commission approved the final site plan at their June 27, 2018 meeting. As of this time, detailed engineering drawings have not been submitted for review. The applicants met with staff on January 11, 2019 to discuss the approval process and submissions required after staff prompted the meeting with an advisory letter relating to expiration.

**Prospect Pointe West-** A planning meeting with Lombardo principals and engineers was held August 16, 2018 relating to proposed changes the site plan. At that time, the

concept of a single phase project was discussed. The applicant indicated they would consider that option and advise the Township. We have had no contact from the applicant since that time.

**SJMH Cancer Center-**The Cancer Center addition and alteration project is now complete and has received a Temporary C of O. Minor interior items and engineering close out need to be completed prior to the issuance of a full C of O.

**Humane Society-** I was recently contacted by the Humane Society inquiring about re-starting the approval process for the parking lot that received final phased approval in 2016. As you may recall, The U of M Regents did not approve the plan the Humane Society proposed. Humane Society administration believes that there may be a renewed opportunity for approval with new Regents in place.

**Sutton Ridge-** I received many phone calls and emails once the project commenced relating to the contractors not following approved work hours and the approved construction traffic route on Wexford. The general contractor was having difficulty enforcing the requirement with their sub-contractors until I requested that Redwood intercede as they were the party who committed to the conditions of the Development Agreement. The owners and their contractor undertook efforts with their contractors and made direct contact with the adjacent homeowner associations to directly address the problems. I have not had complaint issues since that time. Work has begun on site and I expect that 2 buildings will be erected this winter.

**Small Cell Towers-** During Michigan's lame duck session, Senate Bill 637 (Small Cell Facilities Deployment Act) was approved and signed by former Governor Snyder. This Act will be effective March 12<sup>th</sup>, 2019. I have attached an article discussing the implications of this Act for Townships.

**SJMH Farm-** I met with Dave Raymond from SJMH at the Farm site to discuss a proposed permanent pole barn. I suggested that an application be made to the Planning Commission for the new structure and other new and proposed changes to the area. I would expect that an application will be submitted in the next 6 months.

**Marijuana-** At their September 17, 2018 meeting, the Township Board of Trustees passed Resolution 2018-29 (attached) referring to the Planning Commission the task of drafting ordinances to regulate the licensing of marijuana facilities in the Township. Following the November election results, the Board tabled proposed Ordinance #193

which would have prohibited all marijuana facilities within the Township. I believe the Boards current intent is for the Planning Commission to take no action relating to Resolution 2018-29 until such time as further direction is given by the Board.

Richard Mayernik, Building/Zoning Official


A handwritten signature in black ink, consisting of a stylized 'R' enclosed in a circle with a horizontal line extending from the bottom right.

# Fahey Schultz Burzych Rhodes

EXPERT COUNSEL  REAL SOLUTIONS

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## Townships Got Run Over By Wireless Providers: Small Cell Towers Are Coming to Townships

December 2018

*During the 2018 lame duck session, many bills were introduced, and some passed, attacking the authority of local government. Senate Bill 637 was one of those bills that did pass and was signed by Governor Snyder. It may have the greatest impact on all townships in 2019 as it opens miles of township rights-of-way with little conditions, and few are prepared for the applications that will ensue. Senate Bill 637, introduced by Senators Hune and Nofs, creates the Small Wireless Communication Facilities Deployment Act ("Small Cell Facilities Deployment Act"). The conditions are far more favorable to the wireless communication providers as the goal of the Small Cell Facilities Deployment Act is to limit restrictions and costs related to wireless infrastructure deployment imposed by local governments. It appears to accomplish this goal. The Act will be effective March 12th, 2019. This E-letter discusses the Small Cell Facilities Deployment Act and its impact on townships.*

### ***Higher Cell Phone Usage Requires More Cell Antennas and Towers***

The Small Cell Facilities Deployment Act allows for the installation of small cell wireless systems in township public rights-of-way. These systems will be installed within rights-of-way by co-locating antennas on existing poles (i.e., power line poles and traffic control devices) or the installation of new poles and specifically designed support structures. The systems are designed to work with many small antennas mounted close to one another, instead of the tall and large cell towers townships have become accustomed to reviewing and approving. Small cell antennas have a range of less than two miles, requiring a lot of them to ensure adequate and effective coverage.

This system will allow expansive use of emerging “5G networks” or “fifth generation” wireless systems. The 5G networks are designed to offer increased capacity, lower latency times, and faster speeds in a world where more and more data is being consumed through smartphones, tablets and wireless devices. 5G networks employ a frequency bandwidth that limits the distance that the towers can be dispersed. This means that wireless providers will need even more antennas.

The Small Cell Facilities Deployment Act removes local regulation and creates a universal process to streamline deployment for wireless service providers. The removal of local oversight is akin to the limitations placed on townships’ oversight of public rights-of-way through the enactment in 2002 of the Metropolitan Extension Telecommunications Rights-Of-Way Oversight Act (“METRO Act”). Many townships are familiar with METRO Act applications seeking permission to install telecommunication wires in the rights-of-way under a uniform permit process. The application, review process, and permitting process will be similar for small wireless facilities.

The passage of the Small Cell Facilities Deployment Act brings with it a complicated regulatory scheme that largely restricts the typical legislative decision-making process provided to local units of government with respect to access to their rights-of-way and exercise of their zoning authority over cell towers and antennas. While planning for 2019, townships should consider the impacts of this Act and its significant provisions.

### ***“Small cell” is Not so Small***

A small cell wireless facility must meet both of the following: (1) each antenna shall not exceed six cubic feet, and (2) all related wireless equipment shall not exceed 25 cubic feet. For purposes of illustration, a small chest freezer at the local home improvement store is typically six to seven cubic feet. The largest model that the home improvement store sells probably does not exceed 20 cubic feet, making permitted wireless equipment 5 cubic feet larger than the largest chest freezer. These items are permitted within township rights-of-way under only the conditions imposed by the Act as of March 12, 2019.

### ***Micro Wireless Facilities are Actually Small***

The Act creates a second classification of small wireless facilities called a “micro wireless facility.” A “micro wireless facility” cannot be more than “inches” in length, 15 inches in width, and 12 inches in height, and an exterior antenna no more than 11 inches in length. The Act exempts them from *any* approval, permit, fees or rates. This may even apply to township consent of its own poles, although other Michigan constitutional provisions and state law suggest that must not be a valid interpretation of the Act.

### ***Antennas are Allowed on All-types of Utility Poles***

The Act allows expansive use of current public infrastructure for the mounting of small cell facilities. The Act defines “utility” pole to be a “pole or similar structure” that may be or is used

for cable or wireline communication service, electric distribution, lighting, traffic control, signage, or similar structure that meets the height requirements of the Act and is designed to support small cell wireless facilities. Sign poles less than 15 feet in height are excluded. In turn, this should prevent standard traffic control signs (such as a stop sign or yield sign) from becoming wireless cell towers.

### ***Zoning Approvals***

Townships are prohibited from requiring zoning review and approval of collocation of small cell facilities on existing poles or to construct a new utility pole so long as the activities occur within the rights-of-way of the townships. The activity must also be on a utility pole not taller than 40 feet (unless a township provides otherwise) or extend more than 5 feet above the utility pole. Even though such activities are not subject to zoning review, these activities are still subject to the township's permit process for use of its rights-of-way. Generally, the installation of small cell facilities *outside* the rights-of-way are subject to zoning regulation.

### ***Overly Complicated Application Approval Timelines***

The Act creates two complicated layers for small cell facility approvals:

1. Section 15 of the Act addresses the application process for allowing a small cell facility within the rights-of-way.
2. Section 17 of the Act addresses the application process for zoning review and approval of those small cell facilities that are not exempt from zoning.

In instances where collocation or installation occurs within the rights-of-way, a township must approve an application for collocation of a small cell facility within 60 days and an application for a new pole not exceeding 40 feet within 90 days. If the township does not meet the timelines, the wireless provider could receive automatic approval. Two 15-day extensions are available to a township if an application from another wireless provider was received within one week and if the township gives notice and reason for such extension. The grant or denial of zoning approval must occur within 90 days (not 60 days) for an application to modify a wireless support structure or installation of a small cell facility and 150 days (not 90 days) after an application for a *new* wireless support structure. The parties may mutually agree to extend the time period between the applicant and authority.

### ***Tolling of the Application Approval Timelines***

The Act does toll the timelines for incomplete applications. If the application is one to install a facility or utility pole within the rights-of-way, a township must notify the applicant within 25 days after receiving an application whether it is incomplete, identifying the missing document or information. The township's notice would stop the time period running for approval until the applicant made a supplemental submission. Any additional notices of incomplete information

must be provided within 10 days thereafter, and cannot raise new issues from the original notice. Townships must quickly review the application and correctly identify all missing information.

Unlike the 25 days to provide notice of whether an application is complete for installation in a right-of-way, a township must notify the applicant within 30 days after receiving an application for zoning review and approval whether the application is complete. A similar tolling period and notice process applies.

### ***Consolidated Applications***

A wireless provider may file a “consolidated application” and receive approval for the issuance of permits allowing collocation of up to 20 small cell facilities within a township’s rights-of-way. The consolidated application process does not appear available for zoning review and approval requests, but there is no reason that a township could not handle zoning review in the same manner. The township’s largest concern will be that the time to review a single application applies to review of a consolidated application. Even so, the wireless provider must ensure the consolidated application covers substantially similar equipment and be placed on similar types of utility poles or wireless support structures. A township may deny one or more antenna locations within a consolidated application, while approving those antennas that satisfy the Act.

### ***Annual Rates***

Rates are permitted as a “recurring charge.” A township can charge a wireless provider no more than \$20.00 *annually* for locating a facility within the rights-of-way. Except, if a utility pole or support structure was erected by or on behalf of a wireless provider after March 12, 2019 (the effective date), the township may charge up to \$125.00 *annually*. Every five years, the maximum rates are increased by 10%. Any rates established by a township prior to March 12, 2019 must be modified within 90 days thereafter, except the Act appears to provide an exclusion for agreements or ordinances that address utility poles designed to support small cell facilities or small cell collocations that existed prior to the effective date. For those townships that own poles, the Act allows townships to charge an added rate not to exceed \$30.00 per a year per township-owned pole.

### ***Permit Fees***

Fees are a “nonrecurring charge for services.” This refers to applicable permit fees that are authorized under the Act. An application fee for a permit to collocate a small cell facility within a right-of-way is \$200.00. An application fee for small cell facility *and* a new pole is \$300.00. No permit is required to replace a small cell facility with a facility that is not larger or heavier than a permitted facility, routine maintenance of a permitted facility, utility pole, or wireless support structure, or *installation*, operation, or replacement of micro wireless facilities. The Act allows a township to charge higher fees for zoning review and approval. Permit fees for zoning review and

approval shall not exceed \$500.00 for a new small cell wireless facility or modification to a facility, and \$1,000.00 for a new wireless support structure or modification to such a structure.

### ***Design Concealment***

A township can adopt written, objective requirements for reasonable, technically feasible, nondiscriminatory, and technologically neutral design or concealment measures in a historic district, downtown district, or residential zoning district. The requirements must be reasonable and feasible to the extent they would not prohibit a wireless provider's technology. The concealment or design measures would not be considered part of the small cell wireless facility for purposes of determining the six cubic feet discussed above. These zoning district specific requirements should be instituted through a proper zoning amendment.

### ***Required Repair of the ROW***

A township may require a wireless provider to repair all damage to rights-of-way directly caused by the activities of the provider. If the wireless provider failed to make the repairs required by the township within 60 days after written notice, the township could make the repairs and charge the wireless provider the reasonable, documented cost of repairs.

### ***Indemnification, Insurance, and Bond Requirements***

In the morass of complex application timelines, tolling periods, and layered permit fees and rates, the Act generally describes three clear benefits to townships.

1. The Act allows a township to require applicants to defend, indemnify and hold harmless the township against any claims resulting from the applicants' installation and operation of facilities, structures and poles.
2. A township can also require to be named an additional insured on the applicant's insurance policy..
3. The Act further provides that a township can establish bonding requirements so long as the bond serves the purpose of protecting against proliferation of abandoned facilities, repair to the rights-of-way, or to recoup rates that have not been paid in more than 12 months.

These are reasonable conditions to impose given the number of new poles and work that may occur within the rights-of-way in the coming years. Certainly, there may be some user conflict within the rights-of-way, impacts to traffic safety, and damage to the rights-of-way. These requirements will limit township liability.

### ***Limited Reasons for Denial***

The Act itself provides a list of reasons that a township could deny an application for a small cell wireless colocation or installation of a utility pole that meets the height requirements within the rights-of-way. Those specified reasons are as follows:



1. Materially interfere with the following:
  - i. Safe operation of traffic control equipment;
  - ii. Sight lines for transportation or pedestrians;
  - iii. Access required by the Americans with Disabilities Act;
  - iv. Maintenance or unobstructed use of public utility infrastructure;
  - v. Maintenance or use of drainage infrastructure.
2. Locate the facility within an unreasonable distance from a drain;
3. Fail to comply with the following:
  - i. Reasonable, nondiscriminatory spacing requirements;
  - ii. Applicable codes;
  - iii. Underground or buried cable and utility facilities requirements;
  - iv. Reasonable stealth or concealment criteria.

If an application is denied, the township must explain the reasons for the denial and cite any specific applicable code provisions that form the basis of the denial.

#### ***METRO Act Applicability for Wireline Backhaul Facility***

The Act excludes from its scope the installation and placement of “wireline backhaul facilities.” These facilities are the wire or fiber-optic cable necessary to transfer the data sent and received by small wireless facilities. This should require the backhaul network to require approval under the METRO Act.

#### ***Michigan’s Automakers Stand to Benefit***

Much discussion surrounding the Act’s passage focuses on 5G deployment and cell providers, such as Verizon and AT&T. But, if it is any consolation for the sweeping regulations, the expansive definitions within the Act should allow Michigan’s automakers to deploy wireless facilities that will support smart cars. Expansive rights-of-way exist adjacent to expressways and within urban centers that could easily be deployed for the operation and safety of smart cars. This could advance autonomous cars and also provide implementation of safety technology to limit traffic incidents. Although if automakers are not prepared to start deploying such infrastructure or use similar networks created by current wireless cell providers, future conflicts over rights-of-way space may become problematic. Given Michigan’s long-held relationship with the automobile, there could be significant economic benefit in allowing local automakers regulatory freedom to advance smart car technology. Only time will tell.

- *Christopher Patterson*

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*Fahey Schultz Burzych Rhodes PLC, Your Township Attorneys, is a Michigan law firm specializing in the representation of Michigan townships. Our lawyers have more than 150 years of experience in township law and have represented more than 150 townships across the state of Michigan. This publication is intended for our clients and friends. This communication highlights specific areas of law and is not legal advice. The reader should consult an attorney to determine how the information applies to any specific situation.*

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Township Law Resources »

Business Services Resources »

Michigan Restaurant Association's "Ask the Experts" »

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**CHARTER TOWNSHIP OF SUPERIOR  
WASHTENAW COUNTY, MICHIGAN**

**RESOLUTION TO REFER TO THE PLANNING COMMISSION THE TASK OF  
DRAFTING AN ORDINANCE TO REGULATE THE GROWING, PROCESSING,  
TESTING AND TRANSPORTATION OF MARIJUANA PURSUANT TO THE  
MICHIGAN MARIJUANA FACILITIES LICENSING ACT – (ACT 281 OF 2016)**

**Resolution Number 2018-29**

**Date: September 17, 2018**

**WHEREAS**, the Charter Township of Superior Board of Trustees has been inundated with requests to “opt in” into the licensing of marijuana facilities by residents of the township, and,

**WHEREAS**, the Superior Township staff has devoted many hours each week fielding questions from residents and non residents alike as to the township’s position on Public Act 281 of 2016; and,

**WHEREAS**, on March 16, 2018, the Superior Township Board of Trustees held a special meeting to receive public input on the question, and the overwhelming majority of the public requested the board to “opt in” ; and,

**WHEREAS**, this is a public question which needs to be resolved either in favor of instructing the planning commission to investigate the issue and to draft a proposed ordinance(s) for the board’s consideration or to do nothing which will have the effect of “opting out”; and,

**WHEREAS**, passing this resolution, and tasking the planning commission to review the facts and law, and to receive additional public input, and to draft proposed ordinance(s) does not bind the board into adopting any ordinance at a later date; and,

**WHEREAS**, the township attorney, the township planners and other paid consultants will be necessary to aid the planning commission in drafting a proposed ordinance(s).

**NOW, THEREFORE BE IT RESOLVED** that the Superior Township Board of Trustees hereby refers to the Superior Township Planning Commission the task of drafting ordinance(s) to regulate the licensing of marijuana facilities in Superior Township in all respects except dispensaries.

**IT IS FUTHER RESOLVED THAT** the planning commission shall determine whether it is advisable to hold a joint special meeting of the township board and the planning commission.

**IT IS FUTHER RESOLVED THAT** the board shall establish a fifteen thousand dollar (\$15,000.00) budget to pay for the expenses of the investigation and other incidental costs.

**CHARTER TOWNSHIP OF SUPERIOR  
3040 NORTH PROSPECT  
SUPERIOR TOWNSHIP, MICHIGAN 48198  
734-482-6099**

**2019 MEETING SCHEDULE**

**TOWNSHIP BOARD**

All regular meetings are held at the Township Hall, 3040 N. Prospect, at **7:00 p.m.** on the third Monday of each month. If a holiday falls on a third Monday, the meeting will be on the Tuesday following that Monday of that week.

Tuesday, January 22, 2019 (following Martin Luther King Day)  
Tuesday, February 19, 2019 (following Presidents' Day)  
Monday, March 18, 2019  
Monday, April 15, 2019  
Monday, May 20, 2019  
Monday, June 17, 2019  
Monday, July 15, 2019  
Monday, August 19, 2019  
Monday, September 16, 2019  
Monday, October 21, 2019  
Monday, November 18, 2019  
Monday, December 16, 2019

**PLANNING COMMISSION** (subject to Planning Commission approval)

All regular meetings are held at the Township Hall, 3040 N. Prospect, at 7:30 p.m. on the fourth Wednesday of each month, except for the December meeting, which will be held on the third Wednesday of the month.

Wednesday, January 23, 2019	Wednesday, July 24, 2019
Wednesday, February 27, 2019	Wednesday, August 28, 2019
Wednesday, March 27, 2019	Wednesday, September 25, 2019
Wednesday, April 24, 2019	Wednesday, October 23, 2019
Wednesday, May 22, 2019	Wednesday, November 20, 2019
Wednesday, June 26, 2019	Wednesday, December 18, 2019

Lynette Findley, Clerk  
3040 N. Prospect  
Superior Township, MI 48198  
734-482-6099