

**CHARTER TOWNSHIP OF SUPERIOR BOARD
REGULAR MEETING
DATE JUNE 20, 2023
PROPOSED MINUTES
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1. CALL TO ORDER

The regular meeting of the Charter Township of Superior Board was called to order by the Supervisor Pro Tem Rhonda McGill at 7:00 p.m. on June 20, 2023, at the Superior Charter Township Hall, 3040 North Prospect, Superior Township, Michigan.

2. PLEDGE OF ALLEGIANCE

Supervisor Pro Tem McGill led the assembly in the pledge of allegiance to the flag.

3. ROLL CALL

The members present were Clerk Lynette Findley, Treasurer Lisa Lewis, Trustee Nancy Caviston, Trustee Bernice Lindke, Supervisor Pro Tem Rhonda McGill, and Trustee Bill Secrest.

Absent: Supervisor Kenneth Schwartz

4. ADOPTION OF AGENDA

It was moved by Treasurer Lewis supported by Trustee Lindke, to adopt the agenda.

The motion carried by unanimous vote.

5. APPROVAL OF MINUTES

A. MAY 15, 2023, REGULAR MEETING

It was moved by Trustee Lindke supported by Trustee Secrest, to approve the minutes of the regular Board meeting of May 15, 2023, as presented.

The motion carried by unanimous vote.

B. MAY 31, 2023, SPECIAL MEETING

It was moved by Clerk Findley supported by Trustee Lindke, to approve the minutes of the Special Board meeting of May 31, 2023, as presented.

The motion carried by unanimous vote.

6. CITIZEN PARTICIPATION

A. CITIZEN COMMENTS

- Harold Wimberly, Stamford Rd, spoke in favor of the rezoning of 3900 Dixboro Rd.

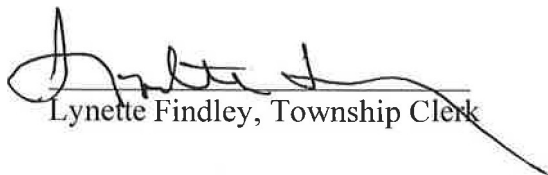
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NOW THEREFORE, BE IT RESOLVED, the Charter Township of Superior Board hereby approves hiring Khersie Monger as Billing Specialist and Residential Liaison at a wage of \$24.50 per hour.

The resolution carried by unanimous vote.

CERTIFICATION STATEMENT

I, Lynette Findley, the duly qualified Clerk of the Charter Township of Superior, Washtenaw County, Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted at a regular meeting of the Charter Township of Superior Board held on June 20, 2023, and that public notices of said meeting were given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended.


Lynette Findley, Township Clerk

6/20/2023
Date Certified

C. RESOLUTION 2023-35, RESOLUTION AUTHORIZING JULY 2023 AS PARKS & RECREATION MONTH

The following resolution was moved by Trustee Lindke supported by Trustee Caviston.

Juan Bradford, Parks and Recreation, said this resolution is an opportunity to let the citizens know that the Board supports Parks and Recreation.

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

**RESOLUTION AUTHORIZING JULY 2023 AS
PARKS & RECREATION MONTH
RESOLUTION 2023-35**

DATE: JUNE 20, 2023

**Designation of July 2023 as Park and Recreation Month
in Charter Township of Superior**

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WHEREAS, parks and recreation are an integral part of communities throughout this country, including the Charter Township of Superior MI; and,

WHEREAS, parks and recreation promotes health and wellness, improving the physical and mental health of people who live near parks; and,

WHEREAS, parks and recreation promotes time spent in nature, which positively impacts mental health by increasing cognitive performance and well-being, and alleviating illnesses such as depression, attention deficit disorders, and Alzheimer; and,

WHEREAS, parks and recreation encourages physical activities by providing space for playgrounds, hiking trails, tennis and pickleball courts, and many other activities designed to promote active lifestyles; and,

WHEREAS, parks and recreation are nationally a leading provider of healthy meals, nutrition services and education; and,

WHEREAS, park and recreation programming and education activities, such as out Nature Hunt Bingo, Backyard Bird Watching, Superior Day, are integral to childhood development; and,

WHEREAS, parks and recreation increases a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and,

WHEREAS, parks and recreation is fundamental to the environmental well-being of our community; and,

WHEREAS parks and recreation is essential and adaptable infrastructure that makes our communities resilient in the face of natural disasters and climate change; and,

WHEREAS, our parks and natural recreation areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and,

WHEREAS, the U.S. House of Representatives has designated July as Parks and Recreation Month; and

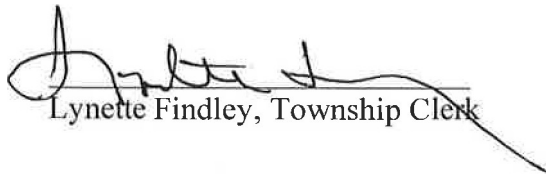
WHEREAS, the Charter Township of Superior recognizes the benefits derived from parks and recreation resources.

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NOW THEREFORE, BE IT RESOLVED, the Charter Township of Superior Board of Trustees that July 2023 is recognized as Park and Recreation Month in the Charter Township of Superior.

CERTIFICATION STATEMENT

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Lynette Findley, Township Clerk

6/20/2023

Date Certified

The motion carried by unanimous vote.

D. RESOLUTION 2023-36, RESOLUTION TO APPROVE RATE STUDY FOR UTILITY DEPARTMENT FEES

The following resolution was moved by Treasurer Lewis supported by Trustee Lindke.

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

RESOLUTION TO APPROVE RATE STUDY FOR UTILITY DEPARTMENT FEES

RESOLUTION NUMBER: 2023-36

DATE: JUNE 20, 2023

WHEREAS, the Utility Department fees have not been reviewed for the current rate structure that is in place for the Superior Charter Township water/sewer distribution system number one; and,

WHEREAS, the rate structure is outdated, should be examined, and revised to reflect more accurate fees that will cover the Township's expenses for new utility connections and other fees including but not limited to trunk and transmission, availability per frontage foot, water/sewer taps and inspection fees; and,

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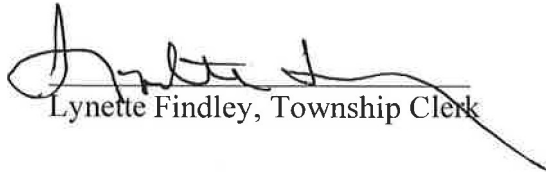
WHEREAS, a rate study should be completed by a reputable and qualified company or organization to quantify the current rate structure and present more efficient and cost-effective rates for Utility Department fees; and,

WHEREAS, it is recommended that Superior Charter Township Board of Trustees select a company to complete a Utility Department rate study to be conducted and completed no later than August 31, 2023.

NOW, THEREFORE, IT BE RESOLVED that the Charter Township of Superior Board of Trustees hereby approves a rate study for Utility Department fees.

CERTIFICATION STATEMENT

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Lynette Findley, Township Clerk

6/20/2023
Date Certified

The motion carried by unanimous vote.

E. RESOLUTION 2023-37, RESOLUTION FOR AUTHORIZATION TO SUBMIT A SPARK GRANT REQUEST FOR FIREMAN'S PARK PLAYGROUND IMPROVEMENTS

The following resolution was moved by Trustee Lindke supported by Clerk Findley.

Juan said he believes Parks and Recreation has a good project and hopes for it to be approved and it will be submitted once the resolution is submitted.

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

**RESOLUTION FOR AUTHORIZATION TO SUBMIT A SPARK GRANT REQUEST
FOR
FIREMAN’S PARK PLAYGROUND IMPROVEMENTS**

RESOLUTION NUMBER:2023-37

DATE: JUNE 20, 2023

WHEREAS, the Charter Township of Superior Board of Trustees supports the submission of an application titled, “Fireman’s Park Playground Improvements” to the Spark Grant program to improve Fireman’s Park by installing padded playground turf under all playground equipment; and,

WHEREAS, the Charter Township of Superior Board of Trustees and Parks & Recreation Commission supports the National Recreation & Park Associations three pillars of health and wellness, inclusion, and conservation; and,

WHEREAS, Fireman’s Park is part of the Qualified Census Tract; and,

WHEREAS, the Superior Charter Township Board of Trustees and Parks & Recreation Commission are in the process of making improvements to Fireman’s Park in excess of \$300,000 by installing a play structure designed for 5–12-year-olds, picnic pavilion, adult fitness equipment, a 1/5-mile walking loop, and drainage improvements; and,

WHEREAS, adding padded playground turf under all playground equipment will improve both safety and ADA accessibility, and will complement the already approved improvements; and,

WHEREAS, the padded playground turf will meet all American Society for Testing and Materials (ASTM) and United States Consumer Product Safety Commission (CPSC) standards, and will also improve accessibility to parents with strollers, and elders with uneasy footing; and,

WHEREAS, these improvements will create expanded recreation and fitness opportunities for the neighboring residents; and,

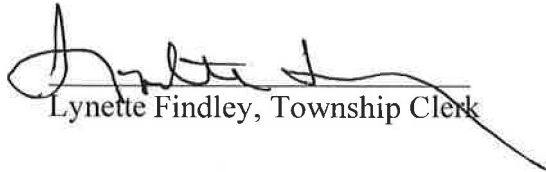
WHEREAS, the Charter Township of Superior Board of Trustees and Parks & Recreation Commission seeks to continually expand its recreational offerings that are open to all visitors regardless of age or ability level.

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NOW THEREFORE, BE IT RESOLVED that the Superior Charter Township Board of Trustees hereby authorizes the submission of a Spark Application for \$185,000.00, for Fireman's Park Playground Improvements to be constructed 2023-2024.

CERTIFICATION STATEMENT

I, Lynette Findley, the duly qualified Clerk of the Charter Township of Superior, Washtenaw County, Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted at a regular meeting of the Charter Township of Superior Board held on June 20, 2023, and that public notices of said meeting were given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended.


Lynette Findley, Township Clerk

6/20/2023
Date Certified

Roll Call:

Ayes: Trustee Caviston
Clerk Findley
Treasurer Lewis
Trustee Lindke
Supervisor Pro Tem McGill
Trustee Secrest

Nays: None

Absent: Supervisor Schwartz

The motion carried by unanimous vote.

F. RESOLUTION 2023-38, RESOLUTION TO APPROVE OHM PROPOSAL FOR DESIGN AND CONSTRUCTION ENGINEERING SERVICES FOR THE MACARTHUR BLVD PATHWAY PROJECT LOCATED BETWEEN STAMFORD ROAD AND HARRIS ROAD

The following resolution was moved by Clerk Findley supported by Trustee Lindke.

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

**RESOLUTION TO APPROVE OHM PROPOSAL FOR DESIGN AND
CONSTRUCTION ENGINEERING SERVICES FOR THE MACARTHUR BLVD
PATHWAY PROJECT LOCATED BETWEEN STAMFORD ROAD AND HARRIS
ROAD**

**CHARTER TOWNSHIP OF SUPERIOR BOARD
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RESOLUTION NUMBER: 2023-38

DATE: JUNE 20, 2023

WHEREAS, OHM Advisors has submitted the proposal for design and construction engineering services for the MacArthur Boulevard Pathway project located between Stamford Road and Harris Road; and,

WHEREAS, the project is to be funded using Washtenaw County Community Development Block Grant (CDBG) funds, as well as the Township's general fund; and,

WHEREAS, the Township has a total of \$133,591 in CDBG funds available, including the allocations for all prior years and the allocation expected to become available for 2023 in August or September; and,

WHEREAS, the project consists of a proposed 8-foot-wide asphalt pathway along the north side of MacArthur Boulevard. The pathway will connect existing sidewalk along Stamford Road and existing pathway along Harris Road, providing continuous non-motorized access from Oakbrook, Washington Square, Sycamore Meadows, and Danbury Park to Fireman's Park and the Harris Road Library; and,

WHEREAS, the schedule for the proposal upon authorization is as follows:

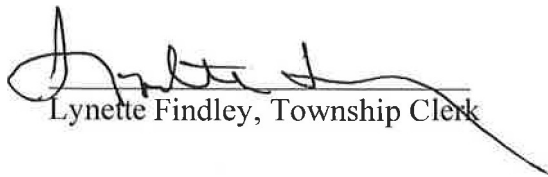
- Final Design, 100% Plans – July 21, 2023
- Contract Documents Finalized – August 25, 2023
- Anticipated CDBG Approval – September/October 2023
- Anticipated Bid Opening Date – December 6, 2023
- Contractor Award – December 18, 2023
- Approximate Construction Start – Spring 2024

NOW THEREFORE, BE IT RESOLVED, that the Superior Charter Township Board of Trustees hereby approves the proposed fee schedule with OHM Advisors dated June 12, 2023, for a total **Not-to-Exceed Fee of \$52,500** based on the actual time expended. No additional services outside the scope of the work provided above will proceed without receipt of written authorization by the Township.

CERTIFICATION STATEMENT

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Lynette Findley, Township Clerk

6/20/2023
Date Certified

Roll Call:

Ayes: Clerk Findley
Trustee Caviston
Treasurer Lewis
Trustee Lindke
Supervisor Pro Tem McGill
Trustee Secrest

Nays: None

Absent: Supervisor Schwartz

The motion carried by unanimous vote.

G. MOTION TO APPROVE INVOICE FROM MTA – DUES

It was moved by Treasurer Lewis supported by Trustee Caviston to approve the invoice from MTA with the correction of removing the “Legal Defense Fee” and adding “Premium Pass” totaling \$9,438.00.

H. MOTION TO RECEIVE INVOICES AND CONTRACTS FOR EMERGENCY REPAIRS TO PUMPS ONE AND TWO AT THE CLARK ROAD PUMP STATION FROM:

DVM	\$8664.59
DVM	\$3628.18
Mersino	\$18,752.30
PowerVac	\$17,500.00

It was moved by Trustee Secrest supported by Trustee Lindke to receive Invoices and Contracts for Emergency Repairs to Pumps One and Two at the Clark Road Pump Station.

Roll Call:

Ayes: Trustee Secrest
Trustee Lindke
Supervisor Pro Tem McGill
Treasurer Lewis
Clerk Findley
Trustee Caviston

Nays: None.

Absent: Supervisor Schwartz

The motion carried by unanimous vote.

**CHARTER TOWNSHIP OF SUPERIOR BOARD
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I. MOTION TO DISCUSS/APPROVE CHARTER TOWNSHIP OF SUPERIOR PERSONNEL POLICY MANUAL DATED JUNE 15, 2023

- Trustee Lindke requests that this motion be tabled.
- Supervisor Pro Tem McGill suggests that we schedule a special meeting to discuss this and another personnel matter.
- The Township Board has agreed to schedule a special meeting for June 28th at 4:30p.m.

12. BILLS for PAYMENT and RECORD of DISBURSEMENTS

It was moved by Clerk Findley supported by Trustee Secrest, to receive bills for payment and record of disbursements.

- Trustee Lindke asked clarifying questions on the records.
- Treasurer Lewis answered Trustee Lindke's questions.

The motion carried by unanimous vote.

13. PLEAS and PETITIONS

- Jan Piert petitions "that the Board always has meetings like this."
- Irma Golden, Deputy Supervisor, spoke on the sidewalk repairs and gave updates on the signage for the Berkshire Dr. Oakbrook subdivision entrance.
- Deputy Supervisor Golden reported on behalf of Supervisor Schwartz that both Clark Rd. pumps are good, which saves money.
- Treasurer Lewis openly thanked and affirmed the Parks and Recreation department and the Utility Department for their hard work and efforts.
- Treasurer Lewis said that the Township is blessed to have the staff that it has.

14. ADJOURNMENT

It was moved by Treasurer Lewis supported by Clerk Findley, that the meeting be adjourned. The motion carried and the meeting adjourned at 9:09p.m.

Respectfully submitted,

Lynette Findley, Clerk

Kenneth Schwartz, Supervisor



A quick reference guide to resident concerns

In the last few months, you have received an overwhelming number of letters both for or against rezoning 3900 N Dixboro, from both residents and non-residents of Superior Township alike. The sheer number of letters for review may have distracted your attention from the legitimate, valid concerns of your Township constituents. As you consider the upcoming vote, please review the unaddressed concerns attached. For each item, a reference to the section and page numbers of the applicable Master Plan/Zoning Ordinance is also listed.

Superior Township Master Plan and Zoning Ordinances Reference sheet

Incorrect or Incomplete Area Plan Petition	Corresponding Ordinance/Master Plan section
<p>1. The submitted Area Plan petition does not include the required wetland delineation.</p> <p>Ken Schwartz requested a wetlands delineation which has not been added to the area plan. Garrett's Space only provided US Forest Service wetland boundaries on the plans, but the township Wetlands Map relies on a variety of wetland maps.</p>	<p><u>Ordinance 178 Wetland Ordinance</u></p> <p>TOWNSHIP WETLANDS MAP refers to the Superior Charter Township Wetlands Map, based on the National Wetlands Inventory Map of the U.S. Fish and Wildlife Service; the Michigan Resource Information System Mapping (MIRIS) of the Michigan Department of Environmental Quality; the soils maps of the Soil Conservation Service; aerial photography; and onsite inspections</p>
<p>2. The submitted Area Plan petition includes septic calculations for only one phase of development.</p> <p>Septic calculations were not submitted for all phases. The plans do not include cooking, laundry, and bathroom facilities for the 20 overnight patients and bathrooms in the creative space.</p>	<p><u>Superior Charter Township Zoning Ordinance Page 7 - 17</u></p> <p>Each principal building in a Planned Community (PC) District outside of the Public Sanitary Sewer Service Area or "Urban Service Area" as defined in the Growth Management Plan shall be connected to: a. An independent, on-site water well and sanitary septic system approved by the Washtenaw County Environmental Health Division; or b. A private community wastewater system (PCWS) in compliance with the standards of this Article and Ordinance, and the Private Community Wastewater Systems Ordinance (Ord. No. 166, as amended.)</p>
<p>3. The Area Plan petition defines use as residential, however does not meet description of such.</p> <p>The Area Plan refers to the project as "low density residential" use when the definitions provided in the zoning ordinance classify use as a hotel or inn.</p>	<p><u>Superior Charter Township Zoning Ordinance Page 17 – 26</u></p> <p>Definition: Hotel or Inn. One or more buildings containing individual living or sleeping units primarily designed as temporary quarters for transient guests.</p> <p><u>Michigan Court of Appeals, Docket No. 354841</u></p> <p>The Michigan Court of Appeals determined the definition of "residential" from prior holdings in the Michigan Supreme Court. The definition of residence implies permanence, which is demonstrated by the occupant's actions, including a continuity of being physically present in the residence and storing personal property within the residence. As noted by the Court, this use specifically excludes uses that are transitory in nature as "[t]here is no permanence, either physiologically or physically at that location."</p>
<p>4. The Area Plan does not provide specific, substantial changes in conditions that could support rezoning.</p> <p>The petitioner has not provided valid information supporting the need for rezoning. There are already vast amounts of property, with proper zoning available and conditions have not changed since the Plan was prepared.</p>	<p><u>Superior Charter Township Master Plan Page 7 – 11</u></p> <p>A rezoning inconsistent with this Master Plan should only be considered where specific findings are made that demonstrate conditions have changed significantly since the Plan was prepared, and/or new information supports a change.</p>

Superior Township Master Plan and Zoning Ordinances Reference sheet

Incorrect or Incomplete Area Plan Petition	Corresponding Ordinance/Master Plan section
<p>5. The required parallel design was incorrectly calculated on the submitted Area Plan.</p> <p>The parallel plan, submitted by Garrett's Space and approved by the Planning Commission, does not consider the undevelopable wetlands or steep slopes according to Candice Briere of Midwest Consulting per the May 15th minutes.</p>	<p><u>Superior Charter Township Zoning Ordinance Page 7 - 24</u></p> <p>The applicant shall prepare and present to the Planning Commission as part of the Special District petition a parallel design for the project consistent with state and Township requirements.</p> <p>(1) This design shall identify all lots and buildable lands as would be allowed by the existing zoning district(s) of the parcel, the suitability of the soils, and the policies and standards of the Growth Management Plan.</p> <p>(2) The Planning Commission shall review the design and shall determine the number of lots that could feasibly be developed following the parallel design. This number, as determined by the Planning Commission, shall be considered by the Planning Commission, in addition to the other requirements of this subsection, in calculating the maximum net residential density of the PC Special District. The standards of Section 3.204 (Density Regulations) shall apply to the parallel plan design and dwelling unit calculation.</p> <p><u>Superior Charter Township Zoning Ordinance Page 3 - 7</u></p> <p>The following shall be excluded from the total acreage used in calculating the net density of dwelling units. [...]</p> <ul style="list-style-type: none"> • Floodplains, wetlands, bodies of water, watercourses, and drainageways; and • Steep slopes, as defined in Section 17.03 (Definitions).
<p>6. The petitioner has not provided sufficient information regarding economic feasibility.</p> <p>Mr. Halpert stated at the public hearing that the funds needed for the property purchase and construction will come from donations.</p> <p>However, current information from the Garrett's Space organization indicates that their net income in 2021 was \$101,551.00, which combined with the 4 million dollar grant still leaves millions of dollars in building expenses unaccounted for.</p>	<p><u>Superior Charter Township Zoning Ordinance Page 7 - 5</u></p> <p>At the public hearing, the petitioner shall present evidence regarding the following characteristics of the proposed development: (...)</p> <p>(6) Economic feasibility of the proposed uses.</p> <p>(...)To this end, factual evidence and expert opinion shall be submitted by the petitioner in the form of maps, charts, reports, models, and other materials; and in the form of testimony by architects, engineers, real estate agents, professional community planners, land economists, and other experts to describe the full nature and extent of the proposal. Materials shall be submitted in sufficient quantity for review by the Planning Commission and other Township officials and consultants.</p>
<p>7. The Area Plan Petition incorrectly refers to nearby institutional use.</p>	<p>The referenced institutional use across Dixboro road refers to Solid Rock Church, which</p> <ul style="list-style-type: none"> • Is located in Ann Arbor Township, not Superior • Did not require rezoning, but was granted a conditional use permit based on the hours of planned use.

Superior Township Master Plan and Zoning Ordinances Reference sheet

Conformity with Master Plan	Corresponding Ordinance/Master Plan section
<p>1. The proposal does not meet Master Plan’s objective to preserve and enhance viewsheds from Warren Road.</p> <p>The portion of Warren Road directly adjacent to the proposed development is designated a Natural Beauty Road. The development will be clearly visible during most months of the year from Warren Road. The proposed 24/7 lighting will also detract from the unique view.</p>	<p><u>Superior Charter Township Master Plan Page 5 - 16</u></p> <p>The Township should seek to preserve and enhance the unique views and perspectives which give the community its character, including: places within the Township that have unique visual character, such as the hamlet of Dixboro, natural beauty roads, and scenic road corridors.</p> <p><u>Superior Charter Township Master Plan Page 3 - 21</u></p> <p>Natural Beauty Roads. Three road segments in the Township are designated Natural Beauty Roads. (...) Natural Beauty Roads are established by petition of landowners along the road and require a public hearing prior to activities that would substantially change the vegetation along the road, except for work by utilities on infrastructure constructed prior to Natural Beauty Road designation.</p>
<p>2. The proposal does not meet Master Plan’s objectives for Sub-area.</p> <p>The Rural Plymouth Road/M-14 Sub-area is intended for agricultural and rural residential use, not commercial/medical/institutional use.</p>	<p><u>Superior Charter Township Master Plan Page 6 - 21</u></p> <p>The white areas around the western and northern parts of the Township are principally used for large lot rural residential development with a few farms along the border with Salem Township. A mixture of agricultural, rural residential, and resource conservation zones are present. This pattern is encouraged to continue.</p>
<p>3. The proposal will create spot zoning.</p> <p>The proposed rezoning inserts a commercial, institutional use into a residential neighborhood. The rezoning confers a special benefit on the individual property owner not commonly enjoyed by the owners of similar property.</p>	<p><u>Superior Charter Township Master Plan Page 7 – 13</u></p> <p>Isolated and abrupt changes in land uses and densities not consistent with Master Plan objectives and policies are considered spot zoning and are not recommended planning and zoning practice.</p> <p><u>Superior Charter Township Master Plan Page 1 - 5</u> The Plan provides guidelines for making decisions or recommendations for individual parcels of land, specific public improvements, and similar questions that might arise in the future. The Plan provides the framework for Planning Commission recommendations and Township Board decisions.</p> <p><u>Superior Charter Township Master Plan Page 7 - 1</u> The Township Zoning Ordinance is one of the most important tools available to implement the policies of the Superior Charter Township Master Plan related to the use and development of land. [...] Because of the impact it can have on the use of land and related services, local zoning regulations must be built upon the foundation of a Master Plan and “zoning plan.”</p> <p><u>Superior Charter Township Master Plan Page 7 - 11</u> The land use classifications on the Future Land Use Map provide the basis for evaluating future rezoning requests. Zoning actions that are consistent with the Future Land Use Map usually receive deferential and favorable judicial review if challenged. The Master Plan should be the principal source of information in the investigation of all rezoning requests.</p>

Superior Township Master Plan and Zoning Ordinances Reference sheet

Conformity with Zoning Ordinance	Corresponding Ordinance/Master Plan section
<p>1. The proposal is incompatible with the intent of PC District Zoning.</p> <p>Institutional, commercial use does not meet the intent of the PC District zoning. All other Superior Township PCs within a 5 mile radius from the site are entirely rural residential single family homes, with the exception of North Prospect Park.</p>	<p><u>Superior Charter Township Zoning Ordinance Section 2.115</u> PC District zoning shall comply with the Township's Growth Management Plan and shall be located in areas of Superior Township identified in the Growth Management Plan as suitable and desirable for such development, or in areas in which the use of PC zoning would most nearly reflect the policies in the Growth Management Plan that apply to the areas in question</p>
<p>2. The proposal will severely limit future uses.</p> <p>Should the proposed development fail or stall, there will be few opportunities to use the property after it is rezoned. According to the Master Plan, there are already various abandoned or stalled building sites in the township which create additional burden on Township services.</p>	<p><u>Superior Charter Township Zoning Ordinance Page 7 - 2</u> A parcel of land that has been classified as a Special District by the Township Board shall not thereafter be developed or used except in accordance with the approved Area Plan, and approved preliminary and final site plans.</p>
<p>3. The proposal is harmful, injurious or objectionable to the neighborhood character.</p> <p>The proposed hiking trails and look-out areas infringe on the privacy of surrounding property owners for most of the year.</p>	<p><u>Superior Charter Township Zoning Ordinance Page 7 - 22</u> Limitations on Uses. Uses in a PC Special District shall be limited to those [...] that are harmonious and compatible with, and not harmful, injurious, or objectionable to, existing and future uses in the immediate area. <u>Superior Charter Township Zoning Ordinance Page 17 - 36</u> Definition: Nuisance. Any offensive, annoying, or disturbing emission, practice, or object, which prevents the free use or comfortable enjoyment of one's property, or which renders its ordinary use or physical occupation uncomfortable. Nuisance commonly involves continuous or recurrent acts that give offense to the senses, violate the laws of decency, obstruct reasonable and comfortable use of property, or endanger life and health.</p>
<p>4. The Proposal is unenforceable</p> <p>The majority of use limitations proposed by the applicant cannot be enforced due to medical privacy laws, including all limitations designed to provide safety for the patients and surrounding areas.</p>	<p><u>HIPAA Privacy Rule, US Department of Health and Human Services</u> Health information means any information, whether oral or recorded in any form or medium, that: (2) Relates to the past, present, or future physical or mental health or condition of an individual; the provision of health care to an individual; or the past, present, or future payment for the provision of health care to an individual.</p>

Superior Township Master Plan and Zoning Ordinances Reference sheet

Miscellaneous Concerns	Sources
<p>1. Loss of revenue</p> <p>If approving the proposal to rezone this property for use by a non-profit, the Township will lose a significant amount of property tax revenue over the next 10 years.</p>	<p>Collected taxes on the proposed site in 2022 were \$40,487.00, or approximately \$400,000.00 over 10 years.</p> <p>Using the numbers submitted by the applicant in the parallel design, 34 houses built with estimated SEV's of \$500,000.00 will pay approximately 6.8 million dollars in property taxes over 10 years. If the SEV is reduced to \$400,000.00, that amount is 5.4 million over 10 years.</p> <p><i>Source: https://www.michigan.gov/taxes/property/estimator</i></p>
<p>2. Health equity</p> <p>Significant health disparities will be increased with Garrett's Space's business model.</p>	<p>Some populations experience more negative social conditions and thus have higher rates of suicide or suicide attempts than the general U.S. population. These negative conditions include racism and discrimination in our society, economic hardship (such as high unemployment), poverty, limited affordable housing, lack of educational opportunities, and barriers to physical and mental healthcare access, among others.</p> <p>According to their literature and presentations to the Planning Commission, Garrett's Space will not address any of the risk factors identified by the CDC in the paragraph above and will create further health disparities with their business model by selecting patients who:</p> <ul style="list-style-type: none"> • Have the ability to voluntarily take 4 weeks off of work/school. • Can afford to pay, or have parents able to pay up to \$18,000 without aid from traditional medical insurance or government assistance. • Have private transportation to and from Superior Township. • Have already received treatment from a mental health provider <p><i>Source: https://www.cdc.gov/suicide/facts/disparities-in-suicide.html</i></p>
<p>3. Precedence</p> <p>The precedence set by past zoning decisions, such as the Champion Sports complex, is responsible for the continued rural character of the township.</p>	<p>Zoning decisions which do not reflect the Township's Master Plan or Zoning Ordinance will:</p> <ul style="list-style-type: none"> • Undermine the strength of the Master Plan, • Increase the amount of developers seeking zoning decisions not supported by the Master Plan, • Change the character of Superior Charter Township, and • Be difficult to defend in court.
<p>4. Constituent Opinion</p> <p>Letters submitted by Superior Township residents show strong opposition to rezoning.</p>	<p>Based on the letters submitted and included in the May 15 meeting packet, the Township residents who strongly oppose the proposal outnumber supporters of the proposal by a rate more than 3 to 1. That ratio rose to 11 to 1 in the June 20 meeting packet.</p>
<p>5. Conservation Easement</p> <p>There are no details of the proposed conservation easement.</p>	<p>The submitted Area Plan Petition does not mention a Conservation Easement. As such, it should not be considered in the zoning determination.</p>

To: Superior Township Board of Trustees

From: Roberta Colaner
Superior Township Resident for 37 yrs.
5209 Warren Rd.
Ann Arbor, MI 48105
Landline: 734-747-8356

Re: Proposed Rezoning of 3900 N. Dixboro Rd.
Hand delivered at Public Hearing June 20, 2023

I appreciate having one final chance to address the Board of Trustees before your final Rezoning vote of 3900 N. Dixboro Rd.

After attending many Public Hearings regarding this issue, there seems to be 100% agreement that there is a crisis regarding Mental Health in our Community as well as nationwide. There also seems to be agreement that the concept of a facility like Garrett's Space is worth pursuing.

During these Public Hearings, the majority of the Speakers don't live in Superior Township or Ann Arbor for that matter. Everyone is allowed to express their opinions, but Questions or Discussions are not allowed! Everyone is encouraged to submit Letters to Superior Township. I personally had sent letters that included questions for the various Superior Township Officials. I have never received answers!

Where there is a major disagreement between the Garrett's Space Organizers and the Superior Township Residents directly affected by this proposed ReZoning, if the proposed "First" Garrett's Space location at 3900 N. Dixboro Rd. actually put Mental Health as the "First" Priority? Or is the real priority for the Property Owner to receive 4 Million Dollars for this property, Mr. & Mrs. Halpert to be gifted the Home on the property, the Garrett's Space will be in the category of a "Non Profit Facility" which means no Property Tax! How does any of this help the Young Adults suffering with Mental Health Issues in the foreseeable future? An easy answer, It doesn't!

How much of the 10.5 Million Dollar proposed budget is being used to alter this 76 Acres to accommodate this first facility when 18 to 28 year old individuals won't have the Dormitory available until 2027?

According to the Garrett's Space proposal "Operating Expenses" will be covered by 10 of the 20 individuals staying at this facility and will be paying \$18,000.00 Dollars for their 3 week stay. I'm a Grandmother of several 18 to 28 year young adults, unfortunately one of them is dealing with severe Mental Health issues. They are all great people, but if they had access to \$18,000.00 Dollars, they would probably buy new Technical Devices, tickets to Major Sporting Events or attending a Taylor Swift Concert, not pay for Room and Board at a Garrett's Space Facility. And if they want to take Nature Walks, they would go to Gallup Park for free.

Another issue under "Operating Expenses" is, what will be the Salaries for Mr. & Mrs. Halpert and their friends that are on the Board of Directors?

As a Business Woman, retired from the Construction Industry, I'm confident that many Garrett's Space Facilities could be built for 10.5 Million Dollars on local property not requiring extensive modifications or 76 acres each and could be completed in months not years. This would put the focus on Mental Health, not the Halpert's desire to live in the beautiful Home on the property at 3900 N. Dixboro Rd.

Ellie Serras, the property owner, has indicated that if Garrett's Space isn't approved for 3900 N. Dixboro Rd., that she will personally develop the property. I'm sure she would be glad to sell the beautiful Home to the Halperts.

In summary, it is unfortunate that the proposed location for Garrett's Space at 3900 N. Dixboro Rd. has become such a Political Issue. I get the feeling that our Elected Superior Township Officials believe they will become "Heroes" by voting to make the necessary changes to create "One" Garrett's Space" at 3900 Dixboro Rd. for 10.5 Million Dollars.

This "Heroism" will be short lived!

"True Heroism" for Superior Township Officials, will only be achieved by working with the Garrett's Space Organization to find multiple locations suitable for these much needed Facilities for those fighting Mental Health Issue quickly and realistically easily within the 10.5 Million Dollar Budget.

Do the right thing to put those individuals dealing with Mental Health Issues "First" and vote "NO" on Rezoning 3900 N. Dixboro Rd!

Parks and Recreation Commission Liaison Report
June 20, 2023

The following is a summary of the Parks and Recreation Commission Meeting held on May 22, 2023.

Citizen's Participation: A summer nature hike, sponsored by Superior Greenway (a collaborative effort to protect the best remaining open natural and agricultural spaces between suburban Detroit and Ann Arbor) is planned for August 13, 2023 from 1:00 pm to 4:00 pm. Beginning in the Jack Smiley Nature Preserve, the hike will go through the Weatherbee Woods to Schroeter Park, and then loop back to the Jack Smiley Nature Preserve.

Marion Morris reported that she followed a GFL waste truck that had paper and other trash blowing out of the truck. She reported this to the township supervisor for him to follow-up with the company.

Reports

Chairperson: Chair Nahid Sanii-Yahyai also provided observations on the appearance of trash on the side of the road throughout the township. She asked Juan Bradford to consider hosting a Township Clean-Up Day. Nahid also reiterated she would like to see a comprehensive policy re payment of board liaison and commission stipends.

Park & Recreation Director:

- The Backyard Bird Watching for Beginners event was held on May 13th at LeFurge Nature Preserve.
- Registration for Washtenaw County's Summer Playground Camp is underway. The camp runs from Monday, 6/26 through Friday, 8/18 at the Christian Love Fellowship Church. Parks and Recreation staff will be assisting them.
- Juan is meeting with OHM Advisors to begin planning the improvements that will transform fireman's Park into a destination park.
- Juan attended an educational seminar sponsored by Playcore which involved the promotion of their C.O.R.E. (Center for Outreach, Research, & Education) program. This program offers data driven practices to determine user patterns and their relationship to healthy outcomes. Per Juan, they also provide match funding support for equipment to those projects selected to serve as national demonstration sites. Juan is applying for this funding.
- A grant application to the Michigan DNR Natural Resources Trust Fund to purchase 162 acres south of Cherry Hill Nature Preserve and north of the "rock" properties was submitted by Juan. If funded, it will establish a green way connection from the north side of Cherry Hill Road to Geddes Road. The decision on the grant application will be released in December.

Submitted by Bernice Lindke, Trustee, Superior Charter Township