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Supervisor Pat Hohl Clerk Mike Dolan Treasurer Jason Negri Trustees Bill Hahn, Patricia Hughes, Chuck Menzies, Cindy Michniewicz

**HAMBURG TOWNSHIP BOARD OF TRUSTEES
Special Joint Meeting
Hamburg Township Hall Board Room
Tuesday, April 2, 2024
7:00 p.m.**

1. Call to Order

Supervisor Hohl called the meeting to order at 7:00 p.m.

2. Pledge to the Flag

3. Roll Call of the Board **Hamburg Township Board**

Present: Supervisor Hohl, Clerk Dolan, Treasurer Negri, Hughes (also on the Planning Commission), Michniewicz, Hahn, Menzies

Planning Commission

Present - Commissioner Hamlin, Commissioner Leabu, Commissioner Muir, Chairman Muck, Commissioner Priebe (also on Zoning Board of Appeals), Hughes (Trustee on the Township Board), Commissioner Mariani.

Zoning Board of Appeals

Present: Chairman Priebe (also on Planning Commission), Ignatowski, Russell, Rill, Negri (Trustee on the Hamburg Township Board)

Also, Present David Rohr, Planning and Zoning Director, Ted Michowski, Code enforcement officer.

4. Current Business

A. Planning and Zoning Department 2023 Year in Review

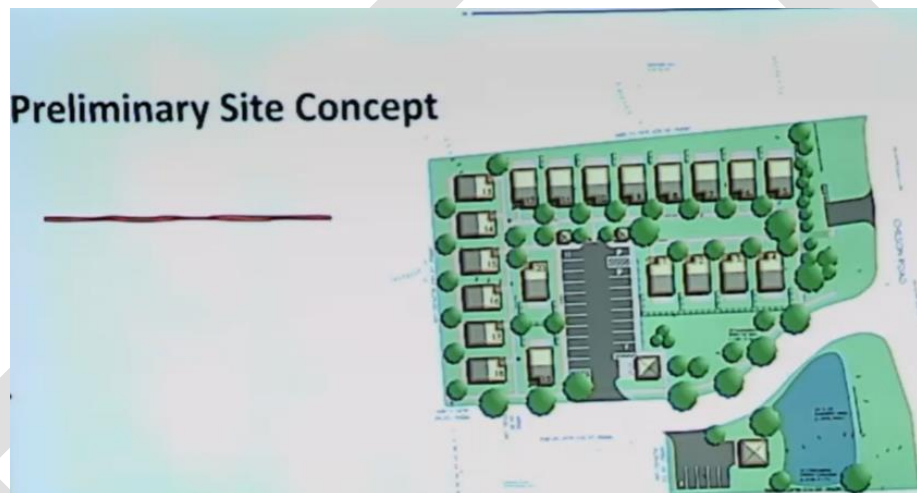
Rohr stated the number of permits in 2023 had reached a record high due to the hailstorm we had in June. This number should decrease in FY 2024. The number of Planning Commission and ZBA cases were on par with 2022. Many planning projects such as Murie Glen have expired and will need reapproval when they are

ready to move forward. He spoke about the complexity of managing the FEMA floodplain in our department. We recently found out the EGLE (Environment, Great Lakes and Environment) is playing a bigger part in most of the development occurring in our community. David let the joint board know that he is working closely with Livingston County and a few surveyors on the EGLE and FEMA aspect for development in our chain of lakes. Additional aspects of the 2023 Annual report were discussed.

David gave the floor to Eileen regarding her Community Catalysts Development Company proposal for building a tiny home community on identified properties in our community. Township Supervisor Pat Hohl let the joint boards know that we might need to make some minor amendments to our zoning ordinance. Eileen let the joint board know that they are a local, nonprofit organization with a mission to add quality, attainable housing for lower income people so that they can thrive in communities. This targeted group would be individuals making \$50,000 or less per year in Livingston County. She let the group know that they have completed four projects in Livingston County. One was their office in Howell, second was a Recovery House and a third was the Building for Youth, both of which were done in partnership with other local nonprofits, Recovery Advocates in Livingston, and the Connection Youth Services respectfully. The final project was Bethel Suites which converted a 14-door hotel AKA Krest Motel into suites.

Eileen spoke about the next project that their group would like to do in Hamburg Township, called Bethel Cottages. This would be a tiny home pilot community of 20 units that would allow individuals to live where they work. They expect this community to serve seniors, young individuals and couples, and single parents with one or two children. They want to keep these homes in affordability in perpetuity. They are looking at two different ways to do ensure that these homes remain affordable moving forward. One is a land trust like Habitat for Humanity does. The second mechanism to keep the community units affordable is a community land trust but this is expensive. The property would be kept under ownership by a trust. An applicant signs an agreement that they only get a portion of the equity of the unit, but the other portion of equity is returned to the community. This is what allows the home to stay affordable. The seller doesn't get all of the equity, only a portion.

They have a partnership with several other nonprofits on this Bethel Cottages project which are Livingston County Habitat for Humanity, Livingston Churches and Businesses, Howell School District, Area banks, and Community Catalysts their sister nonprofit. She let the joint boards know that the parcel that they purchased is located at 5589 E. M-36, north of the Hamburg Village Shopping Plaza along Chilson Rd.



The Howell Building Trades Program for Tiny Homes has three built units that Eileen's group would like to utilize. She said she might be back when they find another parcel that is affordable to their nonprofit to purchase in Hamburg Township. The school district is finding that there are so many communities in Michigan that do not allow such tiny homes in their communities, that the school can't find a location to set these homes up.

Pat Hohl reminded the joint committees that there is a demand for this smaller type of home as they have seen with Regency Village. These units would make living here in Hamburg affordable to this part of society that is struggling to meet all their bills. This close local makes this community a walkable community to most amenities in our community and to the Lakeland Trail. The average household income in Hamburg Township is \$109,000 household annually and the average true cash value is over \$300,000 per household.

Clerk Dolan asked Eileen how were the applicants going to be chosen for living in this community? Will it be a first come, first serve? Eileen said the income level

would be the first factor, and then it would be based on a first come, first served basis. Applicants over the 20th mark would be placed on a waiting list.

Most of the members of the joint committee agreed that we need this type of community to make living in Hamburg Township affordable, especially for Veterans who are on a limited pension from the military. Commissioner Leabu asked Eileen what their selling point for each unit would be. She said \$150,000. She said that they would pay more to develop each unit, covering the other amount through nonprofit fundraising.

Commissioner Hamlin mentioned that we have two different cottage focused developments targeting two different age groups; echo is for elderly and the cottages are for younger people. The way our ordinance reads, you can't combine these two-age group housing as they are targeted towards different zoning districts. Hamlin did some calculations and according to the rules, this community would only be allowed 14 units geared towards the elderly. He said that this would be discriminatory towards younger people.

Commissioner Hughes shared that she when her husband died, and she needed to sell her expensive home, she would have been willing to give \$150,000 to this nonprofit organization but she would want to live in one of their units until she died. That would be a great option to help make this community affordable and sustainable. Eileen shared that their organization does not usually use government funds to build their communities. They look for the communities that they locate these units into to provide their funding. Our organization believes that the community wants to help others in their own community to be able to afford such housing.

Pat Hohl reminded the group about the Open Space ordinance of the early 1990's. In Hamburg Township, there are about 45 such developments. It was innovative, useful, and a favorable development tool. The township won a lot of awards for developing these sites as open space communities. This type of development helped to consolidate homes, cut down infrastructure costs, and perpetually restricted open space by deed. We should look at these tiny home communities in much of the same way. Pat said that the Echo is age-based housing of the 1990's. Can we create a mechanism to amend our ordinance for income-based housing or a nonprofit aspect where they can build such developments? He said he would have to run it past the township attorney.

Eileen said that they would have to set up an HOA mechanism if a land trust wasn't set up, to allow the community to function for low income. Commissioner Chair Muck said he would have more faith in a community or land trust to ensure that the common areas were well maintained, than if a HOA was established. Eileen mentioned that some banks use a homeowner assistance downpayment mechanism to help people afford getting into a new home.

2023 Code Enforcement Year in Review

Ted Michowski spoke about 2023 code enforcement issues and inspections (*please see 2023 annual report*).

Ted let the joint committees know that there have been numerous complaints about chickens on WFR district zoned properties as well as Airbnb's. Ted said most of the residents have been compliant with his follow up letters.

Member Ignatowski asked when the short-term rental ordinance get codified. David let him know that it was published and codified last fall. He also brought to the joint board's attention that the Zoning Ordinance short-term rental states that if a home does not meet the setbacks required by its district zoning rules, then it can't be approved for such a use. Ted and David let the group know that we had to deny two short-term rental applications based on this stipulation. David let Member Chair and Commissioner Priebe know that such applications would be a new use, so current standards apply. If they do not meet their setbacks for this new use, then they must be denied. Ted let the group know that there is a pending lawsuit for residents that are using their homes as Airbnb's, against their master deeds. Ted let Commissioner Leabu know that the township does not enforce their HOA master deed rules, but that falls on them to enforce such rules.

Commissioner Hamel asked if we have a list of the properties that are registered and unregistered. David said we only have a list of those that are registered. We don't know all the ones that are not registered. Ted let the joint commissioners know that we are starting a new process with the New Dangerous Buildings ordinance. Pat Hohl said that Ted does an excellent job with getting people to comply with our ordinance, without taking them to court. Pat said in years past he remembered that the township was in court all the time.

Township Trustee Michniewicz asked what was going on with the Kress Road old Blue Front Party Store. David let her know that the owner did not move forward with his approved site plans and the site plan approval expired. He said the parcel is up for sale again. More conversation ensued regarding fire suppression of the 2 upper residential units and that the owner needed to talk with the building department regarding their requirements.

Commissioner Hamel asked what was happening with the storage facility that had been approved back in December of 2022. David let him know that the approved site plan had expired as well. Trustee Menzies asked what was happening with the old gas station across from the new one. David said that is a great question; that nothing has been submitted yet. He said that he has heard lots of rumors about the building of a car wash there. David said that lot would be too small for a car wash.

Pat Hohl asked if the joint board members had any directives for David to work on. Commissioner Hamel recommended combining the Echo and the Cottage ordinances. Trustee Hughes mentioned that the solar energy and windwheel energy large scale stuff has been kicked over the Public Service Commission. She said she didn't know if that would stay there since there

were many court changes regarding this issue. David should keep an eye out if anything changes at the state level that we ensure that our local ordinance matches such changes. She also mentioned that she did not know if the state legislature would weigh in on short-term rentals. She said she would hope that David is keeping an eye on this issue as well, to ensure our ordinance matches the state decisions.

Trustee Hahn asked what kind of business or work plan to help allow the tiny house community to be built affordably. He asked if there should be some leader appointed from the Planning Commission, Zoning Board of Appeals or Township Board to help lead this charge? The person could help find a piece of property, find funding, etc.

Pat Hohl said that if we modify the ordinance to allow her to do this tiny home community then she can build it. She calls this a pilot project. If the ordinance is amended, to allow this in this area, then it opens the entire Village Center district. Once this is completed, it is not going to take a lot of work once the ordinance is changed. Commissioner Leabu said he has been studying these cottage developments and they have a focus on high-end development, with each unit costing around \$500,000 each. Pat mentioned there are some cottage developments going up in Chelsea, Michigan senior living is high but beautiful. They average about \$400,000 each; some of the 800 SF units are \$600,000. We need to be careful not to steer commerce too much since local government should not be in the business of driving the market.

Bill Hahn went back to his original comments, and Pat offered that David, and he would report back to the Township Board at every meeting regarding where they are in their work by changing the zoning ordinance and working with Eileen on this project. Commissioner Hamlin mentioned that he had asked for the Murie Glen developer to put in their by-laws that there needs to be an owner-occupied investment for purchases. This would avoid the purchase of houses by investors who want to buy and then rent the houses out, such as Airbnb. Could we put that in an ordinance? Trustee Michniewicz stated that there were different tax rates for owner occupied verses the renting out homes, reducing the homestead tax credit if rented out over 50% of the year. Pat said that this is an assessing issue, and this is not in the ordinance. Pat confirmed that that the Planning Commission will need to have a couple of working sessions to work on changing the ordinance to streamline and facilitate this type of community in our township.

5. **Adjournment**

Planning Commission- Motion to adjourn by Chair Muck, seconded by Commissioner Leabu.

VOTE: MOTION CARRIED UNANOMOUSLY

Zoning Board of Appeals-Motion to adjourn by Member Ignatowski, seconded by Member Rill.

VOTE: MOTION CARRIED UNANOMOUSLY

Board- Motion to adjourn by Trustee Treasurer Negi, seconded by Trustee Michniewicz.

VOTE: MOTION CARRIED UNANOMOUSLY

Meeting adjourned at 8:23 p.m.

Respectfully submitted by Lisa Perschke.

Planning and Zoning Coordinator,

Courtney L. Paton
Recording Secretary

Mike Dolan
Township Clerk