

CHARTER TOWNSHIP OF MONITOR
REGULAR PLANNING COMMISSION MEETING
January 5, 2016

The meeting was called to order by Chairman Bellor at 7:00 p.m.

The Pledge of Allegiance was recited.

Members present: E. Arnold, J. Bellor, R. Campbell, D. Darland, J. Frank, C. Hoyle,
M. Morin

Members absent: None

Also present: R. Sheppard, Planning Attorney; P. Lippens, Planner

Motion by J. Frank seconded by C. Hoyle to adopt the agenda as presented.

Motion carried.

Motion by E. Arnold seconded by R. Campbell to approve the minutes of the December 1, 2015 regular meeting as corrected. Correct motion to read, "*Planning Commission recommended that the Township Board investigate whether they want to require an annual fee of no less than \$2000 .*"

Motion carried.

Public Input

Chairman Bellor opened public comment at 7:05 p.m.

John Engel produced and handout for Mr. Sheppard and J. Bellor. He claims that his wife was misquoted. Nothing is written in the minutes. The errors are in conversation on the tape recording.

Mr. Engel noted that the Planner said he would look into this issue at the last meeting. P. Lippens noted that he is a consultant and works on the requests of the Township. He was advised that the Township is handling the issue and that he should not look into it any further.

Mr. Engel went on to dispute comments regarding what is allowed in AG zoning, quoted ordinances, claims horse riding is not AG, Right to Farm concerns, etc.

Mr. Sheppard responded that the guidelines for making a decision are to follow State and Local laws. He said that you would almost have to go back to the primer on zoning. Zoning was adopted by the State Legislature in 1944 and it is a grant of power from the State to the Local governments to allow, basically, clustering of uses so that like uses are in like districts so that you don't have, for example, a refinery next to a subdivision. In the grant from the State, there are certain exceptions the State has kept to itself. Supervisor of wells, for example, does not allow the local government to interfere with state control. This is similar to where we are with the Right to Farm Act. They amended

the Right to Farm Act in 1987 and made it specific to zoning ordinances and said that no local unit of government shall pass any ordinance including zoning ordinances that abridges, interferes with, or in any way intrudes upon the rights of the farmer.

Mr. Lippens noted that there is a time limit for public comment and also that this is not an issue that was brought to the Planning Commission, nor is it one that will be brought to the Planning Commission, so while Mr. Engel is welcome to express himself in the public record of the agenda, the Commission may limit comment so they can get on with their regular business.

Pam Evans (Mrs. Engel) feels that we are not protecting her or her business by saying that this issue is in litigation.

Motion to close public comment at 7:25 p.m. Motion carried.

Items for Consideration

Snider Dog Grooming Special Use, 09-100-012-400-010-03, Public Hearing.

Beth Burton who lives on Salzburg Rd. wonders if we want residential in their area or do we want commercial. Will it lead to more commercial?

Attorney Sheppard explained that certain home occupations are allowed with special use in residential as long as it all is conducted within your home, doesn't have outdoor advertising, and is done by people who live there.

Planner Lippens noted that a statement of intended use is included in the application and they will handle only one client at a time which is consistent with a home occupation.

Motion to close public hearing by C. Hoyle, seconded by J. Frank. Motion carried.

Motion by J. Frank supported by C. Hoyle to accept the application for a special use permit for dog grooming at 3760 2 Mile Rd. subject to the site sketch and statement of intended use as submitted.

Roll call vote:

Yes: Arnold Campbell, Darland, Frank, Hoyle, Morin

No: None

Absent: None

Motion carried.

ATS Printing Preliminary Development Review 09-100-013-300-170-00

Dennis Barthel, owner of Advanced Tex Screen Printing, distributed copies of the site plan to the Commissioners; the Professionals had received their copies earlier. He included a letter from Acme Septic Tank Co. in Kawkawlin who installed the septic system years ago and found no indication that this system is failing. Mr. Barthel also handed out a list of a number of businesses in the area that do the same work that he does and could find none that were Industrial zoned. All were Commercial.

Planner Lippens discussed Commercial vs. Industrial use. This is an industrial use based on the type of use it is and what is permitted in Monitor Township's Commercial and Industrial districts. It's manufacturing- related and not intensive.

They have sales of over-runs to the public a couple of times a year, so there is a commercial element.

Adam Ball of Surveying Solutions discussed uses.

There was much discussion regarding Industrial vs. Commercial. Planner Lippens says it is a matter of scale.

Attorney Sheppard noted the concern about sewer and septic. This needs to be done to the satisfaction of the Health Department and the Township. Second, it needs to be rezoned either to Industrial or to Commercial and revise the Commercial PUD. The quickest and easiest would be to go from Commercial Warehousing Distribution Center to Commercial Warehousing Retail Office and Screen Printing. More detail is needed in the layout for that change.

Planner Lippens said that this would be a Special Conditions Use outlining the special use in Commercial Zoning which we could do. His recommendation was to do a text modification to specify the use in the Commercial District. They both accomplish the same thing. Planning can approve a Special Conditions Use, but a Text Amendment goes to the Township Board.

Much discussion.

C. Hoyle moved to set advisory public hearing for Commercial PUD and Special Use in Commercial PUD for Advanced Tex Screen Printing, 09-100-013-300-170-00, 4177 3 Mile Rd., at the February 2 meeting and rezoning to Commercial PUD for the March 1 Planning Commission meeting. Supported by R. Campbell.

Roll call vote:

Yes: Campbell, Darland, Frank, Hoyle, Morin, Arnold

No: None

Absent: None

Motion carried to set public hearing.

Zoning Ordinance Review

Planner Lippens noted the request from the Zoning Board of Appeals to review wayfinding signs in Industrial zoning. His suggestion is to include wayfinding signs as part of Incidental Signs in the ordinance as they are not intended to be seen from the public way. When defining wayfinding signs for Commercial zoning, Industrial zoning will be considered as well.

Reports

Attorney Sheppard reviewed a memo between himself and MLR Engineering regarding the Protective Covenant language for Holly Springs II.

Communications

Communications accepted.

Motion by C. Hoyle, supported by J. Frank, to adjourn.

Motion carried.

Meeting was adjourned at 8:45 p.m.

Respectfully submitted,

Dan Darland
Secretary

DD/jw