

CHARTER TOWNSHIP OF MONITOR  
REGULAR PLANNING COMMISSION MEETING  
October 4, 2016

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

The Pledge of Allegiance was recited.

Members present: E. Arnold, J. Bellor, R. Campbell, J. Frank, C. Hoyle, M. Morin  
Members absent: D. Darland  
Also present: C. Hewitt, Planning Attorney; R. Sheppard, Planning Attorney; P. Lippens, Planner

D. Darland was excused.

**Motion by R. Campbell seconded by C. Hoyle to adopt the agenda with the addition of Menards and Sherwin Williams.**

Motion carried.

**Motion by R. Campbell seconded by J. Frank to approve the minutes of the September 6, 2016 regular meeting as presented.**

Motion carried.

**Public Input**

Chairman Bellor opened public comment at 7:03 p.m.

Barbara Gurnee of 4438 Two Mile Rd. spoke on behalf of her cousin Marian Kopischke of 2812 Park Place, Bay City whose families own adjoining properties on the southwest corner of Sec. 13, Two Mile and North Union. They want to maintain the farmland, but read something in the Master Plan that appeared the lots would be rezoned Residential if the land were to be sold. Planner Lippens discussed the Master Plan vs. the Zoning Ordinance. J. Frank assured them that as long as they continued to farm the land it will be able to be farmed.

David LaVasseur of 3656 S. Seven Mile Rd. wanted clarification of the sand removal proposal of Jason DeShano. Public Hearing is scheduled for later in the meeting and those questions can be answered then.

Public Input closed at 7:15 p.m.

**Items for Consideration**

**Reder/Mosher Public Hearing-Homestead split from Farm, 09-100-018-300-010-00**

Public input was opened.

Planner Lippens reviewed the request to split the homestead from the farm property. A verbal and written statement from the owners that this property will continue to be farmed was received. There was discussion regarding the setback required for the barn. Mr. Rueger, representing Reder/Mosher, felt that the side of the barn where the height is only ten feet should only need a ten foot setback. Planner Lippens explained that the ordinance states the setback required on all sides should be the highest point on the barn plus ten feet.

Brandon Krause of 4489 8 Mile Rd, Auburn is buying the adjoining property and doesn't feel that the fifty-five foot setback would be necessary.

The building Inspector conducted an inspection of the existing buildings on the property and found them to be well-maintained and in good shape.

M. Morin noted that a silo on the barn could impact the setback requirement.

Arnold noted that, in the past, ten acres was required in order to split a homestead so requiring 50 feet seems to be a generous compromise in this new ordinance allowing homesteads to be split from farm land.

Attorney Hewitt noted that ordinarily if the ordinance gives a certain setback, you can't vary from that, but the ordinance evidently gives some discretion in this regard. Also, a restrictive covenant is needed because there are more than the allowable number of buildings on the property for a residential lot. If a building was destroyed for any reason, it could only be rebuilt by current residential ordinance standards. The current standard allows a garage and one accessory building for a residential property.

Public input closed.

**Motion by J. Frank, seconded by C. Hoyle, to approve the farm homestead property split requested for 09-100-018-300-010-00 with a 55 foot setback on the north and a 25 foot setback on the east.**

Roll call vote:

Yes: Bellor, Campbell, Frank, Hoyle, Morin

No: Arnold

Absent: Darland

**Motion carried to grant the property split.**

DeShano Special Land Use Public Hearing, 09-100-007-200-080-04

Public hearing was opened.

Jason DeShano reviewed his desire to make two acres of sandy land into productive farm land by removing sand and replacing it with topsoil. The sand is located along the west side along White Birch Golf Course and the ordinance says that dirt cannot be removed within 200 feet of the property line. Mr. DeShano would be willing to keep 20-30 feet, but it wouldn't be worthwhile if he needed to stay 200 feet away. The grade would be no lower than the grade around it, leveling out the present ridges.

David LeVasseur of 3656 Seven Mile Rd and Steven Bannister of 3620 Seven Mile both expressed concerns over the possibility of a pond or pit left and were assured by Mr. DeShano that the ground would be level so they could farm it. They also questioned how long the removal process would take. Gushow will remove it as sand is needed for the building season which may not happen any more this year. It could take a month of steady hauling.

Planner Lippens recommends tabling the request because he feels this is a variance request. The engineer would like to see a survey showing existing and proposed grades. This would allow accountability if the project is not done as proposed.

The consensus was that Mr. DeShano should meet with Jay Wheeler of Kibbe & Associates to resolve the survey issues.

Public Hearing is closed.

Attorney Sheppard arrived at this point.

**Motion by J. Frank to approve the special land use for 09-100-007-200-080-04 to remove sand from the property replacing it with topsoil to increase the productivity of said farm land subject to administrative review and approval by the township engineer; and subject to a variance being granted by the Zoning Board of Appeals to go closer than 200 feet to the property line and, if said variance is granted, in no event closer than ten feet to the property line with a maximum six foot excavation near the property line. Supported by E. Arnold.**

Roll call vote:

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

No: None

Absent: Darland

**Motion carried to approve special use permit subject to conditions.**

Sherwin Williams

Per the ordinance, Sherwin Williams must start the entire approval process over if they wish to pursue building in the township as their approval has expired with no building being started.

Menard's

Menard's 2<sup>nd</sup> Storage site plan was tabled until this meeting to resolve parking issues. We have heard nothing from them.

**Motion by J. Frank, supported by C. Hoyle to table the Menard's site plan for 30 more days and the planner will contact them. Motion carried.**

Reports

The Planner distributed his plan for the year.

Communications

**Motion by R. Campbell supported by J. Frank to accept Communications. Motion carried.**

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

**Motion carried.**

Meeting was adjourned at 8:50 p.m.

Respectfully submitted,

Mike Morin  
Acting Secretary

DD/jw