

CHARTER TOWNSHIP OF MONITOR
REGULAR PLANNING COMMISSION MEETING
December 4, 2018

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

The Pledge of Allegiance was recited by all present.

Members present: J. Bellor, R. Campbell, D. Darland, J. Frank, C. Hoyle, T. Miller, B. Reder
Members absent: None
Also present: R. Sheppard, Planning Attorney; P. Lippens, Planner

Motion by B. Reder seconded by J. Frank to adopt the agenda as presented.

Motion carried.

Motion by B. Reder seconded by R. Campbell to approve the minutes of the November 13, 2018 regular meeting as presented.

Motion carried.

Public Input

Motion by B. Reder supported by T. Miller to open the floor for public input.

Motion carried.

J. Bellor asked to review changes made to Wind Ordinance since their last meeting on 11/20/2018.

Brandon Krause, 4489 8 Mild Road, Auburn, MI stated that the changes made to the Wind Ordinance were grammatical. He stated the content of the ordinance is basically the same. B. Krause presented the ordinance to the Planning Commission and strongly suggested that the Commission adopt the Ordinance as written. He also thanked the Commission for a job well done.

Dave LaVasseur 3656 7 Mile Road, asked the Commission where the 500 feet tower height comes from.

R. Sheppard, stated that 500 feet is a combination of industry standards. Through industry studies, Wind Energy can get enough wind at that height to generate adequate power.

Rita Polak 4135 Seven Mile Road, asked the Committee if they had addressed the mine shafts in Monitor Township in regards to Wind Energy.

B. Reder and J. Bellor confirmed that mine shafts have been taken into consideration.

B. Krause specified that the restrictions that are in Wind Ordinance are not restrictive to Wind Energy, however, Energy Companies will have to get permission for placement from several land owners not just one land owner or one large land owner.

J. Bellor made a recommendation to the Planning Commission to review the Wind Ordinance for 30 days. He explained that the Commission has had it for two and a half (2 ½) months and he would like everyone to analyze it again before the next meeting and have any questions ready to discuss.

C. Hoyle brought attention to page 16 #30-of the Wind Ordinance; content needs to be stated more clearly. Abandonment vs. Decommissioned.

B. Krause defined the difference between wind energy abandonment and decommissioning. Abandonment is a tower that is stationary and not moving and removal or decommissioning refers to tearing down and removing the wind turbine.

One of the Commissioners addressed the current ordinance of 35 feet height restriction and 75 feet with special use permit, in relationship to the 500 feet tower height.

R. Sheppard explained that Wind Ordinance has a specific section related to structure height. In conclusion, specific standard overrules general standard.

There was extended conversation between R. Sheppard and Committee members ranging from height, decibels and personal property damage from turbine fires.

Chairman J. Bellor closed public comment at 7:37 p.m.

Items for Consideration

P. Lippens, Planner reviewed technical clarifications Memorandum dated 11/29/2018. The following additions shall be added to the final Zoning Ordinance for approval.

Section 9.06 becomes 9.067

- (a) to include “private” ponds or lagoons
- (b) to include, “Planning commission may require storage containers to be screened from public view.”

Section 14.05

- (a) To include “all districts” and “unless otherwise authorized by a temporary use permit.”

Section 14.16

- (a) 2. To include “or a permanent permeable material approved by the Township Engineer.”

P. Lippens, Planner reviewed Architectural Standards revised Memorandum dated 11/25/2018.

Commission members voiced concern regarding minimum 60% glass finish and parapets enclosed by a minimum of 42 inches and that the “standards” would be too restrictive. It was agreed that the building standards would be used as a guide and waivers would ultimately be used.

Dennis Polak 4168 7 Mile, informed the Commission that all builders have an architect and/or an engineer; plans are then submitted and the building inspector should have the ability to review the plans and then pass judgement.

Motion by B. Reder , supported by J. Frank to eliminate the Architectural Standards from Zoning Ordinance.

Roll Call Vote:

Yes: Bellor, Campbell, Darland, Miller, Reder

No: Frank, Hoyle

Absent: None

Motion Carried

P. Lippens told the Planning Commission that the revised “Architectural Standards” could be used as a point of reference for an architectural review. The standards presented to the Planning Commission creates a starting point for discussion. A new revised list of Standards will be created and reviewed at a meeting in the near future.

J. Bellor referred to the two climate change reports located in Items for Consideration: Federal Climate Change Report and Climate Assessment as offered by T. Miller. J. Bellor encouraged Commission Members to review both reports.

Temporary Use Permit

P. Lippens referred to Sept 27, 2018 McKenna memo with background information and several samples of other township temporary use permits. By including a temporary use permit, the zoning ordinance will have to be modified and based on the comments of the Planning Commission, it should be an administrative procedure. The standards recommended are in the November 26, 2018 McKenna Memorandum, Temporary Use, #2; which was created by K. Malkin and R. Sheppard. The key takeaways are temporary uses are permitted in the Zoning District, alterations are prohibited, site must be restored to original condition after the time period has ended, any temporary use of structure shall comply with all laws of construction codes, cannot be located in any easement of right-of-way, cannot be in the way of pedestrian or traffic movements, cannot be used as a shelter, a site or sketch plan must be submitted as if requested by the township official and the township official may request a review of the township engineer, township planner, fire department. The fee for the Temporary Use Permit will be established by the Township Board. The duration of the Temporary Use Permit will be six months and an authorized official can grant an extension by six months, but beyond a year they would have to come to planning commission to be granted an extension. Mobile vendors would be permitted to operate without a temporary use permit in commercial or industrial districts under the following conditions:

- Owner of the site where the temporary use is operating provides evidence of written permission upon the request of an authorized Township official
- Operates less than eight (8) hours a day
- Occupies less than 25% of the parking area
- Duration of use is less than six (6) months
- The use is subject to inspection by an Authorized Township official for compliance with construction codes.

Motion by D. Darland, supported by T. Miller to add Temporary Use Permits to the Zoning Ordinance.

Roll Call Vote:

Yes: Bellor, Campbell, Darland, Frank, Hoyle, Miller, Reder

No: None

Absent: None

Motion Carried

ATS Printing – 4177 3 Mile Road

Parcel ID: 09-100-013-300-170-00

Schedule date for Public Hearing RE: Landscaping

R. Sheppard asked the Planning Commission how the public notice should be written.

G. Brandt, Trustee and S. Pike, Treasurer asked why the rules and regulations had not been enforced.

J. Bellor suggested that both parties, G. Brandt and S. Pike approach to the microphone.

B. Reder mentioned that complaints have been filed; landscaping issue has to be revisited.

R. Sheppard stated he will write the public notice to cover all options.

Motion by D. Darland, supported by B. Reder to set the public hearing on January 8, 2019 for ATS Printing 4177 3 Mile Road, Parcel ID: 09-100-013-300-170-00

Roll Call Vote:

Yes: Bellor, Campbell, Darland, Frank, Hoyle, Miller, Reder

No: None

Absent: None

Motion Carried

C. Hoyle moved to set a special meeting on Wind Energy meeting for public on December 20, 2018. There was no support for the motion.

R. Sheppard concluded that the Wind Ordinance is not complete. A complete draft could be reviewed at the January 8, 2019 Planning Commission Meeting. **A special Planning Commission meeting may be called for January 15, 2019 if the draft is not completed. A tentative date for public hearing for Wind Ordinance was discussed for February 5, 2019.**

Motion by J. Bellor seconded by B. Reder to call a special Planning Commission meeting to review Wind Ordinance for January 15, 2019

Motion carried.

Communications

Motion by J. Bellor supported by D. Darland to acknowledge receipt of Communications.

Motion carried.

Motion by C. Hoyle supported by D. Darland to adjourn.

Motion carried.

Meeting was adjourned at 8:22 p.m.

Respectfully submitted,

Dan Darland
Secretary

DD/djp