

CHARTER TOWNSHIP OF MONITOR
REGULAR PLANNING COMMISSION MEETING
May 4, 2021

The meeting was called to order by Chairman Jim Bellor at 7:03 p.m.

The Pledge of Allegiance was recited by all present.

Members present: J. Bellor, R. Campbell, A. Shabluk, B. Walsh, J. Meier, C. Schweitzer,
E. Rosenbrock

Members absent: None

Also present: R. Sheppard, Attorney

**Motion by seconded by Campbell, supported by Walsh to adopt the agenda as presented.
Motion carried**

**Motion by Meier supported by Rosenbrock to approve the minutes of the April 6, 2021
regular meeting.
Motion carried**

Public Input

Chairman Bellor opened and closed public comment at 7:05 pm with no one present, wishing to speak.

Items for Consideration

Site Plan Review (Revised)
09-100-037-400-050-02
1600 S. Euclid

Bellor distributed a memo to the Commission from Dave DeGrow, Monitor Township Building Inspector, dated January 25, 2021 regarding 1600 S. Euclid.

DeGrow gave an update on the project and area of deficiencies/area of concern. The overhang on the South side of the building, property line issue/lawsuit, fire hydrant, and salon issues.

Bellor reviewed the memo DeGrow submitted to the Commission.

Bellor asked DeGrow about the fence on the south side of the property.

DeGrow said he could not comment on the fence issue. He said the fence is a zoning issue not a building issue.

Sheppard added information regarding the fence issue/concern. This is part of litigation with the property owner on Clover Lane and Harold Miller which is not resolved. Sheppard told the

Commission that the fence was removed to give 25-foot access from the property line to the building and this triggered the lawsuit between the property owner on Clover Lane and Miller.

Nickie Ross, addressed questions regarding Miller's intent for the west half portion of the property. She told the Commission that plans are to install two (2) fire hydrants, one that is noted on the current revised site plan and one located somewhere on the west end section of the property. She was not sure of an exact location where the second hydrant would be placed. They are meeting with BCDWS (Bay County Department of Water and Sewer) for clarification of requirements. The engineer from D&M Sites will be doing hydrant testing April 5, 2021. Monitor Township Fire Department is aware of the test, but will not present.

Ross told the Commission that the easement is still in litigation. Ross also confirmed a demolition permit that was approved by the Board of Trustees at the April 26, 2021 meeting, for a building that is partially down.

Ross also asks that the halt of building permits be lifted so they can bring more businesses into the property.

Meier questioned the easement approval for the hydrant.

Bellor said he wasn't sure where that approval comes from.

Sheppard explained that Planning Commission has the right to put conditions on the approval. Because the easement is going to be used for public purpose, Monitor Township does have the right to review the easement prior to recording and signing.

Sheppard explained a past experience with Mutual Estate Subdivision regarding a fire hydrant easement.

Campbell questioned DeGrow regarding issues at the Salon.

DeGrow explained that there is still an open permit for the Salon. The Salon does not have an occupancy permit because it is held up by the ongoing litigation.

Motion by Walsh, supported by Campbell to approve revised site plan for 1600 S. Euclid, including all ancillary addresses associated with that address, pending the completion of requirements of the BCDWS letter dated April 26, 2021, Fire Department letter dated April 21, 2021 and the Kibbe letter dated April 29, 2021. Pending the completion and acceptance of the flow test, the recording of the easement as reviewed and approved by the attorney and the applicant acknowledging that if they lose the lawsuit with D. Jones, they must submit a conforming site plan on how they will revise the site to comply within 60 days.

Roll call vote:

Yes: Bellor, Campbell, Walsh, Shabluk, Rosenbrock

No: Meier, Schweitzer

Absent: None

Motion carried

New Business

For discussion, possible amendments to Ordinance 67

1. Accessory building waivers
2. Lot sizes
3. Setbacks
4. Gazebo's as accessory buildings
5. Breezeway attaching garage to home

Bellor addressed the Commission regarding possible amendments to Ordinance 67.

- Breezeway definition and the need to further clarify this
- Shabluk presented the Planning Commission with information regarding lot sizes. Possibility of decreasing lot sizes so more homes can be built in subdivisions.
- Should a gazebo be considered an accessory building?
- Waivers were discussed, as well as setbacks

Schweitzer suggested members take a look at the five (5) points outlined in the agenda and give some thought to what should be consider changing and get an understanding of what those changes would impact and discuss each item in detail at a future meeting.

Shabluk agreed.

Discussion continued among the members.

Bellor questioned the zoning compliance permit fee, Ordinance 67 section 17.12.

Sheppard explained that the Township Board set the fees.

**Motion by Walsh, supported by Shabluk to adjourn.
Motion carried**

Meeting was adjourned at 8:27 p.m.

Respectfully submitted,

Connie Schweitzer
Secretary
CS/djp