

CHARTER TOWNSHIP OF MONITOR  
SPECIAL PLANNING COMMISSION MEETING  
AUGUST 17, 2023

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

The Pledge of Allegiance was recited by all present.

Members Present: Meier, Schweitzer, Shabluk, Campbell, Bellor

Members Absent: Rosenbrock, Walsh

Also Present: R. Sheppard, Township Attorney; D. Scherzer,  
Planner; J. Wheeler, Engineer; See Public Sign-In Sheet

**Motion by Schweitzer, supported by Meier to approve the agenda as presented.  
Motion carried.**

**Motion by Bellor, supported by Shabluk to approve the minutes of August 1, 2023.  
Motion carried.**

**Public Input**

Chairman Bellor opened public input at 7:02 p.m.

D. Scherzer handed out revised survey questions for the Master Plan to the Planning Commission for the members to review and provide input.

T. Kernstock addressed the Planning Commission regarding the purpose of holding a special meeting.

T. Kernstock asked that Planning Commission members take into consideration the increase in noise level due to current construction on US-10 creating heavy traffic flow along Midland Rd.

J. Volders expressed concerns regarding the degasser unit running 24/7 and concerns about odors.

Another resident stated she shares the same concerns as previously mentioned regarding sound levels and odors and questioned the zoning of the property.

Sheppard responded.

Another resident questioned whether there is a possibility for explosion if the degasser unit does not run 24/7.

Resident commented on noise level.

Public input closed at 7:11 p.m.

**Items for Consideration**  
**Special Use/Site Plan Review – AEY Capital**

M. Khoury, attorney for AEY, addressed the Planning Commission regarding outstanding concerns and noise levels.

M. Khoury stated that AEY has completed a noise level and odor test where results provided that the degasser unit will not increase the current noise or odor level. These results were provided to Planning Commission members.

S. Douglas explained the primary functions of the degasser unit and why this needs to run 24/7.

S. Douglas stated the only reason noise levels would increase is if there was a 50% LEL level in the booth because fans will turn on a bit higher for roughly 30 seconds before going back to normal. The fans still remain within the decibel level allowed within the Ordinance.

Shabluk questioned how long noise levels would be elevated and to what levels.

S. Douglas stated this would occur for roughly 30 seconds and is just a safety measure that would rarely occur.

Sheppard commented on concerns raised.

Scherzer commented on noise levels in the area.

Wheeler questioned decibel levels, if they could meet requirements of the ordinance.

Shabluk asked for clarification if they could meet the requirements of the ordinance regarding noise levels at the property line.

S. Douglas responded yes.

Meier questioned prior noise level testing at the road.

Representative responded.

Shabluk asked Douglas to explain the comment by a resident regarding the potential for an explosion at the site.

S. Douglas explained that all processing plants use chemicals that have an explosive nature however, safety is a priority and the degasser unit will assist in safety measures at the site.

Campbell asked Wheeler to comment on his review and the conditions recommended.

Wheeler commented.

**Motion by Bellor, supported by Meier, to approve the Special Use contingent on meeting noise and odor levels while running 24/7, meeting requirements of the Engineer and Planner, and based on the information provided by TerrAscend in the degasser proposal.**

**Roll Call Vote:**

**Yes: Campbell, Schweitzer, Meier, Shabluk, Bellor**

**No:**

**Absent: Rosenbrock, Walsh**

**Motion carried.**

**Motion by Bellor, supported by Schweitzer, to approve the Site Plan.**

**Roll Call Vote:**

**Yes: Shabluk, Meier, Campbell, Bellor, Schweitzer**

**No:**

**Absent: Rosenbrock, Walsh**

**Motion carried.**

#### **Site Plan Review – Taco Bell (Black River Bells)**

Representative commented on updates to the site plan, including the entrance and parking.

Representative stated they have received Drain Commission approval.

Scherzer commented on his review and recommended approval of the site plan as submitted.

Wheeler commented on his review and mentioned that the site plan has changed to a single drive approach that lines up with Cracker Barrel's entrance on the west side of the site. Parking has also been pushed back and meets the criteria for the setbacks.

Wheeler referred to Section 3.42: Exterior Lighting, which provides that light levels shall not exceed more than one (1) foot-candle at a non-residential property line. He mentioned that it does exceed this level, however this is because of existing lights that were already there.

Wheeler recommended approval.

Sheppard commented on Section 3.49: Shared Access Drive and non-conformity, gross floor area, Section 14.06, and parking space requirements.

Schweitzer questioned whether there will be 19 parking spaces.

Representative responded that they had to remove 1 parking space next to the transformer because of the grade drop-off. These are not shown on the site plans provided.

Campbell questioned landscaping requirements.

Wheeler commented that a landscaping plan has been submitted and is acceptable.

**Motion by Meier, supported by Schweitzer, to approve the site plan as presented.**

**Roll Call Vote:**

**Yes: Shabluk, Bellor, Schweitzer, Meier, Campbell**

**No:**

**Absent: Rosenbrock, Walsh**

**Motion carried.**

**Reports:**

**Enforcement of Planning Commission Rules –  
Update on Outstanding Cases**

Sheppard commented regarding the Harold Miller v Jones lawsuit.

Discussion ensued among members.

**Motion by Bellor, supported by Campbell, to adjourn.**

**Meeting adjourned at 8:37 p.m.**