

CHARTER TOWNSHIP OF MONITOR
REGULAR PLANNING COMMISSION MEETING
October 1, 2013

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, B. Campbell, D. Darland, C. Hoyle, M. Morin

Members absent: J. Frank, excused

Also present: R. Sheppard, Planning Attorney; M. Gradis, Planner

Motion by Hoyle seconded by Campbell to adopt the agenda as presented.

Motion carried.

Motion by Campbell seconded by Hoyle to approve the minutes of the September 3, 2013 regular meeting as presented.

Motion carried.

Public Input

Chairman Bellor opened and closed public comment at 7:05 p.m. with no one present to speak.

Items for Consideration

Garpiel Special Use Public Hearing, 09-100-020-300-080-02

Planner Gradis reviewed the letter from McKenna of September 25, 2013 which recommended approval with two issues; 1) correct measurements and provide details on required signage for the handicap van accessible parking space, and 2) receive approval from other agencies as necessary.

Chairman Bellor commented on the requirement that they will need to tear down a chain link fence to install a tight board fence which seems to make no sense. Planner Gradis says that the ordinance requires screening and a tight board fence meets the requirement.

Attorney Sheppard noted that Planner Gradis has gone to extensive work to make this plan work. Until the ordinance changes, this is the only way to legally approve Garpiel's site plan and special use permit.

Public Hearing was opened.

Ken Bayne, the agent for Garpiel, asked if a moratorium could be placed on the fence issue to allow for more time. Attorney Sheppard responded that the Planning Commission cannot grant extra time; that can only be done by the Township Board. There is a one year sunset rule. The problem with this situation is that Mr. Garpiel came in because he was informed that he was in violation of the ordinance. The township has been holding off on enforcement pending the resolution of this issue while Mr. Garpiel worked with the Planning Commission to bring the

property into compliance. If he gets approval and doesn't bring it into compliance with the approved plan, enforcement action could be taken.

Public hearing closed at 7:17 p.m.

Campbell moved to approve the Special Use Permit and site plan for Garpiel Landscaping, 504 E. Midland Rd., 09-100-020-300-080-02, with the condition that the handicapped parking spot measurements and signage be corrected and approvals are received from other agencies, as necessary, as noted in the McKenna letter dated September 25, 2013. Supported by Hoyle.

Roll call vote:

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

No: None

Absent: Frank

Motion carried to approve.

Draft Yard Sale Ordinance Amendment

Bellow noted that the clerk submitted a version of an ordinance on Yard Sales for approval.

Arnold moved, supported by Hoyle, to adopt the Clerk's proposed ordinance allowing three (3) sales per year for three (3) days at a time with no permit required; violation is a civil infraction. Public hearing to be set for November 5, 2013.

Roll call vote:

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

No: None

Absent: Frank

Motion carried.

Reports

Bellow noted that both the Zoning Board of Appeals and the Planning Commission went out of their way to expedite the plan for Michigan Sugar because time was of the essence and now we still don't have a final approved site plan.

Planner Gradis said that they still have not submitted a sign plan showing what signs will be posted and where they will be located as requested by the Zoning Board. The other item was to replace the landscaping with a variety which will provide solid screening.

Bellow requested a letter be sent to Michigan Sugar regarding setting a deadline by which we want these conditions met.

Holly Springs subdivision was granted an extension of time for another six months. The barn is still there. Lots of discussion.

Sheppard suggested that in addition to fence and screening issues in the ordinance, we need to discuss building heights in a commercial area. We should be thinking about when we are going to

go through the ordinance for revision. Discussion regarding areas that need to be looked at when the request is made to review the ordinance.

Arnold thinks that the commissioners should take one to two years and go through the ordinance a chapter at a time and nitpick it and then present it to the planner and attorney for their opinions.

Sheppard reminded them that this was done back in the 1980's and money is always an issue.

Sheppard will discuss civil infractions/misdemeanors as they relate to the zoning ordinance penalties with Attorney Austin.

Communications

Motion by Hoyle supported by Campbell to accept Communications. Motion carried.

Motion by Hoyle supported by Campbell to adjourn.

Motion carried.

Meeting was adjourned at 8:15 p.m.

Respectfully submitted,

Dan Darland
Secretary

DD/jw