

CHARTER TOWNSHIP OF MONITOR
REGULAR PLANNING COMMISSION MEETING
February 2, 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, D. Darland, J. Frank, C. Hoyle, M. Morin

Members absent: None

Also present: R. Sheppard, Planning Attorney; P. Lippens, Planner

Motion by C. Hoyle, seconded by J. Frank, to adopt the agenda as presented.

Motion carried.

Motion by J. Frank, seconded by R. Campbell, to approve the minutes of the January 5, 2016 regular meeting as presented.

Motion carried.

Motion by D. Darland to limit public input to 3 minutes per person unless a commissioner requests that additional time be permitted. Supported by J. Frank.

Motion carried.

Public Input

Chairman Bellor opened and closed public comment at 7:04 p.m. with no one present to speak.

Items for Consideration

Election of Officers

Attorney Sheppard presided over elections.

Nominations were opened for Chairperson.

Motion by D. Darland to nominate J. Bellor as Chairperson. Supported by C. Hoyle.

Nominations closed. Voice vote.

Motion carried to elect J. Bellor as Chairperson for 2016.

Nominations were opened for Vice-chairperson.

M. Morin was elected as Vice-Chairperson for 2016.

Nominations were opened for Secretary.

D. Darland was elected Secretary for 2016.

ATS Printing Rezoning of 09-100-013-300-170-00, Special Land Use and Advisory Public Hearing

P. Lippens reviewed the request of ATS to re-use the existing property and buildings with a similar use and with the addition of light manufacturing of screen print materials and embroidery and also maintain warehouse and distribution use which are allowed in the Commercial District.

The criteria for Special Land Use was reviewed for those in attendance. This proposal has not been found to be of a more intense use than has historically been used at this site. There is a berm and row of trees separating the property from 3 Mile Rd. This site left vacant would probably have a more negative impact on the neighborhood than having it be productively used.

McKenna's review recommends approval of Special Land Use for ATS to the Planning Commission although there are some conditions:

- No public sewer will be supplied by the township
- The expansion is not part of the approval of the Special Land Use
- Any specific septic changes will need approval
- Recommendation is subject to approval based on the results of Public Hearing
- All dead and diseased trees must be replaced annually.

Public Hearing opened at 7:20 p.m.

Michael Pacione, 4164 3 Mile Rd., owns 40 acres directly across from the site. Objects to most of what the planner recommends. Light manufacturing was not its intended use and shouldn't be; limited time of manufacturing and retail use; more trucks will go in and out; chemicals on site; no sewer; odors from solvents; retail use.

J. Frank moved to allow an extra 2 minutes for the speaker, supported by M. Morin. Motion carried.

Mr. Pacione was given a copy of the McKenna review so he can object line by line. He wants to know the best way to object. By letter? Attorney? The detail in the notice to the neighbors was not sufficient in detail. He feels that our standards are loose.

Attorney Sheppard reviewed zoning in the past compared to zoning in the present. He explained why a PUD was used. Since the death of the prior PUD holder, the maintenance on the exterior has declined.

The applicant has been working with the Health Department regarding chemical use and septic use. The landscaping plan will have to be updated.

R. Campbell noted that the engineer's letter regarding this project seems to have answered the concerns brought up by the speaker during public input.

E. Arnold expressed concern regarding the size of the building, the distance from Wilder Rd., and the size of the septic field. Lots of discussion.

Planner Lippens presented his review letter on the Advisory Hearing on a Commercial PUD. Approval of the PUD is contingent on approval of the Special Land Use which was being discussed previously.

Access and egress from the property appears to be sufficient with two driveways. Approval would be needed from the Fire Department to make sure that the fire access to the building meets the current code and requirements.

The Township engineering review, specifically as it relates to the capacity of the septic system, should be required as an approval of the PUD.

The screening on the property has diseased trees which need to be replaced.

The existing fence has barbed wire on top which is recommended for removal.

PUD's are required to have open space. Since part of this parcel is in a flood plain, it is recommended to dedicate that area as permanent passive open space on the site plan.

In general, the building meets the current setback requirements and parking requirements. Improvements are primarily renovations to the building.

Summary of issues to be addressed:

- 1) Public hearing on the rezoning. Planning would make recommendation to the Board and the final decision would be made by the Township Board on the PUD.
- 2) Results of the advisory public hearing.
- 3) Maintenance of landscaping and removal of barbed wire.
- 4) Operations plan and use statement submitted by the applicant should be a condition of approval.

E. Arnold would like the project to go forward, but thinks the septic field looks small.

Attorney Sheppard and Planner Lippens explained that having Phase 2 buildings on the parcel would keep ATS from having to come back for rezoning if they should choose to expand. They would still need to get site plan approval and approval from the Health Department, etc. at that time.

Advisory PUD Development Public Input opened.

Michael Pacione, 4164 3 Mile Rd. Questioned additional uses. There can be no extra chemicals in the ground. He is an expert in manufacturing and knows what goes into setting up a manufacturing business. The proposed use is close, but not a perfect fit.

Al Izykowski, 4678 Birchwood, is a 20 year resident and feels that there is a benefit to having the parcel be used. Let the Health Department worry about the septic system and the EPA worry about chemicals.

Trevor Keys of Bay Future noted that ATS has gone through due process and would like to see approval contingent on the Health Department.

Public Hearing Closed.

Planner Lippens noted that he doesn't normally include comments in his letter of review regarding federal and state laws which are a given.

J. Frank moved to approve the Special Land Use for warehousing and limited office/retail to Advanced Tex Printing (09-100-013-300-170-00), finding that the Townships review standards for Special Land Uses are met, as noted in the McKenna Review letter dated 1/27/16 subject to the submittal letters from the applicant with the following conditions:

- **State, Federal and Township regulations are met.**
- **Septic meets Health Department requirements before occupancy**
- **Landscaping refurbished**
- **Understanding that the Township does not and will not provide sewer to that location.**
- **Expansion will require PUD and Site Plan approval.**

Supported by D. Darland

Roll call vote:

Yes: Campbell, Darland, Frank, Hoyle, Morin

No: Arnold

Absent: None

Motion carried to grant Special Land Use.

Public Hearing for the PUD rezoning has been published for March 1, 2016.

Reports

Attorney Sheppard reviewed letters from previous cases regarding the Department of Agriculture and the Right to Farm Act. The Department of Ag doesn't necessarily recognize the acreage limitations that the township has set for farm size. Should those size limits be removed from the ordinance?

Communications

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

Motion by C. Hoyle supported by M. Morin to adjourn.

Motion carried.

Meeting was adjourned at 8:25 p.m.

Respectfully submitted,

Dan Darland
Secretary

DD/jw