

CHARTER TOWNSHIP OF MONITOR
REGULAR PLANNING COMMISSION MEETING
November 4, 2015

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, C. Hoyle, M. Morin

Members absent: J. Frank

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

Motion by C. Hoyle seconded by M. Morin to adopt the agenda as presented.

Motion carried.

Motion by R. Campbell seconded by C. Hoyle to approve the minutes of the October 6, 2015 regular meeting as presented.

Motion carried.

Public Input

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

Advance Tex Screen Printing. Dennis Barthel of 4787 Gratiot Rd., Merrill, MI introduced himself regarding the possibility of expanding his business to 3 Mile and Wilder Rd., the former Norman's warehouse.

Attorney Sheppard explained the current zoning of the parcel. The property is currently a P.U.D. which is an overlay zoning with structures, setbacks, berm, trees, screening, fencing. All of the physical features existing now are pretty much what was adopted as the zoning for that piece of property. In addition, there was a strict use written out by the former owner, Mr. Firsker, as to how the property was going to be used. Sanitary sewer has never been extended to that area.

The Bay County Health Department gave their approval for what the applicants plan to do at that site.

Attorney Sheppard said that they would need to make an application for rezoning to rezone it from its current PUD to a PUD tailored for their specific needs. There is limited resale ability because the only thing the property may be used for is what you get it approved as.

Planner Lippens noted that the intended use could not be done under the current zoning so the property would have to be rezoned and the PUD adapted for their use.

Revising a PUD would be rezoning and site plan approval through one process. It would start by submitting a concept plan. The planner would review the concept. The Planning Commission would review that and do an advisory public hearing. Planning Commission would do a final development plan with the required public hearing and then submit to the Board for approval.

Alternatively, if the applicant were to rezone, Planning Commission would look at the intended use and find a way to classify it within a use within the Commercial district. Planner Lippens feels that this is really more of a manufacturing use.

The Planner is willing to work with them and advise them in their planning process.

Trinity Lutheran Church on Salzburg and Eight Mile Rd. represented by Ken Burk would like to replace a wooden sign that is currently in front of their parochial school with an electronic bulletin board. The ordinance says that in the AG district, bulletin boards and signs will not exceed twelve (12) sq. ft. and have to be twelve (12) feet from property lines. His question is whether an electronic bulletin board would be allowed.

Attorney Sheppard says that LED signs may be permitted in the Commercial district. Churches and schools were never considered when electronic signs were being discussed as the ordinance was being written. It is suggested that Mr. Burk make his presentation to the Township Board and see if they would be interested in changing the ordinance for this type of use.

Motion by R. Campbell supported by C. Hoyle to close Public Input. Public Input closed at 7:37 p.m..

Items for Consideration **Zoning Ordinance Review**

Kawkawlin Plan--Special Zoning District for the Village of Kawkawlin. There is the possibility of doing an assessor's plat for the area. The Master Plan identified a need to develop a more specific plan for the Kawkawlin area. A sub area could be created and evaluated as to whether there are boundary issues and then determine whether an assessor's plat would be necessary or whether an overlay or just a separate zoning district could be established.

The Planner could look at an aerial and create a zoning district that would change parcel sizes and setbacks for the existing "Village of Kawkawlin." D. Darland noted that the new aerials of the county should be available by the first of the year.

Tentative Schedule

Planner Lippens will make the needed corrections, send it to Chairman Bellor to sign and send on to the Board.

Signs--The Supreme Court Case *Reed v. Gilbert* was reviewed by the planner. Rules may not specifically limit a certain group such as churches. Planner Lippens suggests cleaning up the sign ordinance without violating the Supreme Court decision which could potentially put the township in a position to be sued for trying to limit people's speech. A printed review of the sign ordinance with highlighted areas for possible changes was distributed for discussion at next month's meeting.

Reports

Sherwin Williams withdrawal. 09-100-V06-000-009-00

Sherwin Williams has withdrawn its plan to build in Tech Park per Greg Turner from Pumford Construction. However, if a suitable site in Midland is not found, there is still a possibility that they will return to this site.

Holly Springs 09-100-023-200-210-00

McKenna reported that Holly Springs Phase 2 Final Preliminary Plat is ready to go. Attorney Sheppard discussed the proposed restrictive covenant for Holly Springs 1 & 2. The subdivision covenant that was presented, merged both Holly Springs Phases 1 & 2. Attorney Sheppard let the applicant know that if any lots had been sold in Phase 1, they would have to get their signatures to approve the amendment to the restrictions which added Phase 2.

M-13 Access Management

The planner spoke with MDOT representatives and reported to them that the proposed access management plan was reviewed by the Planner and the Planning Commission had already taken action on the proposal so there was no need for MDOT to make a presentation at tonight's meeting.

A letter has not been received from the Fire Chief regarding height of buildings which was requested last month. The question is what the maximum height of building the Chief would approve as advisory to the ordinance review that is being conducted. E. Arnold will check on this.

Communications

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

**Motion by C. Hoyle supported by R. Campbell to adjourn.
Motion carried.**

Meeting was adjourned at 8:29 p.m.

Respectfully submitted,

Dan Darland
Secretary

DD/jw