

CHARTER TOWNSHIP OF MONITOR
REGULAR PLANNING COMMISSION MEETING
January 5, 2010

The meeting was called to order by Chairman C. Hoyle at 7:00 p.m.

Members present: C. Hoyle, J. Frank, B. Campbell, D. Darland, Earl Arnold, J. Bellor
Members absent: F. D. Rochow
Also present: R. Sheppard, Planning Attorney, Z. Acuff, Planner

Motion by Darland seconded by Frank to adopt the agenda as presented.

Motion carried.

Motion by Frank seconded by Darland to amend the minutes of the December 1, 2009 regular meeting and add the statements that were in the draft copy received by Campbell as read to the Commission tonight.

Motion carried.

Motion by Frank supported by Darland to approve the minutes as amended.

Motion carried.

Public Comment

C Hoyle opened public comment at 7: 23 p.m. No one wishing to speak, public Comment closed.

Items for Consideration

Tiny Apple Store—Public Hearing

Julie Kram of 2279 Salzburg Rd. lives directly across the road from Tiny Apple Store. She is absolutely against granting permission for ice cream sales. She wishes she would have been able to have input in this before it came to this point since he has been in business for two summers now. Her understanding of an agricultural roadside stand is that 80% of what is sold must be produced on the property. She received a letter from Mr. Slachta which implied that much of what is sold is not produced on the property.

Mr. Acuff does not recall coming across any regulation involving 80%.

Mr. Sheppard responded that the ordinance doesn't say anything about 80%, however, he suspects that former Supervisors/Zoning Administrators may have placed an artificial percentage as a point at which they would not make a farmer obtain a special use permit.

Ms. Kram still disagrees that this is an agricultural business, but rather a retail business and she hopes that the Commissioners will reconsider their judgment made last month.

Mr. Slachta defended the orchard stating that they use 100% of what they grow and, as time passes, production will go up. The whole point is that he is here requesting a permit to sell a product not grown on his property.

He responded to Frank's question by saying that he raises cherries, pears and grapes besides apples. He chose not to sell vegetables at this time since they are being sold at a stand across the street.

Actual ice cream gross sales were about 40% and the doughnut sales about the same. That is because the orchard is not back in full production yet. He sees fruit becoming a greater part of the gross sales.

Public hearing was closed.

Motion by Darland, seconded by Campbell to approve a special use permit for Tiny Apple Store to sell ice cream from May 1 through December 1. The hours from May through August would be noon to 9 p.m.; September and October 8 a.m. to 8 p.m.; and in November 8 a.m. to 7 p.m.

Roll call vote:

Hoyle: yes

Campbell: yes

Darland: yes

Frank: yes

Arnold: no

Bellor: yes

Motion carried.

Grueber Trust Land Division

Motion by Darland, seconded by Bellor to table the Grueber Land Trust request until we receive further information.

Motion carried.

Elections

Dan moved that Bellor be Chairman, Campbell be Vice-Chairman, Darland for Secretary. Seconded by Arnold.

Motion carried.

Communications

Hoyle initiated discussion regarding a letter from MDOT and driveway access roads. Sheppard noted that the State has the ultimate authority over who is granted driveway access on State roads. Since the M-84 project has run out of money to widen the road going over I-75, does it make sense to address this issue in Monitor Township at this time. Earl will check with the Clerk to see if the Board passed any ordinance in regard to driveway access. It's possible that stimulus money has been designated for this use and it is still a live project.

Motion by Darland supported by Hoyle to accept Communications.

Motion by Darland seconded by Hoyle to adjourn.

Motion carried.

Meeting was adjourned at 8:23 p.m.

Respectfully submitted,

Jim Bellor, Secretary

JB/jw