

CHARTER TOWNSHIP OF MONITOR  
Regular Planning Commission Meeting  
December 7, 2010

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

The Pledge of Allegiance was recited and a moment of silence observed for Pearl Harbor and other men and women serving in the armed forces.

Members present: C. Hoyle, B. Campbell, D. Darland, M. Morin, J. Bellor  
Members absent: E. Arnold, J. Frank  
Also present: R. Sheppard, Planning Attorney, J. Jackson, Planner

**Motion by Campbell supported by Morin to excuse Frank and Arnold from the meeting.**  
Motion carried.

**Motion by Campbell seconded by Hoyle to adopt the agenda as amended. Public hearings will be set for 3.46 and 3.13. Place Ms. McCafferty on the agenda as a referral from the Zoning Board of Appeals.**  
Motion carried.

**Motion by Hoyle seconded by Morin to approve the minutes of the November 3, 2010 regular meeting as presented.**  
Motion carried.

**Public Comment**

J. Bellor opened public comment at 7: 04 p.m. Ms. McCafferty of 5451 Easy Street was denied a variance to add an addition to her home. She is requesting a change in ordinance that would allow for small lots to have smaller setbacks. She desires to add a 12' x 12' addition on the back of her house, but she has a 100'x 103' lot which has a 40' rear yard setback before adding on.. She noted that there is also a Consumers Energy easement behind her parcel that was not mentioned at the Zoning Board meeting.

Jackson noted that her lot is smaller than what would be allowed today. He suggested the possibility of a sliding scale as a setback for older, small-platted lots.

Sheppard discussed the size of subdivision lots. He also noted that an individual initiating an ordinance change is charged a \$1000 fee. If the Planning Commission chose to look at the ordinance and there seems to be a situation involving more areas, there would be no fee charged.

We should check with the Fire Department before changing setbacks in any area.

**Darland moved to close public comment at 7:22 p.m. supported by Campbell.** Motion carried.

**Items for Consideration**

Wind Energy Ordinance 3.46 and Fence Ordinance 3.13.

**Campbell moved we set Wind Energy Ordinance and Fence Ordinance revisions for public hearing at the January meeting. Hoyle supported the motion.**

Roll call vote:

Yes: Morin, Bellor, Hoyle, Campbell, Darland

No: None

Absent: Arnold, Frank

**Motion carried.**

Ordinance 52-O amending Section 17.09 of Ord. No. 52 referred by Board

More information is needed as to why this revision is needed and information to support the changes. Much discussion over what exactly is being changed.

**Motion by Campbell supported by Morin to table 17.09 until we receive additional information explaining what is going on in this request. This information is desired by the January meeting. Motion carried.**

Proposed Ordinance Revision of Sec. 2.56, 10.09, etc. referred by Board

The wording in the proposed ordinance needs to be changed. In 3:19 5)a, the word "City" is used in line two rather than "Township".

Should this be in a commercial zone? Where if anywhere do you want to allow this use? Jackson said that the proposed ordinance is a pretty typical approach. They are an adult-regulated use with separation because of secondary impacts. Jackson noted that most of the grow facilities are in warehouses.

Discussion regarding the I-1 district. The Board representative was not in attendance to clarify the intent. Jackson said that most communities have put their grow facilities in Industrial districts and their dispensaries and clubs in Commercial districts.

Sheppard wondered whether these uses should be by Special Use Permit or whether a registration requirement is more realistic?

Darland said that the Township Board evidently favors this draft prepared by their attorney. Sheppard agrees, but questions whether this is unduly restrictive of a legal facility. Jackson feels that secondary impact studies will be coming.

**Darland moved to table revision of Ordinance 2.56, 10.09, etc. until more information is available. Seconded by Morin. Motion carried.**

Jackson will talk to the supervisor and the Township attorney for more direction.

Master Plan Review

A handout was received from the Planner with estimated cost. He suggested a joint meeting with the Boards and notified adjoining communities to see what we would like to get out of this study. The proposal is fairly bare-bones since the economy and population has changed in the last five years. The census information needed to implement changes should be available in February.

**Motion by Morin supported by Hoyle to refer the proposal for review of the Master Plan and its estimated cost to the Township Board for direction on whether to proceed and at what level. Motion carried.**

## **Communications**

**Motion by Campbell supported by Darland to accept Communications. Motion carried.**

## **Public Input Consideration**

Campbell spoke regarding Ms. McCafferty's situation and others with small lots like hers and asked for input.

Sheppard offered some options:

- Consider a sliding scale based on lot size.
- A percent method based on non-conforming existing lots of record versus a lot using today's standards. For example: smaller lots 83% of lot depth compared to today's standard, therefore rear yard setback would be 83% of standard rear yard setback.

Planner to bring some examples of similar ordinances using the percent method to the January meeting.

Mr. Long of 5482 Two Mile Rd. spoke about considering medical marijuana in industrial areas. His experience in Saginaw was with someone planning to open a methadone dispensary in an industrial park. The other residents said they would move out of the city if they allowed this use in the same park.

**Motion by Darland supported by Campbell to adjourn.**

Motion carried.

Meeting was adjourned at 8:25 p.m.

Respectfully submitted,

Dan Darland  
Secretary

DD/jw