

CHARTER TOWNSHIP OF MONITOR
REGULAR PLANNING COMMISSION MEETING
December 5, 2017

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

Members present: J. Bellor, R. Campbell, D. Darland, C. Hoyle, T. Miller, B. Reder
Members absent: J. Frank, Excused.
Also present: R. Sheppard, Planning Attorney; P. Lippens, Planner
Others present: Kenneth M. Malkin, Township Supervisor
Public present: See Sign-In Sheet

Motion by B. Reder seconded by T. Miller to adopt the agenda as presented.
Motion carried.

Motion by T. Miller seconded by B. Reder to approve the minutes of the November 8, 2017 regular meeting as presented.
Motion carried.

Public Input

Chairman Bellor opened public comment at 7:04 p.m.

K. Malkin, Township Supervisor spoke informing the Commissioners of a recent issue in the Rueger Farms Subdivision. It was recently discovered that although the engineering approval had called for the installation of approximately ½ dozen flaps on the storm water sewage pipes, none of these were installed. These were meant to prevent the backup of water into resident's yards. It is apparent that we only need to make sure our engineers not only approve the plans, but that there is a process in place to make certain that the company actually installs them. American Excavating, the contractor in charge of this installation, has been contacted. We should consider the process when and if additional subdivisions are planned for the Township. Currently, Spicer Group sets an individual grade for each lot when subdivisions are platted.

Chad Adams of The Pines Self Storage of Bay City, LLC. spoke updating the Planning Commission of what has transpired since he came before the Commission last year. He has since purchased the land. C. Adams has since also changed his site plan to include self-storage units in the rear of the parcel reserving the front for a future office building. His proposal for a January 2018 hearing will include two (2) 30' X 150' buildings instead of the 230' X 300'. He submitted information pertaining to the site plan, and a pictorial example of the future office building.

R. Sheppard suggested adding the office to the site plan.

P. Lippens stated that the additional details C. Adams provided are very helpful.

With no other members of the general public willing to speak, J. Bellor closed Public Input at 7:16 pm.

P. Lippens reviewed the letters from McKenna & Associates with regard to The Pines Self Storage of Bay City LLC. and suggested that the public hearing for the special land use be set.

C. Hoyle inquired about the dumpster enclosure detailed on the site plan and how the security of the facility will be handled.

C. Adams answered stating that his facility will be gated as well as completely fenced and camera systems will be installed. There is also a 24-hour emergency number to call. Future security upgrades include Wi-Fi enabled, motion activated devices.

Items for Consideration

Approval of Planning Commission 2018 Meeting Dates

There was discussion about conflicts with the Township Board approved Planning Commission Meeting Dates. January 3, 2018 has been published, noting that this meeting will be held on Wednesday as January 2, 2018 is a recognized Holiday. The following dates were amended, and prepared for recommendation to the Township Board for approval on December 11, 2017.

Approved: Tuesday, July 3, 2018 – Amended: Tuesday, July 10, 2018

Approved: Wednesday, August 8, 2018 – Amended: Tuesday, August 14, 2018

Approved: Tuesday, September 4, 2018 – Amended: Tuesday, September 11, 2018

Approved: Tuesday, November 7, 2018 – Amended: Tuesday, November 13, 2018

Schedule Public Hearing: January 3, 2018

Motion by B. Reder supported by D. Darland to set the Special Land Use Public Hearing for The Pines Self Storage of Bay City LLC. on January 3, 2018 at 7:00 p.m.

Roll Call Vote:

Yes: Campbell, Darland, Hoyle, Miller, Reder, Bellor

No:

Absent: J. Frank

Motion carried.

Proposed Special Use Permit for Medical Marihuana

J. Bellor discussed the material received from Michigan State University and amendments completed by K. Malkin, Township Supervisor.

K. Malkin explained to the group that he took the special use permit model from the MSU material with limited modifications. Terms and definitions were clarified and P. Lippens made additional changes, which were put on the table for this evening's meeting.

B. Reder offered a comparison with the Saginaw Township Ordinance, reading their amended version of authorized uses which prohibits growing and processing of medical marihuana excluding registered patients and caregivers within a dwelling unit. This was essentially adopted by amending their special land use section.

R. Sheppard gave a synopsis of the proposed ordinance, noting that the Township Board appears to be in favor of allowing medical marijuana in Industrial Zoning as the current proposal is written. If it is favorable for approval it will require a site plan review by the Planning Commission like any other

business and upon obtaining a license from the Township it will require a Special Use Permit for a specific location. The Board of Trustees is continuing to look at a stand-alone ordinance, but if a stand-alone ordinance is approved to allow marijuana operations, there needs to be a place in the Zoning Ordinance which identifies permitted uses.

Lengthy discussion followed.

J. Bellor is in favor of endorsing a special use permit as it will give control over the authorized operation.

K. Malkin explained that he used the definitions that were contained in the State of Michigan Statute for both the stand-alone and the special use permit in order to be consistent with the approved regulation.

There was discussion with regard to clarifying, retaining, and removing various definitions. In general, K. Malkin feels that the model used from Michigan State University was very good.

J. Bellor mentioned that there are some concerns which will need to be addressed going forward from some of the Township Board members regarding the Zoning Ordinance approval and the numbering of sections.

K. Malkin suggested that a cross reference sheet be developed in order to save on costs associated with changes to the numbering.

K. Malkin inquired if secure transporters and marijuana safety compliance centers should be allowed to operate in the Commercial Zoning District.

There was considerable discussion regarding zoning and signage as it pertains to various marijuana operations.

The Planning Commission will revisit after the December 11, 2017 Regular Township Board Meeting.

Zoning Ordinance Review

DTE Energy Solar/Wind Document Review Email dated: 11/30/2017

J. Bellor shared with the Commissioners information received from Paul G. Funk of DTE Energy which detailed their desire for alternative language and requirements to decommission a wind project.

J. Bellor is currently aware of other projects, two in particular, which have not been properly fixed or decommissioned in nearby townships.

All were in agreement that no change would be made to the current agreed upon verbiage.

The Commissioners discussed the various changes and the removal of 3.24(e), Certain Uses Prohibited from the Ordinance.

There was conversation and input from D. DeGrow, the Township Building Official, with regard to Section 3.27 and the chart of percentages as it relates to the floor area of the dwelling. The Commissioners in attendance were equally split on making any variation to the percentages and will be discussed at the January 2018 meeting however; a majority was obtained to allow for a maximum of three (3) accessory buildings if other conditions are met.

Additional Technical Changes from November 29, 2017 Joint Meeting [R. Sheppard 11/30/17]

The Commissioners reviewed the November 30, 2017 correspondence from R. Sheppard that contained notes and various clerical corrections from the November 29, 2017 Joint Meeting of the Township Board, Planning Commission and Zoning Board of Appeals.

K. Malkin, per a conversation with Fire Department Captain J. Meier, the grade of certain properties is set when a perk test is done. There was discussion with regard to adding additional language to the Ordinance which covers lot grade, adding the acceptance of another regulatory authority or law and also taking into consideration the natural topography features of the surrounding area.

Communications

**Motion by B. Campbell supported by T. Miller to acknowledge receipt of Communications.
Motion carried.**

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

Meeting was adjourned at 8:24 p.m.

Respectfully submitted,

Dan Darland
Secretary

DD/blfp