

CHARTER TOWNSHIP OF MONITOR
REGULAR PLANNING COMMISSION MEETING
April 4, 2017

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

The Pledge of Allegiance was recited.

Members present: J. Bellor, R. Campbell, D. Darland, J. Frank, C. Hoyle, T. Miller, B. Reder
Members absent: None
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 J. Frank to adopt the agenda as presented.

Motion carried.

Motion by B. Reder seconded by T. Miller to approve the minutes of March 7, 2017 regular meeting as presented.

Motion carried.

Public Input

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

Chris Assels, a Saginaw resident, stood to speak, stating he is investigating a vacant piece of property located on the corner of Midland and Seven Mile Road and would like to make sure that he is allowed to develop the property for a self-serve RV, and large boating vessel, storage facility. The property in question is located behind the fertilizer plant. R. Sheppard commented, stating although warehousing and mini-storage is currently allowed in the Industrial-1 Zoning District, there are additional regulations governing this type of use detailed in Section 10.06 which mandate an enclosed building or suitable screening of motor vehicles and equipment is required. With that said, it would be allowed, however a complete site-plan review would be necessary.

Chairman J. Bellor closed public at 7:08 p.m.

Items for Consideration

Public Hearing-Robert E. Toevs, 4560 S. 2 Mile Road (V/L-New Construction) 09-100-024-200-040-02 Ordinance 52-Y Single Line Amendment – Private Attached Garages.

P. Lippens began by stating that generally there were no objections last month to increasing the size of permitted, attached garages with a cap of 80% of the main structure, up to 1400 sq ft maximum. McKenna Associates submitted a review letter based on planning and zoning principles and a comparison to the Township Master Plan. The proposed Ordinance change would not be in conflict and is consistent with the stated goals in residential. The review provided a recommendation to the Planning Commission to submit to the Township Board for approval to amend the Zoning Ordinance requirements for private garages.

Robert E. Toevs stated that the new home will be 4500 sq ft in size, while the garage will be 1340 sq ft, which is approximately 30% of the size of the main structure.

B. Reder made a motion to formally **open** up the **Public Hearing at 7:09 p.m.** in reference to the Ordinance Text Amendment to increase the size of a private garage [Ordinance 52-Y] supported by J. Frank, and the motion unanimously carried. With no one other than the homeowner offering to speak, B. Reder made a motion to **close** the **Public Hearing at 7:10 p.m.**, C. Hoyle supported.

Motion carried.

T. Miller made a motion to adopt the language as presented, and recommend that the Township Board adopt Ordinance 52-Y, B. Reder seconded.

Roll Call Vote:

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

No: None

Absent: None

Motion carried.

St. Catherine of Siena (St Vincent De Paul) 2956 E. North Union 09-100-024-200-030-00

Special Use Approval 64'L X 42' W Accessory Building Section 5.02 (e)

R. Sheppard commented stating that the plans that were filed were a site sketch as opposed to an engineered site plan. Dan Darland made a motion to authorize R. Sheppard, Attorney, to publish and set public hearing date for either May or June's meeting for St. Catherine of Siena's special use permit in order to construct a post frame accessory building. Proper surveyed plans showing the appropriate set-backs, property line, and detailed measurements must be submitted. B. Reder supported.

Motion carried.

Ordinance Review:

○ **Recreational Vehicles and Parking of Trailers – Section 3.30**

K. Malkin, Supervisor is requesting the Planning Commission to amend the Ordinance to reflect a minimum 50' set-back in Residential so there is consistency with Zoning Ordinances that cover the parking of trailers and recreational vehicles. J. Frank made a motion to approve setting a 50' set-back from the road right-of-way in all the zoned districts of the Ordinance #52 for storage of recreational vehicles and trailers, D. Darland supported.

Motion carried.

○ **Self-Storage and Warehousing Criteria**

P. Lippin revisited the memo dated February 28, 2017. Upon further research, P. Lippens was unable to find an example of a permitted use for business distribution as it relates to warehousing and self-storage. Self-storage is a public facing business, which is why they are typically permitted in commercial districts. P. Lippens recommends moving warehousing from the commercial district and leave them as permitted in the industrial district. In addition, he advises to further clearly define standards of self-storage facilities and require special land use approval in the commercial district. He also suggests using a waiver that gives the Planning Commission the ability to disregard certain requirements that are not applicable to the applicant. Furthermore, there is no justification or support to allow distribution at self-storage facilities in the commercial district. There was much discussion and the Commissioners made adjustments to various sections of the McKenna Associates proposal. It was decided to have P.

Lippens prepare proposed amendments to the discussed language stating no transfer of goods in Commercial Zoned District, and allowing transfer of goods in Industrial Zoned District. An analysis of distribution relative to the size of the vehicles typically used for transport will be taken into consideration as well as the turning radius of single unit vehicles. (See attachment)

- **Private Garages and Accessory Buildings - Ongoing**

The Commissioners discussed the various amendments that pertain to the height of an attached and detached garage as opposed to the size of the lot and height of the existing home.

- **Swimming Pool Standard – Police Power (Stand-alone) Ordinance #18 Adopted in 1976**

P. Lippens commented, stating that the Swimming Pool Ordinance in Monitor Township is a stand-alone/police power Ordinance which is not controlled by the Planning Commission. D. Darland made a motion instructing the Township to re-examine the current State of Michigan Ordinance on swimming pools to make sure it meets the Townships expectations and covers all pertinent regulations already set-forth by the State of Michigan Construction Code, and if so, recommends that the Township Board repeal **Swimming Pool Ordinance #18**, R. Campbell supported.

Motion carried. 5-2

Planning Commission Fee Structure Update

There was discussion concerning a correction that will need to be made to the cost of basic Site Sketch Review, and the manner in which public input is handled as it relates to those individuals who actually file an application and pay the prearranged fee to question the Planning Commission. P. Lippens commented, recommending that the current fees be increased to the applicable rate of inflation as the last update was March 28, 2011. The Commissioners discussed obtaining the current fees from neighboring townships and making a comparison. It was decided to make an immediate correction deleting Wind Energy Turbines from the description of Site Sketch Review and increasing the cost of said review to \$450.00. Additionally, the first sentence from **Note*** will be omitted from the Fee Sheet. B. Reder made a motion to update the Planning Commission Fee Structure as amended and refer to Township Board for approval, D. Darland supported.

Motion carried.

Ordinance Review:

- **Solar Energy Farms – Ken Malkin, Supervisor**

K. Malkin, Supervisor, spoke notifying the Planning Commission of upcoming solicitation to residents owning minimum (30) acres of land. There should be a fee structured to address potential applications and likewise an Ordinance which addresses Solar Energy Farms. J. Bellor, Chairman instructed the Commissioners to read over the material and revisit at a future meeting.

Zoning Violations

K. Malkin, Supervisor stated that the Hampton Inn has received several complaints regarding the large amount of construction debris that is scattered on resident property and neighboring township land. Although clean up has begun, it has taken several weeks to resolve the problem at an expense to the Township. Currently there is no specific Ordinance which specifically relates to the enforcement of this type. It was suggested to add a [General Condition] to the Site Plan Review Application stating that any violation would constitute a breach of agreement which would allow the Township to stop construction immediately upon notification if the matter is not resolved within a reasonable amount of time.

Temporary or Conditional Variances

K. Malkin, Supervisor presented a document which communicates the Township need for a procedure to issue temporary or conditional variances. If and when a conditional variance is allowed, in addition to requiring a bond, a time limit for completion of the work prior to the expiration of the bond would be required. This document would also allow the Township to inspect the work in order to assure compliance with the requirements of approval. There are two options to consider. The Planning Commission amends the zoning ordinance to allow us to approve temporary variances administratively, or an applicant would need to appear in front of the Zoning Board of Appeals. R. Sheppard is not in favor of making a zoning ordinance change which allows administrative control of this type of variance. However, R. Sheppard believes this document can be used effectively to place conditions on Special Use Permits, Zoning Board of Appeals conditional variances, and for building official use. There was a majority consensus to add the document to the Zoning Board of Appeals agenda for consideration and comment.

Communications

Motion by D. Darland supported by B. Reder to accept Communications. Motion carried.

**Motion by C. Hoyle supported by J. Frank to adjourn.
Motion carried.**

Meeting was adjourned at 9:35 p.m.

Respectfully submitted,

Dan Darland
Secretary

DD/blfp