

MINUTES

REGULAR MEETING OF THE MONROE COUNTY PLANNING COMMISSION

DATE and TIME: August 10, 2016, at 7:30 p.m.

PLACE: Monroe County Courthouse Annex
Board of Commissioners' Committee Room
125 East Second Street
Monroe, MI 48161

MEMBERS PRESENT: Mary Webb, Chairman; Scott Assenmacher; Mark Brant; Dan Brooks; Rebecca Curley; Floreine Mentel; Larry See, Jr.; Herb Smith; Mike Sperling

MEMBERS EXCUSED: Patrick Miller, Gary Wilmoth

MCPC STAFF PRESENT: Rob Peven, Planning Director; Lee Markham, Planner; Ryan Simmons, Planner

OTHERS PRESENT: Dan Curley, Petersburg; Rich Kenny, Temperance; Karen Rideout, Lambertville

1. Chairman Webb called the meeting to order at 7:30 p.m. and the Commission proceeded to transact business.
2. Chairman Webb led the Commission in the Pledge of Allegiance.
3. Adopt/Revise Agenda – Motion by Mrs. Mentel, supported by Mr. Sperling, to adopt the proposed agenda. **MOTION CARRIED**
4. Approval of the Minutes of the July 13, 2016 meeting minutes

Motion by Mr. Brant, supported by Mrs. Curley, to accept the minutes of the July 13, 2016 meeting as submitted and to place them on file. **MOTION CARRIED**
5. Call to the Public – No member of the public wished to speak at this time.
6. Correspondence & Information
 - A. Correspondence
 1. Letter from Farm Bureau – Policy Development Committee seeking resolution suggestions from the Monroe County Planning Commission and Department
 - B. Information
 1. SEMCOG – Semscope Newsletter – Summer 2016 – Mr. Peven brought up that on the cover of the Newsletter is the Battlefield in Monroe and that inside the issue it is highlighted along with some other parks in the Region. He also noted that Mayor Clark of Monroe is now a Vice President at SEMCOG and in position to be a Chairman in the future.
 2. APA County Planning Division Newsletter – Summer 2016
 3. The Healthy Herald – Monroe County Health Dept. – Mr. Peven noted that the Healthy Herald still does not list the location of the Health Fair in the current issue, but that he called them and they confirmed that it would be at the Health Department.
 4. Mr. Brant noted that there would be a tire collection event on August 13th. Mr. Peven stated that it will be at the Drain Commission.

Motion by Mr. Smith, supported by Mr. Sperling, to accept the Correspondence and Information and to place them on file. **MOTION CARRIED**

7. Old Business:

- A. Partners in Planning Update
 - 1. Frenchtown Charter Township Recreation Plan – Mr. Peven stated that the Township did not have a meeting this month but that he has been in contact with the Recreation Director and that the survey has now been released and is also available online.
- B. Monroe County Capital Improvements Plan – Mr. Markham stated that now that the Plan has been approved by the Planning Commission, it will go to the Township Board through their Physical Resources Committee. There will be a meeting of the Committee on August 16th, where the CIP will be presented.
- C. Monroe County Comprehensive Economic Development Plan – Mr. Markham stated that this is being worked on through the Streamlining Committee. A couple of projects have been eliminated because they are already taking place. He stated that the Village of Dundee has submitted a couple more projects which will be looked at a Committee meeting on August 15th. Mr. Markham noted that these projects will not be submitted for a Regional CEDS because neither SEMCOG nor Northwest Ohio will be doing one this year. They could be used for a future 2018 Regional CEDS, though.
- D. Monroe County Remonumentation Program – Mr. Peven stated that there will probably be a meeting within a month. He stated that one of the four surveyors has already completed his work, so it will be approved at the upcoming meeting.
- E. I-75 Corridor Study – Mr. Peven stated that he was not able to make it to the meeting. Mr. Brant stated that he was present and the meeting was about setting more specific design parameters. He stated that there was discussion about the Whiting Plant site. Mr. Brant stated that he did mention to them about the lack of a rest area on the freeway when traveling south. He stated that they will be meeting again in September and that they have identified six or seven prime parcels. He also stated that he wanted the consultants to come up with some long-range ideas for the City of Monroe to the Ohio border section because they are kind of ignoring this segment due to the lack of sewer and water infrastructure, although they will be looking at the Cousino holdings. He stated that they will also be looking at the former Nike Base area and the old pottery factory in South Rockwood. He said that their economic consultant was present at the last meeting who was knowledgeable about acquiring grants for these potential projects.

Chairman Webb asked about whether there has been discussion about providing an attractive entrance into Monroe, referring to specifically Front and Elm streets. Mr. Brant stated that the interchanges will likely have to be redone first and that this will have to be done through MDOT, but that money is an issue. Mr. Peven stated that there was an article referring to the LaPlaisance Road area and outlet malls in general in last weekend's Free Press

- 8. New Business
 - A. Consent Agenda

TOWNSHIP ZONING REVIEWS

200.1-8-16-18 Berlin Township (text)

Berlin Charter Township is proposing to amend Article XV, Section 18-323 of its Zoning Ordinance, which would add a section pertaining to ponds to the Ordinance.

Recommendation: Staff recommends that the Monroe County Planning Commission advise the Berlin Charter Township Board that it recommends approval of the proposed amendment for the reasons stated above.

200.1-8-16-19 Bedford Township (text)

Bedford Township is proposing to amend Articles XII and XIII, Sections 400.1203 & 400.1302 of its Zoning Ordinance, which would add certain outdoor recreation activities as a special use in the C-2, Shopping Center Business District and the C-3, General Business District.

Recommendation: Staff recommends that the Monroe County Planning Commission advise the Bedford Township Board that it recommends approval of the proposed amendment, but recommends that suggested changes to the specified time of operation provision in the amendment be made so that it better conforms with the Bedford Township Ambient Noise Level Ordinance in order to protect the welfare of Township residents.

Mr. Simmons presented the details of the proposed amendment, as well as Staff's analysis and recommendation, stating that, while Staff was in favor of the Township allowing outdoor recreation uses by special approval in the C-2 and C-3 Districts, they had a bit of an issue with the default time limits proposed by the Township, as outdoor recreation uses in the proposed amendment had a default ending time of 12:00 a.m., while the Township's Noise Ordinance's stricter noise regulations commence at 10:00 p.m. Mr. Simmons noted that these time limits could be altered if deemed necessary by the Township Planning Commission during the special approval process, though.

Rich Kenny of 7824 Jackman Road, Temperance, spoke regarding the proposed amendment. He stated that he owns a bowling alley and outdoor volleyball court in the Township. He stated that he believes that the Township's current Zoning Ordinance is outdated and that the Township should be doing more to encourage outdoor recreation for the youth in the community, and that his property is one of several that the proposed ordinance would affect. He stated that his business does a great job managing noise and that his business does not violate the Noise Ordinance and that there are not constant complaints from neighbors. He noted that there is a tree buffer between his business and neighbors, as well. Finally, he stated that he thought the proposed Ordinance was good for the Bedford Township community in general.

Mr. Peven pointed out to the Commissioners that this proposed amendment is a text amendment and there is no specific applicant involved in this amendment. It is the Township itself that is proposing the amend the text of the Ordinance at Mr. Kenny's request. Mr. Kenny noted that his business is currently operating by a temporary use permit, and that the Ordinance does not currently specifically mention outdoor recreation, which is why the amendment has been proposed. He stated that the lack of a permanent ordinance affects his ability to acquire loans for his business.

Karen Rideout of 8112 Douglas Road, Lambertville, stated that she is a resident in the area of Mr. Kenny's business and that the area is a residential area and that a new subdivision will be built to the north. She stated that if the proposed ordinance is not done correctly there will be a lot more problems. She stated that she has a petition of 19 concerned neighbors. She stated that she is not against businesses, but that she is concerned about the noise that occurs at late hours. She read some of the comments in the petition to the Planning Commissioners regarding the noise. She stated that there have been police called due to the noise, and that after 11:00 pm there is a party atmosphere on the property.

Mr. Assenmacher asked Staff and the other Commissioners if the County Planning Commission's responsibility to do anything more than to make note of a potential discrepancy between a proposed Ordinance and another ordinance such as a Noise Ordinance, as we cannot control enforcement of an existing ordinance. He stated that he thought that the use of the property and enforcement of the noise situation are two separate although related things.

Mr. Simmons noted that Staff is recommending approval of the Ordinance itself, but is making a comment regarding the soundness of the proposed zoning ordinance because of the fact that it does have some possible discrepancies with the currently existing noise ordinance. He stated that we are

not making a comment on the Noise Ordinance itself or its enforcement. Mr. Assenmacher stated that he believed the only comment that should be made is about the discrepancy and not about the specific times proposed. Mr. Brant stated that this is addressed in Staff's analysis and that they are recommending approval of the Ordinance, but that it is also being recommended that the Township look at the potential conflict between the proposed ordinance and the Noise Ordinance.

Mr. Peven clarified that the proposed ordinance does not regulate noise but the operating hours of outdoor recreation uses, and that the potential conflict arises from allowing these uses to continue past the time when noise levels are supposed to be lessened. Mr. Brooks stated that this was the Township's issue, though.

Mr. Sperling asked Mr. Kenny if he has had any complaints in the past year. Mr. Kenny stated that there has been one that pertained to a loud car radio but that this could happen anywhere, and that there have been maybe two complaints in the past three years.

Chairman Webb asked for a motion on the amendment. Motion by Mr. Brant, supported by Mr. Brooks, to adopt Staff's recommendation.

MOTION CARRIED

Mrs. Mentel asked if there has ever been a meeting between the business owner and the neighbors to address any of the mentioned concerns. Ms. Rideout stated that she has spoken to him privately about her concerns. Mr. Kenny stated that he has not received phone calls or complaints from neighbors regarding the noise. Chairman Webb closed comments regarding this case.

200.1-8-16-20 Bedford Township (text)

Bedford Township is proposing to amend Article IV, Section 400.403 of its Zoning Ordinance, which would add ponds as a principally permitted accessory use subject to special approval in the R-1, R-2 and R-3 One Family Residential Districts.

Recommendation: Staff recommends that the Monroe County Planning Commission advise the Bedford Township Board that it recommends approval of the proposed amendment for the reasons stated above.

200.1-8-16-21 Bedford Township (text)

Bedford Township is proposing to amend Article IX, Section 400.901 of its Zoning Ordinance, which would add private pools as a principally permitted accessory use incident to a single-family dwelling in the AG, Agricultural District.

Recommendation: Staff recommends that the Monroe County Planning Commission advise the Bedford Township Board that it recommends approval of the proposed amendment for the reasons stated above.

200.1-8-16-22 Bedford Township (text)

Bedford Township is proposing to amend Article XIX, Section 400.1920 of its Zoning Ordinance, which pertains to the storage of recreational vehicles, non-commercial trailers and equipment.

Recommendation: Staff recommends that the Monroe County Planning Commission advise the Bedford Township Board that it recommends approval of the proposed amendment for the reasons stated above.

FARMLAND REVIEW

200.4-8-16-3 Ida Township (Owner: Holtz, N.)

The property consists of a parcel approximately 40 acres in size. It is located on the north side of Lulu Road between Douglas and Jackman Roads in Ida Township.

Recommendation: Staff recommends that the Monroe County Planning Commission approve this application for inclusion in the Farmland and Open Space Program because it is consistent with the intentions of Public Act 116 of 1974 and for the reasons stated in the review.

Motion by Mr. Brant, supported by Mr. Sperling, to accept the items on the Consent Agenda as written with the exception of Case 200.1-8-16-19, which will be pulled from the Consent Agenda for further discussion.

MOTION CARRIED

- B. Monroe County EMD Fermi II Drill – Mr. Peven explained that the Planning Department is responsible for the damage assessment function pertaining to potential disasters, and that Mr. Boudrie also performs GIS duties. He stated that every two years the Nuclear Regulatory Commission requires there to be a Fermi plant drill. There are two practice drills and one judged drill. Mr. Simmons explained some of the specifics of the drill, noting that Damage Assessment’s role in the drill is often limited due to the fact that our role tends to be more long-term in nature. He stated that FEMA, who was judging the drill, thought that the County as a whole performed well. Mr. Peven stated that there are about 100 people who show up at Emergency Management for the drill. He stated that there are also drills every other year for other potential disasters that are not nuclear related, and that the Planning Department’s role is often more significant for those scenarios.

9. Budget & Finance

- A. 2017 Proposed Budget – Mr. Peven stated that the proposed budget has been submitted for approval but that we have not heard back yet. He stated that Mr. Bosanac met with all of the department heads including himself. He stated that he put in the request for an extra person as a part-time receptionist but that the proposal was not received well.

11. Committee Member’s / Director’s Report

- A. Lake Erie Transit (LET) Commissioner Report – Dr. Miller was not present. Mrs. Mentel stated that she did not attend the last meeting, but mentioned that the millage passed in Bedford Township and that this was needed in order to serve the elderly population in the Township.
- B. Monroe County Parks and Recreation Commission Report – Mrs. Mentel stated that employees were working half days while the weather is hot. She stated that there are now 156 reservations for the year. The new sign is up at the Raisinville Township site and there will be some decorative stones added. Lawn mowing has been able to be cut back due to the dry weather. Weeds along the riverbank have been taken care of at Waterloo Park. Limbs and debris have been cleaned up at Vienna Park. There were some wasps that have also been taken care of there. There was some damage to some private property at Nike Park due to a storm before the tractor show. The Drain Commission pitched in on clean up so the tractor show could go on. Heck Park was cleaned up and weeded. Loranger Square had a wedding and there was some clean up for that. At Navarre Anderson they are still working on installing a fence. Debris is being cleaned up and mowing is being done at West County Park.
- C. Monroe County Road Commission Report – Mr. Assenmacher stated that construction has started on Ida West Road and that they will be working on it for the next two and a half months. Work on Raisinville Road was completed and turned out well. The Road Commission had a booth again at the Fair and Mr. Assenmacher presented a display that was at the Fair. He stated that the Road Commission got a lot of compliments from the public at the Fair. The truck operators map was also displayed, which combines township ordinances and posted

routes to show in an interactive tool on the website where the proper routes for trucks are. He stated that several townships have passed ordinances already and more will soon be passing them.

Chairman Webb asked if this truck route guide will also be in a booklet form for truckers. Mr. Assenmacher stated that the Road Commission could do this, but that the routes are always changing so a booklet would be obsolete very quickly. Mr. Smith asked if work was going to be done on Rauch Road soon as he noticed some signs. Mr. Assenmacher stated that it would be chip sealed soon. He stated that he was also asked about Albain Road and why it is being chip sealed. He stated that the nature of these particular roads is that they need to be preserved on a regular basis unlike ones that have received extensive treatment like Samaria or Ida West. Mr. Sperling asked when the next grass cutting will be. Mr. Assenmacher replied that, because each individual township subs out its grass cutting, that the only grass cutting the Road Commission does has to do with sight distance matters and on primary roads, and that State roads like M-50 are done when MDOT tells the Road Commission that it needs to be done.

12. Other Items from Members – There were no other items from members.

13. The next meeting is scheduled for Wednesday, September 14, 2016 at 7:30 p.m.

14. Adjournment: Motion by Mr. Brant, supported by Mr. Sperling, to adjourn the meeting. The meeting concluded at 8:41 p.m.

MOTION CARRIED

MEETING ADJOURNED

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