

# MINUTES

## REGULAR MEETING OF THE MONROE COUNTY PLANNING COMMISSION

- DATE and TIME:** September 13, 2017 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; Greg Moore, Jr.; Larry See, Jr.; Herb Smith; Mike Sperling
- MEMBERS ABSENT:** Patrick Miller
- MCPC STAFF PRESENT:** Ryan Simmons, Planner
- OTHERS PRESENT:** Michelle Bork, 8153 Jackman, Temperance; Randy Pierce, Monroe County Road Commission; Terri Warren, 8153 Jackman, Temperance

1. A quorum being present, 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.

Chairman Webb stated that Mr. Assenmacher would be leaving the Monroe County Planning Commission and presented him with a Certificate of Appreciation to honor the work that he has done for the Commission. Mr. Assenmacher thanked the Commission and stated that he would make some comments later in the meeting during the Road Commission report. He introduced Randy Pierce in the audience who is the Managing Director of the Road Commission and said that he would be observing the meeting tonight and the work that the Commission does. He stated that he does not know who will be filling in for his role on the Planning Commission starting from the next meeting. Chairman Webb stated that the Road Commission's presence at Planning Commission meetings is valuable due to the ability to pass on Road Commission information to other members of the public.

Chairman Webb asked the other members of the audience to introduce themselves. They stated that they were present for the Bedford Township case.

3. Adopt/Revise Agenda – Motion by Mr. Smith, supported by Mr. Sperling to adopt and revise the agenda.

**MOTION CARRIED**

4. Approval of the Minutes of the August 9, 2017 Meeting – Motion by Mr. Sperling, supported by Mrs. Mentel, to accept the minutes of the August 9, 2017 meeting and to place them on file.

**MOTION CARRIED**

5. Call to the Public – Chairman Webb stated that the members of the public who are there to speak about a case will be able to discuss it when we reach that part of the agenda.

6. Communications:
  - A. Correspondence
  - B. Information
    1. Monroe County Health Department, Household Hazardous Waste Collection notice - Wednesday, September 13th, at Bedford Township Hall from 3 until 7 p.m.
    2. Notice of Intent to update a Master Plan from Summerfield Township dated August 31, 2017.
    3. Invitation to attend Farm Bureau annual meeting on Thursday September 21 at the Dundee Mill at 5:30 pm.
    4. Invitation to attend an open house at Fairview on Wednesday September 13th from 3 – 6 pm. – Chairman Webb stated that the Open House was well attended and that it was open to the public. She stated that the millage that was passed has allowed them to put the building into better shape. She stated that there are currently about 36 people there, and that the purpose of Fairview is to help the people who are there find their own place to live. She stated that they will have another open house soon.
  
7. Old Business:
  - A. Partners in Planning Update
    1. Village of Estral Beach – planning and zoning services – Mr. Simmons stated that he has not heard from the Village in the past month.
    2. Milan Township – request for assistance – Mr. Simmons stated that Mr. Peven told him that he did not think that a contract was necessary due to the fact that the assistance entailed just updating ordinance changes. He stated that Mr. Peven would just bill them on an hourly basis for updating the Ordinance.
  - B. Monroe County Remonumentation Program –
    1. Peer Group Meeting – Mr. Simmons stated that Mr. Boudrie attended the meeting on August 15. He stated that one of the surveyors presented his work at the meeting and that the other three surveyors would present their work when completed at future meetings. He stated that Mr. Boudrie told him that next year’s grant figure is in and that it is for about \$73,500, which is about \$12,000 more than what was received for 2016.
  - C. Monroe County Capital Improvements Program – Mr. Simmons gave a copy of the CIP report to the Commissioners and thanked the ones who were on the Committee for their work. He went over the projects in the report and explained the scoring system. Finally, he showed them how all of the submitted projects ranked after being scored by the Commissioners on the Committee. Mr. Brooks stated that he was surprised that one of the Sheriff’s projects was ranked 13<sup>th</sup>. Mr. Simmons stated that the other project submitted by the Sheriff ranked much higher.

Mr. Simmons stated that he just finished the report and that Mr. Bosanac has not looked at it yet, but that he is not sure that Mr. Bosanac will make any significant changes to the report so he figured that the Commissioners could approve the report at this meeting.

Mr. Brooks asked Mr. Brant about some of the items on the CIP list and stated that they appeared to be routine maintenance items. Mr. Brant stated that this conversation has been going on for many years and the he thought the list should be strictly for capital improvements, and stated that previously there were very routine items such as photocopiers that had made the list. He stated that he believes that every independent budget should have a separate fund for these routine maintenance items, but that he has not been able to get enough people to agree with him on this. Chairman Webb asked if the Commissioners thought that this comment should be made eventually that only actual capital improvements should be in the report. Mr. Brant stated that he believed that this comment should be made because, if only capital improvement projects are funded and maintenance projects are not funded by a separate fund, then those

projects would end up being put off further. Mr. Brant stated that perhaps he, Mr. Brooks and Mr. Simmons could get together and come up with a way to word this, and that he would also talk to Mr. Bosanac about it. Chairman Webb asked for a motion regarding this.

Motion by Mr. Smith, supported by Mr. Sperling, to approve the Capital Improvements Program report and to look at not including routine maintenance projects as part of the Capital Improvements Program.

**MOTION CARRIED**

Mrs. Mentel stated that she did not believe that it is fair to actual capital improvement projects when the same maintenance projects are coming in every year competing for the same funds. Mr. Assenmacher pointed out that the introduction of the CIP Report does not include an actual definition of what constitutes a capital improvements project, and that he believed that this definition should be formulated and perhaps that it would need to be approved by the County Board. Mr. Brooks pointed out that Mr. Bosanac actually put a figure of \$200,000 on the table this year designated for capital improvements and that it impacted some of the decisions that he made about projects.

8. New Business:
  - A. Consent Agenda

Chairman Webb asked the two members of the public in the audience which case they were present for. They replied that they were present for the Bedford Township case. Mr. Assenmacher pointed out that Mr. Pierce in the audience could also speak about the Ash Township case. Mr. Brant stated that they may not have to speak about the cases if there is a motion regarding the Consent Agenda that would approve those cases in their favor. Mr. Brant did state that he would like to pull the Whiteford Township case from the agenda, however.

Motion by Mr. Brant, supported by Mr. Sperling, to approve Staff's recommendations for the cases on the Consent Agenda and the revised agenda except for the Whiteford Township case. Mr. Assenmacher stated that he would abstain from voting on the Consent Agenda due to the Ash Township case. Mr. Moore left the room and abstained from voting due to having an interest in the Bedford Township case.

**MOTION CARRIED**

**TOWNSHIP ZONING REVIEW**

200.1-9-17-28      Whiteford Township (map)

This is an official request to change the zoning on a parcel portion totaling approximately 2 acres from AG, Agricultural to R-1, Single Family Rural Residential District. The purpose of the proposed rezoning is to build a house. The parcel is located on the north side of Consear Road west of Sylvania-Petersburg Road.

Recommendation: That the Monroe County Planning Commission advise the Whiteford Township Board that it recommends denial of the proposed zoning change request, as the rezoning would be contrary to the Future Land Use Map of both the Monroe County Comprehensive Plan and the Whiteford Township Master Plan, and for the other reasons stated above.

Mr. Simmons presented Staff's review, explaining that Staff's reasoning for recommending denial was that a rezoning to Residential would be contrary to the County Future Land Use Map's designation of this area of the County as Agricultural Preservation.

Mr. Brant stated that properties on all three of these corners are already zoned R-3 and stated that, like the Bedford Township case that was just approved by the Planning Commission due to being adjacent to

similar properties, that he believes that the same reasoning would go for this property as well. He stated that if they had to split off five acres of the property for a residential use due to the current Agricultural zoning that this would just take away more valuable farmland. Mr. Simmons stated that ideally the five-acre minimum should not be allowed in the Agricultural Districts either and that the minimum should be much higher in order to ensure that farmland is preserved. Mr. Brant stated that townships that do this such as Milan Township have hurt their tax base by requiring such a large minimum. He stated that large lot residential properties proliferate throughout the County where so much land is wasted that could be farmed instead. Chairman Webb stated that she believes that the 10-acre minimum in Frenchtown Township is way too much.

Mr. Assenmacher asked what would stop applicants from continuing to chop up their properties to make more residential parcels. Mr. Brant stated that nothing is stopping them except for the five-acre minimum rule. Chairman Webb stated that the agricultural community recommends that people choose to build houses on the corners of their properties so that there is more land that can continue to be farmed. Mr. Brant stated that with four splits and a two-acre minimum, that would only be eight acres used residentially, but with a five-acre minimum that it would be 20 acres, so more farmland would still be preserved.

Mr. Simmons reminded the Planning Commissioners that the Whiteford Township Zoning Ordinance was recently approved and that concern was raised back then due to all of the spot zoned residential parcels throughout the Township. He stated that approving residential zoning in agricultural areas would just create more of the same sort of thing. Mr. Brant stated that the only way to prevent this would be to pass some kind of law preventing property owners from splitting their properties as long as they comply with the minimum. Mr. Moore stated that he understood the need to preserve agriculture but that he understands Mr. Brant's point that there is already a cluster of three residences already and that it would be okay to put a fourth residence there as well.

Mr. Simmons brought up that if there is an area that the County intends to be residential that it might be better suited to actually change our County Plan to indicate this. He stated that Mr. Brant is looking at it from a pragmatic perspective in that a residential rezoning would actually preserve more of the farmland, but that Staff's view is that this would set a precedent that would encourage any part of Whiteford Township that is designated as Agricultural to be rezoned residentially. Mr. Moore asked if we could approach it from the perspective that every case is different, though. Chairman Webb stated that we are not supposed to do that, and that the idea is that we should be following the Master Plan, which is updated on a five-year basis. However, if we see enough of a trend like this, then we should begin to look at the plan to see if it needs to be changed in response to this. She stated that the Plan is supposed to be followed for at least that five-year time period, though.

Mrs. Curley asked for clarification regarding Staff's statement in their review that residential uses should be limited in agricultural areas, but which also states that farm houses are acceptable residential uses. She mentioned that we do not know whether they are seeking the rezoning in order to build a farm house or not. Mr. Simmons replied that, because the AG District in the Township does allow residential uses, that the applicant could already build a farm house by right because the property is already more than five acres, as there is presently no house on the property. He stated that it is more likely that they are attempting to sell some of the farm land and to use part of the property residentially.

Mr. Smith stated that, when he was on the Ida Township Planning Commission and they used a 10-acre minimum in their agricultural district, more often than not most of the area of the 10 acre lots that were used residentially were wasted land that was not farmed, so they were overall not successful preserving farmland by mandating a large minimum lot size. Chairman Webb stated that there is a similar situation on Williams Road.

Motion by Mr. Sperling, supported by Mr. Smith, to recommend going against Staff's recommendation and to recommend approval of the rezoning.

Mrs. Mentel asked how many years ago the other three residential properties adjacent to this property were granted and whether we had the same Master Plan at the time. Mr. Simmons stated that he did not know but that he generally recommends denial for most residential rezonings in areas that are designated for agricultural preservation.

**MOTION CARRIED**

Mr. Simmons asked the Planning Commissioners if he should review these types of agricultural to residential rezoning cases any differently based upon the Planning Commission's recommendation regarding this case. Mr. Moore stated that he thought that Staff should review the case based upon our Plan, and that it is good that the Planning Commissioners can discuss individual cases and then make exceptions to the Plan if necessary. Mr. Brant agreed with this. Mr. Simmons reminded the Commissioners that Staff's review would not be sent out to the Township as its recommendation is in disagreement with the Planning Commission's recommendation.

200.1-9-17-29            Bedford Township (map)

This is an official request to change the zoning on a parcel totaling approximately 2 acres from R-2A, One-Family Residential District to PBO, Professional and Business Office District. The purpose of the rezoning is not stated. The parcel is located just south of the southwest corner of Dean Road and Jackman Road.

Recommendation: That the Monroe County Planning Commission advise the Bedford Township Board that it recommends approval of the proposed zoning change request, as the rezoning is in agreement with adjacent land uses and is appropriate for this location in the Township, and for the reasons stated above.

**AMENDMENTS TO THE AGENDA**

**TOWNSHIP ZONING REVIEW**

200.1-9-17-30            Ash Township (map)

This is an official request to change the zoning on a 5.84 acre parcel from FS, Freeway Service District to I-1, Light Industrial District. The purpose of the rezoning is for the Monroe County Road Commission to construct the Northeast District salt storage facility on the site. The parcel is located on the south side of Labo Road between Telegraph Road and Interstate 275.

Recommendation: That the Monroe County Planning Commission advise the Ash Township Board that it recommends approval of the proposed zoning change request, as the rezoning does not conflict with neighboring land uses and is well-suited for the Interstate 275 and Telegraph Road interchange, and for the other reasons stated above.

9. Budget & Finance:

- A. 2018 Planning Commission Budget Update – Mr. Simmons stated that Finance approved an amount similar to what we requested, as we requested \$349,513 for 2018 and what was actually approved was \$349,559, which was actually slightly more than what we requested. He stated that Mr. Peven still needs to meet with Finance to finalize the budget. He also stated that Mr. Peven wanted to point out to them that \$10,000 was approved for a part-time employee to work throughout next year in order to help Jeff out with mapping work.

- B. Planning Director Update – Mr. Brant stated that he has no new information regarding the Planning Director position. Chairman Webb stated that she is becoming a bit exasperated due to her belief that we should be hiring and be willing to pay a good person for the job, and that we should not just offer a lower salary and hope that we find a good person for the job. Mr. Simmons stated that he had a discussion with some Planning Commissioners and with Mr. Peven and that he is planning on applying to the job. He stated that there may be more qualified candidates out there, but that they are not currently applying for the job, and that if somebody more qualified applied then he would not have a problem with the County hiring that person.

Chairman Webb asked who would do the work that Mr. Simmons is currently doing if he were hired, emphasizing that we need another person working in the Planning Department, and that the reason it does not seem like the Planning Department does much anymore is because the Department has been cut to the bone already. Mr. Brooks stated that the money that Mr. Simmons is making could then be used to hire another planner. Chairman Webb pointed out that this might not be the case as salary funds that the previous Director before Mr. Peven was earning were lost when Mr. Peven became Director, and that it is imperative if Mr. Simmons took over the Director's duties that another Planner be hired right away, and that it would not be fair to have the Director cover both jobs.

Mr. Simmons stated that the Planning Department might have a better chance to hire a Planner fresh out of planning school, like himself when he first started his job, rather than hiring a new Planning Director for what the County is offering for the position. Mrs. Mentel agreed with this. Chairman Webb pointed out that Mr. Simmons is already doing stuff that Lee Markham used to do before he retired, and that we cannot leave another office empty like Mr. Markham's is now.

Mr. Sperling stated that he believes that it is unfair to not fill the position of a person who is leaving with another qualified person. Mrs. Mentel stated that Mr. Simmons cannot do everything, and Mr. Brant stated that filling the Director position with the Staff planner would solve one problem but create another. Mr. Moore stated that he receives frequent questions from some of his constituents about whether the County had a Planning Director yet, because they understand the importance of the Director position for the County. He stated that he did not believe that the advertised salary covered the qualifications that it takes to do the Planning Director job. He also agreed that, if the money for Planning Department salaries is not used, then it could just disappear. Chairman Webb stated that this has already happened before. Mr. Brant stated that the money for both positions is presently in the budget. Mrs. Mentel stated that it is imperative to keep that money in the budget, though.

Mr. Assenmacher asked for clarification about whether Mr. Peven's role in the Department would be weaned out once a Director is hired. Several Commissioners replied that this is the case. Mr. Assenmacher stated that this would then be a good opportunity to immediately put out a request for an entry-level planner if Mr. Simmons happened to be hired for the Director position. Mr. Simmons pointed out that positions were lost in the past when the Department was in a financial crunch, but that we are not within a financial crunch anymore, so that we are less likely to lose the positions. Mr. Sperling pointed out that those positions have not returned, though. Mr. Brant stated that Detroit Edison is going to appeal its tax assessment which could potentially mean losing \$2 million out of the County budget.

Chairman Webb asked about whether a caveat could be placed upon Mr. Simmons' application for Director stating that another Planner would then need to be hired. Mr. Brant stated that the money is already approved for both positions so the budget will not change, but that it would just create an issue of filling a vacant Planner position. Mr. Brant agreed with Mr. Simmons that it might be easier to fill that position. Mr. Assenmacher stated that this may string Mr. Peven along for longer while they are trying to fill the Planner position. Mr. Brant stated that Mr. Peven has already said that he would stay on as long as is needed, but that this is not really fair to him.

Chairman Webb asked about the possibility of sitting in on the job interview. Mr. Brant asked Mr. Simmons if he has applied for the position yet. Mr. Simmons stated that he has submitted his résumé, but that he still needed to finish filling out the application because he has been busy with preparing for the Planning Commission meeting, but that he will finish it this week. Mr. Brant stated that he is not sure how the process would work after this but that it goes through Human Resources. Chairman Webb asked if it would take about a month. Mr. Brant guessed that it would, and that it would eventually come before the Board. Mrs. Mentel pointed out that Mr. Simmons is already a known quantity while hiring somebody from outside might be more risky. Mr. Brooks pointed out that here is a learning curve for the Director position.

10. Committee Member's/Director's Report:

- A. Lake Erie Transit Commissioner Report – Dr. Miller was not present to give the Report. Mrs. Mentel stated that everything seems to be going all right at LET. She stated that Jefferson Schools is going to go back to transporting high school students. Chairman Webb stated that traffic seems to have been cut back this year as not as many parents seem to be transporting their children now and not as many students seem to be driving either. She also stated that it was too bad about the bus renting issue that she spoke about at the August meeting, as she thinks if they had not let that go that people would have seen the good side of LET.
- B. Monroe County Parks and Recreation Commission Update – Mrs. Mentel stated that there is one seasonal employee working limited hours for the next month or month and a half and one other seasonal employee has already returned to college but who will hopefully return for next summer. She stated that the water samples for Nike and Vienna Parks have been tested by the Health Department. She stated that there have been 213 reservations so far this year and she listed each park and the number of reservations that it had. She stated that it has been a great year. She stated that Waterloo's trash service is being performed as scheduled and the same goes for the other parks. Waterloo has had the weeds cut down along the river bank. Staff acquired a canoeing and kayaking sign that will be put up there for next year. Weeding and landscaping was done at Nike Park and the Boy Scouts will be using the Park. The basketball hoop area at Heck Park was maintained and low branches were trimmed and weed spray was used at the Park. Loranger Square was also sprayed with weed spray and the landscaping was refreshed. Trimming and mowing is continuing. Weed killer was used at Vienna Park and the baseball diamonds were dragged in preparation for tournaments. A fence was removed and signs were posted to create a parking area for these tournaments. The bushes were trimmed at the Country Store and stone was hauled in for the parking lot. At West County Park, a National Park biologist was brought out to look at the management burn. She stated that the burn will not all be done at the same time. She stated that ticks have been sprayed for and brush cleared at the Park. She stated that a small view of the river was exposed when brush near the Native American memorial was cleared. She stated that even after the burn the Park will be left as prairie.

Mr. Sperling asked if a more permanent sign would be made for Territorial Park. Mrs. Mentel stated that that is not under the park direction but is under the Museum director. Mr. Sperling asked who he could talk to about this. Mrs. Mentel suggested that he could speak to Mr. Bosanac about that.

- C. Monroe County Road Commission Report – Mr. Assenmacher thanked the Commissioners for the certificate of appreciation that he received. He stated that he has made many new friends and acquaintances among the Commissioners and that he appreciates all of the discussions that they have had and that he has learned a lot and that it has been a lot of fun. He stated that he appreciates that Mr. Pierce came in tonight to see the work that the Planning Commission does and that one of his goals is that there will be a good transition for whoever takes over his role on the Commission. Chairman Webb told Mr. Assenmacher that she hopes that his replacement will bring just as much to the Commission as he did, and that he did an excellent job bringing reports from the Road Commission.

Mr. Sperling mentioned regarding the topic of input about which railroad crossings need repair that Ida-Maybee Road is getting really bad. Mr. Assenmacher stated that the railroad companies have done most of the repairs on their own, and that there are a lot of them getting done. He stated that most of these repairs are being done on very short notice from the railroad companies. He stated that he does not have an update, but that he thinks that they might be using the program to decide which crossings to work on.

- D. I-75 Corridor Study – Mr. Brant stated that a presentation was given at the last County Board meeting. He stated that the Study is done, and that presentations have been being given to the local municipalities along the Corridor to get them on board with the Study. He stated that the next phase will be a marketing phase, and that there is still money in the budget to promote the Study online. He stated that there is a link to the Study on the County’s website. He asked Mr. Assenmacher if there is a link to it on the Road Commission’s site yet. Mr. Assenmacher stated that there is not one yet but that they can put one up if the link is sent to them. Mr. Brant stated that they would also like to be linked on the Drain Commission’s site.

He stated that there was a presentation given on the Study tonight at the economic development meeting at the College, and that the Study is not going to just be put on a shelf but that they are going to try to keep the Study active and promote it to investors and developers and to get it online as many places as possible. Mr. Assenmacher suggested mentioning the Study and putting the link in the Developers Streamlining Guide as well. He asked if Mr. Peven is still updating the Guide. Mr. Simmons replied that he thinks that he is. Mr. Moore asked if there has been talk about getting it on the municipalities’ websites. Mr. Brant stated that there has been and that it is already linked on several of them.

11. Other Items from Members:

- A. Chairman Webb asked Mr. Pierce in the audience if there was anything that he would like to say. Mr. Pierce thanked the Planning Commission for allowing him to be there and that he has learned a lot and that it will be very difficult to replace Mr. Assenmacher. Chairman Webb thanked Mr. Pierce for coming to the meeting.

12. Next Meeting is scheduled for October 11 at 7:30 p.m.

13. Adjournment: Motion by Mr. Brant, supported by Mr. Sperling, to adjourn the meeting. The meeting concluded at 8:49 p.m.

**MOTION CARRIED**

**MEETING ADJOURNED**

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