

Milton Township
Planning Commission
Approved Meeting Minutes
February 9, 2010

Members present: Chairman Stilson, Kopkau, Cole, Stilson, Hefferan, Merillat, and Lockett.
Members absent: Kingon.

Also present: Tim Earl

Stilson called the meeting to order at 7:00 pm.

Approval of Meeting Minutes dated January 12, 2010.

Corrections:

Pg 1: Delete apostrophe in supervisor's; Pg 1: Spelling through rather than thru;

Pg 1: Change Williams and Works to Williams & Works; Pg 2: Cannot instead of can not;

Pg 2: Spell out subcommittee, rather than sub

Motion by Cole to approve the minutes as corrected. Seconded by Hefferan. Motion carried.

Meetings and Announcements:

Update on Amendment 2009-04. ZBA is scheduled to meet in March.

Approval of Agenda:

Motion by Lockett to approve the agenda as presented. Seconded by Cole. Motion carried.

Special Use Permit for Tim Earl Small Engine Repair Business in Kewadin:

Hefferan gave the subcommittee's report dated February 18, 2010. Stilson asked regarding the future pole building and where it would fall on the property. Earl said it could go anywhere as the whole area is open. Extra U-hauls would be located in the back NE corner of the property. The cabins are currently rentals. He is living in the home on the property. Earl has a tank for disposal of oil and gas. Steuer comes and picks it up for disposal. Stilson asked if the Planning Commission can come look at the site. Earl agreed.

Cole said he has some concerns. His concern is what we okay is for the property, not just Earl. If someone buys the property from Tim, they automatically have permission. Cole has concerns with the screening features. Lockett described the property and the subcommittee concluded that the South, North and East boundaries are not an issue for screening. Cole discussed outside storage requirements and screening. Earl said this is not outside storage. He is not storing them for anyone. It is a rental. Cole said what we do here will set a precedent. His concern is that we do not want to just waive all of these things in case the next person takes unintended advantage of it. Hefferan suggested that the Planning Commission revisit if certain conditions were exceeded. Hefferan asked if the Commission were to suggest a green belt on the western lot line, whether that would solve the problem. Cole said yes. Cole is also concerned about the display

area. He feels that it is close to the road. Hefferan asked Earl regarding a greenbelt on the western border. A greenbelt from 117.103 was defined for the applicant. 117.217 indicates that Earl needs to get a letter from the neighboring property owner saying the proposal is okay without the screening. The Commission could then waive the requirement. Stilson went through the applicant's application information. The display would be four or five snowblowers, lawnmowers, etc and would only be out during hours of operation.

The U-hauls will be stored on the 24x20 concrete pad to the east of the garage which will screen them. Hefferan said he respectfully disagrees with requiring screening of the property if the neighbor is willing to waive the screening. The Commission should waive it as well. Merillat asked about parking. According to 117.1606 he is required to have a certain amount of parking per floor area. The ratio is 2:1. This is satisfied with parking in front. Cole said the conditions of the display area should be stated in the conditions relating to the special use permit, that the items displayed will only be during business hours.

Motion by Hefferan to request this special use permit request go to public hearing at next month's meeting, providing Earl gets permission from his western neighbor for the outdoor storage without screening. Motion did not receive a second.

Discussion concerning mixed uses and non-conformity of the property and setbacks within the village. The front yard setback is less than 50 feet, but this is allowed because 117.1304B allows for a lesser setback if more than 40% of the block has the lesser setback. The display area should not be closer to the road than the house. This needs to be clarified, possibly 10 ft off the road right of way, which is what we do for a sign.

Motion by Hefferan to send this special use permit request to a public hearing on March 9, 2010. Seconded by Merillat. Motion carried.

Ordinance Review Update:

Jay Kilpatrick met with the subcommittee January 19. The next meeting is March 3 at 9 am. The next meeting will be to discuss his comments on the revised ordinance currently being reviewed. He also reviewed the revised Signs and Home Business sections.

Shoreline Protection Subcommittee Report:

The meeting in January was canceled. A new date is yet to be set.

Point of Sale Septic Inspection Subcommittee Report:

A meeting was held January 14 between surrounding townships. They are still at the point of gathering information. Next meeting date is yet to be determined.

Amendment 2009-04: Non Conforming Lots:

On December 8, 2009 the Planning Commission recommended approval of Amendment 2009-04. On January 20, 2010 the county met to review and gave comments. Weinzapfel also gave the amendment to Jay Kilpatrick for comments. The Commission's understanding is that the

Township Board requested that the subcommittee review the recommendations of Antrim County. Merillat said nothing should be done without a formal motion from the Township Board. Merillat said the subcommittee could meet, but the Commission should not take any formal action without formal action from the Township Board. The subcommittee will meet to discuss on February 16th at 1:00 pm.

Meeting adjourned at 8:50 pm by order of the chair.

Respectfully submitted,

Joseph Merillat
Secretary