

Milton Township  
Planning Commission  
Approved Meeting Minutes  
January 13, 2015

Members present: Chairman Stilson, Cole, Kopkau, Hefferan, Kingon, Merillat and Lefebvre

Also present: Weinzapfel and no audience members

Approval of past minutes dated December 19, 2014:

**Motion** by Hefferan to approve the minutes dated December 19, 2014 as presented. Seconded by Lefebvre. **Motion carried.**

Meetings and Announcements:

We received comments on the Master Plan from the Village of Elk Rapids and Antrim County.

Township Board Update:

Cole said that Kingon and Kopkau were appointed to three year terms on the Planning Commission.

Agenda:

1. North Shore Docks Subcommittee Report
2. Buffer and Greenbelt Subcommittee Report
3. Election of Officers
4. AG Tourism Ordinance Subcommittee Report
5. Ordinance Committee Report
6. Horse Boarding in AG zone
7. Set agenda for February

North Shore Docks Subcommittee Report:

Weinzapfel said he has not heard from the applicant, but he believes he will not go forward with our ordinance as it stands.

Buffer and Greenbelt Subcommittee Report:

Cole said the subcommittee does not believe a major change is necessary. We could remove the height requirement for the screening. In the Manufacturing zone, you have the authority to request a buffer, but it isn't necessary. When you have outside storage in Manufacturing, it needs to be screened all the way around and nothing can be seen. We can still ask for screening, but remove the twelve foot height requirement. We really struggled having the screen between the road and the property. Merillat said basically people still could not store tall things in the manufacturing zone. Cole said this is next to residential. Lefebvre said you could do trees and they just have to reach a certain height or the height of the things you are storing outside. Cole said they wrestled with screening on all sides of the property as well. Cole said that this ordinance does protect residents surrounding the manufacturing zone. Cole is not happy with this

being controlled in three different spots in the ordinance. Weinzapfel said in other zones you have an option to require greenbelts. In the M zone for outdoor storage, it's permitted under a special use and strictly requires screening on all sides. This is an additional requirement in the M zone only. There is no choice. You have to have screening. That being said, the question is do you want it? Kingon said our recommendation is that we keep it as is except strike the 12ft height requirement. Hefferan asked why are we more restrictive in the M zone than in AG zone when it comes to outdoor storage. Hefferan said we could delete 117.1205D. Weinzapfel said if you want to do outdoor storage in the AG zone, what kind of buffer would you require, based upon what? It is a special use. So, why don't we apply this process to manufacturing? You could do that if you took D right out. The M zone does things differently. Cole said he would still recommend that we remove the 12 foot requirement. Kingon said he would want to keep the 117.1205D requirement and suggested we define outdoor storage better in chapter 2. We have alluded to some commercial intent. Hefferan asked Weinzapfel if 117.1205D was eliminated, could we still require with the general provisions of special use, that any exterior storage be screened in the M zone. Yes. The only one I question here said Weinzapfel, under the general provision, is that it could be waived by adjacent property owners. I don't know if that should be in there at all. To me, it may not be a good idea if you are adjoining the village zone. You could rewrite it to say that if you are going to waive it, don't leave it up to the residents. You will require from the adjoining properties a waiver, but you will still be making the final decision.

**Motion** by Kingon to edit 117.1205D by removing "but not more than 12 feet in height."  
Seconded by Cole.

**Motion carried.** 4-3.

Kingon suggested changing the definition of outdoor storage.

Election of Officers:

Cole nominated Stilson as Chairman, Hefferan as Vice Chair and Merillat as Secretary.

**Motion** by Kopkau to close nominations. Seconded by Kingon. **Motion carried.**

**Motion** by Cole to elect the nominees to their respective offices. Seconded by Kingon. **Motion carried.**

Winery Ordinance Subcommittee:

Merillat said the committee has met twice. It is a special use in chapter 16. The subcommittee has presented a draft dated 1/8/15 of the proposed changes that would be needed in chapters 6, 10, and 16 of the ordinance. Wineries and cideries are permitted uses in AG. What we are talking about is adding a tasting room as a special use. Cole asked how you keep a tasting room from turning into a bar. Hefferan noticed that it should be 20 acres under B. Cole asked why 20K square feet? It keeps very large scale processing facility from establishing. Hefferan asked if this is similar to what happened in Forest Home Township regarding the bourbon maker. Weinzapfel said they fought that and it was a distillery which we are not addressing here. Hefferan asked

regarding retail sales and food serves. Merillat said we are trying to make sure this is not a large store or restaurant. It is limited to 10% of gross sales. Kingon said the intent is that we do not want a large restaurant to appear out of nowhere. We want you to take this home review it so we can take comments next month as well. Stilson said the county would regulate occupancy. Cole asked how the 4K square feet number was arrived at. It seems like a big area? Is that for processing and storage or retail sales? Both. You could have an area for tasting, tables for restaurant, and retail. One of the committee's objectives was to allow what the state allows, but does not become overblown for our township. We have left off special events. Hefferan asked regarding the state's plan on food service? They used to limit the number of tastes. Now it is not limited in any way. Wineries are not selling a drink, they are selling a taste and there is no limit to how many they can pour. If you get into serving food, initially, they had some provisions that if you were selling food and beverages, 50% of profit have to come from food. You can basically become a restaurant, but not have to have a liquor license like a restaurant would have to have. You would also need health department permits. The state will not help us to keep this from becoming a large restaurant, so our recommendations are more restrictive. Send comments to Weinzapfel.

#### Ordinance Committee Report:

The public hearing might be three months away because we now have more we want to add to it. Cole and Stilson discussed the list of changes.

#### Comments from ZA:

Someone has called and asked if boarding of horses is permitted in AG. It isn't. This is food for thought regarding do we want to change this? What would you want to regulate? Not sure. Number of horses per acre? Are there state requirements for horse boarding? The Outdoor Storage Definition Committee will review this.

#### Agenda:

1. Outdoor Storage Definition, and Horse Boarding Subcommittee consisting of Kingon, Lefebvre, and Cole will meet Jan. 20<sup>th</sup> at 9 am.
2. Winery Ordinance Discussion.
3. Set agenda for next month.

**Motion** by Kopkau to adjourn. Seconded by Cole. **Motion carried** at 9:03pm.

Respectfully submitted,

Joseph Merillat