

Milton Township
Planning Commission
Approved Meeting Minutes
September 15, 2015

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

Also present: 5 audience members

Stilson called the meeting to order at 7 pm.

Approval of past minutes dated August 11, 2015:

Motion by Lefebvre to approve the minutes as presented. Seconded by Kingon. **Motion carried.**

Agenda:

1. Road Relief Report.
2. Boat House Storage Report.
3. North Shore Docks Report.
4. 25-Foot Protection Strip Report.
5. Set Agenda for Oct. 13, 2015 Meeting.

Road Relief Subcommittee Report:

Subcommittee met and submitted a report dated September 3, 2015 regarding Morgan Shores Road. The 47 acre parcel has 520 feet of frontage on Elk Lake. Two parcels were split from the original property. The owner plans to split an additional two parcels, bringing the total to 5 that will be served by the private road.

Based on 117.1905B the members of the subcommittee unanimously agreed to recommend to the full planning commission that the requirements of 117.1901 be waived for Morgan Shores Road until such time that the Road serves more than six residences. The fire chief is required to agree for there to be a waiver. Chief Ball did make recommendations regarding the area that would need to be done for adequate fire protection.

Hod Hunt discussed the grade of the road and topography of the land. They may actually be only selling one lot and having four houses there. They did agree to do the work required in the fire chief's letter dated September 15, 2015.

Cole said he feels we should say explicitly why a waiver is to be given and spell out those conditions.

Kingon asked Hunt about the connecting road with Chippewa Camp. Do we need an easement to access that? Ball's letter only addresses Morgan Shores. This second access is nice to have, but we do not need to consider the access from the camp. Whether it is there or not is not relevant.

Merillat asked regarding what exactly would be waived; #1 and #3 and #7? The other things would be required. The subcommittee actually was in favor of waiving all requirements. Cole says he's not sure why. How does the requirement for the 12" base impact the narrowness of the road and the grade. Hefferan said it's currently a private road serving three homes. They want to possibly add 1-3 homes, if the fire department says it's okay with some minor modifications, then it seems reasonable to give them this waiver.

Cole said he's worried about giving waivers for aesthetics and convenience because that does not give us much to stand on with other residents.

Cole discussed 117.1905B1.

Kington said the subcommittee can meet again to come up with specific language for what requirements will be waived. The fire department's recommendations should be a part of the waiver language as well.

Finding of fact based upon 117.1905B:

1. This is applicable because it will preserve a significant number of trees and prevent excessive regrading of the road.
2. It will serve no more than 25 parcels. This is not applicable because it will only serve six at the most.
3. It is not anticipated that there will be any future connections to current or future road ways.
4. We have a letter from the fire department's chief dated September 15, 2015 that lists 8 recommendations that must be completed in order for the department to support this effort.

Motion by Kington to accept the recommendation of the subcommittee report dated September 3, 2015 and grant a waiver to parcel #05-12-111-004-00 to the requirements in 117.1901I for the private road known as Morgan Shores Road. The waiver shall be based upon 117.1905B with the above findings of facts and provided that the fire department provides a final approval after completion of required work. Seconded by Hefferan. **Motion carried.**

Boat House Storage Report:

Hefferan presented a report that covers two meetings August 25 2015, and October 4, 2015. The discussion surrounded; taking no action, reinstating the PUD, or creating a commercial zone. They also discussed splitting the Warehouse and Mini Warehouse definitions. The subcommittee would like to go forward with the idea of creating a commercial zone. Draft language is included with the subcommittee report. Lefebvre said if we are re-zoning for one parcel, this meets all the criteria for spot zoning. Lefebvre asked about the neighboring parcels? Cole said it's mostly wetland. Maybe "Commercial" isn't the best name. Perhaps call this a "Warehousing Zone" Are there other parcels that might benefit from that type of zoning? Cole said he does not see anything regarding Marine Repair. Could we do a US 31 Overlay district? There is limited access from US-31 if you are trying to make it into a larger area. Cole said that Weinzapfel said that this is not spot zoning. It's a non-conforming use, we are making it conforming. Lefebvre read from the criteria for spot zoning. Cole said it's not spot zoning because the land is already being used that way.

Merillat said he thinks the name should be changed and it should include adjoining parcels.

Hefferan asked for direction. What about an overlay zone? What's the difference between an overlay and a real zone? The overlay would only include a specific spot on the map.

Another wrinkle is that they also want to repair boats.

Kington asked about the neighboring property. If we did an overlay, the underlying zone would be the same. The property could continue as Ag, but they are also covered by the overlay zone. The subcommittee will meet again to discuss the idea of an overlay zone and what uses would be allowed and the borders.

Lefebvre will replace Hefferan on the subcommittee. The subcommittee will meet again (Stilson, Cole, and Lefebvre) on October 6th at 10:30 am.

We will change the name of the subcommittee to US 31 Overlay Zone from Boathouse Storage.

North Shore Docks Subcommittee Report:

Kopkau submitted a report dated September 8th 2015: Tad Dowker has requested the property #05-12-302-017-40 be rezoned from R1 to Light Manufacturing. The committee agreed to move forward with a recommendation to re-zone the property contingent on Tad presenting an application and agreement letter from the current property owner, William Hutchcraft to the Zoning Administrator.

These documents have been received.

There is no house on the property. Everything along Birch Lake Rd is R1. Cole asked regarding screening? Hefferan asked how that mattered to what was being requested tonight. Many of the lot lines border R1 and there would have to be a lot of screening done.

Stilson said he's not sure how this is going to fly with R1 there. Hefferan said it flew previously. Stilson said there is an additional house there now.

Kington said to move forward with a public hearing and get reaction from the public hearing. If everything is in order, we have to have a public hearing. We have the application. We have the requested letter from the current property owner. Everything seems to be in place.

Motion by Kington to hold a public hearing regarding rezoning parcel #05-12-302-017-40 from R1 to Light Manufacturing at the next meeting. Seconded by Hefferan. **Motion carried.**

25 Foot Protection Strip Subcommittee Report:

Kington gave a brief overview of the recent meeting. The subcommittee is continuing to work on this issue. Next meeting is October 6th, 2015 at 9:00am.

Set Agenda for next month's meeting: Hefferan will be absent.

1. US 31 Overlay Zone
2. North Shore Docks Public Hearing
3. Road Relief Report
4. 25 Foot Protection Strip

Motion by Hefferan to adjourn at 8:55 pm. Seconded by Kingon. **Motion carried.**

Respectfully submitted,

Joseph Merillat