

Milton Township  
Planning Commission  
Unapproved Meeting Minutes  
October 9, 2018

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

Also present: Weizapfel, Mark Anderson, Tad Dowker, and John Wayne.

Hefferan called the meeting to order at 7:00 pm

Approval of meeting minutes dated September 11, 2018:

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

Township Board Report:

Cole requested for addition of township immunity from zoning to the agenda due to some issues that have come up with the new beach area in Kewadin.

ZBA Report:

Kingon said the board met and had a mainly philosophical discussion.

Public Comment:

No one wished to speak.

Agenda:

1. Public Hearing: North Shore Docks Special Use for Outdoor Storage, Marine Sales/Service and Repair.
2. Public Hearing Tabled 9/11/18: Definitions Structure/Accessory Structure.
3. Outdoor Lighting subcommittee.
4. Review of Short-Term Rentals (as requested by Township Board).
5. Establish subcommittee for township immunity from zoning.
6. Set agenda for November meeting.

**Motion** to approve the agenda by Kopkau. Seconded by Kingon. **Motion carried.**

1. Public Hearing: North Shore Docks Special Use for Outdoor Storage, Marine Sales/Service and Repair:

Owner Tad Dowker, North Shore Docks, of 6978 Mason Drive, Kewadin, MI 49648, parcel number 05-12-535-006-00 at 5334 Quarterline Road, Kewadin, MI 49648 is requesting a Special Use Permit for Marine Sales, Service and Repair and also Outdoor Storage under the requirements of Section 117.1202 Special Land Uses. The current zoning is Manufacturing.

Surrounding property:

North: M Use: Boat House Storage.

South: AG Use: Vacant Land.  
East: AG Use: Homes.  
West: Environmental Use: Open field, homes.

The subcommittee was Cole, Kopkau, and Lefebvre. Hefferan discussed public hearing procedure. No one declared a conflict of interest. It was advertised in the September 20<sup>th</sup> Elk Rapids News.

Dowker gave a brief presentation regarding his request.

Questions for informational purposes:

Kopkau asked regarding the third building location. How will the fencing work? It will be perpendicular to the building. It will not attach to the buildings.

John Wayne asked regarding the lighting and if it would be downward facing. Yes.

Mark Anderson asked regarding the greenbelt and what it would look like. The outside sales area will have a dock and hoist outside and in front of that there will be evergreens. The buildings act as a natural screen from US 31. There will be a greenbelt in front of Lee Powers house on the east side as well.

Communication in support:  
No letters in support of the application.

Those speaking in support of the application  
No one wished to speak.

Communication in opposition:  
One letter in opposition dated September 26, 2018 from Marie and Tom Dolemo.

Those speaking in opposition:  
No one wished to speak

Public Hearing closed, and commission deliberations began.

Merillat asked to go over 117.1602, the review standards that we have not previously discussed.

Proposed use is consistent with the Master Plan: Chapter 8.  
Consistent with the neighborhood character: Yes.  
No hazardous to existing or future uses: Yes.  
Shall be served by public facilities: Yes.  
No additional cost to the public: Yes.  
No activities that will be detrimental by reason of excessive traffic: All manufacturing activities

will be undertaken inside, and greenbelts will screen neighbors.  
Environment will be preserved: No change in request.  
It meets the ordinance: Yes.

The subcommittee report contains the Site Plan Review.

Kingon said his only thought is regarding the letter in terms of the road. The road has been widened and will be paved. It appears the letter writer is not informed as to what has been done.

Murphy said that the road issue has been dealt with.

Cole said the letter writer complained it will change what was done in the past, but they have a right to use the road. There will be an increase in traffic. Cole said he agrees with Merillat regarding the review standards.

Hefferan said he agrees with the response to the letter from the board members. The road has been widened and will be paved the last week of this month. Everyone is satisfied with the green belt? This was addressed between Lee Powers and Dowker. Powers is in agreement with the screening. Any outside storage and the outside sales area must be screened (117.1205D). The proposed height is 6'-8' evergreens which will grow. The fence is 6 feet. The outside sales area will be screen by trees and they must be replaced if they die. Hefferan asked regarding speed on the road once it is paved. Murphy said it is a private road and you cannot control the speed on a private road.

Weinzapfel said he would like clarification regarding the screening. Does the screening at North Shore Docks on Indian Road meet the requirements? Outdoor storage must be screened from view. Cole said he would like something more than that. If you want more than that, you must define it. Murphy said if you put the trees side by side, they would need room to grow and spread out. Murphy asked what he was planning to do? Same as on Indian Road. Kingon said it sounds reasonable to him. Murphy agreed. Hefferan said the definition of greenbelt is 117.311B and Dowker complied with that on Indian Road.

Merillat said we should get the waiver in writing from Lee Powers regarding the length of the greenbelt on the east side (117.311A). There is no waiver needed because the proposed greenbelt blocks the buildings and outside storage. The use is screened not the entire property.

**Motion** by Cole to approve North Shore Docks LLC Special Use (SU 2018-03) for parcel number 05-12-535-006-00 for Marine Sales, Service and Repair and also Outdoor Storage under the requirements of Section 117.1202 Special Land Use at 5334 Quarter Line Road per the site plan dated August 2, 2018. This is subject to the additional standards set out in 117.1203.  
Seconded by Murphy.

Roll Call:

Cole: Yea; It meets the ordinance.

Kopkau: Yea; It meets the ordinance and the future planning for the township and has accommodated the neighbors.

Kingon: Yea; It is consistent with the Master Plan.

Merillat: Yea; It is consistent with the Master Plan chapter 8 and it meets the ordinance.

Murphy: Yea; For reasons previously cited.

Hefferan: Yea; It meets the ordinance chapter 12 and as referenced in the Master Plan 8-4.

**Motion carried 6-0.**

2. Public Hearing Tabled 9/11/18: Definitions Structure/Accessory Structure:

The subcommittee met on September 27<sup>th</sup> and they are reviewing other ordinances.

**Motion** by Kingon to take this issue off the table and re-table it until the November meeting for further study. Seconded by Murphy. **Motion carried.**

3. Outdoor Lighting Subcommittee:

Kingon, Murphy and Kingon are on the subcommittee. Three subcommittee meetings have taken place. August 23<sup>rd</sup>, September 27<sup>th</sup> and the most recent meeting was October 5<sup>th</sup>. We are trying to focus on light trespassing on neighbor's property and preservation of dark skies. Last Friday, the subcommittee members looked at lighting ordinances from other townships. The bottom line was in reviewing the current lighting ordinance, we thought it addressed the commercial issue of dark sky and it did address some things with light trespass. We think we should modify our current ordinance which we are presenting today for review. The initial draft should be dated October 9, Version 2. Weinzapfel said it appears this will conflict with 117.2101. Now that we have added lighting into this, does that bring the planning commission into site plan review of single-family homes? We could change to "and/or" in 117.314A regarding the Zoning Administrator and Planning Commission. Cole asked about panel lights and how it relates to the sign ordinance. The major changes were dock lighting and residential. Everyone will review, and we will discuss it in more detail next month.

**Motion** by Merillat to modify the agenda to discuss a village zone issue with Mark Anderson. Seconded by Kopkau. **Motion carried.**

Mark Anderson said they have a purchase agreement to buy the 7.5 acres in the village of Kewadin across from Jones Road. They plan to put in climate-controlled storage. The units would be for boats or cars. They would also like to consider self-storage in the back. Multi-Tenant Commercial Building is different than mini storage. Mini storage is not a special land use allowed in the village and is not allowed by right. Would we have to rezone the parcel to light manufacturing to allow the mini storage? Hefferan said he cannot see rezoning that parcel. But, we could possibly add mini warehousing to the village zone. The subcommittee will consist of Kopkau, Murphy, Hefferan and will meet October 22 at 5:30 pm.

4. Short Term Rental Subcommittee:

The question is about citations each time there is a problem. It is time consuming and expensive

for the township. We need to explore the penalties. Cole, Kingon, and Merillat will be on the subcommittee and will meet October 12 at 9:00am.

5. Township Immunity from Zoning Ordinance Subcommittee:

Subcommittee will be Cole, Merillat, and Lefebvre and will meet October 12 at 10:00am.

6. Set Agenda for November Meeting:

1. Public Hearing (Tabled on October 9) for Definitions of Structure.
2. Outdoor Lighting Subcommittee.
3. Village Zone Land uses Subcommittee.
4. Short Term Rentals Subcommittee.
5. Township Zoning Immunity Subcommittee.
6. Discussion of lighting.

Meeting adjourned by order of the chair at 8:40pm.

Respectfully submitted,

Joseph Merillat