

Milton Township  
Planning Commission  
Unapproved Meeting Minutes  
February 12, 2019

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

Also present: Weizapfel, and 6 audience members.

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

Approval of meeting minutes dated January 15, 2019:

Corrections: Page 1: Strike "a" and Page 3: Add "Elk Rapids"

**Motion** by Lefebvre to approve the minutes as corrected. Seconded by Kopkau. **Motion carried.**

Agenda:

1. Fred Gulick: Shoreline Protection Strip.
2. Outdoor Lighting Subcommittee.
3. Short Term Rentals Subcommittee.
4. Event Barns Subcommittee.
5. Meeting dates for 2019.
6. Set agenda for March meeting.

**Motion** by Cole to approve agenda. Seconded by Kingon. **Motion carried.**

Public Comment:

No one wished to speak.

1. Fred Gulick: Shoreline Protection Strip:

Fred Gulick of East Elk Lake Drive submitted information and gave a presentation to the commission regarding the shoreline protection strip. Bruce Murphy said he appreciated the amount of work Gulick put into the presentation. He asked Gulick to clarify specifically what his issue with the ordinance was. Paragraph 4 is the main issue. Gulick feels that this will become a major issue for the township when people realize they cannot fully use the land they have purchased. Lefebvre said we had open meetings and notices were posted and we worked on this for more than one year.

2. Outdoor Lighting Subcommittee:

Subcommittee of Kingon, Hefferan and Murphy would like to discuss if the commission would like to move forward with it. Murphy said based on the letter circulated by Weizapfel last week, the issue that started the discussion was resolved, and he would suggest not proceeding. Cole asked if this is something we should consider for the township's future. Murphy said we should not react to one complaint. If it becomes an issue, we can address it. We are not a policing agency. Cole said he likes dark skies and approves of the concept. Merillat said it would create

massive non-conformity in the township. Lefebvre said it is not something we should address at this time. Kopkau agreed. Kingon said the work we put into this is there and if we need it in the future, we can revive it then. Hefferan said as a commission we do need to listen to the residents if they have an issue or a complaint and look into things. He struggled with legislating civility. He wants dark skies too, but not at this level.

Atkinson said the township board will work to do a better job of collecting more than one complaint before sending it to the planning commission. Atkinson also said she is managing the township website now and she will work to get information out to residents.

**Motion** by Merillat to not proceed with a residential outdoor lighting ordinance. Seconded by Murphy. **Motion carried.**

### 3. Short Term Rentals Subcommittee:

Kingon, Cole, and Merillat are on the subcommittee. Draft version 7, dated February 7, 2018 has been submitted. Kingon said in the most recent subcommittee meeting, they met with realtors and heard their concerns about having a limit on the number of weeks of allowable rentals. The subcommittee took that information into consideration. The current draft limits vacation rentals to six weeks per year. Kingon would suggest getting reaction from the Township Board as well. There was a suggestion that we work with Elk Rapids on this. Kingon said he has talked with Becky Lancaster with the Village of Elk Rapids and they do not have an ordinance and are not working on one. Shan Smith of Elk Rapids Township said they do not have a rental ordinance and not a lot of demand for one. We have tried coordinating with other townships in the past. If we wanted to coordinate with them on this, it would take a much longer time. Traverse City is struggling with rentals now as well.

Cole said one of the keys to this is that we have provided data that indicates six weeks of rental will provide enough income to pay the majority, if not all, taxes and upkeep, which was the main reason the township decided to allow short term rentals in the township.

Murphy asked what happens when you have that resident who has never had a problem. They can only rent for six weeks and must have a local contact person in case of trouble. Murphy asked if the public has been notified regarding what we are considering doing. Cole said the meetings have been open and published. We are getting close to a final draft. Murphy said his concern is what does the community think. We are here to do what is best from them and we have not really gotten much direction from the broader community. Cole said our direction from the board was to look at rentals in a residential zone and how do we make sure it does not become a commercial activity. Cole said he would like to have several public hearings on this matter.

Murphy said citizens do not stay informed of what we are doing. We could put it in the paper, but some residents are not here and do not see the paper. Cole said we did talk about putting something in with the next tax bill to let people know. Murphy said he feels we are not notifying the people well enough. We are dictating what we think the people want. Hefferan said he

disagrees. Cole said perhaps each subcommittee could create a press release that, in the future, would be put on the website, once we have a firm idea of a direction we are heading. Weinzapfel said back in 2000, the rental issue went on for five years. There was no one that did not know about it.

Hefferan said he went through the Master Plan looking for direction in regard to this proposed language. Except for commercial activity in residential areas there is really nothing there. Legally, people can rent for 14 days and not report the income on their taxes. Hefferan said we do not know the number of people who are renting in the township. There are companies who will monitor that. Cole said even if it turns out that we do not have many now, this is something that will be increasing, and we are looking to the future. Hefferan said it will be interesting if we end up in a packed house at a public hearing and we do not know the precise numbers of people who rent their homes. Cole said complaints have gone down with the rules we have currently.

Merillat said we were asked by the Township Board to look into this issue and revise the ordinance. The Board also directed us to restrict the number of weeks to prevent commercial activity in residential zones.

Hefferan asked if there was any discussion about fees for the permit. Kingon said there were no costs involved that would warrant a fee. At this point, we do not see the need.

Draft version 7, dated February 7, 2019 will be sent to the Township Board for review and comments.

#### 4. Event Barns Subcommittee:

This subcommittee has not met recently. Murphy said he is been doing some research and has noticed most people in other townships are doing this under a special use permit. When faced with the high cost of the safety of the buildings with the fire code and needing sprinklers and bathrooms and on and on, people stop the process. Public safety and liability are the major issues with these old structures. The subcommittee will meet February 20<sup>th</sup> at 8am.

#### 5. Meeting dates for 2019:

The Planning Commission will meet the second Tuesday of each month except for October which will be the third Tuesday. • March 12 • April 9 • May 14 • June 11 • July 9  
• August 13 • September 10 • October 15 • November 12 • December 10.

#### 6. Set Agenda for March Meeting:

1. Short Term Rentals Discussion.
2. Event Barns Subcommittee.
3. Review Bylaws.
4. Public Notice Discussion.

Meeting adjourned by order of the chair at 8:38pm.

Respectfully submitted,

Joseph Merillat