

Milton Township
Planning Commission
Unapproved Meeting Minutes
September 10, 2019

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

Members absent: Cole and Murphy.

Also present: Seven audience members.

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

Approval of meeting minutes dated August 13, 2019:
Minutes approved as presented by **unanimous consent**.

Agenda:

1. RV Park Subcommittee.
2. Vacation Rentals Subcommittee Report: Public Hearing Continued.
3. Small Public Buildings Subcommittee Report.
4. Rezoning Request Subcommittee Report.
5. Set agenda for October meeting.

Public Comment:

Fred Guilk asked regarding an expenditure for the township park. Kingon said it was used for landscaping.

Approval of the agenda:

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

1. RV Park Subcommittee:

Subcommittee of Kingon, Kopkau and Merillat will meet on September 17th at 8:00 am.

2. Vacation Rentals Subcommittee Report: Public Hearing Continued:

Hefferan discussed the past meeting. There was a vote to table the public hearing. Comments that were brought up in the public hearing were considered by the subcommittee at a meeting on August 19.

Motion by Hefferan to remove the Vacation Rentals Public Hearing off the table. Seconded by Merillat. **Motion carried.**

Hefferan discussed public hearing process. Kingon referred to the minutes dated August 19, 2019 and talked about what was discussed in the subcommittee after the public hearing.

The recommendation of the subcommittee is for the planning commission to send this back to

the subcommittee to deal with the septic inspections. We do have a few minor wording clarifications to make and then we would bring it back to the Planning Commission in October.

Hefferan ask board members if they would like to take public comment. Commission members agreed to take public comment at this point.

Dennis Fitzpatrick asked regarding the local contact person and their working phone number. That person should be available 24/7. He said this phone number should be a cell phone number. He also believes an email should be added as well. This is mainly to address he said/she said situations.

Jerry Sorgie asked regarding two weeks per four-week period. It is two weeks in any four-week period. It can never be four weeks in a row.

Mike Mullen stated that Suttons Bay Township uses Host Compliance with a 24-hour number to call with complaints. The people renting their homes also must leave their contact information with the township. Kingon said we are not using Host Compliance at this point for the hotline. If you are within 300 feet, you will get the contact information once a permit is issued. Mullen also asked about the village zone, they will be allowed to rent as many weeks as they want. Otherwise they must comply with the ordinance in every other way.

Kelly Sergent spoke about her involvement with short term rentals as she is a realtor with Century 21. She discussed how restrictions to renting hurts the economy of an area. When restricting it to a timeframe, what you may be enforcing is that if they have six weeks, they will use it during summer. The idea of enforcement should be thought of over a longer period of time. Many other communities are going through the same thing. I would ask that the subcommittee consider the idea of requiring, in 2020, any person who has a short-term rental pay a small fee and then the township can have a valid idea of what they are truly looking at. You might find some of the complaints are coming from people who have family and friends in town and not actual rentals.

Clary Water of Lake Ave said he was not able to make the previous meeting as well. He has lived next to rentals for 42 years. His concern is that his rentals were not supposed to generate income but rather to help with taxes. I have had a lot of experience locally and I am not sure we are dealing with issues that are as prevalent as thought. He believes this will have a significant economic impact on the area. As residents you have every right to approach people about issues at a rental rather than sending it for enforcement.

Jerry Sorgie said he still has questions about deed restrictions. Hefferan said that is fair enough, but we have dealt with that.

Hefferan closed public comments.

Merillat discussed procedure regarding the public hearing.

Motion by Merillat to not recommend adoption of amendment 01-2019 to the Milton Township Vacation Rental Ordinance #02 of 2012. Seconded by Kopkau.

Roll Call:

Kington: Yea; being that there will be an alteration of the proposal and the health department will be doing inspections and this existed in the previous ordinance.

Lefebvre: Yea; being that she would like to get a better idea of how the septic enforcement will work with the ordinance and she is unclear how big of an issue this is for our township.

Merillat: Yea; based on the information from the health department that we could add back language from a previous version.

Kopkau: Yea; based on previous comments.

Hefferan: Yea; based on the Master Plan chapter 8 that we are obligated to protect the water quality and if the health department is willing to partner with us, we should pursue that.

Motion carried 5-0.

The subcommittee of Cole, Kington, and Merillat will meet again, but the date will be determined when Cole returns in late September. Weinzapfel is informing people who leave their contact information regarding the subcommittee meeting.

3. Small Public Building Subcommittee Report:

Kopkau, Hefferan, and Cole are on this subcommittee. Minutes presented dated July 31, 2019. It was a brief meeting. We were asked to consider moving small public buildings from a permitted use to a special use.

We also needed to look at the definitions of the terms “fraternal” and “social.” The recommendation is that those two words should be removed from the definition. Small Public Buildings should be moved from permitted use to a special use

Lefebvre asked regarding why fraternal and social are being removed? Hefferan said his take was that those words can be broadly defined, and many things can fit into that category. Lefebvre said there are clear definitions out there that could be used.

Kopkau said “social” could encompass almost anything so we are trying to narrow it down. Hefferan suggested we wait until Cole gets back to continue discussing the issue next month.

4. Rezoning Request Subcommittee Report:

The subcommittee of Kington, Kopkau, and Cole met on August 20th and discussed the Reffit rezoning issue. There was a section of land that was not included when the township did a rezoning from Ag to R1. Reffit would like the township to rezone the area to match the surrounding area so he can make some land divisions. We will revisit this in October when Weinzapfel has discussed rezoning with additional nearby property owners that are in the same situation. Lefebvre suggesting also looking at the conservancy and see if it’s designation for farmland preservation since it is currently zoned Ag. Kington said that this piece probably is not on that list of desired farmlands for preserving but will check it out.

Merillat asked why a PRD would allow for more parcels than rezoning to R1. Kopkau said it is because of the topography and location of buildable sites.

5. Agenda for October:

1. RV Park Subcommittee Report.
2. Vacation Rentals Subcommittee Report.
3. Small Public Buildings Subcommittee Report.
4. Reffit rezoning request Subcommittee Report.
5. Set agenda for November.

Fred Guilk asked regarding under what authority the health department has that allows them to check septic systems.

Meeting adjourned by order of the chair at 8:10 pm.

Respectfully submitted,

Joseph Merillat