

Milton Township
Planning Commission
Unapproved Meeting Minutes
October 15, 2019

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

Members absent: Lefebvre.

Also present: Weizapfel and 11 audience members.

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

Approval of meeting minutes dated September 10, 2019:
Minutes approved as presented by **unanimous consent**.

ZBA Report:

Kingon reported that the ZBA met and approved a rezoning request.

Agenda:

1. Recreational Vehicle Park Subcommittee Report.
2. Vacation Rentals Subcommittee Report.
3. Small Public Buildings Subcommittee Report.
4. Rezoning Request Subcommittee Report.
5. Set agenda for November meeting.

Public Comment:

Kelly Sergent is a realtor with Century 21 Northland. She is here to listen and learn about the possible updates to the vacation rental ordinance. She is concerned about the restrictive nature of the rental term of six weeks and also the economic impact it will have on the area.

Rochelle Lane asked if Sergent lives by a short-term rental. Do you deal with people and the parties and the dogs and foul language and on and on? She said she does not appreciate the renting next to her because it is not supposed to happen because they live in a subdivision with deed restrictions. Murphy explained that the Planning Commission cannot enforce deed restrictions. That is up to the subdivision and their legal council.

John Peal of Torch River Marine is here to discuss the RV Park ordinance. The way the ordinance was written, we created some major problems that we need to fix.

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

1. Recreational Vehicle Park Subcommittee Report:

Subcommittee of Kingon, Kopkau, and Merillat. The chair was Merillat. There is an application on file for a RV park in the village of Torch River. The subcommittee met on September 17th. It

is a special land use. We went through chapter 16, special uses and 16.05 which is written specifically for RV parks. We have never used this section of the ordinance before. The issue is with the space requirements we created. It does not allow for consideration of the topography. As we went through the special use, there are a few more things that must be done by the developer that are outlined in the minutes, but as proposed the site plan does not meet the size requirements for individual RV sites. The subcommittee recommends the ordinance be revised so that 116.1605C is reworded to require a site be at least 2600ft² and 20ft of road frontage for ingress/egress, and that the dimensional sizes of individual sites be eliminated. Also 116.1605D be revised to require 20ft between RVs, not 15ft between sites.

Peal discussed the issues he and his team ran up against when making his project meet the ordinance. All of the dimension concerns are met with the proposed changes.

Hefferan asked about the greenbelt issue. Is it only that neighbors that can wave the greenbelt or can the planning commission? Being that it does not technically meet the ordinance requirements the commission would need to make a waiver exception.

As presented the site plan does not meet the ordinance. Either we change the ordinance, or they change their site plan. The subcommittee has suggested changing the ordinance.

The commission agrees. The subcommittee will meet again on October 24th at 8:00am to draft the revised language for 117.1605.

2. Vacation Rentals Subcommittee Report:

The subcommittee met on October 2nd at 9 am. The Subcommittee consists of Cole, Kingon, and Merillat. They discussed including the inspection of the septic systems. Kingon discussed the changes between V11 and V12. The subcommittee recommends taking V12 to a public hearing. Weinzapfel asked about including the deed restriction language. The township cannot enforce deed restrictions. Commission members discussed deed restrictions. This will not be included in the ordinance. Murphy suggested putting a yes or no question into the rental application to find out if the property has deed restrictions. Cole suggested if they say yes and we still give the permit, we could end up in court. This language will be left out of the ordinance and the application.

Hefferan said in November Kopkau will not be able to attend, and we are unsure about Lefebvre. Should we go with five members or should we push it out until December? Cole said five is thin. It is an important issue.

Motion by Kingon to call for a public hearing on V12 of the Vacation Rental ordinance dated October 7, 2019 at the next meeting November 12, 2019. Seconded by Cole. **Motion carried.**

3. Small Public Buildings Subcommittee Report:

The Subcommittee consists of Kopkau, Hefferan (chair) and Cole.

Last meeting Hefferan asked to wait for Cole to get back to continue to discuss this. Cole is here, but Lefebvre is not. Cole said they looked at fraternal and social, and any organization he wants to create could be called either fraternal or social. They are such broad terms. In effect, any small group could put up a building without restrictions for any reason. Kopkau said the title calls it a public assembly building. There is no objection to changing it from permitted to special use, but there is some question about the proposal to remove fraternal and social from the definition.

Murphy left the meeting at 8:25 pm.

Motion by Hefferan to schedule a public hearing on December 10, 2019 to move public assembly buildings small from permitted use to special use to in the zones A, AR, R1. Seconded by Kingon.

Discussion: Weinzapfel asked if this should be allowed in the Ag zone at all. Discussion of possible amendments.

Hefferan amended his motion after discussion. **Motion** by Hefferan to call for a public hearing December 10, 2019 to move “Public Assembly Building, Small” from a permitted use to a special use in the R1, AR, A, and V zones: Chapter 7, R1, moving it from 117.701 to 117.702, Chapter 9, AR, moving it from 117.901 to 117.902. Moving it from Chapter 10, A, 117.1001 to 117.1002. Chapter 11, V, moving it from 117.1101 to 117.1102 and change table 117.603A to reflect the above changes. Kingon agrees to the amended motion. **Motion carried.**

4. Rezoning Request Subcommittee Report:

The Subcommittee consisted of Kingon, Kopkau and Cole. Kopkau reviewed the specifics of the request by Ron Reffit and went over the minutes of the Subcommittee meeting. It was recommended to rezone the land to R1. The outstanding issues were if the conservancy had prioritized this for keeping it open and would neighbors be interested in also rezoning to R1. Weinzapfel said he has not spoken with the neighbors but will before the next meeting. Kingon said the property in question is not listed by the conservancy.

5. Set agenda for November meeting

1. Public Hearing on Vacation Rental Ordinance V12.
2. Recreational Vehicle Park Subcommittee Report.
3. Set agenda for December meeting.

Meeting adjourned by order of the chair at 8:55pm.

Respectfully submitted,

Joseph Merillat