

Milton Township  
Planning Commission  
Unapproved Meeting Minutes  
June 9, 2020

Members present: Chairman Hefferan, Kingon, Cole, Merillat, Lefebvre, Kopkau and new member Bobb Ford.

Also present: Weinzapfel, John Peal, Brad Muma, Fred Gulik, Carrie May and James Brewer.

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

Approval of meeting minutes dated February 11, 2020:  
Minutes approved by **unanimous consent**.

ZA Report:

Weinzapfel said the township board is planning on opening at the end of the month. The front door is open for appointments. No entrance without appointment.

Introductions by commission members to new member Bobb Ford.

Agenda

1. Subcommittee Report: Torch Lake RV Park.
2. Subcommittee Report: Livestock in R1.
3. Road Relief Discussion for address 11676 Elk Lake Trail.
4. Set agenda for July 14, 2020 meeting.

Public Comment:

No one wished to speak.

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

1. Subcommittee Report: Torch Lake RV Park:

Merillat said it has been three months since the subcommittee met March 6, 2020. We went through the language of the revised ordinance. Everything meets the new ordinance. A couple highlights are the greenbelt is on the site plan now. Weinzapfel will provide a copy to the fire department to see if there are any concerns with the roads. The subcommittee recommended that we waive part of the requirement for a green belt along Miller Road and we move forward to call for a public hearing. The green belt along Miller road does not technically meet the definition of a green belt and will need a waiver. This will be on the north and west sides based on five things:

1. It will preserve the natural character, i.e. mature hardwoods.
2. The steep hill on Miller Road is natural buffer.
3. The wooded hill to the north is a natural buffer.
4. It avoids another entrance/exit on Miller Road.
5. There is only one residence on each of the parcels in question and those residences cannot see the RV park site.

The subcommittee recommends waiving it for those five reasons. A soil erosion permit has been finalized. Merillat asked if the members could have permission in writing to visit the site and a printed copy of the site plan.

**Motion** by Merillat to call for a public hearing on July 14 for special use 2020-01 for the Torch Lake RV Park. Seconded by Kingon. **Motion carried.**

### 2. Subcommittee Report; Livestock in R1:

Lefebvre presented the minutes from the subcommittee meeting on January 23<sup>rd</sup>. The discussion is around having a sheep in an R1 zone. The challenge is that this is currently not allowed. We looked at the Right to Farm Act and you can have some farming activity in R1, but it has to be commercial in nature. So, this is not applicable. Another question we have is if there are any deed restrictions in the subdivision and whether or not the fair housing act had any role in this question. We have not gone any further in answering those questions. We recommended that this be sent to the ZBA for further review. Weinzapfel said the ZBA would not be allowed to address it because they cannot issue a use variance, only a dimensional variance. Weinzapfel said Tammy Hill has not gotten back to him with any deed restrictions. He did send her an email about it. This family has some alternatives where they could keep the animal not too far away. Cole asked if the objector was removed from the situation, does that change the committee's thought on if it is a good idea or a bad idea. If there had not been a complaint, we would not have known about it. Until someone comes forward with a more legitimate request, I do not think we should start adjusting the ordinance for this. It could be an issue, but it is not an issue right now. Hefferan added that this is not about the Hill family. It is about the ordinance. Our ordinance does not allow for this.

### 3. Road Relief Discussion for address 11676 Elk Lake Trail:

. The applicant is asking for relaxation of private road standards. The width of the easement is only 33 feet and the ordinance requires it to be 40 feet to allow a land division. Right now the road is only accessing two lots. Burl would like to divide parcel A. Chief Jeremy Ball submitted a letter to Weinzapfel dated June 9, 2020. Ball's letter discussed the improvements that would need to be done on the road.

Hefferan read from the ordinance and reviewed Ball's letter. The applicant needs to get with Ball to make sure these requirements can be accomplished before we, as a commission, want to approve this road relief. Brad Muma said he feels these requirements are reasonable. Weinzapfel suggested an approval of relief based on Ball's requests being completed before a land division is allowed. Future division requests would have to also be granted road relief. How will these improvements be kept up? Muma said the fire chief looks at the private roads and writes letters to the homeowners regarding necessary maintenance. Hefferan asked board members their thoughts on granting road relief.

Cole believes that the maintenance should be ongoing. Lefebvre said she is concerned about if more splits would be allowed? Increased traffic would necessitate a larger road. Muma clarified where the relief is being requested. It is a smaller stretch of the road.

**Motion** by Hefferan to approve the application dated March 20, 2020 by Shokoohi be granted under Chapter 117.1905B in its entirety, but a land division will not be granted until such time as

the fire chief's recommendations are complied with from his letter date June 9, 2020. Seconded by Kingon.

Discussion by Merillat regarding the criteria listed 117.1905B.

Kingon said he can attest to #1. The size of the trees, it would be important to preserve them.

#2: This will not service more than 25 lots.

#3: There are two roads which are private. Shippy Lane comes from the north and East Elk Lake Trail comes from the south. They both end on private property and it would not be reasonable to assume that they would approve any connections.

#4: This is the letter dated June 9, 2020 from the fire chief Jeremy Ball.

**Motion carried.**

4. Set agenda for July 14, 2020 meeting.

1. Public Hearing: Torch Lake RV Park.
2. Subcommittee to review the winery ordinance 117.1621.
3. Set agenda for August.

Hefferan appointed a subcommittee of Kopkau, Kingon, and Ford to review a request to modify 117.1621 Wineries and Cideries with Tasting Rooms. Meeting date TBA.

**Public Comment:**

A citizen asked regarding a survey for the sewer extension. Muma clarified.

Meeting adjourned by order of the chair at 8:30 pm.

Respectfully submitted,

Joseph Merillat