

Milton Township
Planning Commission
Unapproved Meeting Minutes
August 11, 2020

Members present: Chairman Hefferan, Kingon, Cole, Merillat, Ford, and Kopkau

Also present: Weinzapfel and approximately 25 audience members.

Members absent: Lefebvre, excused.

Hefferan called the meeting to order at 7:05 pm and discussed the open meeting acts and why we are meeting outdoors at the pavilion during the pandemic. The next meeting is September 15th at 7:00pm at the same location. The Torch River RV Park is not on the agenda tonight.

Approval of meeting minutes dated July 14, 2020:

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

Township Board Report:

Cole said the township board discussed the possibly of looking at the rental ordinance regarding the definition of short versus long term. The road end access sites were also discussed for O'Dell and Campbell Roads. The township will survey the property and put up fencing and signage.

ZBA Report

Kingon said the ZBA did not meet but will meet this Thursday at the pavilion at the soccer fields at 7:00pm.

Agenda:

1. Pre-application informational presentation: Kewadin Apartments.
2. Subcommittee Report: Winery Ordinance.
3. Set agenda for September 15, 2020 meeting.

Public Comment:

Landowner who owns Up From the Roots said it will take about \$150K to fix his yard.

A citizen said she would send information to the planning commission about chemicals that are affecting the ground water at Holly Recreation Area in Holly, MI because of chemicals found in RV wastewater.

Kelly Wells of 12164 of Miller Road said in observing the summer she is concerned for the safety of the residents in the village. It cannot take more traffic than it already has. There are no crosswalks or stoplights. The present congestion could cause a tragedy. The planning commission should put an ordinance in place to match the vacation rental ordinance for the village at Torch River. She would like to see quiet hours and have it be consistent with the rental ordinance. As residents we would like consistency.

A resident read from a special meeting minutes from 2015 of the Milton Township Board which stated there was a congestion problem at the Torch River Bridge and the board did not want to

put in a boat launch in Kewadin due to the added traffic and congestion it would bring. You are considering adding substantially more congestion at the Torch River Bridge.

Robin Fortino of Cemetery Ave said we cannot tolerate the road traffic and the noise. No one goes the speed limit. Everyone parks along our property and we cannot even see to pull out of our driveway.

Pad Laramie said she disapproves of the RV park development. She submitted her letter of disapproval.

Gary Doty of Fairmont Drive asked what the township is doing to monitor the traffic on the roads around the proposed RV park. He is concerned about the traffic congestion.

John Spedizek of Chippewa Trail asked the commission given what they have heard, why didn't you think those studies were necessary to approve the park?

Patrick Zuman, owner of Lhurs Landing said he never realized how much pollution in the air until he had his tracheotomy. He is concerned about how the pollution will increase with the added people that will come from the RV park.

Pat Scarnulus asked if it is appropriate to ask the Planning Commission members where they live in proximity to the park. Hefferan said our addresses are publicly listed with the township.

Dan Wells said according to the minutes, the subcommittee for Torch RV Park was created in August of 2019. He is concerned about the traffic and pedestrians on Miller Road.

Sherry Day of Torch River Road said they are concerned about the congestion on their road. The Master Plan says things need to be addressed in our area because it is getting worse and worse.

Peggy Hill of Fairmont Drive said she spoke with her elderly neighbors and their concern is if an ambulance will be able to get to them in an emergency.

A procedural question was asked if a special use permit is final with the Planning Commission. Hefferan explained the public hearing process for a special use permit. Weinzapfel said there are townships that do it both ways. In Milton township the special use is left with the Planning Commission.

Agenda Approval:

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

1. Pre-application informational presentation on Kewadin Apartments:

Kevin Koon said he is interested in purchasing the Elk Rapids Fitness Center and turning it into condos. Weinzapfel gave a brief presentation. This is a permitted under the special use permit in the village zone. He is seeking a subcommittee on the subject. It will have to meet all health/safety/parking/lighting requirements. He would be using the existing building and converting it for use as condos. The square footage would be 960 to 1080 per unit. It would require a new common septic and drain field. It is listed as a special use permit under dwellings/multiple family in the ordinance.

The subcommittee will be Cole, Hefferan, and Merillat. The subcommittee will meet at 8:00am September 9th at the Old Township Hall.

2. Subcommittee Report: Winery Ordinance:

Kington reported they have met twice on this issue. Minutes have been distributed. At the first subcommittee meeting, the owners of the winery, Chantel Lefebvre and Mike Neuman said they would like to expand the services they offer at the winery. They would like to build a pavilion and provide food services and host larger gatherings and expand their guest unit. After the first meeting, they divided up assignments. Kopkau looked at food. Ford looked at expanded gatherings. Kington reviewed the rental issue. Kington said the rental issue seems to be the difficult one. It cannot be a B&B due to the state's rules. Our township ordinance does not allow short term rentals for less than seven days. The other option is to look at waiving the short term rental in the agricultural zone, but that did not seem the most reasonable way to go. Looking at the different ordinances we did, our subcommittee is supportive of expanding the opportunities at this winery. It is consistent with our Master Plan supporting commercial enterprises. There is room for us to expand in terms of food service and events. The only thing that would fit expanding short term rentals is on Peninsula Township and they are doing it through winery chateaus and they allow it for less than seven days. Our subcommittee ended up saying they would recommend to the Planning Commission either modifying the winery/ciderly ordinance for expanding services or coming up with a new section. This could create a new category of winery. We are looking for guidance from the Planning Commission. Cole said the only thing he would be concerned with is the special events. Once you open that up, people are always trying to push the envelope. The noise would concern him and how could we prevent that from becoming a problem. Hefferan asked if wineries are only allowed in the Ag zone? Yes. Minimum acreage is 20 acres. Kington said when discussing event barns, the problem was bringing old barns up to code. This was cost prohibitive. This would be newer spaces that would be up to code. Cole said if we do solve all of this, why not other types of agri-tourism. Merillat said he feels this would be a large amendment to our current ordinance and he cannot imagine anyone would want to go under the old language so he suggests altering the current ordinance. Kington said the subcommittee will go ahead with rewriting the current 117.1621 Wineries and Cideries with Tasting Rooms ordinance.

3. Set agenda for September 15, 2020 meeting:

1. Winery/Ciderly Ordinance Amendment Subcommittee Report.
2. Kewadin Condo Subcommittee Report.
3. Set agenda for October meeting.

Meeting adjourned by order of the chair at 8:15 pm.

Respectfully submitted,

Joseph Merillat