

Milton Township
Planning Commission
Unapproved Meeting Minutes
January 12, 2020

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

Also present: Weinzapfel. This meeting was held via Zoom due to the COVID-19 virus. Zoom shows 12 participants.

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

Approval of meeting minutes dated December 15, 2020:

Page 3, 4th paragraph, last sentence: correct to say Mike had NOT spoken with the neighbors.

Motion by Kingon to approve the minutes as corrected. Seconded by Lefebvre.

Roll Call: Ford: Yea | Merillat: Yea | Cole: Yea | Kingon: Yea | Kopkau: Yea | Lefebvre: Yea | Hefferan: Yea.

Motion carried.

ZA Report:

Weinzapfel said Kingon and Kopkau were both reappointed for three-year terms to the Planning Commission. Kingon and Gray were also reappointed to the ZBA for three-year terms.

Township Board Report:

Cole noted that Derman discussed the special planning commission meeting this Friday at 5:00pm.

Hefferan added that an article in the local paper indicated that there was a significant donation made to the land conservancy from Bill Weiss. He and another family gifted 290 acres on Torch River Road. This land is just south of the RV Park we are discussing.

Hefferan gave an update on where we are with the RV Park Special Use Public Hearing.

Agenda:

1. Election of officers for 2021.
2. Set meeting dates for 2021.
3. Annual review of bylaws.
4. Subcommittee Report: Winery Ordinance.
5. Report on Housing Summit: Kingon.
6. Set agenda for February 9, 2021.

Motion by Lefebvre to approve the agenda. Seconded by Kingon:

Roll Call: Cole: Yea | Kingon: Yea | Kopkau: Yea | Lefebvre: Yea | Hefferan: Yea | Ford: Yea | Merillat: Yea.

Motion carried

Public Comment:
No one wished to speak.

1. Election of officers for 2021:

Hefferan opened the nominations for Chair.

Merillat nominated Hefferan for Chair. Seconded by Kopkau.

Motion by Kingon to close nominations. Seconded by Cole.

Roll Call: Lefebvre: Yea | Ford: Yea | Cole: Yea | Merillat: Yea | Kopkau: Yea | Kingon: Yea | Hefferan: Yea.

Motion carried.

Motion by Cole to approve Hefferan for Chair. Seconded by Lefebvre.

Roll Call: Kingon Yea | Kopkau: Yea | Merillat: Yea | Cole: Yea | Ford: Yea | Lefebvre: Yea | Hefferan: Yea.

Motion carried.

Hefferan opened the nominations for Vice Chair.

Lefebvre nominated Ford for Vice Chair.

Kingon nominated Lefebvre. Seconded by Cole.

Motion by Kingon to close the nominations. Seconded by Ford.

Roll Call: Cole: Yea | Ford: Yea | Lefebvre: Yea | Merillat: Yea | Kopkau: Yea | Kingon: Yea | Hefferan: Yea.

Motion carried.

Motion by Hefferan to approve Lefebvre as Vice Chair. Seconded by Kopkau.

Roll Call: Merillat: Yea | Cole Yea | Ford: Yea | Lefebvre: Yea | Kopkau: Yea | Kingon: Yea | Hefferan Yea.

Motion carried.

Hefferan opened nominations for Secretary.

Hefferan nominated Merillat for Secretary. Seconded by Lefebvre.

Motion by Lefebvre to close nominations. Seconded by Kingon.

Roll Call: Cole: Yea | Merillat: Yea | Cole: Yea | Kingon: Yea | Ford: Yea | Hefferan: Yea | Kopkau: Yea.

Motion carried.

Motion by Kingon to approve Merillat as Secretary. Second by Ford.

Roll Call: Kingon: Yea | Kopkau: Yea | Merillat: Yea | Cole: Yea | Ford: Yea | Lefebvre: Yea | Hefferan: Yea.

Motion carried.

2. Meeting Dates for 2021:

Meetings will be held the second Tuesday of each month at 7:00pm with the exception of June, which will be the third Tuesday. The meeting date schedule is approved by unanimous consent.

3. Annual Review of Bi-laws:

Hefferan said every year we review these and determine if changes are necessary. No changes to the current By-laws were identified. By unanimous consent, the Planning Commission will operate in 2021 with the By-laws that were adopted on January 14, 2020.

4. Subcommittee Report: Winery Ordinance:

Kington shared his screen. The law firm Vermetten emailed their review of the ordinance. Kington reviewed the letter, which is summarized to say that the changes are reasonable and equitable. Cole said he still has concerns with two items: The food service and the lodging. I realize we are talking about two different zones, but he sees this bringing pressure that we would have to fight as to why we are treating R1 differently than AG. Will everything be inside? Tents have been taken out, but there could be a pavilion. Cole said this presents a potential problem with noise. Kopkau said the end time is set at 7pm. Cole said if every day is filled with music not of your choosing, that could be irritating. Cole is also concerned with getting into a full-scale restaurant in an AG zone. We have been careful not to allow business to encroach into the AG zone.

Kington said what we are treating differently is that we are not limiting the number of weeks rentals are allowed. That section of The Vacation Rental Ordinance does not apply. The seven-day minimum also does not apply. Everything else applies. I changed this because Vermetten pointed out the discrepancy. Do we want to allow the less restrictive weeks per year and the less restrictive number of days? Ford asked if we can just explain why we are doing this and would that suffice? Merillat asked if the rental ordinance applied to both the Ag zone and R1? Yes. So, that makes Cole's point more relevant since we are treating this differently. Hefferan said he does not agree with everything Vermetten wrote, but he does think the notes about the short-term rental deserve some consideration. If you read our Vacation Rental Ordinance, I read it as though it is discussing residential areas. It does apply in every zone other than the village, but if you read it, it is trying to address close proximity, more dense rentals as opposed to less dense areas because of the words that are used. What is our justification to restrict in less dense areas? Cole said perhaps it is lot size?

Kington said the subcommittee should go back and try to come up some appropriate recommendations regarding the review from Vermetten. Merillat asked what the reasoning was for allowing less than 7 day rentals. Ford said some people come in for one or two nights. It is not a full week kind of rental situation.

Hefferan asked if we have any short-term rentals in the AG zone. Weinzapfel does not know for sure, but not many. Weinzapfel also discussed how the parcel is zoned as opposed to how it is taxed. Hefferan said reading the letter from Vermetten, we are not in violation of any Michigan law, but if we want to change our ordinance, that is fine too. Hefferan asked about the note about 1,000 feet from the property line. Neumann said it is actually 400 feet from the property line. The 1000 feet from the property line was an error that has since been corrected. 1000 feet was the distance to the nearest home, not the property line.

Kington said going to 6B, regarding food as a supplement, if you turn this back to the subcommittee this is the other issue we will review. Cole said he feels this language is subjective. Also, in 8B, a sink was added. Vermetten did not discuss deed restrictions. Weinzapfel said he might send it back to Vermetten for specific comment on that section.

Kington also discussed 9: (excluding guest quarters) and why this was added. Ford said this was in case they were next to the road, so they could be separated from the winery and tasting room. Cole suggested referring to the side lot lines.

Hefferan said he would be interested to know what the neighbors say about this proposal. A letter was sent out to the neighbors asking for their input and asked to meet with them if they desire. Merillat noted that this is for every winery/cindery in the township, not just this one. Hefferan said he has an application. Application is not for a special use. This is an application to amend the ordinance. Hefferan agreed with Merillat, but because Waterfire filed the application, I do think it is reasonable to focus on those on Sutter Road. Merillat said this is language for the entire township.

Hefferan said he still has an issue with bullet points two and three in the intent and asked the subcommittee to review.

The subcommittee will meet to discuss on January 25 at 10 am via Zoom.

5. Report on Housing Summit: Kington:

Kington attended a three-day summit regarding housing. When we get ready to work on the master plan, we have some good resource material regarding land use and enhancing work force housing. More specifically we do have someone who is looking at Johnny's Gym and turning that into condo units. Some of this info could be helpful in working with that developer. Kington reviewed the material provided during the summit.

6. Set agenda for February 9, 2021:

1. Subcommittee Report: Winery Ordinance.
2. Master Plan Discussion.
3. Set agenda for March meeting.

Meeting adjourned by order of the chair at 8:23 pm.

Respectfully submitted,

Joseph Merillat