

Milton Township
Planning Commission
Unapproved Meeting Minutes
June 7, 2023

Members present: Chairman Hefferan, Renis, Warner, Standerfer, Ford, and Merillat.

Also present: Kopriva and Peterson and one audience member.

Members absent: Peters, excused.

Hefferan called the meeting to order at 7:00pm

Public Comment:

Dwayne Myers of Torch Lake Drive asked about the buffering requirements for the DNR boat launch. Hefferan said we have nothing to do with that launch because it is state owned property.

Approval of Agenda:

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

Approval of Minutes dated May 3, 2023:

Correction: Pg 4, change typo: I to it.

Motion by Ford to approve the minutes dated May 3, 2023 with changes. Seconded by Standerfer. **Motion carried.**

Correspondence:

None.

Old Business:

1. ZO 2023-02 Utility Solar Amendment:

Kopriva provided the updated document. The personal solar was removed. Lot coverage was also updated. Renis asked about the ground cover under the panels and the maintenance of the area. Kopriva said there is nothing in there right now, but it could be added. Merillat said he does not think the utilities will want to be mowing under the panels. Kopriva discussed possible solutions including animals to save on mowing or planting pollinator gardens. Hefferan asked what would be our basis to mow? Renis said the property should be maintained. Renis said perhaps a cover crop to prevent erosion? Merillat said it is a special use permit and it could be addressed if it is on a slope and we do not think it will be stabilized. Renis feels confident it can be handled during the special use process.

Ford asked about buffering. Kopriva directed the commission to the area where this is discussed. If the panels are within 200 feet of the road or someone's home, buffers would be required.

Motion to call for a public hearing on September 2, 2023 for ZO 2023-02 V2 by Renis. Seconded by Standerfer. **Motion carried.**

2. ZO 2023-03 Steep Slope Amendment:

There were no changes to the amendment. Hefferan asked how much of the township is sloped 25% or more. Kopriva said it is not that much. She could have the GIS tech tell us how many acres or the number of properties. Hefferan asked for the number of property owners who would be impacted.

Hefferan mentioned Kopriva has never seen a steep slopes amendment adopted. Is there one in the state of Michigan? Kopriva said there is language, but it is not as detailed. She does not know how effective it is or if they have the same goals we do. Renis said Merillat has good questions. Would the RV park have happened if we would have had a steep slopes ordinance? That is what we are trying to prevent. Merillat said there is not a big enough problem to need an ordinance. If the homeowner builds something that erodes and affects neighbors, they are currently responsible. Merillat said there are responsible ways to build on slopes.

Hefferan asked if would this proposed ordinance prevents the home on SW Torch? Renis said he does not think so. The driveway is very steep. Renis said he does not want to prevent people from using their property but rather impacting other people's property and creating an extra consideration. Kopriva read from the Evaline Township ordinance. Hefferan looked at the Lehigh Valley ordinance and it is not really apples to apples for us. How would we enforce this? We are not Lehigh Valley. Ford said they would have to apply and have the engineering done up front. Renis suggested having the design certified by a professional engineer. Hefferan said Eveline is making an additional requirement for a building permit.

Kopriva asked the impetus for the township board's original request? She sees us struggling to move forward. Kopriva suggested checking in with the township board to show them what has been done and get their suggestions.

Warner asked what kind of teeth it would have? Merillat said it would prevent you from doing anything on your property sloped over 25% as it is written right now. What about a special use for a residential house? Hefferan asked about Lehigh valley did it. A professional engineer would have to review before getting a building permit. Merillat said some will be less than 500 feet from a body of water and they will have to get soil erosion permit.

Kopriva suggested a straw poll to see if we go forward. Standerfer is okay with keeping it simple and get a survey and get approved before getting a building permit. Hefferan is uncomfortable with 24.04 and prohibiting any use. I do not see how this could ever be okay. Hefferan is interested in what Evaline has done as we do not want erosion or neighbors impacted.

The subcommittee will meet June 29 at 8:30 am to work on the issue. Hefferan asked if the commission would like him to go back to the township board to get their feedback? There are two new members on the board and there was no formal vote. Hefferan will not bring it up and we will continue to work on it.

Reports:

ZA Report:

Kopriva provided a report for members to review.

Township Board Report:

Renis said there is no report.

ZBA Report:

Hefferan said they have not met.

Planning Commission Updates:

Merillat asked about the master plan. Kopriva said she is working on it. County planning commission signed off on the winery ordinance.

Future Meeting Considerations:

July 5, 2023 is canceled.

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

Respectfully submitted,

Joseph Merillat