

Milton Township
Planning Commission
Unapproved Meeting Minutes
December 13, 2011

Members present: Chairman Stilson, Kingon, Kopkau, Hefferan, Cole, Merillat

Members absent: Lockett, excused.

Also present: Weinzapfel and one audience member.

Stilson called the meeting to order at 7 pm.

Approval of past minutes dated November 11, 2011:

Pg 1: correct third tax ID number to 0512-840-003-00

Motion by Hefferan to approve minutes as corrected. Seconded by Kingon. **Motion carried.**

The combined workshop for the Township Board and Planning Commission on Septic Ordinance has been changed to a date in January. Looking at 9th or 10th.

Meetings and Announcements: Scenic Michigan at MSU.

Weinzapfel provided a list of member addresses and phone numbers. Please review for accuracy.

Township Board Update:

Bob Kingon and Terrie Kopkau were reappointed for three years to the Planning Commission by the Township Board last night. Kingon was also appointed for another three years to the ZBA

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

Ordinance Review Subcommittee:

Members have new draft copies for review. Milton Neighbors has provided comments on that copy.

Members reviewed the draft.

p. 2-4: Definition of ~~Lot~~ Block: Termaat is concerned with it being three sides. Cole said solution could be three or more sides, which could cover all scenarios.

p. 2-7: Definition of DNRE, which should be removed and replaced with DEQ.

p. 2-7: Definition of Deck: discussion between what constitutes enclosure. Leave as is

p. 2-7: Definition of Escort: discussion about definition also occurring on p. 21-5. Remove whole definition. Add "or" after Adult Motel.

p. 2-11: Definition of Lot Lines. This item goes back to subcommittee.

Discussion placed on hold for audience member to better accommodate her time.

Rollene Girdley asked regarding placing a real estate sign on road corner right of way. Why is it not allowed? She said she has been selling real estate for 35 years and she has never encountered this problem. There should not be three signs on a corner, but it could be one sign and the next guy who comes along will have to wait. You do not need multiple signs. If there is a house far off the road, you should be allowed to have a sign to tell people there is a home for sale down there. Stilson said he spoke with local realtors and many people do not rely on the signs. Cole said the problem we run into is that we cannot control the wording of the sign. Anyone can advertise anything. You get into first amendment issues. Cole said when we considered the sign ordinance; we weighed the pros and cons of all of the issues. She believes real estate should be in a different category. Kingon said where he lives there are three or four houses for sale. The idea that first guy there would get to put his sign out and then the rest would not be allowed does not seem right. Stilson he feels that it should stay as is. Girdley asked about the procedure to change the ordinance? Stilson said if the planning commission members are not in favor of changing the ordinance, it most likely will not happen. Cole said if this were a ballot issue, that would be one way to change it.

Back to Ordinance Discussion:

p. 2-12: Discussion of mobile home and manufactured homes. Nothing changed.

p. 3-3: Definition of “Seasonal Trailer Park”, where does this occur? This needs a definition. Subcommittee will review.

p. 3-4: Make edits as shown in the TNN notes regarding 117.305, 2.a. and 117.603, 4. Uses for farm implements only. The subcommittee will also look at this

p. 3-6: Dealing with the sides of a triangle lot. Cole said we have a diagram to show how this works.

p. 3-7: Change references to “Major Home Occupation” Cole said he would not agree with this change. This could be cleaned up a bit by eliminating “Major home occupations shall be”

p. 3-12: The sign prohibition in 117.317D is unconstitutional according to TNN. If we take out D, then we have to say no signs. Cole said we could look at doing something that would allow a sign for any period of time the house is not occupied. Refer to rental subcommittee. Weinzapfel said he talked to Derman on this issue and it may be possible to leave it there regarding the court’s ruling that home rental is a commercial operation or we can remove it and address it with weekly rental.

p. 3-15: in c. It appears “greater” and not “less” is meant when talking about paths/steps. Impervious surfaces more than four feet wide must be graded to shed water... Wording is correct.

d, i. Replace Ordinary High Water Mark with Shoreline.

p. 6-1: Zoning Map: Surface water bodies listed on page 2-18 of definitions should be labeled on the map. A mark up of the map has been provided to the ZA

p. 6-8: Reconsider policy: No PRD in R-1 Zoning District. This will be considered. Could we have a statement saying no key holing allowed in the PRD language? The lots on the lake would have the access, not the ones behind. The subcommittee will review.

p. 16-16: Reconsider policy: Quarterline west of US-31 is Residential. State of Michigan has banned new curb cuts on US-31. Termaat said this is mostly residential and Large Public Assembly Buildings would cause more traffic. In 117.1602A. Remove US-31 after “roadways”. Cole said he feels that there are still many accessible places. Kingon as well. The board discussed. It will go back to subcommittee.

p. 16-20: What is the standard for “detrimental impact”? It is too restrictive. How will it be determined/proven in 2b. Cole said if your property values would go down. Termaat said this is not objective. Anything you do would be an estimate. Merillat said the burden of proof would be on the person bringing the proposal to prove it would not cause a detrimental impact. Weinzapfel said Derman has a copy of this and is reviewing it.

p. 16-22: Reconsider policy: UGWES is a high investment, long term industrial use; limit to parcels owned outright or 100 year lease. Cole said this is a business decision. He doesn't think we need to interfere. He agrees with Keith, but feels this is a decision made by the company making the investment. No Change

117.2208, 22-3: Lettering should change to A, B, and C from A, B, B.

Fixed miscellaneous typos and capitalizations.

p. 16-19: F, discussion of lettering on sign, rather than size of sign.

Master Plan Subcommittee:

Meeting date yet to be set. Hefferan is happy to fill in if Lockett cannot make it.

Rental Issue Subcommittee Report:

Meeting tomorrow at 1 pm, they met on the 30th of November and got some input from the public on the problem. Kingon is looking at how other areas dealt with these issues. Weinzapfel gave background info on this. An ordinance was drafted by the township in 2002.

Ordinance Subcommittee will meet Dec. 19th at 8 am.

Meeting Dates for 2012:

Second Tuesday of the month at 7 pm.

Stilson adjourned the meeting at 9:17 pm.

Respectfully submitted,

Joseph Merillat
Secretary