

Milton Township
Shoreline Subcommittee

December 10, 2024
9:00 PM

Township Hall
7023 Cherry Ave, Kewadin

1. Call to Order
2. Discussion shoreline regulations
3. Public Comment
4. Schedule Next Meeting- if needed
5. Adjourn

Milton Township
Shoreline Subcommittee

November 6, 2024
5:00 PM

Township Hall
7023 Cherry Ave, Kewadin

1. Call to Order at 5:00 PM

Members Present: Joe Renis, Bobb Ford, Joe Merillat

Staff Present: Sara Kopriva, Planning and Zoning Administrator

Public: 2

2. Discussion shoreline regulations

The subcommittee discussed the existing regulations and what the intent of those regulations when they were adopted previously. The shoreline buffer only needs to comply when work is done within 25 ft of the water, clear cutting should not be allowed (maintain existing vegetation as much as possible), re-plantings when improperly removed should be required, and permits should be required for decks and stairs.

3. Public Comment- None

4. Next Meeting: November 21 at 9:00 AM

5. Adjournment: 6:11 PM

117.219 "S"

Shoreline Protection Strip: The portion of a parcel, lot, or unit, located within twenty-five (25) feet from the shoreline of any lake, river, or stream abutting or traversing the property for the purpose of filtering runoff, providing shade and wildlife cover and bank stabilization.

117.320 Waterfront Property and Boat Dockage Regulations.

A. Intent and Purpose: To provide reasonable regulations for shoreline, watercraft and dock usage within Milton Township in order to:

- 1. Retain and maintain the physical, ecological, cultural and aesthetic characteristics of lakes, streams and rivers.
- 2. Preserve and protect the quality and safety of lakes, streams, rivers and shorelines.
- 3. Preserve and protect the rights of riparian owners and users as well as other township residents.
- 4. Promote the health, safety and welfare of persons making use of lakes, streams, rivers and adjacent properties.

B. Scope and Application.

The terms and provisions of this section shall be interpreted and applied as standards and requirements for:

- 1. Promotion and protection of public health, safety, welfare and public peace.
- 2. Preservation of natural resources and public and private resources within the Township.

C. General Regulations.

- 1. Number of Watercraft Spaces per Lot Width. No watercraft shall be utilized or docked on or adjacent to each "water frontage" except as allocated in the following chart.

Lot width (per the most recent of Township tax roll or County GIS)	Number of spaces^{1,2} (See Chart Notes)	Chart Notes: 1. A jet ski (personal watercraft) shall be counted as one-half (1/2) of a space. 2. One (1) additional watercraft space for each thirty-three (33) feet of frontage beyond four hundred (400) feet.
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1-33	1
34-67	2
68-133	3
134-167	4
168-200	5
201-233	6
234-267	7
268-300	8
301-333	9
334-367	10
368-400	11

- 2. Number of Docks. One (1) dock shall be allowed, used, or installed for each lot, and one (1) additional dock will be allowed for each one hundred (100) feet of frontage beyond the first one hundred (100) feet of frontage.
 - 3. Dock Length. No dock shall extend more than eighty (80) feet into a body of water, measured perpendicularly from the shoreline, unless necessary to reach water with a depth of four (4) feet, and then no further than necessary to reach such depth. Docks on a river shall conform to DEQ requirements.
 - 4. Common Docks. Two (2) adjoining lots or parcels which have frontage directly on a lake may share one (1) common dock with no more than the sum of each parcel's allocated moorings being utilized in total for both parcels. No other docks shall be allowed for the two (2) lots or parcels except the one (1) common dock.
 - 5. Marine sewage pump-out facility. Any dock facility providing dockage for four (4) or more boats with Marine sewage holding tanks on board shall provide a marine sewage pump-out service to a Health Department approved sewage disposal facility.
- D. Restrictions applicable to property abutting lakes, rivers or continually flowing streams.

Many lands within the Township are connected to, adjoin or abut surface water bodies, as defined herein. In the interest of protecting the water quality and the natural setting of the shoreline, the following provisions shall be applicable:

- 1. Groins. No permanent groin wall structure, as defined by the Michigan Department of Environmental Quality (DEQ), shall be installed as a shore land erosion control device on any inland lakes and streams.
- 2. Docks and piers. Man-made extensions from the shoreline into or over said surface water bodies shall have an open sub-structure construction so as to allow the free and unrestricted' movement of the inland waters littoral current.4.

- 3. Shoreline Protection Strip. A shoreline protection strip, as defined herein, shall be provided on all waterfront lots, in accordance with the following provisions.
 - a. The Shoreline Protection strip shall not be less than twenty-five (25) feet in depth and extend to not less than 80% of the width of the shoreline property. Existing conditions at or within twenty-five (25) feet of the shoreline may limit the dimensions of and the area coverage of the Shoreline Protection Strip as determined by the Zoning Administrator or Planning Commission. Public parks and recreational areas are exempt from this provision.
 - b. Within the shoreline protection strip, twenty (20%) percent of existing trees and shrubs may be selectively pruned to enhance a filtered or corridor view of the water from the principal structure and for reasonable private riparian access to the water. The root systems of any removed tree or shrub shall remain in place for shoreline stabilization.
 - c. A corridor view may be established through selective pruning. Said pruning activities shall be inspected at the discretion of the Zoning Administrator and ensure that a live root system stays intact to provide for waterfront bank stabilization and erosion control. Tree-topping and clear cutting is prohibited.
 - d. Existing natural vegetation shall not be removed to comply with this section of the ordinance. Planted lawn is not considered natural vegetation. Natural, native vegetation shall be enhanced/supplemented to comply with the requirements of the ordinance.
 - e. Permit Required. Prior to undertaking any earth change, removal of vegetation/trees, or construction within the Shoreline Protection Strip, the property owner shall obtain a permit for such work from Milton Township and all applicable permits from the State of Michigan and/or Antrim County.
 - f. Site Plan Requirements
In addition to the requirements of Section 117.2302, the following shall be required on the site plan.
 - 1. The plan shall demonstrate that the natural or restored habitat minimizes the impact to fish, wildlife and general water quality by providing natural ground cover within a shoreline protection strip.
 - 2. Location of existing vegetation showing the species and location of trees, shrubs and ground cover within the proposed disturbance area to be saved, moved, or removed.
 - 3. Proposed means of protecting existing plant materials during construction.

4. Location of proposed plant materials.
5. Planting list of proposed materials, showing sizes, height, quantity, botanical and common names, spacing.
6. Sections, elevations, plans, and details of landscape elements, such as berms, walls, ponds, retaining walls and tree wells.
7. Such additional information as the Zoning Administrator or Planning Commission determines is necessary to properly locate and identify existing conditions and proposed landscaping changes.

f. Planting Requirements

1. All planting shall use Native Plants of Northern Michigan as determined by Tip of the Mitt Watershed Council.
2. Native vegetation shall be required at a minimum rate of one (1) tree and three (3) shrubs per fifteen (15) lineal feet of shoreline and shall meet the minimum size standards in the table below. The remainder of the shoreline protection strip shall be planted with trees, native wildflowers, vines, grasses, rushes, sedges, and/or ferns. The shoreline protection strip area (including under trees) shall primarily consist of a dense covering of plants, trees, and shrubs.
3. Maintained lawns shall be prohibited.
4. Shrubs and plants shall be spaced so that coverage is complete within a two (2) year period

PLANTING SIZE STANDARDS	
Plant Material	Minimum Size
Deciduous (canopy) Trees	2.5" caliper measured at 4' above grade
Coniferous (evergreen) Trees	6' height
Deciduous Shrubs	2' height
Upright Coniferous (evergreen) Shrubs	2' height
Spreading Coniferous (evergreen) Shrubs	18" spread

g. Permit Exemptions.

The following activities shall not require a permit under this section and are not required to establish a shoreline protection strip.

- i. Planting of native trees, shrubs or other plants.
- ii. Post holes for fencing, utility posts, mailboxes or similar applications, if no additional grading or earth change occurs for the use of the post holes. Decks do require a permit and plantings.
- iii. Removal of dead, diseased, unsafe or fallen trees, or trees of less than nine (9) inches in circumference (measured at a height of four (4) feet) and noxious plants and shrubs, including poison ivy, poison sumac and poison oak. Tree stumps shall not be removed so shoreline stability is retained, except as provided in Section 117.320, D, 3, b. (Boat Access) and c. (Deck, Patio or Steps)
- iv. Seawall repair/maintenance, provided the area to be repaired/maintained does not exceed one hundred (100) square feet. If a seawall on an inland lake requires repair/maintenance of more than one hundred (100) square feet, the parcel owner shall establish a Shoreline Protection Strip above the sea wall and seek a permit per Section 117.320, D, 3, a. (Permit Required).
- v. Earth changes necessary for the proper installation of MDEQ approved measures to mitigate shoreline erosion caused by wave action and /or to prevent ice damage to the shoreline.

h. Structures allowed.

The following structures are allowed without requiring additional plantings as required above. Removal may not exceed the minimum necessary to install the below items.

- i. Boat Access. Excavation for a boat ramp may be constructed to the water's edge to a maximum width of twenty (20) feet, at its widest point. Said excavation shall have a pervious horizontal surface. One boat access is permitted per one hundred (100) foot parcel. Parcels of over one hundred ninety-nine (199) feet of frontage shall be limited to one boat access on each one hundred (100) foot section of frontage.
- ii. Deck, Patio or Steps. Within the Shoreline Protection Strip, a ground level deck, patio or steps not greater in width than twenty (20) feet width by fifteen (15) feet in depth may be constructed in lieu of excavation for boat

access provided under Section 117.320, D, 3, d. (Boat Access). The deck or patio must be constructed of pervious surfaces and have ten (10) feet of vegetation effective in retarding and filtering run-off and preventing soil erosion between said structure and the shoreline. When the Michigan Building Code requires railings, they shall not exceed minimum Building Code requirements. Impervious surfaces more than four (4) feet wide must be graded to shed water runoff away from the shoreline, at a slope of not less than 1:60.

- i. Requirements and Recommendations for the upland area. In the area between the upper border of the twenty-five (25) foot Shoreline Protection Strip and fifty (50) feet upland from the shoreline.
 - i. A patio placed in this area shall be constructed of pervious surfaces. Impervious surfaces for steps shall not exceed four (4) feet in width and shall be graded to shed water runoff away from the shoreline, at a slope of not less than 1:60. The water runoff shall be further directed to promote filtration such as by retention in rain gardens, swales or other methods of retarding runoff.
 - ii. French drains and any other enclosed pipes used for redirecting surface water shall not flow directly into water bodies but shall be directed to areas of water retention and filtration.
 - iii. Native trees, shrubs, plants and tall grasses are recommended for planting in this area to further protect water quality, preserve sensitive wildlife habitat and reduce soil erosion and sedimentation run-off.
 - iv. Methods for slowing, spreading and retaining storm water (surface water) such as swales berms and vegetated protection strips and rain gardens are recommended.
 - v. It is recommended that no fertilizers, herbicides or pesticides be applied within this area.
- j. Violations. Removal of vegetation that does not comply with the requirements shall be replaced as described below:
 - i. Replanting shall occur the same growing season. If, due to the weather, planting the same year is not feasible, plantings must be complete by June 15 of the next growing season.
 - ii. If work in the shoreline protection strip occurs in violation of this ordinance, the property owner shall cause for the shoreline protection strip to be

replanted and restored to the previous condition prior to the work in violation of the ordinance. Trees shall be replaced at the following rate:

Vegetation Removed	Maturation	Planting Required (Removed Number : Required Number to Plant)
Canopy Tree	3" or less caliper	1:1
Canopy Tree	3" to 6" caliper	1:2
Canopy Tree	6" to 9" caliper	1:3
Canopy Tree	9" to 12" caliper	1:4
Canopy Tree	Greater than 12: caliper	1:5
Evergreen or Flowering Tree	8' of less in height	1:1
Evergreen or Flowering Tree	8' to 12' in height	1:2
Evergreen or Flowering Tree	12' to 16' in height	1:3
Evergreen or Flowering Tee	Greater than 16' in height	1:4
Shrub	Any Size	1:1