

Milton Township
Planning Commission
Regular Meeting
May 7, 2025
7:00 PM

7023 Cherry St. / Kewadin, MI

1. Call meeting to order. Note members, present, absent, or excused.
2. Public Comment
3. Approval of Agenda
4. Approval of Minutes April 2, 2025
5. Correspondence
6. Old Business
 - a) Fence Amendment
 - b) Paid Taxes Prior to Permits Amendment
7. New Business
8. Reports
 - a) Zoning Administration Office Report
 - b) Township Board Report – Renis
 - c) Zoning Board of Appeals – Hefferan
 - d) Planning Commission Updates – All
9. Future Meeting Considerations – June 4, 2025
10. Adjourn

Active Subcommittees (created date)

Fence Regulations

Peters, Renis, Merillat

Milton Township
Planning Commission
Unapproved Meeting Minutes
April 2, 2025

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

Also present: Kopriva and 7 audience members.

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

Public Comment: None.

Approval of Agenda:

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

Approval of Minutes dated March 5, 2025:

Motion by Renis to approve the minutes dated March 5, 2025 as presented. Seconded by Standerfer. **Motion carried.**

Correspondence: None.

Old Business

1. Public Hearing: ZO 2024-03 Shoreline Protection Strip Amendment:

Hefferan discussed the public hearing procedures and provided them to the public. Hefferan opened the public hearing. Kopriva has provided a staff report detailing the history of the amendment in the packet.

Commission members with a conflict of interest – None.

The meeting was advertised in the Elk Rapids News on March 13, 2025.

Kopriva gave a brief overview of the history of the ordinance language and why we worked to refine the language. The subcommittee met three or four times. There have been no changes to the language since it has been in the packet. This is reorganizing and clarifying language. If you do work in the protection strip, you are required to do native plantings. If you are not doing work in the protection strip, you are not required to replant.

Subcommittee Member Comments: Ford said it was a good review of the ordinance to maximize the protection of our lakes and streams. This clarification should assist with enforcement. Renis said we clarified and defined the shoreline protection strip and what is expected there.

Questions from the public for information only:

A citizen asked about the permitting process and the cost of the permits. Kopriva said the cost is outside of the planning commission and is handled by the township board. What happens when there is a violation? Kopriva said it will be followed up on. The citizen said a neighbor of his

violated the ordinance and they were fined \$150 which did not deter the behavior. Renis said there is a section regarding violations and the vegetation must be replaced.

A citizen asked if you can have 20 feet to have access to your boat and dock? If you have less than 20 feet now, can you expand it? Kopriva said yes, that is in the current ordinance as well. This is under 117.219,D,h,i "Boat Access" on page 7 of the draft.

A citizen asked what is the method once this is approved to communicate to the community and the contractors to make sure everyone is complying? Kopriva said that is up to the township board. She said in the past, they would send letters to the contractors. When the contractor pulls a permit, the township checks with the contractor to ensure compliance. It would be in the township newsletter. There are opportunities to work with the lakes organizations to get the word out.

A citizen asked if they would ever consider having a real estate agent inform the buyers upon sale? Kopriva said some agents will do this and some will not. Kopriva will review this more to see if that would be a possibility.

Written correspondence in support:

Merillat said there is a letter dated April 2, 2025 from Sharon Hill. This was given to us today. Hefferan gave an overview of the letter.

Written correspondence in opposition: None.

Those speaking in support:

Steve Kelly spoke in support and he appreciates the work being done. We are doing the right thing, but he would like to make sure we get the message out. TLPA will help. Kelly also reviewed Hill's letter and discussed including best practices. Should we put pictures in to help visually create this section of the ordinance?

A citizen said it does say native plants in here, but it would be a suggestion to include a list of native plants that should be considered.

A citizen said he came in to talk about this ordinance and he did not get a copy of the ordinance. He is all for it, but he is wondering about the background. In drafting the language for the ordinance, were the lake organizations involved in the creation of those? His other question is how much we are reinventing the wheel here? There is an organization called MTA that helps create ordinances. How much is erosion discussed?

Dwayne Meyer thanked the commission and the subcommittee for the work. The meeting was properly advertised. Not to beat a dead horse, but a communication process to let everyone know about the update to this ordinance is essential.

A citizen said he supported the work being done. ESLA does work on shoreline protection and they would be willing to help get the message out.

Those speaking in opposition: None.

Hefferan closed public comments and deliberations began.

Warner said we have had input from TLPA. As someone who was a contractor, I saw many violations over the years. The enforcement is a factor for consideration. I would like to think somehow, we can put something together to communicate that to the public that puts it in the permitting process. Kopriva said regarding the inspection process, we would have to check with Antrim County to see if they would support us in that effort. Right now, all of our enforcement is complaint based. The hard thing with the shoreline is documenting what we have and do not have. Peters explained some of the county regulations and how it works with soil erosion. Building inspections would only cover the building.

Joe Renis said it is one tree every 15 feet, rather than two, to address Hill's concern with replant density. Renis said we have pictures of clear cutting on Torch Lake. We are hoping this slows them down a bit. TLPA and ESLA are two organizations that help significantly and they did have input on it. Regarding native plants, we were going to put a section in there, but if you go to a plant store, the people will know what native plants are. We did try to make it simple. Yes, there are holes, but this is a good start.

Hefferan asked Kopriva about erosion and how that is addressed? Kopriva said that would be handled by soil erosion at the county level. Hefferan asked Kopriva when the original Shoreline Protection language first went into effect. She believes it was 2018. Merillat said if you look at the definition of the shoreline protection strip, bank stabilization is a part of this. Hefferan asked when we started reviewing this ordinance amendment. This was started last summer in August when we created a subcommittee. Kopriva had been hearing comments about the shoreline and getting comments in the office. The people were concerned that the language was not clear. Kopriva said there were concerns with enforcement and the language being unclear about what can be done and not done.

Hefferan said other waterfront organizations were involved at the subcommittee level. Hefferan asked Mr. Kelly regarding how to best communicate this to the public. He would suggest repetition and use as many outlets as possible. It should be in the paper. It should be available on the website and hard copy. Proactively reach out to the lakes organizations to help communicate this. Put a list together of the contractors and make sure they are a part of the solution and not the problem. They will also put this on TLPA social media. Hefferan said enforcement is difficult, but communication is something we can do.

A citizen said he believes in the carrot and not the stick. The county should take this up but when you look at what our township has, there is a lot. It is a great idea. Let's spread the word.

Hefferan said in regards to soil erosion, the county just took it back into the building department. He would suggest talking to soil erosion.

Motion by Renis to recommend approval of ZO 2024-03, Shoreline Protection Strip Amendment, to the township board changing references of DEQ to EGLE. This is a small

change and does not need to be reposted. Seconded by Ford. **Motion carried.**

This will go to the county and then the township board for approval, most likely in May.

New Business:

1. Fence Amendment Update:

Subcommittee Meeting April 2, 2025 at 6 pm. Kopriva presented a draft amendment. Please review and it will be discussed at next month's meeting. Renis said this language is good and we are looking for any additional input. Ford said he also likes the language after a brief read through.

2. Paid Taxes Prior to Permits Issued Amendment:

Hefferan said this was presented last month and the township board gave a clear directive that they would like us to take this up. Kopriva has provided language. This applies to real and personal property taxes. Ford asked about the due date question. Kopriva said it does not specify. Kopriva asked the commission if it should be those who are delinquent or taxes billed and not yet due. Commission members agreed that it should be taxes that are delinquent with the township. Kopriva will add that language. The goal will be to have a public hearing on this in June. It should be on the agenda next month.

Reports:

ZA Report:

Kopriva provided a report for members to review.

Township Board Report:

Renis said the monthly board meeting has been changed to the third Monday of the month at 9:00am.

ZBA Report:

Hefferan said the ZBA did not meet.

Planning Commission Updates:

None.

Future Meeting Considerations: May 7, 2025:

1. Fence amendment.
2. Paid Taxes Prior to Permit amendment.

Meeting adjourned by order of the chair at 8:01pm.

Respectfully submitted,

Joseph Merillat

FOREST HOME TOWNSHIP PLANNING COMMISSION
FOREST HOME TOWNSHIP
ANTRIM COUNTY, MICHIGAN

NOTICE OF PUBLIC HEARING REGARDING PROPOSED TEXT AMENDMENTS TO
THE FOREST HOME TOWNSHIP ZONING ORDINANCE

Pursuant to Michigan Public Act 110 of 2006 (the Michigan Zoning Enabling Act), as amended, and pursuant to Article 23 of the Forest Home Township Zoning Ordinance of 2015, as amended:

NOTICE IS HEREBY GIVEN THAT the Forest Home Township Planning Commission will conduct a public hearing on Wednesday, May 7, 2025, at 7:00 P.M. The public hearing on proposed text amendments will be held at the Forest Home Township Hall located at 321 N. Bridge St., Bellaire, Michigan.

The purpose of the public hearing is to consider a request for text amendments to the Forest Home Township Zoning Ordinance. A summary description of the request is to amend the text of the following Articles and Sections:

1. Article 5, Sections 504-A-Table: addition of Planned Unit Development (PUD) to Rural Residential (RR) Districts;
2. Article 8, Section 802: addition of PUD as a potential special use in RR Districts;
3. Article 3, Section 313 A.3.: addition of a definition of the “finished side” of a fence or wall;
4. Articles 6, 7, 8, and 9, Sections 601, 701, 801, and 901 respectively: deleting the notation from each of the Sections above that reads: Denotes uses that do not require site plans;
5. Article 22, Section 2204 D.: addition of a 30-day time limit within which to file an appeal to the ZBA;
6. Article 19, Section 1902 B.: addition of time limits for extensions of deadlines set forth in granted permits;
7. Article 3, Section 304 B.1.: amending the text by changing the word “minimum” to “stated”, to correct the typographical error;
8. Article 2, Section 200 I.: amending the text by changing the word “of” to “or”, to correct the typographical error;
9. Article 3, Section 316 C.: amending the text by changing the number “313” to “316”, to correct the typographical error;
10. Article 16, Section 1601 B.2.: amending the text by changing the word “Chapter” to “Article”, to correct the typographical error;
11. Article 5, Section 504-B, footnote 3: addition of the words “per unit” for clarification; and
12. Article 16, Section 1641: addition of “D. Reserved”.

For further details, please refer to the Petition for Zoning Text Amendments and proposed Ordinance that are on file at the Forest Home Township Hall. The proposed text amendments to Article 5, Section 504-A and Article 8, Section 802, would only apply to all properties within the Rural Residential District (RR).

Entire copies of the Forest Home Township Zoning Ordinance, Master Plan, the Petition for Zoning Text Amendments, and the proposed Ordinance are available for public inspection at the Forest Home Township Hall, 321 N. Bridge St., Bellaire, Michigan, on Mondays, Wednesdays, and Fridays, between 9:00 A.M. and noon.

Public comment may be provided during the meeting, either in person or submitted in writing at the Forest Home Township Hall located at 321 N. Bridge St., Bellaire, Michigan, by USPS 1st class mail to Forest Home Township, P. O. Box 317, Bellaire MI 49615, or by email to the Forest Home Township Zoning Administrator: sbarnard@foresthometwp.com. All comments must be received no later than close of business on the meeting day.

Anyone needing an ASL interpreter or other assistance must contact the Forest Home Township Clerk, Suzanne Mahan: suemahan@yahoo.com, at least 72 hours in advance of the meeting. Minutes of all meetings are available on the township website: foresthometwp.com.

FOREST HOME TOWNSHIP:

Suzanne C. Mahan, Township Clerk
321 N. Bridge St.
Bellaire MI 49615
(231)533-8003 Ext. 1

NOTE TO PUBLISHER:

Please post in the Antrim Review on Thursday, April 17, 2025
Please send affidavit.



April 23, 2025

Milton Township Planning Commission
PO Box 309
Kewadin, MI 49648

VIA EMAIL-clerk@miltontownshipmi.gov

Re: Proposed Master Plan

Dear Commissioners,

I write on behalf of my clients --- the owners of parcel numbers: 05-12-112-011-30, 05-12-112-012-00, 05-12-112-011-20, 05-12-112-011-10, and 05-12-112-011-00 --- in response to the proposed Future Land Use Map amendments currently under consideration as part of the Master Plan update. We appreciate the Planning Commission's thoughtful efforts to guide the community's development and preservation priorities through this process.

As we understand it, the property in question is currently zoned partly R-1 (Single-Family Residential) and partly Environmental. This split zoning reflects both the existing character of the land—portions of which are developed and portions of which remain vacant—and its physical and ecological characteristics.

Under the proposed Master Plan, however, the entire property is shown within the “Environmental” Future Land Use designation. The stated intent of this designation is “to preserve state and township forest and recreation areas, and privately held timber lands, and to prevent encroachment of residential growth.” The goals and objectives identified for this designation include:

- Preserving sensitive natural features such as wetlands, floodplains, and steep slopes;
- Minimizing development impacts on ecological resources;
- Limiting density and impervious surface coverage in ecologically sensitive areas; and
- Encouraging open space preservation, habitat conservation, and sustainable land stewardship.

We note that the adjacent land to the east, which appears to be the subject of this protective effort, is not publicly owned, but rather held by a land conservancy. Importantly, other parcels owned by the same conservancy are not designated “Environmental” in the Future Land Use Map.

While my clients support the goals underlying this designation—and indeed, their current use and stewardship of the property already reflect those values—they are concerned that designating the entire parcel as “Environmental” could lead to unintended consequences. Chief among these is the risk of a future rezoning effort that, by relying on consistency with the Master Plan, could seek to rezone the entire property to the Environmental district with amended land uses to conform to the

KUHN ROGERS PLC

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Master Plan. This would effectively strip away the development rights currently afforded to the western portion of the parcel under the R-1 zoning, all under the guise of “preventing encroachment of residential growth.”

This possibility raises a significant concern that the proposed blanket designation could serve as a basis for a de facto downzoning—severely limiting our clients’ ability to reasonably use and develop the property in accordance with existing zoning. Such an outcome would not reflect the current split use and character of the property, nor would it fairly balance environmental goals with property rights.

Accordingly, we respectfully request that the Master Plan retain the existing, more nuanced recognition of the parcel—identifying the westerly portion as appropriate for Low-Density Residential (R-1) and the easterly portion as Environmental. This approach reflects current zoning, aligns with the physical and ecological characteristics of the land, and achieves the goals of the Master Plan without unnecessarily sacrificing reasonable use of private property.

If the Planning Commission is unwilling to revise the Future Land Use Map as requested, we ask that an express assurance be placed on the record confirming that the concerns identified above will not materialize. Specifically, that the proposed designation will not be used as a basis for future rezoning efforts that would eliminate reasonable residential development rights currently recognized under the existing R-1 zoning.

We appreciate your time and consideration and remain open to further dialogue as the planning process continues.

Sincerely,

KUHN ROGERS PLC



Marc S. McKellar II
msm@kuhnrogers.com

Date: 04.02.2025

From: Sara Kopriva, AICP
To: Milton Township Planning Commission

Project: ZO 2025-01 Fence Amendment

The fence committee met 2 times since the last PC meeting to discuss language for a zoning ordinance amendment.

i
initiative

Below is the proposed language:

Amend Section 117.206 to add:

Fence: A structure or barrier, constructed of wood, metal or other durable parts, rails, boards, wire mesh, etc., and used to mark a boundary or to define and enclose a specific area for the purpose of protection, privacy or confinement. Railings, along or adjacent to front stoops, porches, steps, landings, culverts, or bridges, shall not be considered as fences under this definition.

Amend Section 117.326 to add:

Section 117.326 Fences

Fences located in all districts, except for Agricultural (A), shall comply with the following regulations:

- a. Location. Fences shall not be located outside or beyond the property or lot lines of the lot upon which said improvement shall be placed. Fences shall not be located within the shoreline protection strip or below the ordinary high water mark.
- b. Height. Fences shall not exceed eight (8) feet in height along the front, side, and rear property lines. Within fifty (50) feet of the shoreline, fences shall not exceed (4) feet in height.
- c. Waterfront Fences. Within fifty (50) feet of the shoreline, no solid fences shall be allowed. Fences shall possess forty (40%) percent or more opacity within the waterfront setback.

Beckett & Raeder, Inc.
535 West William
Suite 101
Ann Arbor, MI 48103

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734.663.6759 fx

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113 Howard Street
Petoskey, MI 49770

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148 East Front Street
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Grand Rapids Office
5211 Cascade Road SE
Suite 300
Grand Rapids, MI 49546

616.585.1295 ph

- d. Materials. Fences shall be made of safe, durable materials. Fences shall not be made of or include barbed wire, razor wire, electrified materials, or any other dangerous material except for when used for keeping of animals or agricultural products or when such material is allowed in the commercial or industrial districts upon approval by the Planning Commission. The use of pallets, slab wood, plastic, or other material not intended for fencing shall be prohibited.
- e. Maintenance. All fences and walls shall be maintained in good condition so as not to create a hazard, public nuisance, or blight in the surrounding neighborhood. Missing fence pieces, leaning or fallen portions of a fence , or other forms of deterioration shall be immediately repaired or replaced.
- f. Permit. No permit shall be required for the installation of a fence.

*(i)
initiative*

Date: 5.1.2025
From: Sara Kopriva, AICP
To: Milton Township Planning Commission
Project: Taxes Paid Before Permit Amendment



Below is proposed language for this amendment. **Highlighted** language was added since the April meeting. If it is satisfactory, a public hearing is the next step in the process.

XX TAXES & OTHER MONIES OWED

When the Township receives an application for any new or amended zoning permit, site plan review, special use permit, any other application, or any request for a permit or approval required by this Ordinance, the applicant shall be required to present a signed statement from the Township Treasurer that all real and personal property taxes, fees, penalties, fines, assessments, general assessments, and other monies owed are current and paid up to date, **if the due date has passed. This includes current year and any previous 5 years.** The Township Treasurer's signed statement shall cover the accounts of all named applicants and all properties upon which the application or request is made. The Township shall take no action on any application or request until the applicant or requesting party acquires the Township Treasurer's signed statement that all of the above monies owed are current and paid up to date. The Township shall make no final decision on any application or request if any of the above monies owed become delinquent or remain unpaid during consideration.

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