

Milton Township
Planning Commission
Unapproved Meeting Minutes
December 3, 2025

Members present: Vice Chairman Ford, Renis, Peters, Warner, Merillat.

Also present: Kopriva and four audience members.

Members absent: Hefferan, excused; Standerfer, excused.

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

Public Comment:

Tony Martina requested answers to his two questions from last month which were how is it decided when a special use application is complete and ready for a public hearing, and why the zoning office states that the 5 acres applies to the size of the development and not the size of the lot. At some point he would like public answers to those questions. Renis suggested it be put on the agenda for next month. Kopriva replied that the reason it was scheduled for a public hearing was because the application was substantially complete. The planning commission determined that five acres was required for the whole parcel not just the development. Martina clarified that he wants to know what the standard is for an application going to a public hearing to avoid wasting everyone's time. He does not believe the application was close to complete. Kopriva respectfully disagreed and found the hearing constructive and beneficial. The ordinance, as written, requires a meeting. There is no opportunity to have an introductory meeting for discussion.

Approval of Agenda:

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

Approval of Minutes dated November 5, 2025:

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

Correspondence: None.

Old Business:

ZOA 2025-06 Vacation Rentals: Kopriva reviewed the changes. The revisions are to make the zoning ordinance consistent with the Vacation Rental ordinance. Ford asked about some of the revisions. Kopriva said 117.317D covers a possible loophole in the current ordinance and 117.212 adds the definition for Vacation Rental identical to the Vacation Rental ordinance. Ford asked about 117.317B signs.

Motion by Renis to schedule a public hearing for ZO-2025-06. Seconded by Warner. **Motion carried.**

New Business:

a) Public Hearing: ZOA 2025-05 Wells Rezoning from A to AR:

A zoning request to rezone parcel 05-12-101-020-00, 37.71 acres, from A to AR.

Ford discussed the public hearing procedures. No conflicts of interest declared. It was advertised in the Elk Rapids News November 13, 2025 and notices were sent November 10, 2025. Dan Wells gave a presentation. The purpose is so they have future uses more compatible with the AR zone. The parcel is not farmed and is not compatible with the definition of the A zone. The property is a better fit with the AR definition. The master plan indicates the current use is residential, but the future land use map indicates A. The current zone is not the way this land is going to be used in the future. The permitted uses are almost the same. The change would allow for homes for family. No intentions to do anything in the near future. Kelly Wells indicated they are not sure of the details of any future plans and they are not requesting any special use at this time. Any residential development would have to separately come before the planning commission. They want to preserve as much of the natural features as possible. Dan indicated it is not in conflict with the surrounding properties.

Questions for information from the public: None.

Kopriva stated that the staff report should have included the rezoning standards outlined in 117.2501. She reminded the commission that the rezoning runs with the property not the owner. The future land use map has that parcel as A so the commission will need to discuss that and decide if other parts of the master plan support a rezone. The minimum lot size would change from 2 acres to 1 acre. The number of standard land division splits allowed would not change.

Ford asked what kind of precedence does this set? Kopriva said it would depend on the reasons the commission cites for the rezone. Ford and Kopriva reviewed the differences between the uses in both zones.

Warner discussed land splits. The parcel in question has 6 splits available.

Renis discussed the differences between the uses in each zone.

Ford asked about the property to the west. 2 acres except one parcel. To the north is AR zone in both the ordinance and the future land use map.

Written Correspondence in support: None.

Written correspondence against: None.

Those speaking in support: None.

Those speaking against: None.

Renis asked about how much of the property is on a hill. Flat on the top to the west. About half. Ford discussed the change from 2 acre to 1 acre parcel size.

Warner said the location is near the village and a good location for allowing houses.

Merillat asked what could be done in AR and cannot be done in A and asked for clarification for the reasoning for the request except for the increased density. Wells answered probably a subdivision. Merillat said subdivisions are not allowed in the A zone only a PRD. Merillat asked how many acres are currently zoned AR to the north. Estimated 80+. So this would increase the AR zone by 1/3 near the village of Torch River.

Renis said it would not change the character of agriculture in the area. He discussed the uses on the surrounding properties. He does not believe it is inconsistent with future land uses.

Peters indicated that AR surrounds the village of Kewadin. It would be a natural progression for the village of Torch River.

Merillat asked what the maximum buildout on the property would be with a bonus for high density. Probably in the high 30's and they could be duplexes. It is much more than the A zone. Subdivisions are not allowed on any parcel greater than 5 acres, so standard land division is the only option on Ag parcels greater than 5 acres.

Ford closed the public hearing and began deliberations.

Kopriva said the biggest issue would be to justify going against the future land use map. If the master plan does not reflect a change in zoning, then the master plan should be updated, but if there is enough justification in the current plan then it would not be necessary.

Warner reasoned that the property will not be farmed, it is close to the village, it is a good location for housing, the township needs more housing and it is in an area that is residential.

Renis said it is difficult to predict the future in the future land use map. This is consistent with the surrounding properties and the existing uses.

Peters said the village of Kewadin is surrounded by AR and this seems like a natural progression for development. It will not be farmed.

Kopriva said the commission should justify their reasoning so that when the township board review this they will be able to see why the decision was made.

Merillat said the master plan should be amended before any rezone. A 37 acre parcel seems to be a very large parcel to rezone to AR.

Kopriva said the ordinance does not allow for conditional zoning.

Discussion revolved around the number of lots allowed under a site condominium and PRD vs standard land division. PRDs allow for a bonus density for leaving open space. PRDs are no longer allowed in A on greater than 5 acres.

Renis read from page 28 of the master plan under Low-Density Rural Residential... "to accomplish the community's vision to preserve 'rural characteristics' and to protect existing natural features, residential development should be allowed but not encouraged. The densities in this land use should remain lower than in areas of the Township with greater road and public utility accessibility. These areas should permit a narrow range of single-family residential uses on large lots." AR would not be inconsistent with the surrounding uses. This would give people an opportunity to purchase a 1 acre lot instead of 2 acres.

Merillat said without the recent change in the PRD rules they would have been able to provide housing on small lots in the existing A zone, but it would have been half what is allowed in the AR zone. This is too high an allowable density for this parcel. The township has plenty of AR zone available. There is no need for more. This is 1/3 more in that area. They currently have the opportunity to do a 5 arce PRD for increased density.

Warner said this is close enough to the village that allowing 1 acres lots is appropriate and this is a proper location for future growth.

The commission reviewed 117.25C:

1. Whether the proposed change is in accordance with the Township's Master Plan.
Four commissioners said No, one undecided.
2. Whether the proposed change is a reasonable alternative to the Master Plan because it will promote land use policies of the Master Plan and will not conflict with present policies.
Five commissioners said Yes.
3. Although representing a change in the Master Plan for Future Land Use, whether the proposed district:
 - a . would be compatible with existing or future uses in the area.
Five commissioners said Yes.
 - b . would not have a negative impact on the policies of the Master Plan.
Three commissioners said Yes, one said No, one undecided.
 - c. would further the objectives, goals or policies of the Master Plan.
Four commissioners said Yes, one No.
 - d. would preserve an existing, unique natural area.
Was determined to be non-applicable because there are no unique natural areas on the property.

Discussion around the rezone being a reasonable alternative to the future land use map.

Motion by Warner to recommend to approve the rezoning of 05-12-101-020-00 by the criteria of section 117.2501 in its rezoning from A to AR. Seconded by Renis.

Motion withdrawn by Warner. Agreed by Renis.

Motion by Warner to recommend the approval of the rezoning of 05-12-101-020-00 from A to AR based on the criteria in 117.2501. Seconded by Renis.

Roll Call:

Warner: Yes, because of the location and it is not active farmland.

Merillat: No, it is not supported by the master plan and the density is too high.

Renis: Yes, it is a reasonable alternative to the master plan. It promotes the growth policies of the master plan.

Peters: Yes, it is a reasonable alternative to the master plan. It will be compatible with existing and future uses in the area.

Ford: No, It is not supported by the master plan and I am concerned with the increased density.

Motion carried; 3 Yes – 2 No.

b) Planning Commission 2026 Meeting Schedule:

It is proposed the Planning Commission meet on the first Wednesday of each month at 7:00pm for the calendar year 2026. Jan 7 | Feb 4 | Mar 4 | Apr 1 | May 6 | Jun 3 | Jul 1 | Aug 5 | Sep 2 | Oct 7 | Nov 4 | Dec 2.

Motion by Ford to adopt the 2026 regular meeting schedule on the first Wednesday of each month at 7:00pm. Seconded by Merillat. **Motion Carried**

Reports:

ZA Report:

Kopriva provided a report for members to review. There is a moratorium on vacation rental licenses. We may need to look at the definition of Migrant Worker' Facility 117.213. It will be put on the agenda for next month.

Township Board Report:

Renis said there does not seem to be enough time to evaluate a special land use request. He felt blindsided by the recent Dowker special use public hearing. Kopriva said we can amend 1171601,C. This will be added to the agenda. Peters asked if there should be cutoff for written correspondence. The bylaws may need to be amended to state no written correspondence will be considered after the close of the public hearing. Kopriva will come up with language for next month's annual review of the bylaws. Renis said the board revised the Vacation Rental ordinance, and the revised shoreline protection strip is now effective. Fence ordinance was turned down. The township is looking to hire a code enforcement officer to enforce the Vacation Rental ordinance.

ZBA Report:

The ZBA did not meet.

Planning Commission Updates: None.

Duane Meyer inquired if the public hearing on the ordinance amendments for Vacation Rentals would delay the enactment or endorsement of the ordinance. Kopriva said this will not delay implementation.

Future Meeting Considerations:

Next meeting is January 7, 2025.

Public hearing on zoning ordinance amendment re: Vacation Rentals 117.317 and 117.222.
Migrant Worker' Facility 117.213 discussion.
Bylaw amendment on special use procedures.
Review bylaws.
Election of officers.

Ford adjourned the meeting at 9:00pm.

Respectfully submitted,

Joseph Merillat