

Milton Township
7023 Cherry Ave., Kewadin, MI 49648
Planning Commission
Unapproved Regular Meeting Minutes
February 4, 2026

1. Call to Order: Chairman Warner, Renis, Peters, Hefferan and Merillat.

Members absent: Ford, excused.

Also present: Jen Carns and 13 audience members.

2. Public Comment:

Tony Martina spoke about the proposed zoning amendment and he is glad to hear things are being clarified. He said he would like to see this denied. The applicant was here in 2024 advocating that you accept the provision and you adopted it. The applicant purchased his lot after this was adopted. He caused the issue. If you approve this, it would be considered a taking for neighboring property owners.

A citizen said Dowker purchased this lot and if you accept this amendment, it would create a hardship for her family.

Anne Shovan owns property a mile away from Dowker's development area. She has lived by the townships rules for development. She is against the development because of where it is located. This is a transition that the committee has to deal with, but I am asking that this be done with understanding rather than this as an opportunity. I am concerned about the exceptions and special considerations and what could be built on it. With these adjustments the area will be filled in with other developments. I am concerned with the rest of the property on that farmland. We should have more of a community involvement in discussing that. Where would we like to have housing that could accommodate lower priced housing. I do not think this development goes in this area well.

Tim Steffen said he has lived here his whole life. His concern is everyone says we need housing but not in their back yard. How do you move forward and no one is giving suggestions as to where to build new homes. Guidelines were given and those are being followed. People are saying it is piecemealed and I do not think that is fair. How much property can you own? Can someone own 100 and develop five? There is plenty of developments that fall into current regulations set. The property development was always going to sit on five acres. The extra acre is just green space. Why is this a problem? I want people to think outside of the box. If we continue with this rhetoric, my kids will not have a place to live. When people retire who will run this place if no younger people can afford to live here.

Lindsay Rebhan said Dowker's property is near hers. The reality here is there is no understanding to keep it as affordable housing. It is only affordable housing if you can afford it. There is no regulation on what they will go for or who can purchase them. How is this affordable? It does not matter how big the house is, the value is what someone will pay for it. Affordable housing is a good idea, but there is no way to control that.

3. Approval of Agenda:

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

4. Approval of Minutes dated January 7, 2026:

Motion by Hefferan to approve the minutes dated January 7, 2026 as presented. Seconded by Renis. **Motion carried.**

5. Correspondence:

Some letters were received regarding the proposed amendment and one regarding the Sketch Plan reviewed last month, but commission members have not had an opportunity to review. They will be attached to the minutes as a matter of record.

6. Old Business: None.

7. New Business:

A. Public Hearing: SUP 2026-01: Smith Motel:

Parcel 05-12-006-046-00. This property was previously a motel. The applicant wishes to change this from elderly assisted living back to a motel. Staff report dated January 28, 2026.

The applicant said since she submitted the application the well and septic were approved by the health department. That paperwork will be submitted.

This public hearing was published in the Elk Rapids News January. 8, 2026 and the 300 ft notices went out January 9, 2026.

No commission members recused themselves.

Questions for informational purposes: None.

Public Comment: None.

Commission deliberations:

Motion by Hefferan to approve the application by South Torch Assisted Living, LLC – Ashley Smith, pertaining to parcel 05-12-006-046-00 to change the use from an Adult Foster Care Home to a Motel with 15 units, as depicted on the plans submitted, because the applicable standards of the Milton Township Zoning Ordinance have been met. Seconded by Renis.

Roll Call:

Merillat: Yes, based on the staff report. | Hefferan: Yes, as this was previously a motel.

Renis: Yes. | Peters: Yes. | Warner: Yes.

Motion carried 5-0.

B. Public Hearing: SUP 2026-03: Hendrickson Bed & Breakfast.

Parcel 05-12-536-003-00. The applicant had no presentation. Staff report dated January 28, 2026.

Correspondence: One letter in support from Steve Voisin, who owns a neighboring property.

This public hearing was published in the Elk Rapids News January. 8, 2026 and the 300 ft notices went out January 9, 2026.

No commission members recused themselves.

Questions for informational purposes: None.

Public Comment:

Glenn Paradis supported the application. They have been very good neighbors.

Commission deliberations:

Merillat asked regarding the layout of the house and asked where the owner is living. They have upstairs bedrooms that they live in.

Motion by Hefferan to approve the application by Scott Hendrickson, pertaining to parcel 05-12-536-003-00 for a Bed and Breakfast with one room for rent and up to two guests, as depicted on the plans submitted, because the applicable standards of the Milton Township Zoning Ordinance have been met. Seconded by Warner.

Roll Call:

Merillat: Yes, based on the staff report.

Hefferan: Yes, it meets the ordinance.

Renis: Yes, based on the staff report and that it meets the ordinance.

Peters: Yes.

Warner: Yes based on the staff report.

Motion carried 5-0.

C. Intro ZOA 2026-01 117.1616 PRD request by T. Dowker:

Jen Cram gave an overview and said Dowker has submitted a request to amend the zoning ordinance (117.1616). All amendments have to follow the same process. There must be one public hearing where the commission reviews public comment and then, in Milton Township, the planning commission makes their recommendation. Then it goes to Antrim County for review and then it goes to back to Milton Township board for approval or denial. The important thing is that before making final approval, the commission takes public comment. When 117.1616 was amended to allow AG property to be developed, there was a subcommittee that worked on it. It went to a public hearing and was approved.

Dowker is requesting a change to that ordinance. The existing ordinance is worded such that the lot must be a min of 2 and a max of 5 acres. The intent was not to limit the lot size, but to limit the development. He would like to clarify that language so that the development is limited to 5 acres, but the development could be on any size parcel. They would have to keep half in open space as well as any overage of the five acres.

It is good to not limit the lot to five acres, where the siting of the development can take into consideration where there are good ag lands or wetlands. It allows for more buffers. This amendment would benefit anyone who is adjacent to the development because there could be more open space.

Anyone can apply for a PRD, but there cannot be another development within 1,000 feet. This was put into place when the ordinance was approved. When you look at the big picture, we all know that farmers are struggling to keep their land in active production. There is not a cost benefit to stay in farming. Allowing farmers to carve off a five acre parcel to keep the rest of the acres in farmland and create more affordable housing is the idea.

There is nothing in the ordinance that requires affordable housing. Anyone could apply for a PDR if they meet the requirements. Based on the amendment as proposed, it is consistent with the goals of the master plan.

Hefferan asked if the current language is in fact limited to five acres because there was previous discussion on that? Yes. The development limit is five acres. Carns said that this language is proposed to clarify the interpretation that only the development was limited to five acres.

Renis asked if there is a proposal on the table? Carns said Dowker's original PRD application is currently on hold because there is an issue that the lot size is limited to five acres, rather than the development. The options for him to move the application forward is to sell an acre or he can request an amendment to the ordinance.

Renis said we do not have a definition of a development? Carns said that is a good question and should be addressed alongside this issue. Renis and Carns discussed the limitations of the PRD.

The base density is based on the underlying zoning, the ordinance, right now, allows a density up to 20 units on five acres.

Warner said the language written said it was five acres. This is section 117.1616 B 17 and density shall be no greater than four units per acre. The plan on the table is proposing 16 units on five acres.

Renis said the underlying density is 2 acres to build a building. It is double that, two buildings on two acres.

Hefferan said he is hung up on the discussion in September. If you get more room, everything has to fit in five acres because that is the lot. If you have 100 acres, why are you building on five? The existing parcel is 6 acres. Carns said Tad was told by the commission that he could not move forward with a six acre lot; it had to be five acres or less. Dowker wants to offer more space as a buffer to this development.

Warner said we are discussing a 2-5 acre development, are we saying only five can be developed? If a property owner has 100 acres, he has to cave out 5 acres? Hefferan said everything should be based on the ordinance 117.212, a lot is individually recorded. Is this 5 acres individually recorded? Carns said no, he would like to develop five of the six acres. Warner said at this time, we would have to deny this.

Renis said this still has to go to a public hearing. Renis asked what is the difference between a lot and a development? Peters said the development is the action.

Merillat said we have the language Dowker wants changed. We are still going to limit it to 1,000 feet between PRDs. If we do not limit it to five acres, we can have these anywhere. Peters said that was the original intent. We were given a map that showed parcels that were 2-5 acres in size.

Merillat said the staff finds it consistent with the master plan, but he finds it inconsistent with the master plan. Merillat said on page 52/53 is where we point out where we wanted further development. We should be looking at residential and commercial development along Birch Lake and Indian Road and Cairn Hwy. If you go to the survey, on page 56, only 22% said yes to higher density anywhere, the rest said no. If density were increased to support AG a few more people agreed. These developments can be described as a pocket neighborhood, on page 58 only 15% said this should be allowed anywhere, if you approve this language, it would be anywhere in the AG zone. Page 64, during the open house, maintaining large lots in the AG zone was considered important. Page 70 one of our goals was to preserve agriculture in the township. Migrant housing is already allowed in 117.1005 so this is not an issue. This amendment in the AG zone does not fit with the master plan. In 117.1616, it says the provisions of this Section are intended to result in land development substantially consistent with the underlying zoning. There is a claim that the intent of PRDs was to create affordable housing. Not so, they were created to replace PUDs. It has been in our ordinance since 2012.

Warner said in the Village zone, where is there five acres to put something like this? The space that is available. Is there five acres? Merillat said if there is not suitable space, we could expand the Village.

Hefferan said he would encourage the zoning office to review the minutes and the intent and accurately reflect what we wanted. Hefferan said we worked on this for a year. This was a methodical process. We came up with 2-5 acres. That was the original intent in order to keep these PRDs from completely taking over all farmland in the township. Hefferan said Chapter 25 of the ordinance allows people to come to us with a problem. We met on this for a year and hammered this out. Hefferan said he wants to state that a person is allowed to come to us and ask us to examine something. That is us being responsive to our community. Warner said we are working with a request.

Carns said the planning commission wanted to consider doing introductions prior to a public hearing. We can look at getting additional information or we can move forward as is. As it stands, someone could come in and apply if they have 2-5 acres, on that five acres, they could have up to 20 units. From a planning perspective to preserve agriculture, allowing someone to carve off that allows the remaining acreage to stay in ag production. As far as being consistent, the PRD supports the master plan in allowing that flexibility.

Renis asked if the additional land counts toward the 1,000 feet? Possibly.

Hefferan said we used to have subcommittees for topics. Now we let the zoning department sort it out. Is there a benefit to having a subcommittee look at this application to amend the ordinance before we get to a public hearing. There is an application filed. Peters and Merillat said it is not in our best interest. These subcommittees are public meetings, but that would create another level of meetings.

Carns said she understands that perhaps it is something to talk about to have all of the well and septic on site and within the 2-5 acres. Five acres has to have the 50% open space. I hear Mr. Merillat in that when you were trying to limit where these are, you're looking at the five acre threshold. Someone could carve off five acres for a PRD. The issue with the application on hold is that the lot is six acres and it was to have 16 units on five acres and it had the 50% open space and an extra acre and a deed restriction applied to all of it. The request before you is to change the language. Carns asked, is not the current language encouraging people to do more splits?

Warner said two acre splits are allowed and when housing gets dense enough those will get sold off and developed. Then you have more wells and more septic.

Motion by Renis to send ZOA-2026-01 to a public hearing. Seconded by Peters. **Motion carried.**

Carns will work to schedule the public hearing for the March meeting.

D. Migrant Workers Facility Discussion:

Hefferan said regarding the proposed language; the memo said we discussed this at our January 7th meeting and he has no recollection of ever discussing this. Renis said he does not believe this was discussed. Carns said the ordinance has several terms; migrant workers housing and ag labor housing. The state does license migrant workers housing if there is more than five. Less than that, they must meet zoning requirements. The existing zoning requirements in 117.505B. The term migrant worker facility is an allowed use in AG and AG Res and the specifics are included in AG but not AR. There is another term that allows any structure to be used for ag labor housing. Merillat said he thought the intent was to change the definition? Warner asked regarding the state regulations. Carns said she will have to review this further and will come back with more information.

E. Introduction prior to public hearing discussion:

Carns said it was shared with her that the commission felt that based on Dowker's application going to a public hearing in September that application had not been properly vetted by the commission. The language drafted allows an introduction. Most communities have an introduction and the planning commission tells staff when they are ready for a public hearing.

Motion by Merillat to bring ZOA 2026-02, 117.1601 dated January 28, 2026 to a public hearing. Seconded by Hefferan. **Motion carried.**

8. Reports:

A) Zoning Administration Office Report:

Provided in the packet. The zoning department is working to review and approve the short term rental applications.

B) Township Board Report:

Renis said we are coming up on the budget hearing in March.

C) ZBA Report: No meeting.

D) Planning Commission Updates: Jim Standerfer resigned from the commission due to other commitments. The board is working on filling that seat.

9. Future Meeting Considerations: March 4, 2026.

Public hearing on ZOA 2026-01 – 117.1616 PRD request by Tad.

Public hearing on ZOA 2026-02 – 117.1601 Special Land Use Procedures.

Migrant Workers' Facility discussion.

10. Adjourn:

Meeting adjourned by order of the chair at 8:44 pm.

Respectfully submitted,

Joseph Merillat