

Millington Township Planning Commission
Monday, October 7, 2019 at 6:00 P.M.
8553 State Street in Millington, Michigan 48746

Regular Board Meeting Minutes

The Regular Board Meeting of the Millington Township Planning Commission was held on the above date.

Meeting Called to Order at 6:00 P.M. by Chairman Zavitz.

Members Present: Alvin Zavitz, Chairman; Terry Burns, Vice Chairman; Jennifer Koch, Secretary; Robert Worth; and Ed Maschke.

Members Absent: N/A.

Terry Jones, Millington Township Zoning Administer Present: Yes (exited at 8:00 P.M.).

Guests: There were 4 guests in the audience.

REVIEW/APPROVAL OF MINUTES:

- Reviewed Minutes of the Monday, September 9, 2019 Regular Board Meeting Minutes. Worth motioned to approve the Regular Board Meeting Minutes. Seconded by Burns. Motion Carried.

NEW BUSINESS:

- Discussion of (Bill and) Priscilla Lake renting a space for a Child Care Center owned by Todd & Jennifer Hahn in a Commercial building located at 10435 State Road in Millington, Michigan; Parcel # 017-033-000-4000-09.
- Discussion of possibly a person needing a Special Land Use Permit to build a house that is currently in the Commercial Zoned District (along M-15 from the Village of Millington to Willard Road in Millington, Michigan).
- Discussion of Policy for Public Comments at Meetings from Laura Genovich from Foster Swift Collins & Smith PC; tabled until Worth receives the finalized document from Sheila Hebner to give to Koch.
- Millington Township Zoning Administrator Report was presented by Jones.

OLD BUSINESS:

- Continued discussion of updating the Millington Township Zoning Ordinance.
 - Discussion of thoughts regarding deficiencies, limitations, inconsistencies, etc. found within the Millington Township Zoning Ordinance, Ordinance No. 100, Draft Zoning Ordinance Amendments prepared by Wade Trim Associates, Inc. on October 4, 2019 which may need to be addressed per Adam Young's email dated October 4, 2019 (based upon the latest draft of August 29, 2019):
 - Koch motioned to accept Adam's changes that Adam deleted the former Section 14.24 (Keeping of Animals) and instead moved that language to two different sections: within in Section 5.01 (Principal Uses Permitted within the AR District); and, within Section 6.01 (Principal Uses Permitted within the R-1 District); (see pages 4, 14-15, and 49-50). Seconded by Burn. Chairman Zavitz called for a roll call vote: Burns – Approved; Maschke – Approved; Worth – Approved; Koch – Approved; and Zavitz – Approved. Motion Carried.
 - Koch motioned to accept Adam's changes that within Article 11 (Industrial District), the use "schools, churches, and publicly-owned buildings or facilities" is now a principal permitted use where it previously was proposed as a Special Land Use; (see page 22). Seconded by Worth. Chairman Zavitz called for a roll call vote: Burns – Approved; Maschke – Approved; Worth – Approved; Koch – Approved; and Zavitz – Approved. Motion Carried.
 - Zavitz motioned to accept Adam's acceptance of the proposed new language pertaining to on-site wind energy conversion systems (proposed Section 14.25), that Adam deleted the references to wind generation towers/windmills found within the existing Section 14.12; also noting these deletions within Section 14.12; (see pages 33-36). Seconded by Maschke. Chairman Zavitz called for a roll call vote: Burns – Approved; Maschke – Approved; Worth – Approved; Koch – Approved; and Zavitz – Approved. Motion Carried.
 - Worth motioned to accept Adam's revised Section 15.03 (B) pertaining to non-conforming structures that are damaged by fire, explosion, or other uncontrollable cause; the previous language did not allow a non-conforming structure to be rebuilt if it was destroyed to an extent of more than 75% of its value; the revised language would allow for a non-conforming structure to be completely repaired or rebuilt without limitations; (see pages 53-54). Seconded by Maschke. Chairman Zavitz called for a roll call vote: Burns – Approved; Maschke – Approved; Worth – Approved; Koch – Approved; and Zavitz – Approved. Motion Carried.
 - Worth read the Millington Township Private Road Ordinance Number 10-2 and Section 1 (C). Maschke reviewed then provided Koch the Roscommon Township Zoning Ordinance #75 (Revised March 2019) Article IV (D and H) & Village of Millington Zoning Ordinance

01/29/02 Table 3-3 Schedule of Regulations documents. Worth motioned Section 12.02 Table of the Area, Setback, and Height Requirements chart (see page 23) the following changes for LR Zoning District: Minimum Lot Area of 12,000 square feet, Minimum Lot Width of 80 feet, Minimum Front Yard Setback of 10 feet, Minimum Side Yard Setback of 3 feet (least side)/10 (total both sides), Minimum Rear Yard Setback of 10 feet, Minimum Floor Area Per Dwelling of 1,100 square feet, and Maximum Building Height of 35 feet. Seconded by Maschke. Chairman Zavitz called for a roll call vote: Burns – Approved; Maschke – Approved; Worth – Approved; Koch – Approved; and Zavitz – Approved. Motion Carried.

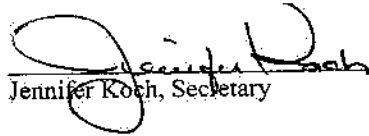
- Maschke motioned to deny Adam's offer on our behalf of add the language that would establish basic noise standards that would need to be met through the entire Township; these are often called "performance standards"; performance standards typically address potential nuisances such as noise, smoke, vibration, dust, air contaminants, and flammable materials. Seconded by Burn. Chairman Zavitz called for a roll call vote: Burns – Approved; Maschke – Approved; Worth – Approved; Koch – Approved; and Zavitz – Approved. Motion Carried.
- Zavitz's motioned not to add regulations within our Zoning Ordinance for regulating short-term rentals, especially given the fact that the State legislature has several pending bills that will impact whether local municipalities can regulate short-term rentals. Seconded by Maschke. Chairman Zavitz called for a roll call vote: Burns – Approved; Maschke – Approved; Worth – Approved; Koch – Approved; and Zavitz – Approved. Motion Carried.
- Worth motioned to leave alone regulating Small Cell/DAS wireless facilities given the State's "METRO" Act; these regulations are typically not found within the Zoning Ordinance, which regulates private property.; small cell/DAS ordinances are intended to allow such facilities within the public rights-of-ways; as Tuscola County has jurisdiction over County roads and rights-of-way, Adam suspects that they already have an Ordinance and/or policy in place regarding small cell/DAS wireless facilities. Seconded by Maschke. Chairman Zavitz called for a roll call vote: Burns – Approved; Maschke – Approved; Worth – Approved; Koch – Approved; and Zavitz – Approved. Motion Carried.
- Discussion of thoughts regarding deficiencies, limitations, inconsistencies, etc. found within the Millington Township Zoning Ordinance, Ordinance No. 100, Draft Zoning Ordinance Amendments prepared by Wade Trim Associates, Inc. on October 4, 2019 which may need to be addressed:
 - Planning Commission reviewed an email from Laura Genovich dated for September 30, 2019. Koch motioned in Article 11 Industrial District Section 11.02 Special Land Uses (see page 22) to make the following changes:
 - F. Asphalt plants, which include any facilities that produce or manufacture asphalt, macadam, or other forms of coated roadstone.
 - G. Facilities that process, compound, recycle, assemble, or treat any materials brought onto the subject property from a third party or from another property. Materials covered by this subsection include, but are not limited to, asphalt, concrete, stone, rock, sheet metal, textiles, wood, sand, and dirt.
 - H. Other uses not listed herein which are determined by the Planning Commission to be of the same general character as and compatible with the above permitted uses.
 Seconded by Maschke. Chairman Zavitz called for a roll call vote: Burns – Approved; Maschke – Approved; Worth – Disapproved; Koch – Approved; and Zavitz – Approved. Motion Carried.
 - Planning Commission reviewed an email from Laura Genovich dated for September 10, 2019 in regards to the 2019 GAAMPs for farm markets.
 - Koch motioned in Article 14 General Provisions Section 14.06 (I) On-Site Signs (see page 31) to make the following changes to:
 - 2. Principal on-site signs shall not exceed one hundred (100) square feet in sign area.
 - 4. Secondary on-site signs shall not exceed forty (40) square foot in sign area.
 Seconded by Zavitz. Chairman Zavitz called for a roll call vote: Burns – Approved; Maschke – Approved; Worth – Approved; Koch – Approved; and Zavitz – Approved. Motion Carried.
 - Zavitz motioned in Article 10 Commercial District in Section 10.01 of Principal Uses Permitted to make the following change to:
 - H. State licensed Family and Group Child Care Homes, Child Care Centers, Schools, Churches, and publicly-owned buildings or facilities;
 and in Article 11 Industrial District in Section 11.01 Principal Uses Permitted to make the following changes to:
 - G. State licensed Family and Group Child Care Homes, Child Care Centers, Schools, Churches, and publicly-owned buildings or facilities.
 Seconded by Burns. Chairman Zavitz called for a roll call vote: Burns – Approved; Maschke – Approved; Worth – Approved; Koch – Approved; and Zavitz – Approved. Motion Carried.

- Worth motioned in Article 10 Commercial District in Section 10.01 Principal Uses Permitted to add (K) residential housing. Seconded by Maschke. Chairman Zavitz called for a roll call vote: Burns – Approved; Maschke – Approved; Worth – Approved; Koch – Approved; and Zavitz – Approved, Motion Carried.
- Koch will contact Adam Young and request to have the previously listed changes revised within the Millington Township Zoning Ordinance, Ordinance No. 100, Draft Zoning Ordinance Amendments prepared by Wade Trim Associates, Inc. on October 4, 2019 by Friday, October 25, 2019 for the Planning Commission to review prior to their next tentative Special Board Meeting on Monday, October 28, 2019 at 6:00 P.M. with the possibility of having Adam present if needed via phone.

PUBLIC COMMENT(S): None.

The next tentative Special Board Meeting will be Monday, October 28, 2019 at 6:00 P.M. Zavitz moved to adjourn. Seconded by Worth. Meeting adjourned by Chairman Zavitz at 9:11 P.M.

ATTACHMENT(S): None


Jennifer Koch, Secretary


Alvin Zavitz, Chairman