

Millington Township Regular Planning Commission Meeting
and Special Land Use Public Hearing

November 11, 2024

Meeting was called to order by Chairman Zavitz at 6:00PM. Roll call vote showed commission members M. Opperman, E. Maschke, L. Jaruzel, D. Pletcher, Zoning Administrator T. Daenzer and 17 guests present.

The agenda was approved as written. Motion by Maschke, seconded by Opperman to approve the minutes from the Oct. 14, 2024 meeting as written with the addition of “for overnight” on the last page, under the conditions section.

Public comment – Paul Dudley spoke regarding the fence between his short-term rental and Nick Acquino’s home. Pictures of fence being considered were shown to the commission. Acquino had asked Dudley not have a fence but was not at the meeting to confirm. Discussion on modifying the permit if a mutually agreed upon decision is brought forward, pending our lawyer’s advice. Photos of the approved fencing was turned in to the board and kept with the minutes.

Old Business – Mark and Sherry Morris Special Land Use Permit Approval - Mark Morris questioned what he thought were modifications on his short-term rental permit but he referenced the wrong permit due to a clerical error. The revised permit with the ZBOA modifications was presented to the commission by zoning administrator Daenzer and reviewed. Motion by Maschke, second by Opperman to approve Zavitz signing of permit as presented. All approved. Motion passed.

Paul and Renee Dudley Special Land Use Permit Approval – The permit was reviewed by the board with the fence that was shown by Dudley. Motion by Jaruzel, to table signing the permit until next month after the fence issue is cleared by both parties. This was agreeable to Mr. Dudley. Second by Pletcher. All in favor, motion carried.

Rachel Opperman and Cody Clark Special Land Use Permit Approval – After review, motion made by Jaruzel, second by Zavitz to approve signing of the permit as presented. Maschke – yes, Pletcher – yes, Jaruzel – yes, Opperman – abstain, Zavitz – yes. Motion carried.

Tri-County Aggregates LLC Special Land Use Permit Status – No new information has been presented to the zoning administrator on this request. No further action will be taken.

Renewable Energy Ordinance(s) – Discussion on the MTA Renewable Energy Ordinance Templates Daenzer had forwarded to the members of the commission,

on Solar and Battery Storage. MTA is recommending we use these templates and modify where needed to fit our needs. Motion by Zavitz, second by Pletcher to table this until 2025 while we seek collaboration with the fire chief and fire department, as well as the village officials, and can set future educational meeting dates. All voted yes, motion carried. The lawsuit brought by 53 townships over changes in SB 233 was mentioned as the Millington Township Board voted to be included in it at their last meeting.

Storage containers- - Discussion on creating an ordinance regarding box storage containers. There has been one request for a container, and several containers placed without a request. Discussed holding a meeting for the public to have input on containers before drafting an ordinance or not allowing them at all. Zavitz moved to invite public to the January 13, 2025 meeting to give their comments, then hold a workshop based on their comments regarding box containers before moving forward with an ordinance. Second Maschke. All voted yes, motion passed.

Reference Guide for Processing Special Use Permits – Maschke was unable to take his guide to the Millington Township October meeting due to a work conflict, and won't be able to attend next weeks meeting, so he will present it in December. Zoning Administrator Daenzer asked for clarification on what references were being taken to the board. Maschke said his guide shows cross references with the ordinance and the guide from Daenzer that the board approved for use. She asked that if there were conflicts found, she be notified of them.

New Business – Review Conflict of Interest Policy for Public Hearing

1. Family Member have a financial interest in property – all members said no.
2. Any business interest in the property involved -all members said no.
3. Own a financial interest in neighboring property – all members said no.
4. Any reasonable appearance of a conflict of interest – all members said no.

No conflict of interest is noted. Opperman moved to close regular meeting and open public hearing. Second by Maschke. All voted yes, motion carried.

Public hearing opened at 6:41 PM. for Michael Uttley request for Special Land Use Permit for a Short-Term Rental on parcel number ID 017-001-231-3700-00, address 3176 Kimberly Dr. Millington, MI.

Public comment

Carol Kager – read statement for Davenports referencing flags, police reports, and video posts. Statement and photos entered into the record.

Paul Martin – commented on dispute with some stone masons and threats made

to neighbors by Mr. Uttley. Statement and police report entered into the record. Chris Keiter – 3137 Kimberly Dr – voiced disapproval of STR's because they are commercial property, asked for no more rentals being allowed. Disputed Mr. Uttley's character after his behavior towards Keiter's elderly father. Referenced other commercial businesses made to leave the LR zone due to the ordinances. Steve Ley – 7600 Osborne Dr. Stated the request should be denied because of pending lawsuit & the 100 citizen signatures that were turned in against allowing them in LR zone. He referenced past nuisance issues involving the land owner in this request, including hostile comments and threats over driveways, and loud music. Turned in statement and photos for the record.

Ruth Ann Davenport -3170 Kimberly Dr. Repeated complaints of loud music, problems with shared driveway and parking areas. Voiced concern over threats and previous nuisance behavior from landowner. Turned in photos and statement for the record.

Paul Dudley – talked to Uttley's business customers and he noted they were happy with his work.

Diane Wood – Read statement & turned in public FB messages and photos.

Referenced the survey of driveway. Turned in printed copies of FB messages.

Mark Morris – Orchard Lane. Got clarification on conditions J through L on his permit, and which one is the proper permit.

Sherry Morris – stated everyone on the lake plays music.

Five letters were read and turned into the record, all being against approval of the permit.

Public comment closed at 7:25 PM.

Mike Uttley presented pictures of \$10,000 damage to his driveway & septic system & explained that he doesn't put up with bullying. Answered questions from commission members about parking, & cameras and explained photos in his information. Previously rented this house for one year. Noted new deck on side of the house away from neighbors. Notes 30 feet between neighbor's house and his house. Showed new survey completed recently.

Motion be Maschke, second by Pletcher to close public hearing. All voted yes.

Public hearing closed at 7:25 PM. Regular meeting reopened immediately.

Commission discussion on Michael Uttley's request for Special Land Use Permit for a Short-Term Rental on Parcel ID# 017-001-231-3700-00 at 3176 Kimberly Dr. Parking and trespassing problem on the shared driveway was a concern. Site layout is a concern because the house is 1.7 foot off property line on one side, close property lines on the other so it does not meet requirement in the standards Section 18.03 A, regarding location, size and character being in harmony with the

surrounding neighborhood. Shared driveway constitutes a nuisance due to noise etc. due to close proximity of neighboring house & the driveway layout. Jaruzel made a motion to deny this request because site layout & size does not meet the standards of Millington Township Ordinance Section 18.03 A and intensity of use & nuisance in Section 18.03 C. Second by Pletcher. Roll call vote showed Maschke – no, Opperman – yes, Pletcher – yes, Jaruzel – yes, Zavitz – yes. Motion carried.

Copies of the MTA Solar and Battery Storage templets were made available for those that needed copies.

Next meeting January 13, 2025.

Motion by Jaruzel, second by Pletcher to adjourn the meeting. All in favor.

Meeting adjourned at 8:30 PM.

Respectfully submitted,