

Millington Township Planning Commission

Board Minutes and Special Hearings

June 9, 2025

Meeting was called to order by Chairman Zavitz at 6:04 pm. Roll call showed E. Maschke, D. Pletcher, L. Jaruzel & A. Zavitz, ZA T. Daenzer & 10 guests present.

Jaruzel requested to add “directives from township board” to the agenda. The board decided to discuss those items during public comment and not as an agenda item. Agenda approved as presented.

Minutes presented for approval. Zavitz voiced concerns about an entry on first paragraph on page 3 – Discussion on planning commission minutes and township minutes differences. Jaruzel will contact MTA about minutes, what to include & how & when to make changes & bring it to next meeting. Motion was made by Jaruzel to approve the minutes as written. No second. Motion died. Maschke made a motion not to approve the minutes as presented until Jaruzel brings additional information to the next meeting, because of this sentence, “There had been an earlier challenge from the audience as to whether this permit had previously been reviewed and approved. Maschke said it had, and several other board members agreed.” Second by Pletcher. Jaruzel – no, Maschke – yes, Pletcher – yes, Zavitz – yes. Motion carried.

Public comment – Steve Ley spoke on the issue of minutes being complete, also wants more copies for the public on the chairs before the meeting, noted only two copies for tonight’s meeting. Encourages more details

At the direction of the Millington Township Board, Jaruzel presented minutes from April 21, 2025 noting items directing the Planning Commission “to require a written request for a change of a SLUP and proof of need and justification that would be spelled out in the request as listed in our ordinance & recommended by our lawyer.” Jaruzel handed out copies of Blight Ordinance 10-1 and Millington Township Building Code ordinance #74-1 changes that ZA Daenzer had presented to & got reviewed by the township board. Motion was approved by the township board to “send these changes and the change of proper wording to the PC to look over and be adopted so that we can come into current practice & compliance with MI law.” The township board will update the civil infraction policy. When complete, these three documents will work together to allow for better enforcement. Jaruzel told the PC that the moratorium on campers and recreational vehicles being on vacant properties had been lifted.

Planning Commission meeting closed by unanimous vote at 6:34 pm. Immediately moved by Zavitz, second by Maschke to open special public hearing for Tri County Aggregates. Motion carried.

1. Special Public Hearing for TCA Management LLC (Tri County Aggregates Inc. proposal for Special Land Use Permit on parcels ID #017-035-000-0100-07, 017-035-000-0100-09 and #017-035-000-0100-10 located at 10222 Sheridan Rd, Millington. Planning Commission to review already approved permit to continue sand and gravel mining operation permit for corrections.
2. Public comment - One letter read in public comment voicing concerns over gravel pit. Lorinda Jensen spoke regarding TCA bringing in materials already for resale against the ordinance, feels that matter hasn't been settled from previous complaints.

ZA Daenzer noted that it is hard for the public to make comments on this issue when the public doesn't know what is being considered for change. She handed out a comparison sheet for the board showing the differences between the 2012 permit and the permit approved on August 12, 2024. Public hearing closed at 6:45 pm. Planning Commission meeting immediately reopened by unanimous vote.

New Business 3.TCA Management LLC (Tri County Aggregates) SLUP

Permits were compared & discussed. Jaruzel asked for specifics on what changes were asked to be made. Bob Gilling had asked to have his permit renewed as it was in 2012 except for the setbacks being changed to 100 feet on edges except being 50 feet along the property he owns. Wording changes mentioned were "no material violations" on the 2012 permit changed to "no violations" on the 2024 permit. Maschke questioned the security bond noted on item C & other minor wording changes. Gilling noted #4, missing A but it was noted that paragraph is divided into two paragraphs on 2024 permit in item IV B. (M. Opperman joined the meeting at 6:52 pm.) ZA Deanzer directed them to the ordinance. Item J, second paragraph stays in. Zavitz noted that M, N, O, P are part of the ordinance & Gilling would still have to abide by them even if not on the permit. Question on what is "the need or justification", to be noted in the motion. Gilling stated his justification is "because it is not what the PC voted on." Items from the ordinance were added to the 2024 permit. Jaruzel noted that the lawyer said all permit change requests should show a hardship exists and must be documented in the motion. ZA asked if an escrow had been collected before this meeting, Zavitz answered no. The procedure document was sent to the board last week by ZA for these items to be reviewed. Discussion on whether an escrow was needed & who initiated the change originally, the board or the applicant. Pletcher moved to renew the permit with the wording of the 2021 permit as is except for the one paragraph about setbacks (as noted above) with justifications being 1. wording changes "material violations" to "no violations" of terms

2. setbacks incorrectly recorded at 200 feet changed to 100 feet, except for being 50 feet along the property he owns on the 2024 permit.

Second by Maschke. Roll call showed Maschke – yes, Opperman – yes, Pletcher – yes, Jaruzel – abstain, Zavitz – yes. Motion carried.

Motion by Pletcher, second by Maschke to close meeting at 7:24 pm.

4. Special public hearing opened at 7:25 pm for Midwest Motor LLC/Todd Hahn proposal for Special Land Use Permit Parcel ID #017-033-000-400-09 located at 10435 State Rd Suite E in Millington. Review of already approved permit to operate a class B – used vehicle dealership.

Zavitz noted that he did not have access to the letter requesting a change, but he did have a request. Jaruzel noted this man thought his permit was being revoked & asked who had talked to him. Zavitz had talked to him about attending the meeting but didn't know who had discussed a change with him. Discussion on different opinions concerning permit language vs what is in the ordinance. Was noted the hearing did get published in the newspaper as required. Jaruzel questioned again why the permit was being changed when the permit owner was happy with it the way it was. Discussion on item III regarding sale or transfer of the property nullifying the SLUP being a hardship.

5. Public comments - Steve Ley questioned publication of hearing notice and cost for it without receiving a letter requesting a change. Feels the board doesn't follow the ordinance.

Marcus Jensen - said that he is frustrated that the board won't listen to the ZA and her advice on the ordinances.

Dan Davenport – stressed that he would like this board to follow the ordinances, ZA and the lawyer's advice.

ZA Daenzer pointed out that 50.3 H is where the liability insurance is noted in our ordinance relative to the gravel pit. The language was recommended to be in all our special use permits. Since it is in our ordinance it clearly does not put the township at harm to request it and includes a clause to hold the township harmless. It was in the draft that was brought to the board and approved as it was. There was no modification of documentation.

Public comment closed at 7:45 pm. Special Public Hearing closed and planning commission meeting reopened.

New Business

6. Midwest Motors LLC/Todd Hahn SLUP as identified above, action. Jaruzel moved that since the letter isn't available, the permit holder isn't here to be part of this discussion & until we decide if we need the escrow fee, this permit decision be tabled. No second. Motion died. Discussion that this change was a board decision and not a request by the permit holder. He did

not know the permit was being changed when the notice went out. Board went through the permit. Discussion on SLUP vs Variances. Reviewed article 18 & who permit was assigned to. Clarified that 18.01 notes SLUP is granted to property owner. Discussion on F regarding liability for nuisance violations go against the property owner. Maschke made a motion to change verbiage to "the permit is not transferable, and removing items G, H the third paragraph of I, & J because they were not previously reviewed line item by line item by the board at the original approval and this is a hardship. Second by Pletcher. Opperman – yes, Pletcher – yes, Maschke – yes, Jaruzel – no, Zavitz – yes. Motion carried.

7. Master Plan Review – Suggestions from Wade trim were read. Board discussed items to be considered like population changes, housing needs, etc. since last Master Plan. Moved by Pletcher, support by Jaruzel for Master Plan to be reviewed for possible updates at next meeting. All voted yes, motion carried.

Old Business – 8. Review and approve Paul & Renee Dudley and Rachel Opperman & Cody Clark Special Land Use Permit approval documents. Board reviewed the changes discussed last month & now in front of us. It was noted the permit holder had asked for changes on 3-6-25, which was within 30 days of the permit being issued. Changed to nine overnight guests. All other wording is correct. Zavitz made a motion to approve the SLUP for the Dudley Short Term Rental, second by Maschke. All voted yes, Motion carried.

Review of Rachel Opperman & Cody Clark SLUP for Short Term Rental. Opperman left the table for possible conflict of interest. Zavitz made a motion to approve the permit, justification being the applicant felt there were items in permit that the board had not approved, second by Pletcher. During discussion Jaruzel noted that at the 10-13-24 meeting where the permit was first approved that the minutes show the permit meets all the requirements of the ordinance with the applicable conditions E through K added by the board regarding liability issues. Those conditions are not in the current SLUP & she questioned again why they are removed. Roll call vote showed Maschke – yes, Pletcher – yes, Zavitz -yes, Jaruzel – no because of the changes. Motion carried. Opperman returned to the table.

9. Old ordinance amendments – Ordinance 78-2 from 1975 regarding nudity is now covered by Michigan law covering what is obscene & it makes this document obsolete. Jaruzel moved to nullify Ordinance 78-2 regarding nudity & move to the inactive file Second by Maschke. All voted yes, motion carried.

10. Cones/Shipping container draft ordinance – Copy of the draft worked out last meeting given to ZA for her input. Discussion on how large it is making enforcement difficult, and temporary vs permanent containers. Motion by Zavitz to table any action on this document to allow ZA to

given her input. Second by Opperman. All voted yes, motion carried. She will email her thoughts to members before the next meeting.

11. Prohibited Structures – Discussed whether there is need for a separate ordinance. Truck body discussion was included in the public hearing on cargo containers. It was noted that these containers are all through the township already; there is a moratorium on enforcement currently. Blight ordinance, especially #4 was referenced & discussed. ZA will bring back information from the township board to the next meeting.

12. Recreational vehicles on vacant land – Moratorium by the township board has been lifted so enforcement can move forward under the old ordinance. Zavitz shared opinions from the health department on sanitation issues. Zavitz will give ZA the contact person at health department to aid in enforcement. Maschke moved to make no changes to the recreational ordinance, second by Jaruzel. All voted yes, motion carried.

ZA report shows 33 permits issued to date. She has received 6 complaints about trailers and signs.

Next month's meeting will be July 14, 2025.

Jaruzel moved to adjourn, second by Zavitz, all voted yes. Motion carried. Meeting closed at 8:55 pm.

Respectfully submitted,

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