

Milton Township

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Agenda for Milton Township Planning Commission Meeting

Milton Township Hall - 32097 Bertrand St., Niles, MI

PLANNING COMMISSION MEETING

November 5th, 2012 6:30 P.M.

FINAL

Planning Commission Members

Kara Boyles, Jeremy Clanton, Ron Jureziz, Richard Hebard, Diane Shields, Kelly Sweeney, Sharon Ward

Call to Order/Pledge of Allegiance: Meeting called to order at 6:30 PM

All were in attendance-Sign in Sheet Scanned and Original delivered to Clerk on 7:15 PM on 11-05-12.

Anyone Wishing to Speak to the Planning Commission: (3 min/person)

1. Robert Benjamin-tomorrow is an election day-make sure you choose wisely
2. Sue Kronwitter-don't think you are going to get in and out – expect 10 minutes or more.
There is expected to be a large turnout so plan accordingly.

Approval of Agenda:

Motion: Kara made a motion we move the Enbridge (New Business) ahead of the old business because Enbridge is present and agenda item might take some considerable debate.

Seconded: Ron seconded the motion

Discussion: None

Vote: All in Favor: 7 Nays: None

Motion passed

Approval of Previous Minutes:

Motion: Ron made a motion we approve the October 1st, 2012 minutes as corrected.

Seconded: Kara seconded the motion

Discussion: None

Vote: All in Favor: 7 Nays: None

Motion passed

Community Reports:

1. Zoning Administrator
 - a. 5 site plans reviewed for accessory buildings. Combined 2-5 acre parcels. Verizon was given site plan approval. Master Plan CD's have been mailed out to the necessary townships and required people
 - b. Variance
 - c. Ag Production parcel size
 - d. 2 zoning decision that didn't allow to develop a site.
 - e. Spent a lot of time with Enbridge-Confidential Package and Client Attorney Package
2. Township Board Representative

- a. Diane Shields appointed to Planning Commission with a term expiring on 6/30/13
- b. Verizon Conditional Use Permit Approved.
- c. SMR franchise fee approved (set at 5 %)
- 3. Zoning Board of Appeals Representative
 - a. Hearing on variance on November 26th

New Business:

- 1. Enbridge Pumping Station Site Plan Review
 - a. Paul brought up the discussion and the issue of Pre-Emption. This is one of those issues that will fall under the Pipe Line Safety Act. Therefore this is pre-empted. They would like to create a new pumping station; piping, new sound deadening insulation and the building would fit within our criteria. The only exception would be the tower itself would be too close to the property lines. This tower would be designed to collapse on itself, not onto another property. We do have the site plan and Paul is prepared to sign off and allow the project to proceed. Ron had a question about the damage to the Worrell and Surgis Roads and what was going to be done to correct that situation. John Griffin, an engineer from Enbridge addressed the issues. They want to be good neighbors. Sharon asked about the existing tower and if is over 200 ft. and has lights. The new tower will be less than 200 ft. and will not need lights. Richard asked about updates regarding inspections and if we will be notified. The attorney for Enbridge said that when they can they would share that information. Many of the items they will not be able to share because of homeland security. The attorney, Amy Back, offered to give elected officials a tour of the facility on or around October 2012. Robert Benjamin recommended that we also include FEMA certified people and emergency personnel also. Kara asked about the flow, which they indicated, is 550,000 barrels a day at capacity. Kara also asked about the abandoned pipe and they indicated that the pipes are nitrogen filled and capped. Joe Sauer, 715-398-4734 (office) or 715-817-8285 (cell), is the contact person for questions on the Roads.

Motion: Ron made a motion to approve the site plan as presented by Enbridge.
 Seconded: Kelly seconded the motion
 Discussion: Please see discussion above. No additional discussion
 Vote: All in Favor: 7 Nays: None
Motion passed

Chairperson, Richard Hebard requested a short recess at 7:10 PM, so Enbridge can gather up their materials and depart.

Meeting was called back to order at 7:16 PM

Old Business:

- 1. Status Update on Zoning Ordinance Change, which would be the addition of section 13.26, Garage, Barn and Yard Sales:
 - a. Kelly to send the appropriate items to the Board of Trustees by Nov 14th for the next board meeting.
 - b. No Motion Needed**
- 2. Discussion on Zoning Ordinance Audit next steps.
 - a. Richard recommended that we table this item until the next meeting so Richard and Kelly can develop an Executive Summary of the Planning Commission’s proposal. The short message is a Sub-Committee will be appointed to utilize the LSL document (version 4) to finalize the Zoning Ordinance with input, direction and leadership by Paul Snidecki.. This Sub-Committee will be required to attend and participate in at least an extra meeting or two a month. This will be prepared by Richard, Kelly and Paul by Nov 14th for the Board Meeting
 - b. No Motion Needed**

3. Agricultural Production District-dwelling units per existing language that limits the occupation to Farmer, Farmer’s Family, Farm Employees.
 - a. Richard recommended that we table this item until the “Zoning Ordinance Committee” addresses this issue.
 - b. **No Motion Needed**
4. Creation of a New Zoning District-Light Rezoning Industrial
 - a. Tabled to New Business section of the meeting
 - b. **No Motion Needed**
5. Planning Commission Code of Conduct
 - a. Should be a portion of the Bylaws.
 - b. Paul brought up his issues regarding the bylaws
 - c. Catherine Kaufman, Legal Consul weighed in on her opinions

Motion: Ron made a motion to have that the secretary make the appropriate changes to the “Planning Commission for Milton Township Code of Conduct and Oath of Office” listed in the discussion section below and present the revised version to the Planning Commission for the next meeting.

Seconded: Kara seconded the motion

Discussion: Richard made a motion to accept the “Recommended Guidelines for the Planning Commission for Members of the Planning Commission for Milton Township.” Number 9 should read: “to the best of your ability read the meeting packet materials ahead of time and otherwise be prepared for the meeting. Number 12 should read: “Do not engage in criminal activities, and other activities, including but not limited to situations of conflict of interest incompatible office, ex parte contact, or accepting gifts as a form of influence of your vote.

Vote: All in Favor: 7 Nays: None
Motion passed

6. Master Plan Tracking Sheet-Tabled to discussion in New Business.
 - a. **No Motion Needed**
7. Cass County Master Plan Comments – Milton Township was left out of the Cass County Master Plan Assessment dated September 18, 2012. We need to provide feedback that we read their Master Plan. Richard asked Paul to prepare comments, for the next PC meeting, the PC comments to forward on to Cass County Master Plan.
 - a. **No Motion Needed**

New Business:

1. Milton Township Master Plan – PC Member Implementation Initiative
 - a. Each member was asked to read the Goals and Objectives from the Master Plan.
 - b. This was tabled because of the upcoming election and the possible changes.
 - c. Richard requested the following discussion be noted in the minutes:
 - i. There are 6 goals
 1. Agriculture and Farmland Preservation
 - a. Lead: Ron
 - b. Support Members: Diane and Kelly
 2. Rural Character and Natural Features
 - a. Lead: Kara
 - b. Support Members: Jeremy and Richard
 3. Land Use Planning and Zoning
 - a. Lead: Kelly
 - b. Support Members: Richard and Ron
 4. Growth and Development

- a. Lead: Richard
 - b. Support Members: Kara and Ron
 - 5. Community Facilities and Services
 - a. Lead: Jeremy
 - b. Support Members: Diane and Richard
 - 6. Housing and Neighborhoods
 - a. Lead: Diane
 - b. Support Members: Kelly and Kara
- d. **No Motion Needed**
- 2. Industrial Zoning District –Article VIII– PC review of Permitted Uses versus Conditional Uses and their merits for inclusion or removal from the Milton Township ZO. Our current Master Plan discusses this in Chapter 10 page 71.
 - a. Please Note the discussion below:
 - i. Section 8.01 Intended Purposes currently reads: “These districts are intended to provide sites for heavy commercial and light manufacturing activities employing relatively large numbers of people. Such use shall not create objectionable noise, vibration or odor and must not exceed any state law or regulations.
 - ii. Section 8.02 Permitted Uses
 - 1. Contractors
 - 2. Material handling and equipment
 - 3. Wholesaling
 - 4. Bulk Storage
 - 5. Conditional Uses should now be called B (not a number item).
 - a. Cleaners and laundries
 - b. Fabrication assembly and packaging
 - c. Grinding, milling, and production
 - d. Motor Vehicle Services
 - e. Warehousing, storage movers
 - f. Repair and service of heavy duty trucks and construction equipment
 - 6. Permitted commercial uses would be those which are most appropriately located as neighbors of industrial uses or which are necessary to serve the immediate needs of the people. Look at the LSL document.
 - iii. Divide task for next meeting.
 - 1. Spreadsheet-Kara and Ron
 - 2. Wording of Article VIII-Richard and Paul
 - b. **No Motion Needed**

Board Member Comments:

- 1. Kelly would like to Thank Sharon Ward for her commitment to the township and the Planning Commission over the past several years.

Announcements:

Adjournment:

Motion: Kelly made a motion to adjourn the meeting

Seconded: Jeremy seconded the motion

Vote: All in Favor: 7 Nays: None

Motion passed

Meeting was adjourned at 9:14 PM

Respectfully submitted by Kelly Sweeney