

# Milton Township

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## Planning Commission

Members: Jeremy Clanton, Richard Hebard, Ron Jureziz, Sandra Redman, Diane Shields, Kelly Sweeney and Sharon Ward

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### Minutes for March 12, Meeting

Call to Order: 6:31 P.M.

Roll Call: All members were present

Public Hearing for the Master Plan

- 1) Jack Varner registered a complaint about the Future Land Use Map. Presently he is zoned Rural Residential and the Future Land Use Map has changed his property's zoning to Agricultural Production zoning. He did not request this change and requested that the Future Land Use Map be changed to show his property as Rural Residential. This requested change is consistent with the Planning Commission's past actions in which a similar change was granted for Eric Cole's property.
- 2) Tom Talley raised an issue concerning property zoned as Single Family Residential. Mr. Talley owns ten acres in Single Family Residential Zoning and is unable to build a barn because of the zoning restrictions. Apparently there are other properties in Single Family Residential zoning containing as much as eighty and one hundred acres which have similar problems. Mr. Talley requested that the Planning Commission address this problem and provide relief to citizens in such conditions.
- 3) There being no further citizen's comments the Public Hearing was closed at 6:55 P.M.

Public Comments: Robert Benjamin announced that there would be a Public Hearing for the Township budget at the Township Hall at 7:00 P.M. on March 26. He also announced that he will be asking the Board to allow fees to be waived when residents are attempting to change nonconforming parcels to conforming parcels by combining two nonconforming parcels.

Agenda: The agenda was altered to advance two issues from New Business to be deliberated on prior to the Master Plan.

Approval of the Minutes: The minutes from January 9 that had approval delayed until review of the digital recording. Ron announced that he had reviewed the disc containing the minutes from that meeting and they accurately reflected what was said. Sharon stated that Jackie Pflug had told her that was not what was said in spite of what was recorded. A roll call vote was taken to approve those minutes and they were approved by a 6-1 vote with Sharon voting against approval. The minutes from February were approved unanimously.

**Zoning Administrator's Report:** One site plan for a sign was approved; one request for a land split was received, and one upgrade to a cell tower on Conrad Road was approved. The Five Star law suite is still ongoing.

**Township Board Member's Report:** Announced that a Public Hearing for the Township budget will be held on March 26 at 7:00 P.M.

**Zoning Board of Appeals Report:** One variance was granted.

**Old Business:**

1) **Section 14.14 of the Zoning Ordinance, Wireless Communications Facilities**

After an extensive presentation by the Zoning Administrator the following addition to Section 14.14 was approved by a 7-0 roll call vote.

**Exemption: Municipal, Federal, State of Michigan, and Milton Township owned towers and related equipment are exempt from the requirements of this ordinance section. Further, towers and related equipment placed on owned or leased by Municipal, Federal, State of Michigan and Milton Township are also exempt. However, site plans must be submitted to the Township showing the safety design provisions used for such towers and related equipment.**

2) **Consider Site Development Standards in Sections 2, 3 and 4**

Ron presented possible zoning changes for Sections 2, 3 and 4 of the Zoning Ordinance that would attempt to provide the rural character that the residents requested and also avoid the Knollwood type subdivisions that residents have opposed. After some discussion Ron made a motion to approve the following additions to Sections 2.04, 3.10 and 4.05:

#### **Section 2.04 Site Development Standards**

F. All land divisions resulting in three or more lots and all subdivisions located within the Agricultural Production District shall be required to be developed under the Open Space Ordinance.

G. In order to attempt to maintain the rural character of Milton Township all developments of three or more lots must either create a new buffer zone or demonstrate the existence of a natural buffer zone between the development and any public roads that effectively conceals structures within the development from vehicles traveling on the public roadway. The plans for the buffer zone proposed by the developer must be approved by the Planning Commission.

#### **Section 3.10 Site Development Standards**

A. All land divisions resulting in three or more lots and all subdivisions located within the Rural Residential Zoning District shall be required to be developed under the Open Space Ordinance.

B. In order to attempt to maintain the rural character of Milton Township all developments of three or more lots must either create a new buffer zone or demonstrate the existence of a natural buffer zone between the development and any public roads that effectively conceals structures within the development from vehicles traveling on the public roadway. All plans for the buffer zone proposed by the developer must be approved by the Planning Commission.

#### **Section 4.05 Site Development Standards**

A. All land divisions resulting in three or more lots and all subdivisions located within the Single Family Residential Zoning District shall be required to be developed under the Open Space Ordinance.

B. In order to attempt to maintain the rural character of Milton Township all developments of three or more lots must either create a new buffer zone or demonstrate the existence of a natural buffer zone between the development and any public roads that effectively conceals structures within the development from vehicles traveling on the roadway. All plans for the buffer zone proposed by the developer must be approved by the Planning Commission.

The motion made to make the above additions to the Sections 2.04, 3.10 and 4.05 as describe above failed for the lack of a second.

### 3) Master Plan

At a recent Board meeting at which the Niles Township Fire Chief attended he pointed out that all residents whose property abuts the east side of Gumwood Road are covered by the Niles Township Fire Department and not the Edwardsburg Fire Department. A request was made that the Fire District Map be changed to reflect this since most residents were unaware of this fact. Ron had previously presented Jay at Williams and Works with the addresses of everyone that the Township contacted in preparing the Master Plan and Jay had indicated that he would include that information in the bibliography. In the most recent copy of the Master Plan that was not included in the Master Plan. This information would save considerable time for the person who has to create the necessary communication for the next Master Plan and as such a request was made that this be included in the bibliography. In the Public Hearing Jack Varner requested that his property be shown on the Future Land Use Map as Rural Residential instead of Agricultural Production. This change on the Future Land Use Map would make his property consistent with the present zoning map. Ron made a motion that Mr. Varner's property be shown as Rural Residential on the Future Land Use Map and that motion was seconded by Sandra. A roll call vote was taken and the motion failed by a 4-3 vote with Jeremy, Richard, Diane and Kelly voting no. Finally a vote was taken to approve the Master Plan with the additions noted above and it was approved by a roll call vote of 5-2 with Sharon and Ron voting not to approve the Master Plan.

4) Agricultural Production District Problems: Since there was no prepared written proposal to resolve the problems this issue was tabled until the next meeting.

5) Capital Improvement Plan: Since there was no publically acknowledged capital needs this was tabled until the next meeting.

### New Business:

1) Potential for additional Planning Commission meetings: An additional meeting was scheduled for April 23.

Board Member's Comments: None

Announcements: On March 28 a meeting is to be held at the Township Hall to inform the residents who may wish to run for office what the requirements are and the function of the various Township elected officials. On March 29 a visioning session for the Cass County Master Plan will be held at the Road Commission's building in Cassopolis.

Time of adjournment: 8:30 P.M.

Respectively submitted,

  
Ron Jureziz, Secretary

Approved On: April 2, 2012