

Milton Township Planning Commission

Milton Township Hall

32097 Bertrand Street, Niles, MI. 49120

Regular Meeting Minutes

November 2, 2009

Members Present: Diane Shields (Chair), Richard Hebard, Sharon Ward, Ron Jureziz, and Jackie Pflug (Secretary) per roll call.

Members Absent: Kelly Sweeney, Jeremy Clanton

- A. Call to Order: Meeting called to order at approximately 1835.
- B. Approval of the Agenda: Was approved as written.
- C. Approval of the minutes:
 - 1. Monday, October 5, 2009, Regular Meeting Minutes:
 - a. Amendments:
 - 1. 2. changed from Master Plan to Draft Ordinance
 - 2. Ron Jureziz made a motion to accept the amended minutes as written. Richard Hebard 2nd the motion. Members who were in favor to accept the amended minutes as written were Ron Jureziz, Richard Hebard, and Sharon Ward. Members who abstained were Diane Shields and Jackie Pflug. The motion was carried.
 - 2. The Township attorney John Lohrstorfer advised abstaining members that they could approve the minutes even if they were absent from the meeting. They were approving the minutes as written. Diane Shields and Jackie Pflug approved the amended minutes as written from the October 5, 2009 meeting. All were in favor to accept the October 5, 2009, Regular Meeting Minutes. Motion was approved.
- D. Public Comments – Agenda and Non-agenda items:

1. Robert Benjamin states there are going to be changes in the Township website. The agenda and minutes should coordinate. Paul Boggs and Gerri are working on some of the changes, which should be reflected in the next couple of months with updates on the website. They are in the process of converting files to a pdf. format. The unofficial minutes should denote changes for all Township meetings. In January, they hope to be moving forward with a final approval of minutes.
- E. Changes in ordinances have not been reflected. Van Thornton and Robert Benjamin will be addressing updating records.
- F. Zoning Administrators Report: Van Thornton
 1. Van Thornton introduced the new zoning administrator Paul Snaidecki. He has turned over active files. They have had discussions regarding issues in the Township. He will be working closely with Paul during this transition.

G. Report of the Township Board Representative:

1. Sharon Ward reports the Board accepted Williams and Works for the Master Plan.
2. The Conditional Use was passed.

H. Report of the Zoning Board Representative:

1. Diane Shields has nothing to report.

I. Old Business:

1. Master Plan:
 - a. Cost of the survey
 - b. Richard Hebard passed out an article for board members to review; *Opinion Surveys Made Easy, or... by Jay Kilpatrick, AICP, PCP*
 - c. Jay Kilpatrick provided a date, November 18, 2009 @ 1800, he could meet with the Planning Commission members. Richard will confirm the date with Jay.
 - d. The Township board will give a final approval when the contract has been finalized with Williams and Works.

e. Robert Benjamin stated that what is not spent out of the \$30,000 that is allocated for the Master plan this year will be rolled over to next year.

f. Different levels of surveys.

2. Conditional Use – Child home care

a. Robert Benjamin would like clarification of what type of childcare facility the Skinner's are attempting to establish.

b. Changes in the Michigan Zoning Enabling Act 110 of 2006, Section 125.3206.

c. The Township Attorney John Lohrstorfer discussed the Zoning Act and the rules.

1. State Permitted Use allows 3-5 children.
Conditional Use allows 7-12.

2. The Township Ordinance doesn't address compliance with the ordinance.

3. What steps to fix the issue of child home care or day care up to 6 children.

4. Communication between the Township Board and Planning Commission.

d. Zoning Enabling Act 2006 states a residential facility is a permitted use. There are things to address per the Statute.

1. Group childcare 7-12 is a Conditional Use.

2. 1500 feet distance required from another licensed childcare or group home facility.

3. Appropriate fencing.

4. Not to exceed 16 hours of operation.

5. Compliance with sign regulations.

6. Regulations with off street parking.

7. Approval for a day care center.

8. Access referrals to the County Road Commission.
 9. Group childcare home facility 7-12.
- e. Discussion with the Skinner's.
1. State requires them to apply for 12 children. Their application was for 12.
 2. Concerns with parking.
 3. Questions concerning re-noticing for another public hearing.
 4. Change the wording to a group childcare home.
 5. The State is holding their application this month until the Township makes a decision. This will cause additional cost for the Skinner's.
 6. After 6 children she is required to have employees.
- f. A motion is needed to clarify the Conditional Use permit that the approval is up to 12.
1. Ron Jureziz made a motion that we approve the Conditional Use for the group childcare home for up to 12 children, contingent upon meeting the State licensing requirements. Richard Hebard 2nd the motion.
 2. They have met the requirements for the Standards for Conditional Use, Section 14.05 in the Township Zoning Ordinance and the Michigan Zoning Enabling Act.
 3. A roll call vote for the motion; Ron Jureziz – yes, Richard Hebard – yes, Sharon Ward – yes, Jackie Pflug – yes, Diane Shields – yes. Motion was passed.
 4. Ron Jureziz would like it stated in the records that there are concerns with parking but the Township is unable to do anything about these concerns.

- g. Next meeting we need to look at the ordinance and proposed ordinance for the day care center and group childcare. We need to get the terminology to coincide with the statute.
- h. Most Townships Conditional Use Permits are approved by the Planning Commission and do not need the Township Board Approval. We need to review the proposed ordinance.

3. Draft Ordinance:

- a. LSL promised to send an electronic editable format of the draft ordinance so we can get a 4th draft.
- b. Will need to get a draft copy to Jay Kilpatrick to get recommendations for the Ordinances from the Master Plan.

J. New Business

- 1. Zoning Map – Van Thornton obtained a corrected copy of the Zoning Map for the Township from 1997. This will be on-line.
- 2. Smith Chapel – The open house was a success. It can be used for weddings and funerals. There will be a holiday program on December 5, 2009 at 1900.

K. Announcements: None

L. Member Comments: Ron Jureziz thought it would be helpful to have printed information before the meetings for review.

M. Adjourn: A motion to adjourn the meeting was made by Ron Jureziz and Richard Hebard 2nd the motion. Motion was passed and the meeting was adjourned at 1945.

Respectfully submitted by,
Jackie Pflug (Secretary)