

Date: 11.12.21 (01.24.22 Revised)

From: Sara Kopriva, AICP, Planner

To: Milton Township Planning Commission

Application No.: SUP 2021-01

Project: Torch River RV Park

Request: 70 unit RV Park in the Village Business District

Applicant/Owner: James Brewer  
10150 Greenwood Rd | Gladwin, MI | 48624

## Findings of Facts and Decision

This document contains the Staff report that the Planning Commission reviewed at the January 24, 2022 meeting and their findings for the Criteria for Review (Standards for Approval) as stated in the Milton Township Zoning Ordinance.

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### I. OVERVIEW

#### General Description

The applicant is requesting a 70 unit RV Park in the Village zoning district. This application includes two parcels totaling 16.07 acres but the project is contained to one parcel. The subject properties are located between Torch River Road and Miller Road in Section 6 of the Township. See parcel drawings on following pages.

It should be noted that this property was denied a special use permit for an 80 unit RV Park in 2021 and is currently being appealed to the Circuit Court as permitted by the Zoning Ordinance. The previous application and exhibits were not included in this case, unless submitted and relevant, as this case was processed as a new application.

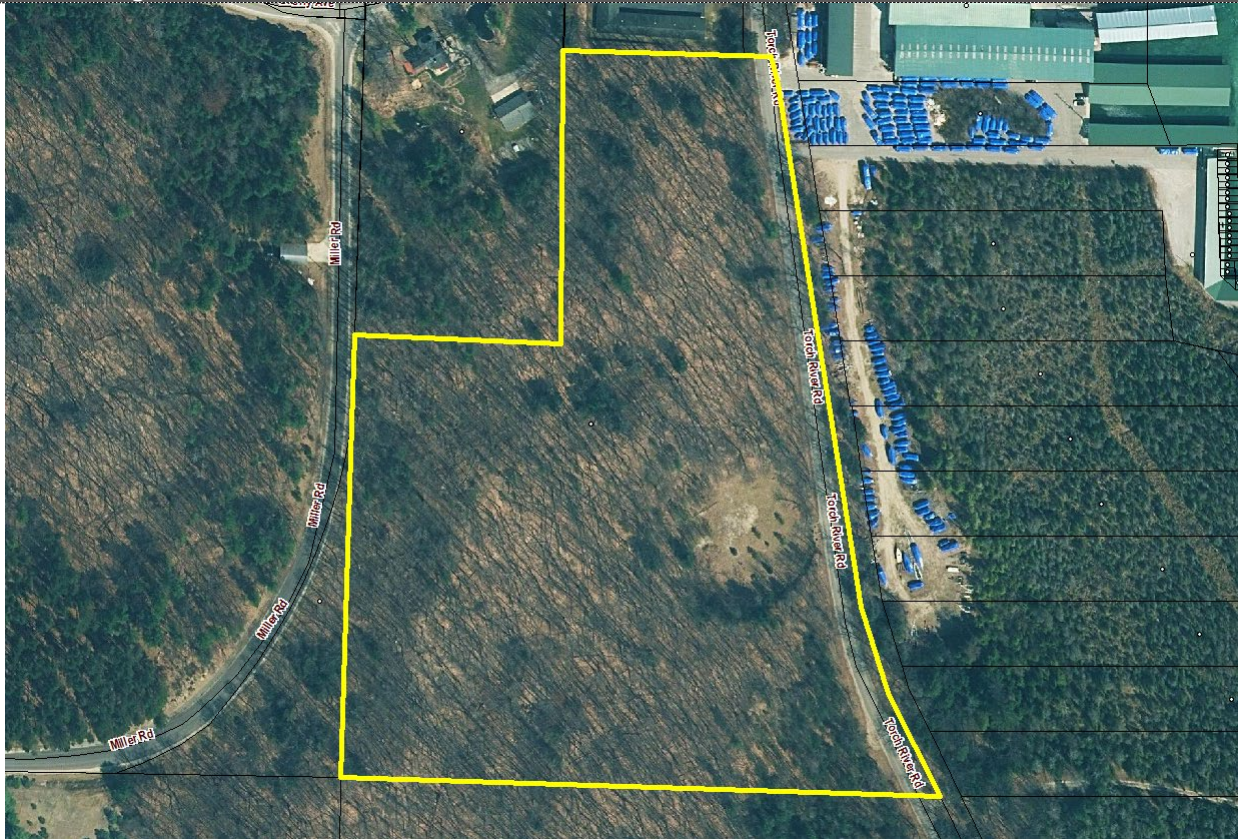
Subject Property Location (1 of 2 parcels)

Address	Parcel Number
12918 Torch River Rd	05-12-006-047-00
Zoning District: Village	14.89 acres

Legal Description

THAT PART OF SW FRL 1/4 OF SW FRL 1/4 LYING W OF CO ROAD EXC COM AT S 1/8 POST ON W SEC LINE, TH S 666.5 FT, S 88 DEG E 326.8 FT, N TO 1/8 LINE TH W TO BEG. ALSO EXC COM AT A PT 326.8 FT S 88 DEG E OF NW COR OF SW 1/4 OF SW 1/4, TH S 0 DEG 45' W 200 FT, S 88 DEG E 280 FT TO W'LY BDY OF PUBLIC HWY, N 3/4 DEG E ALONG W BDY OF HWY 200.2 FT, TH N 88 DEG W 289 FT TO BEG. SEC 6 T28N R8W

Aerial Image



(Source: Antrim County)



Subject Property Location (2 of 2 parcels)

Address	Parcel Number
0 Miller Rd	05-12-101-020-10
Zoning District: Agriculture	1.18 acres

Legal Description

BEG AT THE SE COR OF SEC 1; TH S 89 DEG W 418.03 FT ALG THE S SEC LINE; TH 252.94 FT ALG THE C/L OF MILLER RD & A CURVE TO THE LEFT RAD=325 FT; CHORD BEARS N 67 DEG E 246.60 FT; TH 510.68 FT ALG A CURVE TO LEFT; RAD=650 FT; CHORD BEARS N 22 DEG E 497.64 FT; TH S 00 DEG E 551.99 FT ALG E SEC LINE TO SE COR & THE POB; BEING PART OF THE SE 1/4 OF THE SE 1/4 SEC 1 T28N R9W 1.18 A M/L

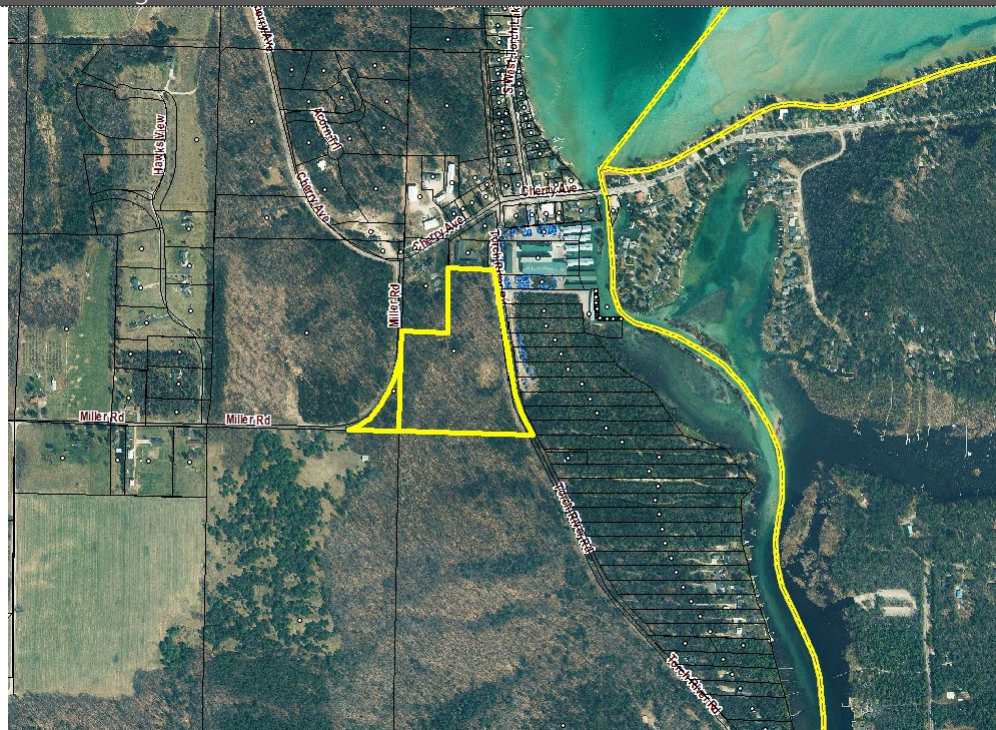
Aerial Image



(Source: Antrim County)

## Subject Property Location (All Parcels)

### Aerial Image



(Source: Antrim County)

## Existing Conditions of Subject Property

Zoning	Area
V: Village	14.89 acre (16.07 acres total)
A: Agricultural	1.18 acre
Future Land Use-Master Plan	
Village	
Existing Uses	
Vacant	
Existing Permits / Prior Approvals	
See Permits Below	
Site Conditions	
Site has significant changes in topography. Partially wooded, contains area already cleared and graded.	

Adjacent Zoning & Land Uses		
Location	Zoning	Land Use / Owner
North	V	AFC/Single Family Dwelling. South Torch Assisted Living LLC/Terry Roote
East	V	Marina/Vacant. JJJ Investments Inc/Rose Mary's Dockage LLC/ Robert & Patricia Lang/
South	A	Vacant. Grand Traverse Reg Land Conservancy/Roger & Lyla Farmer
West	A	Single Family Dwelling. Daniel & Kellie Wells

## II. SUBMITTED APPLICATION MATERIALS

The tables below present the items submitted with the application for the proposed project. These items have been reviewed in accordance with the processes set forth in the Zoning Ordinance.

Drawings- Submitted 10.20.2021		
Sheets	Title	Date (last revised)
1.1, 1.2, C1.0, C2.0-2.4, C3.0-C3.5, C6.1-C6.6, RW 1-RW 3, Architecture Plans 1-2	Torch River RV Park Plan Set	03/16/2020 (10/20/2021)
C1.0	Site Plan	(11.29.21)
C2.0	Site Grading and Drainage	(12.20.21)
C2.4	Site Details	(12.20.21)
C3.0	Utilities	(10.07.21)

Agency Reviews		
Agency	Status	Permit No. (date)
EGLE Campground Permit	Issued	ACT-21610 (10.21.20)
Health Department of Northwest Michigan- Septic	Issued	A19-289 (10.08.20)
State of Michigan Groundwater Discharge Permit	Issued	GW1110873 (8.31.20)
Antrim County Road Commission	Issued	20-038 (3.17.20) Updated 10.21.21
Antrim County Road Commission	Issued	21-142 (6.8.21)
Antrim Conservation District-Soil Erosion	Rescinded	2020-51 (4.2.20) Updated 11.4.21
Health Department of Northwest Michigan-Type II Well	Issued	A20-002 (10.9.20)
Health Department of Northwest Michigan- Type II Well	Issued	A20-003 (10.9.20)
Milton Township Fire Department	No Issues	(11.5.21)
Antrim County Sheriff	No Issues	(12.22.21)



The applicant was asked to provide updated permits and/or letters from agencies since the permits were issued last year. The applicant provided the following explanation: "We have discussed the modifications to the plans with these outside agencies and they have all advised us that they want Milton Township to complete their review prior to updating permits with the new details. This includes the local health department, MiWaters, and the Campground (PT 125) division of EGLE. This project cannot proceed in the manner that it is currently proposed without those permits being updated, so it makes sense that the Milton Township Planning Commission would have the issuance of permit updates from those agencies as a condition to their approval. I would imagine that, as the zoning administrator, you would then wait to issue the land use permit until they are in hand.

We have submitted the revised plans to the Antrim County Conservation District soil erosion department and the Antrim County Road Commission." (Oct. 28, 2021 email)

Additional Documentation	
Submitted With Application Packet	
	<ul style="list-style-type: none"> <li>- Land Use Application</li> <li>- Survey dated July 5, 2021</li> <li>- Park Rules</li> <li>- Summary of Stormwater Runoff Control Plan dated December 20, 2021</li> <li>- Impact Statement and Traffic Impact Assessment dated October 20, 2021</li> <li>- Memo from Carrie May to Peter Hinck, dated December 22, 2021 regarding Stormwater Technical Review</li> </ul>
Township Documents	
	<p>Memo From Peter Hinck, dated December 16, 2021 regarding Stormwater Technical Review</p> <p>Memo from Peter Hinck in response to Carrie May, December 22, 2021 stormwater memo, Dated December 31, 2021</p> <p>Public Comments/Letters Submitted for the January 3, 2022 public hearing</p>

### III. ZONING ORDINANCE REVIEW

Listed below are the applicable sections of the Zoning Ordinance that pertain to the proposed project. Items that do not satisfy the standards required by the Zoning Ordinance have been indicated with **bold, red text**.

Zoning District	
Article 11	V, Village Zoning
§ 117.1100	<p><b>Purpose</b></p> <p>The purpose of the V District is to offer pedestrian-oriented, mixed-use buildings that boast architecture complementary of the unique and cherished small-town character of Milton Township. Development within the V District will provide areas where people can live in close proximity to establishments offering commercial goods and professional and business</p>

	services that serve the needs of the community and are designed to foster sense of community and walkability. A balanced mix of uses will generate low-impact retail activity as permitted in this District, while also providing for residential uses in upper stories of buildings or adjacent. The intent of the V District is to build upon the existing infrastructure of the Kewadin and Torch River Village communities while accommodating new development of a main street character. Heavy traffic-generating commercial enterprises are offered in nearby communities and, due to the limited road network locally, are not encouraged.
§ 117.1102	Recreational Vehicle Seasonal Park

117.1104. District Regulations		
Standard	Requirement	Site Plan
Minimum Lot Size	20,000 sq ft	16.07 acres
Minimum Parcel Width	100 ft	862 ft
Maximum Height	3 stories, 40 ft	13 ft Pavilion, 15 ft Baths, 12 ft Well House
Front Setback	40 ft	40 ft
Side Setback	10 ft	10 ft
Rear Setback	25 ft	N/A
Maximum Lot Coverage	40%	3%

§ 117.314 Lighting Standards		
Standard	Requirement	Site Plan
Lighting Standards [§117.314(3)a-g]	Needs to meet Ordinance requirements	Provided

§ 117.1800 Parking Requirements		
Standard	Requirement	Site Plan
Parking Area [§117.1800 (A)]	Minimum 200 sq ft, 10 ft wide	Provided- The applicant agreed at the meeting to provide gravel on the ½ spaces to make each site have 2 full parking spaces
Surface Materials [§117.1800 (B)]	Gravel, asphalt or Portland cement binder	Provided – The applicant agreed at the meeting to gravel both parking spaces on each RVsite
Buffer [§7.5.4(C)]	Buffer if adjoining residential zoning district	Provided
Number of Spaces [§117.1805 (B)]	For uses not specifically listed, off-street parking shall be determined by Zoning Administrator. 1.5 per campsite, State Campground Regulations	Provided

§ 117.311 Greenbelts and Landscaping		
Standard	Requirement	Site Plan
[§117.311 (B)]*  *The Planning Commission may waive or modify this requirement providing that such waiver does not detract from the aesthetics or quality of the natural environment	1. 10 ft wide 2. Trees spaced 30 ft apart 3. Row of dense shrubs spaced not less than 5 ft apart	Not Provided- Along the North and South property lines additional landscaping is required. The Planning Commission did not waive this requirement.

#### IV. SPECIAL USE

The table below presents the required elements for a special use permit per the Zoning Ordinance, whether included in the site plan drawings, written narrative, or both. A "Yes" indicates item is required and is accounted for; a "No" indicates a missing required item. A cell marked "---" indicates an item that is not required in the site plan drawings and/or narrative.

Item	Description	Provided
a.	Name and address of applicant.	Yes
b.	Legal description, property parcel number and street address of the subject parcel of land	Yes
c.	Area of the subject parcel of land stated in acres, or if less than one (1) acre, in square feet	Yes
d.	Present zoning classification on parcel	Yes
e.	Present and proposed land use	Yes
f.	Applicant's statement of the expected effect on emergency service requirements, schools, storm water systems, automobile and truck circulation patterns, and local traffic volumes.	Yes
g.	Any additional material information necessary to consider the impact of the project upon adjacent properties, regulated wetlands, streams, lakes and the general public as may be required by the Township Zoning Administrator or the Planning Commission.	N/A

#### V. SITE PLAN REVIEW

The table below presents the required elements for a site plan review per the Zoning Ordinance, whether included in the site plan drawings, written narrative, or both. A "Yes" indicates item is required and is accounted for; a "No" indicates a missing required item.



Item	Description	Provided
A		
1.	The applicant's full name, address and phone number including area code.	Yes
2.	Proof of property ownership, and whether there are any options on the property, or liens against it.	Yes
3.	A signed statement that the applicant is the owner of the property or officially acting on the owners behalf and authorizing reasonable entry onto the property by the Zoning Administrator, Planning Commission and other Township representatives for the purpose of administering their responsibilities under this ordinance.	Yes
4.	The name and address of the owner(s) of record if the applicant is not the owner of record (or firm or corporation having a legal or equitable interest in the land), and the signature of the owner(s).	Yes
5.	The address and parcel (Tax Roll) number of each parcel contained in the proposed site plan.	Yes
6.	The name and address of the developer (if different from applicant).	Yes
7.	Name and address of the licensed professional engineer; architect; landscape architect; surveyor or planner who prepared the plan.	Yes
8.	Project title.	Yes
9.	An overall project description.	Yes
10.	A vicinity map drawn at 1" = 2,000' with north point indicated.	Yes
11.	The gross and net acreage of all parcels in the project.	Yes
12.	Current land use, zoning classification and existing structures on the subject parcel and adjoining parcels.	Yes
13.	Project development phases and completion schedule.	Yes
14.	A written statement relative to project impacts on existing infrastructure (including traffic capacity of street, schools and existing utilities) and on the natural environment of the site and adjoining lands and as it is related to the Milton Township Zoning Ordinance. Detailed requirements will vary depending on the project size and impact to the Township and the Planning Commission may request additional information.	Yes
<b>B</b>	The site plan shall consist of accurate drawings at a scale of not less than 1" = 100' or as recommended by the Planning Commission and/or Zoning Administrator, showing the site and all Milton Township Zoning Ordinance. Site Plan Review land within one hundred and fifty (150) feet of the site. If multiple sheets are used, each shall be labeled and preparer identified.	Yes
1.	Location of proposed and existing property lines, dimensions, legal descriptions, easements, setback lines and monument locations.	Yes
2.	Existing topographic elevations at two (2) foot intervals, proposed grades and directional drainage flows.	Yes
3.	The location and type of existing soils on the site.	Yes
4.	Location and type of existing vegetation and wetlands, and how they are proposed to be preserved and managed.	Yes

Item	Description	Provided
5.	Location and elevations of existing water courses and water bodies, including county drains, man-made surface drainage ways, floodplain and wetlands, as identified by the DNRE in an official determination request or by a specialist approved by the DNRE.	N/A
6.	Location of existing and proposed buildings and intended use thereof as well as the length, width and height of each building, and typical elevation views of proposed structures.	Yes
7.	Proposed location of accessory structures, buildings and uses; including but not limited to all flagpoles, light poles, bulkheads, docks, storage sheds, transformers, air conditioners, generators and similar equipment, and the method of screening where required.	Yes
8.	Location of existing public roads, rights-of-way and private easements of record and abutting streets.	Yes
9.	Location and dimensions of proposed streets, drives, curb cuts and access easements, as well as acceleration, deceleration and passing lanes serving the development. Details of entry way and sign locations shall be separately depicted with an elevation view.	Yes
10.	Location, design and dimensions of existing and/or proposed curbing, barrier-free access, carports, parking areas (including indication of all spaces and methods of surfacing) fire lanes and all lighting thereof	Yes
11.	Location, size and characteristics of all loading and unloading areas.	N/A
12.	Location and design of all sidewalks, walkways, bicycle paths and areas for public use.	N/A
13.	Location or layout of water supply lines and/or wells, including fire hydrants and shut off valves, and the location and design of storm sewers, retention and detention ponds, waste water lines, cleanout locations, connection points and treatment systems, including septic systems if applicable.	Yes
14.	Location or layout of all other utilities on the site including but not limited to natural gas, electric, cable TV, telephone and stream.	Yes
15.	Proposed location, dimensions and details of common open spaces and any common facilities such as community buildings and swimming pools, if applicable.	Yes
16.	Locations, size and specifications of all signs and advertising features showing all views.	Yes
17.	Exterior lighting locations with areas of illumination illustrated as well as the type of fixtures and shielding to be used.	Yes
18.	Location and specifications for all fences, walls and other screening features with cross sections.	Yes
19.	Location and specifications for all proposed perimeter and internal landscaping and other buffering features. For each new landscape material the proposed size at the time of planting must be indicated. All vegetation to be removed or retained on the site must also be indicated, as well as its typical size by general location or range of sizes as appropriate	Yes

Item	Description	Provided
20.	Location, size and specifications for screening of all trash receptacles and other solid waste disposal facilities.	Yes
21.	Location and specification for any existing or proposed above or below ground storage facilities for any chemicals, salts, flammable materials, or hazardous materials as well as any containment structures or clear zones required by government authorities.	N/A
22.	Identification of any significant site amenities or unique natural features	N/A
23.	Identification of any significant views onto or from the site to or from adjoining areas.	N/A
24.	North arrow, scale and date of original submission and last revision.	Yes
25.	A seal is required of a licensed, professional engineer; architect; landscape architect; surveyor or planner who prepared the plan.	Yes

At the November 15, 2021 meeting, the Planning Commission scheduled this application for a public hearing. The notice of the public hearing was published in the Elk Rapids News on December 16, 2021 and 300 foot notices were placed in the mail on December 17, 2021 for a public hearing that occurred on January 3, 2022. Following the public hearing, the Planning Commission closed the record for the application and directed staff to draft findings.

Below are interpretations made by the Planner/Zoning Administrator regarding items in the application that the Planning Commission asked for staff to look into and provide guidance on. After review, the Planning Commission agreed with the interpretation of staff.

#### Park Models

The State of Michigan DEQ has determined that park models are allowed in campgrounds, see attached document. Looking at the definition of recreational vehicle in the Milton Township Zoning Ordinance, I recommend that the Planning Commission determine that a park model would be considered a recreational vehicle. They are pulled by another vehicle and designed to be a "temporary living quarters for recreational camping or travel use."

#### Outdoor Storage

The Milton Township Zoning Ordinance defines outdoor storage as "a use/activity performed by a commercial or manufacturing entity that includes the storage of merchandise, equipment or materials outside of an enclosed building, excluding equipment and materials used for agricultural operations." Based on this definition, I recommend that the Planning Commission determine that the request to store campers, RVs, and park models on site in the off-season (winter) would be considered outdoor storage and not allowed in the Village zoning district. Torch River RV Park is a commercial entity and they are requesting to store materials outside.

## VI. STANDARDS OF APPROVAL

At the January 24, 2022 Planning Commission meeting, the Planning Commission discussed each criteria and determined if the standard was satisfied or not satisfied.

### 117.2105 Criteria for Review. (Site Plan Review)

In reviewing the application and site plan and approving, disapproving or modifying the same, the Planning Commission shall be governed by the following standards:

§ 117.2105 Site Plan Review Standards	
Standard	Finding
A. That there is a proper relationship between the existing streets and highways within the vicinity and proposed deceleration lanes, service drives, entrance and exit driveways and parking areas to assure the safety and convenience of pedestrian and vehicular traffic.	<b>Satisfied:</b> The Antrim County Road Commission has provided permits for the access locations on the public road. The 2 parking spaces shall be provided per RV site and shall be surfaced in gravel.
B. The buildings, structures and entryway thereto proposed to be located upon the premises are so situated and designed as to minimize adverse effects there from upon owners and occupants of adjacent properties and the neighborhood.	<b>Satisfied:</b> The buildings and structures are situated interior to the property, away from neighboring properties and structures. Entryways are located away from neighboring structures and approved by the Antrim County Road Commission.
C. That as many natural features of the landscape shall be retained as possible where they furnish a barrier or buffer between the project and adjoining properties used for dissimilar purposes and where they assist in preserving the general appearance of the neighborhood or help control erosion or the discharge of storm waters.	<b>Not Satisfied:</b> The property has been cleared of most of the trees up to the setbacks and road rights-of-way, in some locations. The removal of the trees has reduced the buffer and changed the general appearance of the neighborhood. Landscaping has been added along the road rights-of-way but has been replaced with non-native species (balsam fir, arborvitae, red cedar).
D. That the adverse effects of the proposed development and activities emanating there from upon adjoining residents or owners shall be minimized by appropriate screening, fencing or landscaping.	<b>Not Satisfied:</b> The applicant has not provided additional screening to neighboring properties to the North and South. Also because of the topography of the site, additional landscaping and screening may be warranted to limit the impact on neighboring properties.
E. That all provisions of the Township Zoning Ordinance are complied with unless the Zoning Board of Appeals has granted a prior variance.	<b>Not Satisfied:</b> Based on these standards not being met, as required by the Zoning Ordinance. No variances have been requested.



§ 117.2105 Site Plan Review Standards	
Standard	Finding
F. That all buildings and structures are accessible to emergency vehicles.	<b>Satisfied:</b> The Sheriff Department and Fire Department have both provided letters/emails that state that they have no issues with the development.

### Section 117.1605 Recreational Vehicle Seasonal Park

In addition to the standards of 117.1602.A., the Planning Commission shall find that a proposed recreational vehicle park shall meet the following specific Special Land Use standards

§ 117.1605 Recreational Vehicle Seasonal Park		
Standard	Requirement	Site Plan
Lot Area [§117.1605(a)]	Recreational vehicle sites shall occupy at least 3 acres and no more than 10 acres of a parcel that may be more than 10 acres.	<b>Provided</b> -included on site plan
Density [§117.1605(b)]	There shall be no more than an average of eight (8) sites per acre up to a maximum of 80 sites.	<b>Provided</b> -included on site plan
Individual Site Size [§117.1605(c)]	The size of a site shall be a minimum of 2,600 square feet.	<b>Provided</b> -included on site plan
Spacing [§117.1605(d)]	There shall be at least 20 feet between each recreational vehicle.	<b>Provided</b> -included on site plan and additional applicant explained at meeting that slides were taken into account
Accessory Structures [§117.1605(e)]	There shall be no permanent accessory structures allowed on site.	<b>Provided</b> -included on site plan
Frontage [§117.1605(f)]	There shall be at least 20 feet of road frontage on each site to allow for ingress and egress.	<b>Provided</b> -included on site plan
Number of vehicles [§117.1605(g)]	There shall be no more than one (1) recreational vehicle per site	<b>Provided</b> -included on site plan and rules
Gate [§117.1605(h)]	A gate activated by codes/cards provided by park management to residents shall control access to the recreational vehicle park.	<b>Provided</b> -included in narrative/park rules
Number of People [§117.1605(i)]	There shall be no more than six (6) people residing at a site overnight and no more than four (4) registered guests at a site during the daylight hours. All guests of a site lessee must be registered.	<b>Provided</b> -included in park rules
[§117.1605(j)]	Sites will not be sub-let	<b>Provided</b> -included in park rules
Common Area [§117.1605(k)]	Twenty percent of the acreage of a recreational vehicle park shall be a common area that may include community use facilities such as showers and restrooms and <u>shall</u> include recreational	<b>Partially Provided</b> -included on site plan. Common use facilities are in common areas. No recreational facilities such as playground

	facilities such playground equipment, basketball courts, etc. (emphasis added)	equipment, basketball courts, etc are included. The recreational amenity is a dog park, community garden and pavilions. Common area should be useable and contiguous which they have not provided.
Seasonal Use [§117.1605(l)]	The recreational vehicle park shall be seasonal and be open for occupation from April 1 to November 1 of each year. All utilities shall be disconnected during the off-season by the park owner/manager.	<b>Provided</b> -included in park rules
State License [§117.1605(m)]	The recreational vehicle park will be licensed by the State of Michigan Public Health Code (Act 368, Article 12, Part 125, 333.12506)	<b>Provided</b> -permits included, continued condition of permit
Approvals [§117.1605(n)]	Before approval by the Milton Township Planning Commission the applicant must provide a construction plan approved by the State of Michigan. 1. All specifications regarding water supply, wastewater treatment, and electrical services shall meet standards in State of Michigan Public Health Code (Act 368, Article 12, Part 125, 333.12506) and Antrim County Public Health and Building codes/standards. 2. All roads internal to the recreational vehicle park shall comply with State of Michigan Public Health Code (Act 368, Article 12, Part 125, 333.1558)	<b>Provided</b> - 1. Campground permits provided 2. There are no road standards in Act 368, Article 12, Part 125 (Section reference incorrect)
Stormwater [§117.1605(o)]	All storm water shall be retained on the recreational vehicle park parcel.	<b>Provided</b> -included on site plan, narrative and confirmed by Barr Engineering
Security On-Site [§117.1605(p)]	The owner of the recreational vehicle park shall be responsible for having a manager or security personnel available 24 hours per day, seven days a week and residing onsite.	<b>Provided</b> -included in park rules
Screening [§117.1605(q)]	The park boundary line abutting the entry access road shall have a minimum of 50% screening; all other park boundary lines shall be fully screened per 117.311 of the Township Zoning Ordinance.	<b>Partially Provided</b> -included on site plan only along road right-of-ways. Additional buffering is needed as per section 117.311 along property lines.

**117.1602 Special Land Use Review Standards.**

- A. General Review Standards. The Planning Commission, before acting on a Special Land Use Application, shall employ and be guided by standards of this Chapter and the intent and purpose of this Zoning Ordinance, and the Milton Township Master Plan. The Planning Commission shall review each application and shall approve such Special Land Use only if it finds that such Special Land Use application meets each of the following standards, together with any and all Special Land Use standards reflected for the zoning district, and any and all applicable specific review standards found in this Article. The Planning Commission shall find adequate evidence that each use at its proposed location will be consistent with the public health, safety, and welfare of the Township and shall comply with the following standards:

§ 117.1602 Special Land Use Review Standards	
Standard	Finding
a. The proposed use shall be consistent with the adopted Township Master Plan.	<p><b>Not Satisfied:</b> The following sections of the Milton Township Master Plan Recommendations are not met.</p> <p>Page 8-3, Environment #1 "Promote the protection of sensitive environmental resources including but not limited to steep slopes, wetlands, wildlife habitat, springs/seeps, waterways, and shorelines."</p> <p>Page 8-3, Environment #2 "Encourage landowners to recognize the natural and cultural resource base within Milton Township, and work with and seek to fit future development within the Township's natural and cultural landscape."</p> <p>Page 8-4, Environment #6 "Utilize best management practices, including but not limited to promoting the use of native plants, on-site treatment and disposal of storm water by encouraging low impact design techniques, soil conservation, sustainable forest yields, and the restoration of damaged lands."</p> <p>Page 8-9, Farm &amp; Forest #9 "Recognize the importance of woodlands in providing wildlife habitat, erosion control, groundwater recharge, recreational uses such as hunting, and other enjoyment."</p>

§ 117.1602 Special Land Use Review Standards	
Standard	Finding
b. The proposed use shall be designed, constructed, operated and maintained to be consistent with the existing or intended character of the general vicinity and that such a use will not change the essential character of the area in which it is proposed.	<p><b>Not Satisfied:</b> The proposed use is not designed or maintained to be consistent with the existing character and will change the essential character of the area. As documented in public comment, the changes that were already done to the site have drastically changed the character of the area where the use is proposed.</p> <p>The existing property has been clear cut and graded, without proper Township permits, not preserving the natural state of the site at all. The applicant has not provided any replanting of the removed vegetation except for along the East and West property lines. The disturbance of the soils and topography has resulted in multiple issues, as documented in public comment, that has not resulted in the maximum harmony with adjacent areas.</p> <p>The applicant has not built the use around the land and natural environment but, has instead, moved the land and natural environment to suit their desired development pattern. Campgrounds and RV parks typically have sites woven into the natural environment, clearing only the bare necessity to allow for vehicle and trailer movement throughout the site, even leaving stumps where able to stabilize the land.</p> <p>The applicant's representatives has stated how the site was significantly graded to change the watershed on the site.</p>



§ 117.1602 Special Land Use Review Standards	
Standard	Finding
c. The proposed use shall not be hazardous or disturbing to existing or future uses in the same general vicinity and in the community as a whole.	<p><b>Satisfied:</b> The use of a seasonal recreational vehicle park will not produce hazardous chemicals, smoke, or noise to the neighboring properties. The applicant has provided park rules that provide for quiet hours and limit campfire locations.</p> <p>The applicant is installing screening along the existing roads to limit the visual disturbance of the use to the neighboring properties.</p>
d. The proposed use shall be served adequately by essential public facilities and services, such as highways, streets, police and fire protection, stormwater drainage, refuse disposal, water and sewage facilities and schools or persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately for such services.	<p><b>Satisfied:</b> The applicant has received approvals and undergone review of roads, police, fire, stormwater, water and sewage facilities. They are providing refuse disposal on site and are not anticipate to have any impact on schools due to the seasonal nature of the use.</p>
e. The proposed use shall not create excessive additional requirements at public cost for facilities and services and will not be detrimental to the economic welfare of the community.	<p><b>Satisfied:</b> The Fire Department and Sheriff Department have both reviewed the plans and have submitted no concerns over the proposed development. The water and sewer is provided via private systems maintained by the applicant.</p>
f. The proposed use shall not involve uses, activities, processes, materials and equipment or conditions of operation that will be detrimental to any person, property or general welfare by reason of excessive production of traffic, noise, vibration, smoke, fumes, glare or odors.	<p><b>Satisfied:</b> The Zoning Ordinance allows for a recreational vehicle park as a special use in the Village district. The traffic study submitted by the applicant (from the 2021 RV Park application, conducted by the Township) shows that there will be no excess traffic produced. The applicant has stated that there will be no campfires except for in the two pavilions.</p>

§ 117.1602 Special Land Use Review Standards	
Standard	Finding
g. The proposed use shall ensure that the environment shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, and by topographic modifications that result in maximum harmony with adjacent areas.	<p><b>Not Satisfied:</b> As previously stated, the existing property has been clear cut and graded, without proper Township permits, not preserving the natural state of the site at all. The applicant has not provided any replanting of the removed vegetation except for along the East and West property lines. The disturbance of the soils and topography has resulted in multiple issues, as documented in public comment, that has not resulted in the maximum harmony with adjacent areas.</p> <p>The applicant has not built the use around the land and natural environment but, has instead, moved the land and natural environment to suit their desired development pattern. Campgrounds and RV parks typically have sites woven into the natural environment, clearing only the bare necessity to allow for vehicle and trailer movement throughout the site, even leaving stumps where able to stabilize the land.</p> <p>The applicant's representatives has stated how the site was significantly graded to change the watershed on the site.</p>
h. The proposed use shall meet the intent and purpose of the Zoning Ordinance; be related to the standards established in the Ordinance for the land use or activity under consideration; and will be in compliance with these standards.	<p><b>Not Satisfied:</b> Based on the information contained in this report, submitted documents to the Township, and not satisfied standards.</p>

## VII. REPORT SUMMARY

The applicant has requested approval of a special use permit for a 70 unit recreational vehicle park in the Village zoning district. The Planning Commission has held the required public hearing and received public input. Following discussion and deliberation by the Planning Commission, the Planning Commission is required to adopt findings of fact regarding the approval criteria as listed in the Zoning Ordinance. All the criteria/standards must be met in order for the Planning Commission to approve the application.

### DECISION

Based on the findings, included in this report, all of the criteria/standards have not been met.

*Motion to adopt the findings of facts as discussed tonight and deny SUP 2021-01, application by James Brewer, for a 70 unit park, on parcels 05-12-006-047-00 and 05-12-101-020-10, as the application does not meet the requirements of the Milton Township Zoning Ordinance. Motion carried 7-0.*

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## VIII. ADDITIONAL EXHIBITS (Not listed elsewhere in this report)

Milton Township Zoning Ordinance  
Milton Township Master Plan