

**ELK RAPIDS TOWNSHIP
PLANNING COMMISSION**

Meeting Minutes – Tuesday April 21, 2009

Chairwoman Mischel called the meeting to order at 6:30 PM at the Government Center, 315 Bridge Street.

Present: Jean Derenzy, William Larson, Jim Lundy, Emile Sabty, Shen Smith and Renee Mischel.

Absent: Dorance Amos

Also Present: Leonard Harrett, Zoning Administrator, Larry Nix, Planning Consultant and audience of 2.

Adoption of Agenda: Agenda for 4-21-2009 meeting was adopted by consensus.

Approval of Minutes:

M/S – Derenzy/Lundy. Minutes for 3-17-2009 meeting were approved by the Planning Commission unanimously.

Public Forum: None.

Old Business:

Elk Rapids Township Community Character – Visioning Statement

The Chair advised of two joint meetings with the village on 4-27-2009 and 5-19-2009 and encouraged the members to attend, then asked Mr. Nix, Planning Consultant, to review the revised visioning statements. After the last meeting, two statements were reworked to choose from:

- Elk Rapids Township will be characterized with a quality school system complemented with high quality natural resources, sensitive to the community's history while maintaining active agriculture and attractive views and plentiful open space.
- Elk Rapids Township will be similar in character as the past 25 years maintaining a quality school system, high natural resources, and pristine water bodies, with complementing active agriculture and magnificent views.

A newly developed blend statement can also be utilized, it reads:

- Elk Rapids Township will strive to balance future growth and development with active agriculture, magnificent views and high quality natural resources.

Further work on the visioning project will be done after the two joint meetings take place and input is obtained.

The Chair discussed the joint meeting of 3-24-2009 for update review. Those who attended spoke of their impressions of the meeting, but that there were no definite conclusions attained. The Chair read a letter received from Mr. S. Francis, Village PC, in which he wrote of reporting to the Village Council two identified need areas brought up at the joint meeting. There is need for a second Industrial Park, and there is need for expanding the waste treatment facility. He felt that there could be a cooperative effort.

It was brought out that the Village owns approximately 40 acres next to the waste treatment facility, that it would be an ideal location and size for an industrial park with Village facilities. The Village can prepare it with needed infrastructure that would attract potential users. This subject was discussed in past years but not of late.

Through the Chair, a motion by Smith/Lundy was approved to table the subject until further input from the joint meetings becomes available. Passed 6-0-0.

New Business:

Sign Lighting Standards

Mr. Nix discussed the memo of 4-20-2009 on the subject. Four sections in the Zoning Ordinance are related to sign lighting, 3.04-G, 3.05-F, 17.04-B-10 and 17.04-B-17; they are generic in nature. Proposed text was discussed which would replace Sec 3.05-F.

The subject of signs with internal lighting was brought up. Mr. Nix stated that a standard can be added dealing with the intensity of the lighting. Such lighting can be observed in the new electronic billboards. It was expressed that definitely there is a need for a standard on intensity of lighting.

Through the Chair a motion by Sabty/Lundy was approved to table the subject for further update and review at the next meeting. Passed 6-0-0.

Plat of Juniper Hill – Board Overview

A lot split at the Juniper Hills platted area is contemplated. Because of the many unanswered questions the Township Board asked the PC to review and report their findings and recommendations. Mr. Harrett, Zoning Administrator gave a background review of the area being discussed. A paved trail running northward from the end of Lakeshore Rd through eight lots is not found on any of the Township records. The question would be what is it and how much regulation can we impose on it, if it is felt necessary?

The Owner of Juniper Hills Lot #3 had expressed a desire to split his one lot into two; then build a second house on the eastern new lot against a back embankment. The trail/driveway would be used to access the two lots.

South Bayshore Dr. is the access road of record to the existing lots. In a lot split, one of the two lots will not have an official access road, and this would not comply with Township regulations. Considering setbacks, lot requirements and a private road in between the lots, would hardly meet the required lot measurements needed. The trail is too close to the foot of the back hill drop to meet adequate lot measurements required. All existing deeds of all the properties do not show any easements for a trail.

Mr. Nix stated that the Juniper Hills area is considered a subdivision. We should consider what process this has to go through. A Subdivision Ordinance would cover the applicable standards including access private roads. It is recommended, to write a letter to the involved party and point out the pertinent section of the Subdivision Ordinance, provide them with a copy of how the properties there are zoned, provide a copy of the Private Roads Standard and advise them that they should submit a package of required information to the Township illustrating how they are going to comply with these regulations that are applicable to this situation so that the Township can work on approving the lot split.

Through the Chair a motion by Smith/Lundy was approved to have Mr. Nix write a letter as discussed and send it to the Township Supervisor for further action. Passed 6-0-0.

At this time Mr. William Larson excused himself and departed the meeting.

R-3 – R-1 Rezoning Overview

It was suggested that the R3-R1 properties along S Bayshore Dr. be all rezoned to R1. This would eliminate potential and existing zoning problems that did come up in past years and recently. Should such a change be made how should the property at the SE corner of this area be treated as it is zoned R3 but is not part of the R3-R1 split zone lots. It was also brought up that should a change be made we would have to find new R3 replacement area.

Mr. Nix advised that if an R3-R1 rezoning is done by the PC it would go thru a rezoning public hearing followed by County review and then Township review. As to the R3 corner lot; it is zoned R3 residential and is used as such

now, and there is no need to change it. The other changes can be completed without it. As to R3 replacement, should the R3-R1 rezoning take place we would not need to find a new R3 replacement area to be rezoned immediately. The R3 replacement can be done independently at a later time.

A motion by Mischel/Lundy was approved to table the discussion to the next meeting. Passed 5-0-0.

Correspondence: None

Public Comments:

Mr. Harrett, Zoning Administrator stated that a recent question was raised as to what the Zoning Ordinance contains about Alternate Energy, both private and commercial which includes wind, solar and geothermal? It is a subject that is gaining more recognition. At present the Ordinance would consider such items as structures.

A motion by Mischel/Smith was approved to put the subject on the agenda for future discussion. Passed 4-1-0.

Members Comments:

The Chair was informed that the Township SOB Ordinance might not be totally current with existing statutes and should consider reviewing it for possible necessary revisions.

Through the chair a motion by Smith/Derenzy was approved to have Mr. Nix review the SOB Ordinance and advise if a change is needed. Passed 5-0-0.

Ms Smith stated that the Tower Ordinance need to be reviewed and should be added under Future Review Items.

Ms Derenzy requested, if possible, to have an agenda prepared for the coming joint meeting on 5-19-2009. She also asked if there is a budget for the Planning Commission and the possibility of reviewing it.

As there was no further discussion, Chairwoman Mischel adjourned the meeting at 8:22 PM.

The next scheduled meeting will be on Tuesday May 19, 2009 at 6:30 PM in the Government Center, 315 Bridge Street.

E. S. Sabty, Secretary
4-21-2009

Minutes Approved 5-19-2009

Minutes are subject to approval at the next regular Planning Commission Meeting.