

**ELK RAPIDS TOWNSHIP  
PLANNING COMMISSION**

Meeting Minutes – Tuesday June 16, 2009

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

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

Absent: Dorance Amos, Jean Derenzy.

Also Present: Leonard Harrett, Zoning Administrator, Larry Nix, Planning Consultant and audience of 3.

**Adoption of Agenda:** Agenda for ~~5-19-2009~~ 6-16-2009 meeting was adopted by consensus.

**Approval of Minutes:**

M/S – Smith/Lundy. Minutes for 5-19-2009 meeting, as corrected, were approved unanimously.

**Public Forum:** None

**Public Hearing**

Amendment of Zoning Ordinance Chapter 3 'SIGNS,' Section 3.05 –GENERAL REGULATIONS RELATING TO SIGNS and Sub Section 3.05-F Sign Lighting Standards.

Chairwoman Mischel opened the Public Hearing, and with no public input, Sabty/Lundy moved to close Public Hearing. Approved 5-0-0.

Mr. Lundy inquired about the significance of sign lighting facing downward vs. upward? Mr. Nix explained that the light directed downward would eliminate visibility distraction. At the same time would adhere to the dark sky lighting principals recently approved in Ordinance Section 17.04-B-17. Another factor in this area would be snow effect on ground upward lighting.

With no further discussion the Chair asked for a motion to approve the Amendment.

M/S – Smith/Sabty. Move to recommend the approval of Zoning Ordinance Amendment Section 3.05 and 3.05-F on Sign Lighting Standards as written.

**Amend Chapter 3 'Signs,' Section 3.05 – GENERAL REGULATIONS RELATING TO SIGNS to read:**

Section 3.05 – GENERAL REGULATIONS RELATING TO SIGNS AND BILLBOARDS

**Amend Section 3.05-F to read as follows:**

F. Illumination. When illumination of a sign or billboard is proposed, or the sign is illuminated, illumination shall comply with the following requirements:

1. Illumination of the sign shall not adversely affect any neighboring residence.
2. Illumination shall not be flashing, blinking, intermittent, video, or an on-and-off type of lighting.
3. Illumination shall be arranged so that light is directed away from adjacent properties and away from any public right-of-way, and so that no direct sources of light are visible to any motorist or pedestrian located in a public right-of-way or street easement or from any adjacent property.
4. Any external lighting of signs shall be downward facing or otherwise directed to illuminate only the sign face.
5. Illumination shall be of a continuous white light.

6. The light from any illuminated source shall be designed so that the light intensity or brightness at the property line shall not exceed one (1) foot candle.

Vote. Yes – Larson, Sabty, Smith and Mischel.

No – Lundy.

The motion passed 4-1-0. Recommendation will be sent to the County. (Amendment #2009-2)

### **Old Business**

#### Elk Rapids Township Community Character – Visioning

Mr. Lundy gave a brief summary on the community informational meeting held on June 2, 2009. Two presentations on Septic Tank Inspection and Wind Energy were made. Mr. Peter Garwood from Antrim County addressed Septic Tank Inspections; that few communities have implemented such rules, but it is not predominant. Extensive studies as to who performs the inspection and at what stage of use, who pay for that and who has ultimate control of the process, would be needed to develop a comprehensive and equitable process. At this stage such a process leaves more questions unanswered than what is known so far.

Septic Tank Inspections was brought up during the 4-27-2009 Elk Rapids Community Visioning Meeting. The meeting survey results were distributed for Commission review. Mr. Harrett, Zoning Administrator, addressed who might incur the cost, and that should such an ordinance be developed it should be on a Township Board ordinance level.

The Chair brought the discussion back to the initial Commission visioning approach and emphasized staying the course to a conclusion. During the discussion it was determined that at this time there is no need to continue with the village/Township joint sessions, and that we should work on our initial approach to Township visioning. Should there be a joint need for directional approach, it should come from the Township and Village Boards and not from the Planning Commission.

Mr. Nix, Planning Consultant, reviewed the three vision statements discussed during the 4-21-2009 PC meeting and suggested that he would develop a summary review memo on the subject for the next meeting.

A question was raised about leaving out large developments from the visioning statement? Mr. Nix advised that the Commission did not want to include that term into a defined terminology which could prove problematic. The Commission wanted to focus on what we want to achieve rather than on what we don't want, by making a positive statement and keeping the negative out of it.

The Chair emphasized that this visioning would be our goal as we move forward in our work. We would make sure that in the decisions we have to make and future planning we may be looking at, we would extenuate the positive things we have been told by various surveys and the community resources that we have. This vision would be our guide for the Elk Rapids Township into the future. The Chair would communicate with the Township Board concerning joint meetings and their views on that.

With that the discussion was tabled until the next meeting.

#### Plat of Juniper Hills

The party involved did receive a Township letter outlining the proper procedure and zoning requirements involved in proceeding with their request. They had requested to attend the PC meeting of 5-19-2009 to go over their request but did not come to the meeting. The PC tabled the item to this meeting. They still did not show up. It was suggested that the PC drop this item from the agenda. If the party involved decides to pursue this item they can apply through the proper procedure. This item is now dropped from the agenda.

#### R3-R1 Rezoning Overview at S Bayshore Drive

This item was put on the agenda to resolve reoccurring problems of rezoning between R3 & R1 in that area. During the last meeting it was determined that should the process go forward there would be no

urgency to find immediate R3 zoned replacement. The Township Board did not originate this request; rather it came about as result of discussion with Board members. There was Planning Commission consensus to drop this item from further consideration as there were no apparent current problems in this regard. Should there be future need, it can be addressed then.

A motion by Smith/Larson to drop the item from the agenda was approved unanimously 5-0-0.

#### SOB Ordinance Review

Mr. Nix stated that since the previous month review he has been working on acquiring from Mr. Francis from the village their current ordinance so as to come up with compatible language. It was suggested to contact Mr. Steve Ravizzani, Village Zoning Administrator, for the necessary information. Once completed a review report will be prepared.

A motion by Lundy/Smith to table this item until the next meeting was approved unanimously 5-0-0.

#### New Business

##### Alternative Energy Zoning

The Chair opened the discussion as to what direction we should take relative to an ordinance on this subject as it is a subject that is in the front lines of discussions and on all fronts.

Mr. Nix stated that there is State legislation that was passed recently forming a study group to study the best state locations for large wind farms. In Antrim County, Banks Township was one such location. Because Elk Rapids Township is not a prime location, it does not follow that nothing should be done, just in case some one chooses to locate here.

Discussion included energy wind mill structures and height; wind mill recognized noise, density and individual units. The energy wind mill development is on a fast moving track and we should not o commit to an ordinance until the subject becomes more firm. We should utilize the Special Exception Special Use approach which is already in the Ordinance as well as the Residential Structure Ordinance approach.

At this time there was consensus among the Members that for the time being the existing Special Exception Special Use Ordinance will address the Alternative Energy Zoning Requirements.

##### Wireless Telecommunications Towers and Antennas

A motion by Smith/Mischel to have the Planning Consultant review the existing Tower Ordinance for necessary updates was approved unanimously 5-0-0.

#### Correspondence, Public Comments, Members Comments None.

As there was no further business Chairwoman Mischel adjourned the meeting at 8:10 PM.

The next scheduled meeting will be on Tuesday July 21, 2009 at 6:30 PM in the Government Center, 315 Bridge Street.

E. S. Sabty, Secretary  
6-16-2009

**Minutes Approved 7-21-2009**

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