

**ELK RAPIDS TOWNSHIP  
PLANNING COMMISSION**

Meeting Minutes – Tuesday August 18, 2009

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

Present: Dorance Amos, William Larson, Jim Lundy, Emile Sabty and Renee Mischel.

Absent: Jean Derenzy and Shen Smith

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

**Adoption of Agenda:** Agenda for 8-18-2009 meeting was adopted by consensus.

**Approval of Minutes:**

M/S – Lundy/Amos. Minutes for 7-21-2009 meeting were approved unanimously.

**Public Forum:** None

**Old Business**

The Chair asked Mr. Nix, Planning Consultant, to review the tabled items that are in process of discussion. Earlier in the day, Mr. Nix had e-mailed and hand distributed a set of seven extensive memos and Village Ordinance documents for review. During this meeting the subjects will be reviewed in brief and after members had the time to study them; will be discussed further at the next meeting(s).

**Outline Of Procedure** -- A memo summarizing the handout content and the general approach to the suggestions and ideas in review.

**Implementing the Master Plan into Our Zoning Ordinance:** -- A memo of combined summary of the various visions studies 1994-2009 and the Vision Statement. It further included different subjects appearing in the Master Plan that need to be addressed in the Zoning Ordinance. The evaluation listing would be reviewed by the PC with a Yes/No to each item as to whether it should be addressed.

The present members reviewed and evaluated each item; Mr. Nix tabulated the summary review showing the general consensus of the group. This gives a direction on the items in the Master Plan that potentially should get into the Zoning Ordinance.

**Zon Ord Chapter 15, Wireless Telecommunication Towers And Antennas** – A memo summarizing the eight observations that need attention in this chapter as well as the actual affected text of the Ordinance showing how it is to be implemented. The eight items were individually reviewed with an explanation of the changes made. The existing text and the revised text were also presented.

Upon discussion two items were agreed to. Revise item #8 equipment cabinet size to be at least 10'x10'. Also it was recommended to encourage pursuing "monopole towers" rather than the existing "guided towers". The current existing guided tower becomes a legal nonconforming tower.

Write up modifications will be prepared for the next meeting and will be coordinated with the Township attorney.

**SOB Ordinance:** -- The cover memo outlined suggestions to be followed in making a review on this subject. The second memo provided a general review of various research material, studies and typical Ordinance provisions on the subject. The hand out also included a copy of the adopted Elk Rapids Village SOB Ordinance and the Licensing Procedure. It was emphasized that the Village and Township should be very similar in how they treat this subject. Mr. S. Francis from the Village will attend our next meeting and share his knowledge on the

subject with us. A copy of various research materials used as references had been collected on this subject and will be made available for Township review as desired (7-8 in thick). Work on this Ordinance will involve the PC and the Zoning Administrator to identify locations and other aspects that are needed in such a review.

Zoning Ordinance Audit: -- A key to having an efficient Ordinance is to run an Ordinance Audit, something that has not been done in the past, it will cut down on the constant reworking of individual topics, which in many instances have a chain reaction change effect. It will be an inventory of what is to be worked on to bring the Ordinance up to modern standards; it gives you a general picture view. The PC makes the choice.

Discussion brought up that there is nothing in the past Minutes that refer to an Audit that all amendments which took place were on individual items as they came along. That any audit should dwell on what we don't have at present rather on what we already have. There is no perfect Ordinance that would cover every single potential situation. There are ways to structure an Ordinance so that when a situation comes up, it brings it to the attention of the Township that something should be done about it rather than facing a blank situation.

It is felt that the Ordinance as written is not a problem unless a specific problem comes up. It gives adequate protection unless something unforeseen does come up. Our worry should be about what is not in there.

**Mr. Amos** inquired about the cost of an Ordinance Audit. The work to be done by Williams & Works would cost \$1,500. He further suggested that work done on the Wireless and SOB Ordinances should be reviewed by attorney.

#### **New Business**

Mr. Harrett, Zoning Administrator received an inquiry as to what zoning requirements does the Township have relative "Class 1 Injection Wells." The response was that this being a sort of commercial work it will be located in a Commercial Zone and will require a Special Exception that entails a review. Any further communication would be brought to the attention of the PC.

**Correspondence**        None

**Public Comment**        None.

#### **Members Comments**

Mr. Sabty stated that the Lighting Ordinance 2009-02 was approved by the Township Board on 8-11-2009 and will become effective seven days after publication.

As there was no further business Chairwoman Mischel adjourned the meeting at 8:05 PM.

The next scheduled meeting will be on Tuesday September 15, 2009 at 6:30 PM in the Government Center, 315 Bridge Street.

E. S. Sabty, Secretary  
8-18-2009

**Minutes Approved 9-15-2009**

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