

**Elk Rapids Township Planning Commission
PUBLIC HEARING
Meeting Minutes – Tuesday, October 9, 2018**

The meeting of the Elk Rapids Township Planning Commission was called to order by Chairperson Shen Smith at 6:30 PM at the Government Center, 315 Bridge Street, Elk Rapids, MI 49629.

- Present:** Shen Smith, Emile Sabty, Plug Sliger, and Gary Peppler.
(Quorum Established)
- Absent:** Jim Lundy, Renee Mischel and Aaron Isenhardt
- Also Present:** William Derman, Township Attorney, Larry Nix, Zoning Administrator
- Audience:** None.
- Adoption of Agenda:** **Motion to approve the October 9, 2018 Agenda.**
M/S - Sliger/Peppler **Motion Unanimously Carried.**
- Public Comments:** **None**
- Approval of Minutes:** **Motion to approve the September 11, 2018 meeting minutes.**
M/S - Sliger/Peppler **Motion Unanimously Carried.**
- M/S - Sliger/Peppler** **Motion to Open Public Hearing**
Motion Unanimously Carried.

Public Hearing on Ordinance Amendment Section 2.11 - Proposed Amendment Number 2018-01 Amend Chapter 2, General Provisions, Section 2.11, RESTRICTIONS APPLICABLE TO PROPERTY ABUTTING LAKES, RIVERS OR STREAMS; add new Sub-section 2.11-C to read as follows:

C. In special situations, the Zoning Administrator may issue a Zoning Permit to grant the removal of a tree in the 25-foot protection zone for safety and health reasons. If the Zoning Administrator finds there is good cause for a tree to be removed from a property for the reasons outlined below, the property owner will be required to plant a replacement tree with a minimum caliper size of two (2) inches for a deciduous tree and six (6) feet in height for a conifer tree. In the event the Zoning Administrator questions the removal of a tree, the request may be referred to the Planning Commission for consideration.

1. The tree proposed for removal has been damaged by a storm or wind, or is diseased or dead and presents a safety hazard to the property or adjacent property. The root base of the tree shall not be removed for soil erosion purposes. For these specific situations, no tree replacement is required.

2. The tree proposed for removal is a nuisance to the property owner due to tree sap that cause a reduction in enjoyment of the water front property. The root base of the tree shall not be removed for soil erosion purposes.

The Planning Commission had no questions regarding Amendment Number 2018-01.

- M/S – Sliger/Peppler** **Motion to Close Public Hearing.**
Motion Unanimously Carried.

Additional Discussion regarding Amendment Number 2018-01:

- Administrator Nix provided additional clarification to the Commission referencing paragraph 'C' in the proposed amendment, noting that in special situations, the Zoning Administrator may issue a Zoning Permit to grant the removal of a tree. This permit will provide an official record that will allow the Township to keep track of how many trees are removed on a parcel. The cost of this permit is currently \$75.00.
- Mr. Nix further noted that most people are not aware of the Township tree removal zoning restrictions. Therefore, to get this information out to residents, the Commission suggested a statement regarding tree removal be put into the local paper, posted on the Township website, and be distributed to members of the Skegemog Lake Association. It was also suggested that some sort of paragraph or notation referencing this amendment could be included with the Zoning Permit for residents living on the water.

M/S – Sabty/Smith Motion to approve Amendment Number 2018-01 as presented.

**Roll Call Vote: YEAS: 4 - Sabty, Smith, Sliger, Pepler
 NAYS: 0
 ABSENT: Mischel, Lundy, Isenhardt**

MOTION UNANIMOUSLY APPROVED BY ROLL CALL VOTE

- Mr. Sabty noted he will prepare a letter along with all the appropriate documents to send to Antrim County for their approval regarding the approved Amendment Number 2018-01.

Township Zoning Administrator – Larry Nix – A summary of Mr. Nix’s report follows:

- Sixteen Zoning Permits have been issued this year. This is down from last year. Overall, it’s been busy, lots of inquiries and questions; things are going well.
- **Master Plan Status:** The 2018 Collaborative Master Plan was adopted by the Village on October 1, 2018 and by the Township earlier today, October 9. Based on the adoption, Mr. Nix will work with Mr. Sabty to put together the final adoption document. The Master Plan should be posted on the Village and Township websites in approximately 20-30 days.
- **Solar Energy:** Mr. Nix reported Geronimo Energy had recently given an alternative/renewable energy presentation to the Township Board that might be of interest to the Planning Commission. Mr. Nix stated that he has been in contact with a representative at Geronimo Energy and they would be interested in giving the Planning Commission a solar energy presentation in January. The Commission indicated an interest in having a presentation made and inviting the public to attend as well. Chair Smith noted that she will send an email to all the Commission members to determine how many members would be available to attend this presentation in January.
- **5G Waves:** Zoning Administrator Nix reported that he had researched the internet and spoke to a few people in the industry regarding health concerns from 5G

waves. Mr. Nix noted that he was unable to find any evidence that 5G waves are dangerous to humans.

- Attorney Derman reported that there is legislation pending that will allow the installation of small cell towers on top of telephone poles and suggested that Mr. Nix research how the installation of these towers might impact the Township.

Township Legal Staff – Bill Derman – Attorney Derman provided the following information to the Planning Commission:

- Reminder – The marijuana proposal is on the November ballot.
- Nothing new to report on short-term rentals, however, Milton Township has been dealing with some noise issues.
- 2018 Collaborative Master Plan was approved today at the Township Board Meeting.
- There has been an increase in storage containers (PODS) showing up in our local communities.
- Farmland Preservation Program will be sending out questionnaires in our area.
- Milton Township is exploring a sewer extension from Williams Road to Cherry Avenue. Talks have started with the Village and the Township as to how to go about extending the system and what costs are involved.
- The DEQ has confirmed the Sportsman Club is free of lead contamination. Treasurer Szymanski reported that over one-million dollars has been spent over the last ten years on the clean-up project. Over 3,500 tires that were buried on the property have been removed and hauled away. Township Engineers are looking at plans for this site. Attorney Derman encouraged the Planning Commission to share any suggestions or comments they may have as to the use of this property to the Township Board.
- Mr. Derman suggested that Zoning Administrator Nix look at the site plan for 365 located on US-31. It appears there are some changes at this location and it might be a good idea to investigate that property.
- Attorney Derman reported that field inspections are taking place around the Township. The inspectors are finding all kinds of new buildings that were never authorized or issued land use permits. Pictures are being taken and Karleen is entering and processing all the new data.

Unfinished Business: None

New Business: None

Public Comments: None

Member Comments: None

Adjournment:

M/S - Sabty/Smith

MOTION TO ADJOURN.

MOTION CARRIED.

Meeting Adjourned at 7:18 PM