

## **Preliminary Excerpt Minutes**

### **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 Pepler.  
***(Quorum Established)***

**Absent:** Jim Lundy, Renee Mischel and Aaron Isenhardt

**Also Present:** William Derman, Township Attorney, Larry Nix, Zoning Administrator

**Audience:** None.

**M/S - Sliger/Pepler      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 caliber 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/Pepler      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, Peppler  
   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.