

**Elk Rapids Township Planning Commission Meeting  
Meeting Minutes – Tuesday, June 11, 2019**

The meeting of the Elk Rapids Township Planning Commission was called to order by Chairperson Shen Smith at 6:31 PM at the Government Center, 315 Bridge Street, Elk Rapids, MI 49629.

**Present:** Shen Smith, Emile Sabty, Jim Lundy, Pug Sliger, and Aaron Isenhart  
*(Quorum Established)*

**Absent:** Renee Mischel and Gary Pepler

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

**Audience:** Julia Pollister Amos, Tracy Morrison and Brad Muma

**Adoption of Agenda:** **Motion to approve the June 11, 2019 Agenda.**  
**MOTION/S Lundy/Sliger** **Motion Unanimously Carried.**

**Public Comments:** None

**Approval of Minutes:** Mr. Derman noted the date on Page 4 for the  
**MOTION/S Lundy/Sliger** public informational cemetery proposal meeting  
should be corrected to June 26. (not June 16).

**Motion to approve the May 14, 2019 meeting  
minutes with date correction.**  
**Motion Unanimously Carried.**

**Public Hearing #1:** Under consideration is a request from Mark W. and Tracy E. Morrison, owners of a Cherry Family Farm located at 11575 Elk Lake Road, Williamsburg, Michigan, Zoned Agricultural, Tax ID#05-06-033-026-10. The applicants are requesting to locate a 14' x 32' farm market on the property.

**Open Hearing:**  
**Motion/S Lundy/Sliger** **Motion to Open Public Hearing #1**

**Zoning Administrator Report:** It was noted that each member of the Planning Commission had received and reviewed Mr. Nix's Site Plan Review Report for the Morrison farm market/roadside stand dated June 4, 2019 and had no additional questions or comments.

**Legal Counsel Report:** Mr. Derman noted that Larry's Report is on point. Only comment he would add is the structure should be referenced as a "roadside stand" not a "farm market".

**Planning Commission Comments/Questions:** Chair Smith noted that Mr. Sabty, Mr. Nix and Mr. Derman reviewed the Township Zoning Ordinance to determine the difference between a "roadside stand" and a farm market". The current ordinance only references "roadside stands". The Planning Commission may consider addressing an amendment to the Zoning Ordinance to add "farm market" at some point in the future.

**Close Public Hearing:  
MOTION/S Ishenhart/Lundy**

**Motion to Close Public Hearing #1  
Motion Unanimously Carried**

**MOTION/S Sabty/Lundy**

**Move to approve the request from Mark & Tracy Morrison to construct a 14' x 32' Farm Stand building located at a circular drive on their farm property at 11575 S. Elk Lake Road; with the following considerations:**

- 1. Considering the nature of the application on hand, a certified standard site plan requirement is waived per Zoning Ordinance Section 17.04-B.**
- 2. All applicable site signage should meet the standards of the Elk Rapids Township Zoning Ordinance.**

**Roll Call Vote: Sabty, Lundy, Isenhart, Sliger, Smith, all voting YES (5)  
0 voting NO. (Mischel and Pepler are absent)  
MOTION UNANIMOUSLY APPROVED**

**Public Hearing #2: Under consideration is a request from Julia Pollister Amos owner of Residential Zoned property at 8443 Cairn Highway, Elk Rapids, Michigan, Tax ID #05-06-015-047-20. The applicant is requesting approval to improve the current access to the lake shoreline for persons unable to use the existing steps per submitted certified site plan, and will grade to improve the current lawn edge to beach section in line with the two adjoining neighbor's recent shoreline improvements.**

**Open Hearing:  
MOTIONS Lundy/Isenhart**

**Motion to Open Public Hearing #2  
MOTION UNANIMOSLY CARRIED**

**Zoning Administrator Report:** It was noted that each member of the Planning Commission had received and reviewed Mr. Nix's Site Plan Review Report for Shoreline Modification – Julia Pollister Amos, 8443 Cairn Highway, dated June 4, 2019. Each member was also provided a copy of the approved Antrim County Soil Erosion Permit.

**Conflict of Interest:** Mr. Derman recused himself from comments on this shoreline modification.

**Additional Comments/Questions:** Mr. Sabty noted the following correction to Mr. Nix's Report: Page 1 – Section 2.11, D. should read: **Section 2.11, B.**

**MOTION/S Lundy/Sliger**

**MOTION TO CLOSE PUBLIC HEARING #2  
MOTION UNANIMOUSLY CARRIED**

**MOTION/S Sabty/Lundy**

**Motion to approve the request from Julia Pollister Amos to modify the shoreline access on their property at 8443 Cairn Highway and to construct a new leg to the existing driveway, with the following findings and considerations:**

1. **Zoning Ordinance Section 2.11, B requirements are met. The submitted certified site plan by a professional does meet the requirements of the Zoning Ordinance, Chapter 17.**
2. **The work to be performed should not have any adverse effect on the affected shoreline.**
3. **A performance guarantee is waived; but coordinated inspections with the Township Zoning Administrator and the County Soil Erosion Control Officer should be observed per Zoning Ordinance Procedures Section 2.11, B-3.**
4. **Recommendations by the County Soil Erosion Control Officer are to be implemented.**
5. **Antrim County Soil Erosion Permit #2019-76 issued on 6-7-2019 should be observed and its five (5) specifications followed.**

**Roll Call Vote: Sabty, Lundy, Isenhardt, Sliger, Smith, all voting YES (5)  
0 voting NO. (Mischel and Pepler are absent)  
MOTION UNANIMOUSLY APPROVED**

**Township Zoning Administrator Report – Update on proposed wind and solar panel ordinance:** Mr. Nix reported he is still working on the draft and plans to have something for the Planning Commission to review at the September meeting.

**Township Legal Staff Report:** A summary of Mr. Derman’s report follows:

**Short Term Rentals:** Nothing new to report

**Township Sewer Extension:** Inwood Harbor public informational meeting scheduled for June 19 at 4 PM. Performance Engineering has performed the first and second stages of the canal water tests and reported zero E-Coli coming from Birch Lake.

**Milton Township Sewer Extension:** Milton Township does not yet have a sewer agreement with the Village. Bid opening for the project is scheduled for June 27 at 11 AM.

**August Ballot Proposals:** Elk Rapids Township **Farmland Preservation** – 1 mill for 10 years. Grand Traverse Regional Land Conservancy and Friends will do a pro-farmland mass mailing sometime in June. **Maple Grove Cemetery** proposal 6/10ths of a mill for 10 years. Informational Meeting scheduled for June 26 at 4 PM.

**Paving Schedule:** US 31 and Clearwater Point is completed.

**Marijuana:** Nothing new to report.

**Tart Trail:** Preliminary plan supposed to be presented to the Village - June 17. Members asked why the Township is not part of these meetings? Mr. Derman noted that the Township has opted out and is not supporting the trail.

**Maplehurst Grand Opening:** Saturday, June 15 – 10 AM.

**Old Sportsman Club:** Township Board approved the transfer of this property to the heirs. The Quick Claim Deed has been signed and sent to the family.

**Unfinished Business:** None

**New Business: Possible amendment to Township Agricultural Zone regarding Farm Markets/Roadside Stands.** A summary of the Commission’s discussion follows:

- Mr. Emile Sabty provided the Commission with a copy of the research he did on how other Townships address roadside stands and farm markets.
- He noted that only 5 Townships use a Zoning Ordinance with different language content in the Agricultural Zone.
- Mr. Nix noted that Emile has provided some good information through his research, however, more research is needed to ensure any potential changes to the Zoning Ordinance are done correctly.
- The Commission participated in a lengthy discussion on the differences between roadside stands, farm markets, home occupations, farms, gift shops and “farm markets on steroids”.
- It was noted that the Township Zoning Ordinances only addresses roadside stands which sell products grown on the premises and are situated so as to provide adequate off-highway parking for customers.
- Roadside stands/farm markets are an easy way for locals and visitors to buy locally grown products.

**Conclusion:** The Commission requested that Zoning Administrator Nix draft a possible Zoning Ordinance Amendment that would address farm markets in the Township for review by the Commission at the September meeting. Mr. Nix noted that as information becomes available between now and September, he will send drafts of the potential amendment to members for review and comment.

The Members concluded that as this process moves forward, it is important to have some structure that will address the type of farm markets the Township wants to see in the future. However, careful thought must be given to support and protect the local agricultural community and to not impose any unnecessary complicated restrictions or regulations on the farmers.

**Public Comments:** Tracy Morrison asked the Commission what the process would be if she wanted to expand her roadside stand into a farmer’s market? Mr. Nix responded the Commission will hope to address this process at the Planning Commission meeting in September.

**Member Comments:** None

**Adjournment:**

**MOTION/S Lundy/Sliger**

**MOTION TO ADJOURN.**

**MOTION CARRIED.**

**Meeting Adjourned at 7:30 PM**

*(Meeting Minutes as of 6/19 – 10 AM)*