

**Elk Rapids Township Planning Commission Meeting
Meeting Minutes – September 24, 2024**

The meeting of the Elk Rapids Township Planning Commission was called to order by Chairperson Shen Smith at 11:30 AM at the Government Center, 315 Bridge Street, Elk Rapids, MI 49629.

Present: Shen Smith, Emile Sabty, Zach Amos, Tom Crandall, Gary Pepler and James Lundy. Absent: Matt Soper

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

Audience: Audience was comprised of approximately 25 residents from the Birch Lake area.

Approval of Agenda: **Motion to approve the September 24, 2024 Agenda.**
Motion/S: Amos/Lundy **Motion Carried.**

Approval of Minutes: **Motion to approve the August 13, 2024 meeting minutes.**
Motion/S: Amos/Crandall **Motion Carried.**

Motion to open Public Hearing:
Motion/S Amos/Lundy

- Emile Sabty provided his understanding of the properties affected and their property classifications in the tax system. His understanding was that the map would be changing to reflect the Future Land Use Map in the new Master Plan but not the rezoning of properties.
- Larry Nix commented the intent is to update the zoning map to accurately reflect the State Wetland map, and State wetland rules will still be in place.
- Also mentioned was the proposed rezoning is consistent with the Master Plan and when rezoning more than 11 parcels, individual property owner notification is not necessary by law.

Public Comments: A conflict of interest was brought up regarding a property owner having a relative on the Commission. It was determined there was no conflict of interest by any member of the Planning Commission. Several members of the audience spoke with concern of the impact on water quality should the rezoning take place. A letter from Pat and Carol Brady was read into the record. Larry Nix answered questions posed during the comments and reiterated that the wetland rules and regulations of the State of Michigan would still be in place. Very minor changes were made in the Master Plan Future Land Use Map, and not to the area in question. Also, any existing parcel would be permitted to build a structure provided all the State and Local rules were followed. The intent of the proposed rezoning is to minimize the time necessary when an EGLE determination is not necessary in an upland area. Currently all parcels with an Environmental designation are required to seek a wetland determination prior to applying for a zoning or building permit.

Motion to close Public Hearing:
Motion/S Lundy/Crandall **Motion Carried.**

Planning Commission held discussion:

The Planning Commission discussed the proposed rezoning and the public comments with some members desiring to table the item and others desiring to move forward with a motion. Mr. Nix

explained the options to the Planning Commission including tabling the request for further study, approval of the request, or denying the request.

- Chairperson Smith would like to table for 30 days to notify each property owner. Motion to table the issue until the next meeting October 7, 2024.

Motion/S Smith/Peppler

Roll Call Vote
Smith Yes
Peppler Yes
Amos No
Lundy No
Sabty No
Crandall Yes
Motion Denied.

Motion Lundy/Amos

Move to approve updating the rezoning as presented: Rezone 16 Environmental parcels to R1 and 14 Environmental parcels to Agricultural.

Motion/S: Lundy/Amos.

Roll Call Vote
Amos Yes
Crandall Yes
Lundy Yes
Peppler Yes
Sabty Abstained
Smith No
Motion Carried.

Administrators Report:

- Larry Nix reported there was little activity for permits over the past month.

Township Legal Staff Report: (Bill Derman)

- B. Derman gave an update on the issues in the Township.

Unfinished Business:

- Chairperson Smith suggested they table the unfinished business until the next meeting.
- The timing of the next meeting was discussed to accommodate the new attorney. The Planning Commission did not have a problem changing their meeting to the same day the Township Board met.

New Business:

None

Public Comment:

None

Member Comment;

- Chairperson Smith wanted to mention that she would have liked the Commission to table the item in order for the notification of property owners that had contacted her with concerns.

Motion to Close Meeting:

Motion/S: Amos/Lundy

Motion Carried.

Adjournment:

1:05 PM

(An audio tape of this Planning Commission Meeting is available at the Township Office)