

**Elk Rapids Township Planning Commission Meeting
Meeting Minutes – October 13, 2020**

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, Jim Lundy, Zach Amos, Gary Pepler and Aaron Isenhart.

(Quorum Established)

Absent: Tom Crandall

Also Present: William Derman, Township Attorney.

Audience: Marc McKellar and Joe Quant of Kuhn Rogers PLC in Traverse City.

Adoption of Agenda: **Motion to approve the October 13, 2020 Agenda.**
MOTION/S Lundy/Peppler **Motion Unanimously Carried.**

Public Comments: None

Approval of Minutes: **Motion to approve the September 8, 2020 meeting minutes.**
MOTION/S Lundy/Peppler **Motion Unanimously Carried.**

Private Road/Site Condo Review:

An application has been received to establish a private road and site condo development from Marc S. McKellar II of Kuhn Rogers of Traverse City representing Donald Hayden, Jr., owner of C Farm LLC, located adjacent to Orchard View Drive, Williamsburg, Michigan 49690. Tax ID #05-06-033-002-52. The property is zoned "A" Agricultural. The application represents a private road with a cul-de-sac serving 9 single family home sites on a 31.46 acre site.

A summary of the private road/site condo review discussion follows:

- A copy of Mr. Sabty's list of 15 Review Recommendations were provided to all members of the Commission as well as Mr. McKellar and Mr. Quant.
- Mr. McKellar reviewed the details of the Hayden Condo Project and also addressed the 10 Planning Commission recommendations outlined in Zoning Administrator Nix's memorandum dated October 2, 2020.
- Mr. McKellar noted that they have been working and communicating with Larry Nix on details of this project.
- The Planning Commission clarified the purpose of this private road/site condo review is to provide the Township Board with a recommendation.
- Mr. McKellar's mentioned during his presentation, they are also considering the option to make some of the condos duplex/multi-family units. It was noted all the documentation and materials provided to the Commission on this project **only addressed single family units**; not multi-family units.

MOTION – POSITIVE RECOMMENDATION – Emile Sabty

Pursuant to requesting the Planning Commission to review the Orchard View Site Condominium Development Plan and the Private Road Plan and all supporting and attached documentation; move that the Planning Commission make a positive recommendation with the below concerns, pertinent to the Plans, be completed or corrected and reviewed by the Zoning Administrator prior to the Township Board review.

Review Concerns:

1. Any erosion or sedimentation on adjoining properties caused by this project both during and after completion shall be immediately repaired to the satisfaction of the Antrim County Soil Erosion Control Office. The developer will be responsible for damages done to adjoining properties caused by erosion or sedimentation. Additionally, the developer shall be responsible for establishment of good vegetative cover after construction to prevent erosion and discharge of sediments off the site.
2. The Condominium Subdivision Plan and the Private Road Plan, as presented and modified, cannot be amended or modified without Elk Rapids Township approval.
3. A copy of any amendments to the proposed Master Deed and/or Consolidating Master Deed shall be provided to Elk Rapids Township.
4. That the Township Board with the assistance of the engineers establish and set a Performance Bond for the project.
5. Since the Township Ordinance requires inspections of the private roads by the Zoning Administrator and Township Engineer, a schedule of construction improvements should be provided to the Township Zoning Administrator and inspections planned based on this information.
6. Conditional Antrim Health Department, Antrim Soil Erosion and Elk Rapids Fire Department approvals to be provided prior to Township Board review.
7. Zoning Ordinance Sec 2.18 Lot Creation, Land Division & Condominium Development should be adhered to with emphasis on the areas of concern in Sec 2.18 as outlined in the Zoning Administrator Hayden Memorandum dated 10/2/2020.
8. Zoning Ordinance Sec 2.19 Private Road Regulation should be adhered to with emphasis on the 15 areas of concern in Sec 2.19 as outlined in the Zoning Administrator Hayden Memorandum dated 10/2/2020.
9. The determined road name will be indicated as a private road on all sheets.
10. A note will be added to state that all utilities will be placed underground.
11. All comments and concerns of the Elk Rapids Township Attorney will be satisfied prior to Township Board review.
12. The master deed will have a reference to the site plan that is being considered for approval by the Township, and this is where construction details and Township requirements are illustrated and noted.

13. Only nine (9) single family dwellings can be constructed in the Site Condo project plus associated residential accessory buildings. No dwelling, building, or structure shall exceed a height of two and one-half (2 ½) stories or thirty-five (35) feet, whichever is the lesser.

14. Section 5.1 of the Master Deed refer to Unit height of 50 feet above the surface. The same appears on the Site Plan Sheet #4, "Typical Envelop height 50 feet." Both references should be corrected to read, "a height of **35 feet** above the surface."

15. The site plan must be signed by the registered surveyor or engineer and must bear the seal of the surveyor or engineer.

M/S Lundy/Smith

Motion to accept Mr. Sabty's positive recommendation motion to the Township Board.

Motion Unanimously Carried.

Township Zoning Administrator Report: None

Township Legal Staff Report: None

Unfinished Business:

- Work Session regarding developing a new Township Private Road Ordinance. Township Attorney Bill Derman and Zoning Administrator Larry Nix will work together and prepare some suggestions for the Commission to review.

New Business: None

Public Comments: None.

Member Comments: None.

Adjournment: **Meeting Adjourned at 7:31 PM**