

**Elk Rapids Township  
Planning Commission**

Special Meeting Minutes – Thursday, February 28, 2013 (Rescheduled from 2-19-2013)

Chairwoman Smith called the Meeting to order at 6:30 PM at the Government Center, 315 Bridge Street.

Present: Dorance Amos, Jean Derenzy (6:45 PM), William Larson, Jim Lundy, Renee Mischel, Emile Sabty & Shen Smith. (All are present).

Also Present: Leonard Harrett, Zoning Administrator, Brian Wegener, Planning Consultant, William Derman, Township Attorney and William White, Township Supervisor

**Adoption of Agenda:** M/S – Amos/Mischel. Agenda for 2-28-2013 meeting was adopted unanimously.

**Approval of Minutes:** M/S – Amos/Lundy. Minutes for 1-15-2013 meeting were approved unanimously.

**Zoning Administrator Report**

Mr. Harrett informed that a permit to build a new two story house was recently issued to an applicant; the house has a small foot print which also includes a garage. Also, a Site Plan Review request might be scheduled for the April 16, 2013 meeting pending that all the required documents are received by March 4, 2013.

**New Business**

**Collaborative Master Plan Review**

Chairwoman Smith opened the Collaborative Master Plan previously approved draft for further review and discussion. Mr. Sabty went over the information and findings distributed for the meeting in order.

**Wetlands:**

The Wetlands Map #3 in the Plan draft, when compared to the 2007 TWP Master Plan Wetlands Map #2, show a 4-5 fold increase in the designated “Wetlands” (green color); that raised the question as to why such a dramatic increase in wetlands in the Township. It was explained that Map #3 labeled “Wetlands”, actually represents “Hydric Soils” which may include wetlands. Further study of Hydric Soils indicates it could include 15-16 different soils, one of which may be wetlands. To determine any of the soils present, would require on-site investigation by professional soil or wetland scientists familiar with local conditions who would be the best equipped to make an onsite Hydric Soil determination and would include MDEQ involvement and permits.

This approach is not what the Township expected. It was explained that the 2007 Map #2 showing Wetlands is adequate and is more appropriate for wetlands designation in the TWP. It continues to be used without any problems and as such should be used in the Collaborative Master Plan in place of Map #3.

The Chair inquired if the Draft Master Plan can be amended by the Planning Commission at this stage or is it to stay as is. It was determined that the Study Committee was dissolved and the Plan now is in the hands of the respective Planning Commissions to make changes if any, and after final approval to pass it on to the Township Board for further processing.

The Chair asked the PC Members and the TWP Attorney for comments. It was brought up that Map #3 was included in the Plan for being the most updated and recent map on hand; but if the PC wants it replaced by the 2007 Map #2, there should be no problem in doing that. There was consensus to using the 2007 Map #2. The Chair then asked for a motion.

M/S – Lundy/Larson. Move that Map #3 “Wetlands” in the Collaborative Master Plan Draft be removed and replaced with Map #2 “Wetlands” from the 2007 TWP Master Plan. **Passed 6-0-0**

US-31 Corridor:

Referring to Attachment #5, it shows that the New Plan was using the Scenic Corridor designation but the 2007 Plan Scenic Corridor text was left out. Attach. #9, Page 28 with 5 text lines on US-31 Corridor compared to the 2007 Master Plan pages 3, 4 & 24 showing 40 text lines; the question is what happened to the 87% of that text when it was supposed to flow into the new plan. That led to further study of the Plan draft. In Attach. #7 comments, and from comparing the two Plans text, we were not aware of the changes being made in the New Plan. The TWP had said that the 2007 Master Plan is a good Plan and we would like to keep it as we go into a collaborative Plan, without many changes. Comparative study identified the unexpected changes that took place.

Attach.10 does explain and define a Scenic Corridor as being a Zoning District with its own regulations. That is not what the TWP was looking for.

Between April 2006 and December 2008 extensive studies, discussions and various suggested plans of action took place on implementing a US-31 Scenic Corridor Overlay, but this was brought to a halt, with no action taken, for lack of public support. However, during the discussions there was always an expressed interest in maintaining the enhancements and esthetic applications that were utilized there.

When we look at the draft text pg 28 we notice the use of "Scenic Corridors". I would suggest replacing it with "View Corridors" which by definition means, "*The route that directs the viewer's attention.*" It would be more appropriate to refer to US-31 & Elk Lake Road as View Corridors. The draft Map #2 and the 2007 Map #3 titled Community Facilities & Resources does use the View Corridors designation pointing to US-31 and Elk Lake Rd. This designation is already in use and should apply in all references. The draft Map #5 shows US-31 and Elk Lake Rd with hash marks identified under the TWP Key as Scenic Corridors. That should be deleted. Once the designation Scenic Corridor is removed, the esthetic enhancements text in that section that we continue to apply to that area should stay to be used as a general guide to that area when developments take place.

The non Overlay text from the 2007 Master Plan pgs 3, 4 & 24 should be put back in the draft Plan. That core of the text was written before a US-31 Scenic Corridor discussion took place. The proposed text in attach. #9 is now shown with alterations that eliminate the restrictions associated with a Scenic Corridor. It is a more friendly text that would keep the suggested esthetic enhancements and improvements along US-31 that we now use. If this is accepted, the Planning Consultant would be asked to have it reformatted into one complete statement.

Also on pg 31 of the draft Plan, under Table 8 – TWP Zoning Plan Table, the last item in the list is "Scenic Corridors". That should be deleted from the table.

Chairwoman Smith stated that what was presented would bring back the text from the 2007 Master Plan to become part of the draft Collaborative Plan. Then asked for comments.

It was brought up that the TWP representatives on the Combined Study Group were not aware of the above mentioned changes made as presented and that they were under the impression that the 2007 Plan would flow into the new one as intended. It was suggested that it could be that the omissions experienced were no more than a diction oversight, and after our review it would be rectified while the Plan is still in draft category.

The Planning Consultant explained that while writing the draft, he tried to low key the US-31 Corridor text because the TWP back then tried the overlay district policy and it did not happen, thus the thought was that the Old US-31 Corridor text is no longer pertinent, and most of it was left out. If the PC feels they want the original text put back in, it can be done, but would recommend that it be softened. Accordingly the text would be changed from a future language designation to just a generalized policy statement; that way under the Act it can be removed from the Zoning Plan in Table #8 pg 31.

The Chair summarized that the process would first return the original 2007 Plan text as published to the New Plan. Once returned we would modify it as agreed to. A motion was requested.

M/S – Amos/Larson. Move that the text in the TWP 2007 Master Plan pertaining to US-31 Corridor on pages 3, 4 & 24 be added to become part of the Collaborative Master Plan draft. **Passed 7-0-0**

The Chair then referred to the proposed amended US-31 Corridor text presented earlier in Attach, #9 and asked for a motion to have it replace the just added text.

M/S – Amos/Lundy. Move to amend the US-31 Scenic Corridor text that was added to the Collaborative Master Plan and replace it with the amended and modified text presented in Attach. #9 then merge the modified text into one statement. **Passed 7-0-0**

The Chair brought up the situation that we are in a bind for time to move on with this project to the next level before the TWP Board meets. The Planning Consultant was asked how fast he can move in making the changes and would we have to call another meeting to approve the changes made. He responded that it can be finalized right now. He proceeded to state that this change becomes a general policy text, which is all right. In the amended text, the 1<sup>st</sup> paragraph is OK, but the 2<sup>nd</sup> one does not seem to belong there as it talks about mixed uses as allowed in the Zoning Ordinance; the rest would be fine. All can be combined into a cohesive statement. As to the 2<sup>nd</sup> paragraph deletion the discussion was in favor of keeping it in place, and the same was expressed by the TWP Attorney; keeping it in the Plan would be a clearer guide policy when dealing with mixed use in that area.

The Chair referred to pg 31, Table 8 in the Collaborative Master Plan draft and to removing the Scenic Corridors item listed in the TWP Zoning Plan table. At the same time in Map #5 would remove the hash marked designation for Scenic Corridors from the map and from the reference TWP Legend. A motion was asked for.

M/S – Lundy/Amos. In the Collaborative Master Plan draft move to delete the Scenic Corridor item listed in the TWP Zoning Plan Table 8 on pg 31 and in Map #5 remove the hash marked section referred to as Scenic Corridors on the map and in the reference TWP Legend. **Passed 7-0-0**

### Chapter 3 Community Input

Reference was made to attach. #5 re Chapter 3 in the Collaborative Master Plan asking if this chapter is needed to be included in the Plan or could the work done be briefly acknowledged in a Plan introduction or an acknowledgement section. At the same time if it was to stay in, then paragraph 4 should be identified as being a Village function or study.

The Planning Consultant explained that Chapter 3 was put in to show that there was an opportunity for public comment. A Master Plan is an expression of who we are, Chapter 2, and what we want to be and how we get there, Chapter 3 fits in the middle of how this document is outlined. A Master Plan is more defensible if it is based on public input. For that reasoning I would recommend that we keep it in. As to the 58 page Village Recreation Plan referred to in the 4<sup>th</sup> paragraph and appearing in Appendix B; that was added on by a Village member's emphatic insistence. The Village insisted that it stay in. True, it may not belong in the Plan. In a conversation with the Village, they indicated that they don't care if we take paragraph 4 out. As to the first three paragraphs I would recommend you leave them in. As to the Appendices, we have three of them:

- A. A summary listing of input information sources.
- B. Village Parks & Recreation Master Plan. Originally the Village wanted it merged into the Master Plan. That did not happen because this is a Combined TWP/Vil. Plan. The compromise was to locate it in Appendix B, and the content would only be detailed in the Village Plan Copies.
- C. Adopting Resolutions as required by the Act to include them in the Plan.

As there was no further discussion, the Chair advised that we should have a motion to approve the updated Collaborative Master Plan draft as revised and amended and send it on to the TWP Board for further processing.

M/S – Amos/Derenzy. Move to approve the Collaborative Master Plan draft as revised, amended and updated and send it on to the TWP Board for further processing. **Passed 7-0-0**

Scheduled Special Meeting

It was brought up that the Special Meeting, scheduled for March 19, 2013 to hold a Public Hearing on the three Zoning Ordinance amendments that were approved on 1-15-2013, should be cancelled, as we have a regular scheduled meeting on April 16, 2013 during which the review can take place. A motion to that effect was made.

M/S – Sabty/Lundy. Move to cancel the PC Special Meeting on March 19, 2013 for amendments review and reschedule it for the April 16, 2013 regular meeting. **Passed 7-0-0**

Correspondence – None

Public Comments – None

Members Comments

The updated Planning Commission Application finalized format that was distributed is for information only. It will be processed to go on the TWP Web for public use.

Next regular scheduled meeting will be on Tuesday April 16, 2013 in the Government Center, 315 Bridge Street.

As there was no further business Chairwoman Smith adjourned the meeting at 7:55 PM.

E.S.Sabty, Secretary  
2-28-2013

**Approved 4-16-2013**

Minutes are subject to approval at the next regular Planning Commission Meeting.