

**Elk Rapids Township Planning Commission
Meeting Minutes – Tuesday October 15, 2013**

The meeting of the Elk Rapids Township Planning Commission was called to order by the Chairman Shen Smith at 6:30 PM at the Government Center, 315 Bridge Street, Elk Rapids, Michigan 49629.

Present: Renee Mischel, Pug Sliger, Shen Smith, Jim Lundy

Absent: Dorance Amos, Jean Derenzy, William Larson

Present Township Staff: Len Harrett, Zoning Administrator and Larry Nix, Planning Consultant

Adoption of Agenda:

M/S – Mischel/Lundy: Agenda for 10/15/2013 meeting adopted by the board unanimously.

Approval of the minutes:

M/S – Lundy/Mischel: Minutes for the 8/20/2013 meeting were approved unanimously.

Zoning Administrator's report:

*Len Harrett told of 3 past approved requests. 2 of which were finished. The last applicant wasn't sure what they were going to do and called to ask what the expiration date was. When he was informed it was 12 months, he indicated they would make a decision by then.

*Len also told of the request that was discussed and denied at the September 16th 2013 meeting of the ZBA. Also told of how the applicant planned to make some property changes to make his request adaptable.

*There are new 2013 Ordinance Books available.

*Renee Mischel asked Len about a property on Elk Lake Rd. that was issued a violation. He went over the 3 notices that were issued and that if the violations weren't taken care of at the end of 21 more days, legal action would be taken. The Township board has approved the funds to be spent on the legal pursuit. There is one more week left until that action needs to be taken.

Public Form: No members of the public in the audience.

Old Business:

Medical Marijuana: Larry Nix of Williams and Works indicates that nothing has changed from the last meeting. State regulations remain the same. After some discussion regarding how many plants can be grown by patients and caregivers, how many patients a caregiver can have, commercial or residential zones, whether it could be considered a "home occupation", concern about apartment complexes becoming "pot houses" and the fact that the Planning Commission would not be able to ask any questions to someone trying to start a business because of "HIPA" Laws, it was decided that there were two options –

1. Do nothing 2. Put something in the ordinance. (possibly something similar to East Bay Townships ordinance making them allowed in "Industrial areas" only). The concern is sales outside of the medical realm.

Shen Smith asked the board to "think about it". Talk to their friends and neighbors about their feelings. Revisit the discussion at the next Planning Commission meeting in January 2014.

Section 2.11: Len Harrett recommends (per VARNUM Attorneys) that the text be modified by removing portions of the Ordinance text, specifically A. & B. and then re-identifying Sections 2.11 C & D to be A & B.

M/S - Lundy/Smith

In Home Business: The discussion was to “define” Home Occupation and the regulations pertaining to one. The concern is about neighbors complaining about noise and parking. Regarding making some amendments to the ordinance, it was suggested by Larry Nix to wait until the next meeting in January when hopefully all the board members might be present. It was decided that this would give him the time to modify the current definition of “Home Occupation” as follows:

A: Rewrite to say “must be owner occupied”. Remove “F” altogether – G: Amend to remove everything after “the lot”.

The discussion about In Home Businesses would be re-opened at the January 2014 meeting.

New Business:

The office of Planning Commission Secretary or Recording Secretary, appointment, roles and duties: Last time duties were written was in February 2008. It was decided that Larry Nix would come up with suggestions to make some logical and reasonable modifications to the By Laws by the next meeting in January 2014.

Correspondence: None

Public Comments: None

Member’s comments: Larry Nix let the Board know that Brian Wegner is no long with Williams and Works and for the time being he will be the one working with them.

Len Harrett let the Board Members know that there is a new “Master Plan” printed and if anyone wanted one to let him know.

Adjourn:

M/S – Mischel/Sliger 8:15 pm

Approved January 21, 2014