Township of Elk Rapids
Antrim County, Michigan
Elk Rapids Township Planning Commission
Shen B. Smith, Secretary
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October 6, 1998

The Regular Monthly Meeting of the Elk Rapids Township Planning Commission was called to order by chairman, Ned VerHage at 7:00 PM on Tuesday, October 6, 1998, at the Elk Rapids Township Hall, Elk Rapids, Mi. Present: Renee Mischel, Shen Smith, Harry Potter, Tom Dame, Dorance Amos, Ned VerHage and Don Glowicki. A quorum was established. Also present: Len Harrett, Larry Sullivan, Norbert Rook and Doreen Murphy.

Minutes of the Last Meeting. A motion was made by Renee Mischel, 2nd by Dorance Amos to approve the minutes of the September meeting as published. MOTION CARRIED.

Public Hearing - Special Use Permit. Request for a Special Use Permit by Cable Michigan, Inc. PO Box 1029, 701 S. Airport Road, Traverse City, Michigan 49686 for the installation of new equipment on their existing antenna located at 10575 US 31 North, Williamsburg, Michigan 49690, property tax number 05-06-029-008-10. Application requests approval to co-locate equipment on the existing 190' pyrod tower at 150' and placement of equipment in the existing 10x15' equipment building per copy of site plan submitted. The Hearing was opened to the public by chariman, Ned VerHage. No correspondence has been received except a letter of apology from CenturyTel, 5025 - 28th Street SE, Grand Rapids, Michigan 49512 for attaching the antenna without zoning approval to the existing Pyrod tower owned by Cable Michigan located at the above address and property tax number. For the record, the Elk Rapids Planning Commission will not accept an apology in this matter of severe violation of the Elk Rapids Township Zoning Ordinance. A motion was made by Shen Smith, 2nd by Dorance Amos to close the public hearing at 7:30 PM as there was no representation from Cable Michigan present at this meeting. MOTION CARRIED.

Discussion: Tom Dame requested an update from Len Harrett regarding the NPI Wireless greenbelt. Len Harrett reported that NPI Wireless is willing to put up a greenbelt or whatever is finally decided needs to be put in place. The commercial neighbors (Wanigan Corporation) do not want a greenbelt with trees planted in this area. Don Glowicki and Len Harrett will work this out with Wanigan Corporation and Cable Michigan.

Doreen Murphy, Faulk & Foster Company, Grand Rapids, Mi. (representing CenturyTel Corporation) arrived at this time and explained to the Planning Commission that she had no idea why the equipment was installed prior to application for a zoning permit and Special Use Permit.

Members of the Planning Commission expressed deep concern over an approval of this special use permit violating the integrity of the Zoning Ordinance. The Planning Commission will request guidance and action from the Elk Rapids Township Board. A motion was made by Harry Potter, 2nd by Tom Dame to table any action on the application for a Special Use Permit and request the Township Board to impose a fine on Cable Michigan at the minimum of $1,500.00. (vote 6/1 - MOTION CARRIED. Township Attorneys and Board will be advised of the actions taken by this Board. No action will be taken on this application until guidance is received from the Elk Rapids Township Board.

Norbert Rook requested the **Eherhart** property upgrade from Class "B" to Class "A" be untabled and reviewed. A motion was made by Shen Smith, 2nd by Ned VerHage to untable the Upgrade proposal. MOTION CARRIED. The original request was for a 10'x22' addition to the street side of the property. After review of the recommendations of the Ad Hoc Committee report from January, 1998, and a determination that this property meets the criteria outlined in the Ad Hoc Committee Report of January, 1998. A motion was made by Ned VerHage, 2nd by Harry Potter to grant an upgrade to the Eherhart property so they may apply for a variance for the construction. MOTION CARRIED.

The Ad Hoc Committee Report is attached to these minutes for reference:

Ad Hoc Committee. A committee report was received from John Shockley regarding recommendations for handling construction on the referenced Non-Conforming lots in question which do not meet the setback requirement and lot size for the Ordinance. The recommendations of the committee are as follows: Setbacks of 38' on the front

and 30' on the rear with 10' on each side. The committee recommends limiting the footprint of all such structures to 780 square feet. (If more living space is desired the owner may build a second story). These standards would apply to both new dwellings and the enlargement of old dwelling. A motion was made by Shen Smith, 2nd by John Ferrari to accept the report and dissolve the committee. MOTION CARRIED. John Ferrari thanked the committee for their work and the report presented

Site Condo Ordinance. Shen Smith reported that Michael Turkelson will have ordinance wording finalized and in our hands by the December meeting.

Shoreline Protection Zone. Larry Sullivan presented a report of his tour of the Birch Lake, Bass Lake, Lake Michigan Shoreline and some of Elk Lake. Mr. Sullivan feels existing groins and seawalls are failing on the Lake Michigan shoreline and feels some of them are a detriment to the Township. Cabana Shores study indicated that additional and deeper setbacks are required to protect the area from severe erosion and to also protect the endangered species which habitat the area. Other areas of the Township should have deeper setbacks at least 3' above the record high water marks. Sewer inspection requirements prior to the sale of lake front properties is also in order to help maintain the quality of the water in the Township.

A motion was made by Renee Mischel, 2nd by Shen Smith, to request an additional two months extension to the current no building moratorium for the Cabana Shores area. MOTION CARRIED. The Township Board will be requested to extend the current moratorium for another two months while the Planning Commission completes a study of the area.

Video Taping of the Elk Lake Shoreline has been completed by Amy Strang and a video will be submitted to the Planning Commission for our files and for Mr. Sullivan to review.

US-31 Corridor Zone - Mr. Sullivan has been requested to present us with a proposal to undertake and complete the US-31 Corridor Zone. A motion was made by Ned VerHage, 2nd by Tom Dame to authorize Mr. Sullivan to start work on this Zone. MOTION CARRIED.

As there was no further business at this time, a motion was made by Shen Smith, 2nd by Tom Dame to adjourn. MOTION CARRIED. Meeting was adjourned at 9:05 PM

Respectfully submitted,

Shen Smith
Secretary