ELK RAPIDS TOWNSHIP PLANNING COMMISSION
TOWNSHIP OF ELK RAPIDS - ANTRIM COUNTY, MICHIGAN
P.O. BOX 175 - ELK RAPIDS, MICHIGAN 49629
(616) 264-5855

OCTOBER 1, 1990

THE OCTOBER REGULAR MEETING OF THE ELK RAPIDS TOWNSHIP PLANNING COMMISSION WAS CALLED TO ORDER BY THE CHAIRMAN, TODD PARENT AT 7:30 P.M. AT THE ELK RAPIDS TOWNSHIP HALL.

ROLL CALL PRESENT -

TODD PARENT
LEONARD KLEIN
BILL WHITE
DEAN VELIQUETTE
SHEN SMITH
FELIX CASILLAS

ABSENT - DICK JOBE

A QUORUM WAS ESTABLISHED

READING OF THE MINUTES

A MOTION WAS MADE BY DEAN VELIQUETTE, SECONDED BY BILL WHITE, TO DISPENSE WITH THE READING AND APPROVE THE MINUTES WITH A NAME CORRECTION ON THE 2ND TO THE MOTION FOR ADJOURNMENT - LEONARD KLEIN TO REPLACE LEONARD HERMAN.
MOTION CARRIED

.UBLIC HEARING - PROPOSED ZONING TEXT WORDING AMENDMENT

THE PURPOSE OF THIS HEARING IS TO REVIEW AND APPROVE THE PROPOSED TEXT REWORDING OF SECTION 2.12, PARAGRAPH C. OF THE ELK RAPIDS TOWNSHIP ZONING ORDINANCE. SECTION 2.12, PARAGRAPH C. SHALL BE CHANGED TO READ AS FOLLOWS:

C. A STRIP OF NATURAL VEGETATION SHALL BE MAINTAINED TO A DEPTH OF TWENTY-FIVE (25) FEET FROM THE HIGH WATER MARK OF ALL LAKES (TO INCLUDE THE EAST ARM OF GRAND TRAVERSE BAY, BIRCH LAKE, BASS LAKE, AND ELK LAKE), RIVERS OR STREAMS ABUTTING OR TRAVERSING THE PROPERTY IN QUESTION. WITHIN SUCH AREA, NO MORE THAN THIRTY (30) PERCENT OF ALL LIVING TREES AND SHRUBS SHALL BE REMOVED BY CUTTING THEM TO GRADE LEVEL. THE REMAINING TREES AND SHRUBBERIES MAY BE TRIMMED AND PRUNED FOR A VIEW OF THE WATER FROM THE PROPERTY. NO LAND ALTERATION INCLUDING THE REMOVAL OF TREE STUMPS SHALL BE ALLOWED WITHIN NATIVE PROTECTION STRIP, EXCEPT AS FOLLOWS:

1. A BOAT RAMP MAY BE INSTALLED WITHIN AN APPROVED PRIVATE ACCESS AREA.

2. A ROAD, PASS OR WALK MAY BE CONSTRUCTED TO THE WATER'S EDGE TO A WIDTH OF TWELVE (12) FEET.

3. BOAT STORAGE AS PROVIDED IN SECTION 7.04

THE WORD "INLAND" HAS BEEN REMOVED FROM ORDINANCE TEXT IN THIS SECTION WITH THE UNDERLINED WORDS BEING ADDED TO THIS SECTION TEXT.

PHOTOGRAPHS OF CURRENT VIOLATIONS OF SECTION 2.12 WERE SUBMITTED FROM THE ZONING ADMINISTRATOR, KEN SMITH. THE HEARING WAS OPENED TO THE PUBLIC FOR COMMENT AND INPUT.

COMMENTS INCLUDED QUESTIONS REGARDING BOAT RAMPS AND IF THERE WAS A NEED FOR PRIVATE BOAT RAMPS IN THE TOWNSHIP. ONE MEMBER OF THE AUDIENCE SPOKE IN FAVOR OF THE PROPOSED WORDING CHANGE. A MOTION WAS MADE BY LEONARD KLEIN, SECONDED BY FELIX CASILLAS, TO REFER THIS SECTION TO A STUDY SESSION. MOTION CARRIED

TOWNSHIP ATTORNEY'S OPINION ON HERMAN PROJECT

MR. BILL DERMAN RECAPPED THE PUBLIC HEARING AND MEETING OF 9/26/90 WITH THE OPINION THAT:

1. MOTION TO DENY REQUEST WAS OUT OF ORDER.
2. THERE WAS NO OBJECTION TO THE INTRODUCTION OF THE MOTION EVEN THOUGH IT WAS OUT OF ORDER.
3. MOTION WAS DENIED, THEREFORE NO ACTION ON IT WAS TAKEN.
4. NO REASON TO RESCIND A MOTION WHERE NO ACTION HAS BEEN TAKEN.
5. APPROVAL OF THE HERMAN PROJECT STANDS DENIED BY THE 4/NO 3/YES VOTE OF THE PLANNING COMMISSION ON 9/26/90.

HEN SMITH WITHDREW HER REQUEST TO RESCIND THE MOTION TO DENY APPROVAL OF THE HERMAN PROJECT. TODD PARENT INSTRUCTED THE SECRETARY TO SEND NOTICE TO ANTRIM COUNTY PLANNING AS TO THE ACTION AND RECOMMENDATIONS THIS BOARD HAS TAKEN. A QUESTION WAS ASKED BY MARGARET REILLY IF SIGNERS ON A PETITION WOULD BE CONSIDERED AS TAKING A WRITTEN POSITION ON A STAND. IT WAS OF THE OPINION OF THE TOWNSHIP ATTORNEY, THAT PETITIONS SIGNED REQUESTING A SPECIFIC ACTION TO BE TAKEN ARE TO BE CONSIDERED A WRITTEN POSITION. JOE FISHER ASKED IF ALL CORRESPONDENCE WOULD ALSO BE SENT TO THE COUNTY AND IF THE SECRETARY'S COMPILED LIST OF THOSE RESPONDING WOULD BE SENT. SHEN SMITH RESPONDED THAT THE COMPILED LIST OF CORRESPONDENCE WAS PART OF THE SECRETARY'S REPORT TO THE PUBLIC HEARING AND THE PLANNING COMMISSION. TODD PARENT RESPONDED THAT THE ACTUAL CORRESPONDENCE WOULD BE AVAILABLE TO THE TOWNSHIP BOARD FOR REVIEW AT THE TIME OF THEIR DECISION ON THE MERITS OF THE PROJECT.

REZONING PROPOSAL ON R-3 TO R-1 (LAKESHORE & SOUTH BAYSHORE DRIVE)

BILL WHITE READ THE LETTER FROM THE ANTRIM CO. PLANNING COMMISSION TO THE COMMISSION. BILL WHITE EXPLAINED THE TOWNSHIP POSITION THAT MANY QUESTIONS NEED ANSWERING BEFORE THE TOWNSHIP WOULD CONSIDER THIS PROPOSAL. AFTER MORE DISCUSSION, A MOTION WAS MADE BY LEONARD KLEIN, SECONDED BY DEAN VELIQUETTE, TO TABLE ANY FURTHER ACTION ON THIS REQUEST UNTIL FURTHER STUDY CAN BE MADE. MOTION CARRIED

MASTER PLAN

TODD PARENT STATED THAT HE HAS BEEN IN CONTACT WITH ANOTHER PLANNER FOR A BID ON THE MASTER PLAN BUT THIS PLANNER HAS DECLINED TO BID THE PROJECT. TODD ALSO STATED HE HAS BEEN UNABLE TO FIND REFERENCES ON THE PROPOSAL THAT WE CURRENTLY ARE REVIEWING. TODD WILL ASK PLANNER FOR LETTERS OF RECOMMENDATION FOR THE TOWNSHIP BOARD. A MOTION WAS MADE BY SHEN SMITH, SECONDED BY FELIX CASILLAS, THAT WE REFER THE TED JOHNSON BID PROPOSAL TO THE TOWNSHIP BOARD FOR REVIEW AND APPROVAL IF THEY DEEM APPROPRIATE.
MOTION CARRIED

TODD REQUESTED THAT THE TOWNSHIP HIRE MR. JOHNSON IMMEDIATELY TO START WORK ON THE MASTER PLAN IF THEY APPROVE THE BID PROPOSAL.

SITE PLAN REVIEW ORDINANCE

THREE SAMPLE ORDINANCES WERE SUBMITTED BY BILL DERMAN. TODD PARENT REQUESTED THAT ALL MEMBERS OF THE COMMISSION RECEIVE COPIES OF THEM FOR REVIEW.

SUB-DIVISION CONTROL ORDINANCE

TWO COPIES OF SAMPLE ORDINANCES WERE SUBMITTED. COPIES OF THESE SAMPLES WILL BE DISTRIBUTED TO THE COMMISSION FOR REVIEW.

UNFINISHED BUSINESS

A MOTION WAS MADE BY SHEN SMITH, SECONDED BY LEONARD KLEIN, THAT WE REFER THE QUESTION OF THE EXACT DIMENSION OF ALL PARCELS THAT CONTAINS THE R-1 AND R-3 COMBINED ZONING TO THE ZONING BOARD OF APPEALS FOR A DETERMINATION. MOTION CARRIED

NEW BUSINESS

A REQUEST FOR REZONING FROM TED VELIQUETTE WAS REVIEWED. A TOPOGRAPHIC MAP WILL BE REQUIRED ON THIS PROJECT AS PER SECTION 14.02 A. OF THE ORDINANCE. TODD PARENT INSTRUCTED THE SECRETARY TO NOTIFY TED VELIQUETTE OF THIS NECESSARY DOCUMENT NEEDED TO PLACE HIS APPLICATION BEFORE THE PLANNING COMMISSION.

LEONARD KLEIN REQUESTED THE PLANNING COMMISSION GET "THE HOUSE IN ORDER" BEFORE ANY FURTHER PROJECTS SHOULD BE CONSIDERED BEFORE THIS COMMISSION. SHEN SMITH ASKED FOR A TWO MONTH MORATORIUM ON THE SCHEDULING OF ANY HEARINGS UNTIL THE ZONING ORDINANCE TEXT AND THE ZONING MAPS CAN BE AMENDED AND UPDATED. BILL DERMAN STATED THAT TWO MONTHS WOULDN'T BE ENOUGH TIME BUT IT WOULD CERTAINLY GIVE THE TOWNSHIP A GOOD START TO THE PROJECTS WHICH MUCH BE COMPLETED.

A MOTION WAS MADE BY LEONARD KLEIN, SECONDED BY FELIX CASILLAS, THAT A TWO MONTH MORATORIUM BE PLACED ON NEW PROJECTS IN THE TOWNSHIP TO AMEND THE ZONING ORDINANCE, UPDATE THE ZONING MAPS AND ANY OTHER ITEMS NEEDED TO BE MODIFIED BY THE PLANNING COMMISSION. MOTION CARRIED

TODD PARENT STATED THAT WE WILL ACCEPT NO APPLICATIONS DURING THIS MORATORIUM PERIOD WHILE THE MASTER PLAN, TEXT AMENDING AND MAP UPDATING IS BEING UNDERTAKEN.

SHEN SMITH REQUESTED THAT THE PLANNING COMMISSION MEET TWICE WEEKLY DURING THE TWO MONTH MORATORIUM TO WORK ON AMENDING THE ORDINANCE AND ZONING MAPS. BY GENERAL CONSENSUS, MONDAY AND WEDNESDAY WERE THE DAYS SELECTED TO HOLD THESE STUDY SESSION MEETINGS.

DEAN VELLIQUETTE REQUESTED THE FIRST ORDER OF BUSINESS FOR THESE MEETINGS BE THE STUDY AND AMENDING OF THE P/D AND R-3 SECTIONS OF THE ORDINANCE TO PREPARE FOR THE HANDLING OF FURTHER CONSIDERATION ON THE CURRENTLY PENDING OR TABLED PROJECTS.

TODD PARENT STATED THAT THIS REQUEST WOULD CARRY WITH THE FIRST STUDY SESSION MEETING SCHEDULED TO START ON MONDAY, OCT. 8TH AT 7:00 P.M.

AS THERE WAS NO FURTHER BUSINESS, A MOTION WAS MADE BY FELIX CASILLAS, 2ND BY BILL WHITE, THAT WE ADJOURN. MOTION CARRIED

MEETING WAS ADJOURNED AT 9:25 P.M.

RESPECTFULLY SUBMITTED,

SHEN B. SMITH
SECRETARY