ELK RAPIDS TOWNSHIP
PLANNING COMMISSION

Meeting Minutes – Thursday November 1, 2007

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

Present: Brian Altonen, Don Glowicki, William Larson, Jim Lundy, Renee Mischel, Emile Sabty and Shen Smith
Also Present: Leonard Harrett, Zoning Administrator, Larry Nix, Planning Consultant and public attendees.

Adoption of Agenda: Agenda for the November 1, 2007 meeting was approved by consensus.

Approval of Minutes

M/S – Larson/Lundy. Minutes for 10-4-2007 meeting, with corrections, were approved by the Planning Commission unanimously.

Public Forum: None. No Communications received.

Old Business

1. US-31 Corridor – Advisory Committee Update: Mr. Altonen summarized the 1st meeting as introductory, with no direct plans. Some expressed non core Committee concerns. The Chair concurred that such concerns should be brought to the attention of the Planning Commission for review and resolutions.

2. Lighting Standards: Mr. Nix, Planning Consultant, reviewed the suggested Lighting Standards amendment. In responding to questions, he stated that there is no need to define Dark Sky in the Ordinance, as it is a very common terminology. Also that the standards as written are common, they address public security concerns and are accepted by security groups. That nonconformity should not be a problem; an existing nonconforming part stays that way with the new standards. With structure changes or improvements having an obnoxious lighting situation, the Planning Commission can request a change in lighting. Mr. Lundy proposed and with members consent, light poles should be 25' rather than 20' high.

M/S – Smith/Lundy. Move to approve the following Zoning Ordinance Lighting Standards text sec 17.04-B-17 as written with changing light pole height to 25 feet and place for public hearing at the December 2007 meeting.

> **Amend Chapter 17, "SITE PLAN REVIEW," Section 17.04 – APPLICATION PROCEDURE, Sub-Section B-17 to read as follows:**
>
> All exterior lighting including lighting for parking areas or for the external illumination of buildings or grounds, or for the illumination of signs and other uses shall be directed away from and shall be shielded from residential districts and shall also be so arranged and directed as to not adversely affect driver visibility on adjacent streets. Dark sky lighting principals should be implemented in the design of lighting. For example, lighting fixtures should be of the shoebox variety directing light downward not outward, including wall and pole mounted fixtures. A fixture proposed on a light pole shall be no greater than twenty five (25) feet in height. Site lighting shall not exceed twenty (20) foot candles directly under the fixture as measured six (6) feet above the ground surface.

Vote: Yes – Altonen, Glowicki, Larson, Lundy, Sabty, Smith and Mischel.
The motion passed 7-0-0.

3. Township Planning Commission by-Laws: Text changes were suggested to the by-laws to clarify intent as well as adhering to accepted operating procedures and State Law. A suggestion was made to include functional description of the Township Board representative. It was emphasized that the by-laws are only for meeting operating procedures, rather than encompassing Planning Commission operating procedures.

Chairwoman Mischel requested that Mr. Nix Planning Consultant, work the suggestions made into the existing text for review during the next meeting.

4. Master Plan – Zoning Recommendations: Mr. Nix, Planning Consultant, reviewed the October 2, 2007 memo stating that the US-31 Corridor is currently in review at the Advisory Committee. The other seven subjects identified in the memo can be prioritized for future reviews. Chairwoman Mischel asked the Planning Commission members to prioritize the subject items for inclusion in Future Agenda Reviews.

New Business

Informal Proposal – Pine Hollow Estate: Mr. Marc Landry, representing Ms. Leslie Lee of Elk Rapids, had submitted to the Planning Commission an informal proposal for the Lee family Pine Hollow Estate to use the main house for small group retreats. The property location and size could provide the right environment for business and non-profit boards, organizations and foundations holding small retreats.

Mr. Harrett, Zoning Administrator, advised that the property structure is single family R-1, with R-3 section along the road side of the property. Mr. Nix, Planning Consultant, reviewed that the house is located in the R-1 zone which does not allow for the proposed use. He outlined possible options to the applicant. (1) Petition the Twp Board to amend the Zoning Ordinance to allow the proposed use, which then could be under land use with conditions and performance standards. (2) Petition to rezone the property to a different zoning classification to permit the proposed use which would be a commercial zoning designation. (3) Because of the lengthy effort involved, the applicant can choose to do nothing. (4) A rare situation would be when an applicant presents a use idea that the Twp Board want to take on and encourage the proposed use, they can ask the Planning Commission to initiate a zoning amendment that would accomplish the same thing. (5) The Twp Board would instruct the Planning Commission to consider an amendment to the Zoning Ordinance for the proposed use.

Mrs. Smith stated that the proposed intended use is commercial, which is not allowed in R-1 single family zone. However the same function under a Non-Profit 501c3 designation might be possible as long as it is not for profit. Chairwoman Mischel asked Ms. Lee if she intends to live in the house and/ or personally manage the intended use. Ms. Lee responded that she has no plans to live in the house, nor would she be directly or personally involved in the management, that she may work with a Board. She went on to say that if it was to be designated as a non-profit entity, she can explore that possibility. She would like to see the property used, bringing good people to the area for meetings and conferences. She wants to open the property up for community and State people.

Chairwoman Mischel summed up the discussion advising the applicant that they can (1) Apply to the Twp Board for property rezoning. (2) Apply to the Twp Board for a Zoning Ordinance amendment. (3) Can choose to do nothing. With the current property zoning, the Planning Commission can not move on the requested use.

Member Comments

Chairwoman Mischel asked for members input on additional items that should be added to the proposed By-Laws. Also, because most planning training occurs at distant places or at inconvenient times, she proposes that the Planning Commission could devote 10-15 minutes at the end of the regular meetings and have the Planning Consultant make a short training presentation on different subjects related to planning functions.

The next scheduled meeting will be December 6, 2007 at the Government Center, 315 Bridge Street.

Having no further business Chairwoman Mischel adjourned the meeting at 8:35 PM.

E. S. Sabty, Secretary **Minutes Approved 12-6-2007**
11-1-2007

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