Elk Rapids Township Planning Commission
Shen B. Smith - Secretary
PO Box 175, Elk Rapids, Michigan 49629 - (231) 264-6665 Email – sbs@bokhara.com

October 5, 2004 – Monthly Board Meeting

The Regular Monthly Meeting of the Elk Rapids Township Planning Commission was called to order by Chairman, Renee Mischel on Tuesday, October 5, 2004, at 6:30 PM, in the Government Center, Bridge Street, Elk Rapids, MI. Present: Tom Dame, Emile Sabty, Shen Smith, Don Glowicki, Jr. Jim Lundy, Wm. Larson, and Renee Mischel. A quorum was established. Also Present: Len Harrett the Township Zoning Administrator, Lukas Hill the Planning Advisor, Pat & Carol Brady.

Minutes: AUGUST/04 MINUTES: A motion was made by Emile Sabty, 2nd by Tom Dame to approve the August/04 minutes as published. MOTION CARRIED: Y7, N0. SEPTEMBER/04 MINUTES: A motion was made by Renee Mischell, 2nd by Tom Dame to approve the Sept/04 minutes as published. **MOTION CARRIED**: Y7, N0.

Proposed Amendment Text:

Chapter 4, Section 4.02G: Final Review of Section 4.02 G. - the word "value" needs to be defined, what does "destroyed" mean in relation to the ZBA? A consensus determined that "real value" would be changed to "assessed value". After additional review, a motion was made by Shen Smith, 2nd by Jim Lundy, to approve Sect 4:02G as amended: **MOTION CARRIED**: Y7, N0

Chapter 17, Section 17.04: Paragraph B-17, B-26, & B-27b, Section 17.05-PC A motion by Don Glowicki, Jr., 2nd by Jim Lundy, to amend below text sections to read:

1. Section 17.04 PB-;17: "*Exterior lighting locations, areas of illumination depicted by a photometric layout, type, wattage and height of all fixtures, including sign lighting and proposed shielding to be used*."
2. Section 17.04 B-26 " Add additional sentence to paragraph: "Samples of proposed color and materials shall be provided".
3. Section 17./04 B-27-b : Amend paragraph b. to read: "*Certifications from the appropriate agencies, including the local fire department, that proposed utility systems are or will be adequate to handle the proposed development and that all necessary easements have been provided.*"
4. Chapter 17.05, Paragraph C – Action on Application and Plans, Paragraph C. Add paragraph to end " *A notice shall be placed in a newspaper of local circulation to inform the general public of a site plan review.*".

MOTION CARRIED: Y7, N0.

Chapter 17.10 –As Built Site Plan. Delete entire paragraph. A motion was made by Emile Sabty, 2nd by Jim Lundy to delete this section from the ordinance. MOTION CARRIED: Y7, N0.

Chapter 17, Section 17.11 & Section 17:11 Paragraph B: A motion was made by Shen Smith, 2nd by Jim Lundy to approve the deletion of the sentence at the end of Section 17.11 Amendments to Approved Site Plans: To delete: "*All amendments to an approved site plan shall result in a new "as built site plan" being submitted to the Planning Commission in accord with Section 17.10*". and the deletion of 17:11, Section B with insertion of the following amended text, replacing the entire section B: "*Any other proposed amendment which does not meet the criteria in Section 17.11-A shall be considered a major amendment and require a resubmission, review by the Planning Commission and payment of fee*."

MOTION CARRIED: Y7, N0.

Chapter 17, Section 17.12-B2**:** . A motion was made by Emile Sabty, 2nd by Tom Dame, to delete Chapter 17, Section 17.12 B-2. "*A MAXIMUM OF A 50% INCREASE IN OVERALL COVERAGE OF STRUCTURES*" **MOTION CARRIED**: Y6, N0.

Chapter 4: Section 4.05: Review final proposed text for Section 4.05: A motion was made by Shen Smith, 2nd by Jim Lundy, to approve Section 4.05 as amended. **MOTION CARRIED**: Y7, N0.

Chapter 19, Section 19.08B "Fees and Escrow Deposits, Sub Section B. Delete Sub-Section B and replace text to read:

B. *For any application for site plan approval, a Special Land Use Permit, Planned Development, variance, or other use, project, or activity requiring a permit under this Ordinance, the Zoning Administrator, Planning Commission, Zoning Board of Appeals, or Township Board may require the deposit of fees to be held in escrow in the name of the applicant.*

1. *An escrow fee shall be required for any project with more than ten (10) dwelling units, or more than ten thousand (10,000) square feet of enclosed space, or which requires more than twenty (20) parking spaces.*

2. *A schedule of fees as established by the Township Board, which may change from time to time, shall be maintained at the office of the Zoning Administrator.*

3. *Fees shall be paid to the Zoning Administrator prior to the processing of any application required under this Zoning Ordinance.*

4. *An escrow fee shall be required for any other application for the plan approval, special land use permit, planned development, variance, or other use, project, or activity requiring a permit under this Ordinance, to cover reasonable costs of reviewing such application at the discretion of the Zoning Administrator or reviewing body.*

5. *Escrow fees shall be used only to cover expenses including staff costs or consultant fees covering planning, engineering, environmental analysis, wetland delineation, legal review, and other professional and technical services required for a proper and through review of the application.*

6. *Professional review will result in a report to the Township indicating the extent of conformance or nonconformance with this Zoning Ordinance and to identify any problems which may create a threat to factors including, but not limited to, public health, safety, general welfare, and the overall environment. Mitigation measures or alterations to a proposed design may Be identified where they would serve to lessen or eliminate identified impacts. If requested, the Township will provide a copy of any professional review and a copy of the statement of expenses for the professional services rendered to the applicant.*

7. *If actual professional review costs exceed the amount of an escrow, the applicant shall pay the balance due prior to receipt of any zoning or other permit issued by the Township in response to the applicant's request. Official action, at the discretion of the Zoning Administrator or reviewing body, for any application may be postponed if funds in escrow fund are exhausted and are necessary for further professional review.*

8. *The Township shall account for the expenditure of all such funds and shall promptly refund any unexpected funds within sixty (60) days of final action by the reviewing board or official.*

All paragraph sections will be renumbered. A motion was made by Renee Mischel, 2nd by Tom Dame, to approve corrections to 19.08 B. **MOTION CARRIED**: Y7, N0.

PUBLIC HEARING: A motion was made by Tom Dame, 2nd by Shen Smith to approve for a public hearing with the next meeiting, all of the above proposed text amendments for Chapters 17 & 19. **MOTION CARRIED**: Y6, N0.

As the date for the next regular meeting is November 2nd – Election Day, a motion was made by Tom Dame, 2nd by Jim Lundy to not hold a November 2004 meeting. **MOTION CARRIED**: Y6, N0.

As there was no further business at this time, a motion was made by Don Glowicki, Jr., 2nd by Tom Dame to adjourn. **MOTION CARRIED**: Y6, N0.

Meeting was adjourned at 9:25 PM.

Respectfully submitted,

Shen Smith
Secretary