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

2/4/1991

REGULAR MEETING OF ELK RAPIDS PLANNING COMMISSION

The Regular Meeting was called to order at 7:30 P.M. by Chairman Felix Casillas on February 4, 1991 at the Elk Rapids Township Hall.

ROLL CALL	PRESENT	Leonard Klein	Shen Smith
		Felix Casillas	Todd Parent
		Bill White	Dean Veliquette
	ABSENT	Dick Jobe	

A quorum was established. Chairman Casillas announced that this meeting is being taped to help with the compilation of the minutes.

A motion was made by Todd Parent, seconded by Bill White to approve the minutes of the 1/7/91 meeting with the following correction - Page Two replace the word moon with motion. MOTION CARRIED

A letter was read from Attorney Derman regarding billboard legislation. This will be tabled to a later meeting.

FORCE REPORT

Mr. Casillas requested a report from Mr. Derman on the findings of the task force committee. Mr. Derman reported that the developer had provided the committee with new copies of the master deed and that a Memorandum of Understanding has been prepared by the committee which will facilitate conformity with the requirements of the Elk Rapids Township Planning Commission and the developer's master deed.

Public discussion resulted in a request for a limitation on the hours of construction for The Pines Project. No action was taken on this question. Dean Veliquette asked Bruce Ortenburger, Planner, to explain his requirements on the greenbelt. Mr. Ortenburger stated that the greenbelt was not his requirement, but a requirement of the Elk Rapids Zoning Ordinance. The question of fences was then broached with Mr. Ortenburger stating that fences protect the rights of the neighbors and prevent trespass onto their properties. Discussion on condominium rentals stressed the point that any rentals would be on a minimum of a one year lease.

Chairman Casillas gave a synopsis of the project to date. Bob Streit asked that the Commission refer back to his letter of December 7, 1990 regarding his wishes for a fence. He stated that he would wish a stockade fence the higher the better. Tom Schluentz indicated that the Memorandum needed a statement of agreement between the Township and the developer.

rence to Ordinance Section 17.07 E would be added to the Memorandum w n reference to twenty-six units being replaced with twenty-four units.

A paragraph F will be added to reflect that the Township and the developer will enter into a Memorandum of Understanding which will be recorded with the Antrim County Register of Deeds which will incorporate all of the requirements of the Elk Rapids Township Planning Commission, and the above corrections or additions, prior to any issuance of zoning and/or land use permits.

Bob Streit asked that some type of assurance be issued that no other parcels of property have use of the common elements of this project. A question was raised as to the DNR review of this project.

Boat Docks - Discussion regarding boat docks in Grand Traverse Bay determined that five boat docks would be allowed on this property per the Ordinance if there were five individual homes sites on the R-1 portion.

Bruce Ortenburger stated that the plan should be reviewed to show the additional space between buildings. Gordon Converse read a letter that he wrote to the Planning Commission regarding the greenbelt. Bruce Ortenburger asked about the discrepancies in the submitted plan. Mr. Tom Philips stated that the basic layout was the same as the original plan except the garages are now larger, road and driveway access has been realigned and curbing has been added. Scale out to 30' on the map is incorrect.

requirement for a passing lane per the Antrim County Road Commission.

A letter from Attorney Rosi was accepted for the records.

Dean Veliquette moved to remove the greenbelt requirement from the proposal, seconded by Leonard Klein.

A point of order was called as this commission may not grant a variance to the ordinance.

A motion to amend the original motion to read "reduce the greenbelt from 20-25 feet to a width of 12'", seconded by Dean Veliquette

Roll Call Vote on amendment to original motion:

Yes - Veliquette, White & Klein No - Parent, Smith & Casillas
AMENDMENT DENIED

Roll Call Vote to remove greenbelt requirement:

No - White, Parent, Smith, Klein & Casillas Yes - Veliquette
MOTION DENIED

Greenbelt requirement shall remain at 20-25'.

:E

Bruce Ortenburger suggested that as one neighbor was present and had stated his preference, the other neighbor be contacted for her preference on the type of fence.

Gordon Converse requested to review the tapes of the last meeting. It was stated that those tapes are available to the public.

Leonard Herman stated that he would build a 6' stockade fence if that would be required.

A motion was made by Todd Parent, seconded by Bill White, that the fence be 6' high stockade constructed out of weather resistant wood material to be maintained for the life of the project.

ROLL CALL VOTE - No - Veliquette Yes - White, Parent, Smith, Klein & Casillas MOTION CARRIED

Todd Parent requested that greenbelt and fence be installed prior to construction. Shen Smith stated that if this project could take up to three years for completion - the fence should go in first. Bill White stated that the fence should be first and the greenbelt should be protected. Leonard Klein agreed with Bill White.

fence would be constructed first with performance bond geared to the g. enbelt.

A motion was made by Bill White, seconded by Todd Parent, that the fence will be constructed before a land use zone permit is issued and the green-belt to be constructed upon completion of the project.

Discussion

ROLL CALL VOTE - Yes - Veliquette, White, Parent, Smith & Klein
No - Casillas MOTION CARRIED

BOAT DOCKS

Association may wish to put of boat docks at a later date. Association may request a modification of the no boat dock rule at a later date. Mr. Herman stated that at this time he is not planning on any boat docks for the project. No official action was taken on this question.

DUMPSTERS

A motion was made by Dean Veliquette, seconded by Bill White that all refuse disposal locations be shielded completely from view from adjacent properties.

CALL YES - All MOTION CARRIED

BUILDING HEIGHT

Bob Streit objected to the 35' height on the roof because of the rise in the land making these buildings much taller than other buildings in the area.

Mr. Rosi, Attorney pointed out Section 14.02 of the ER Zoning Ordinance which requires floor plans and elevation drawings. Mr. Ortenburger stated that we have received floor plans and elevation drawings. Mr. Ortenburger also pointed out that 35' is the Ordinance requirement and to lower it would be a variance.

A motion was made by Todd Parent, seconded by Shen Smith, that we incorporate the above referenced paragraph F into the Memorandum of Understanding.

ROLL CALL VOTE - YES - ALL MOTION CARRIED

Tom Schluentz stated that a safety problem exists with traffic coming off US-31. Mr. Ortenburger pointed out that the speed limit on his road is 35 MPH.

Mr. Rosi's letter was read into the records.

A motion was made by Bill White, seconded by Dean Veliquette, that we accept Mr. Bruce Ortenburger's Findings of Fact/Statement of Conclusions and Staff Report as amended w/addendum, that we approve the Memorandum of Understanding as amended here this date as an agreement between the Township and the developer, that any additional conditions determined here this date be incorporated into the agreement and that the CDI letter from Mr. Tom Phillips, dated December 13, 1990 (as amended by the Planning Commission) be accepted as part of the conditions of the project.

ROLL CALL VOTE - YES - ALL MOTION CARRIED

As there was no further business, a motion was made by Bill White, seconded by Dean Veliquette

Meeting was adjourned at 11:59 P.M.

Respectfully submitted,

Shen B Smith

Shen B. Smith
Secretary