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

April 4, 2000

The Regular Monthly Meeting of the Elk Rapids Township Planning Commission was called to order by Co-Chair, Dorance Amos, at 7:00 PM on Tuesday, April 4th, 2000, corner of Spruce & River Streets, Elk Rapids, Michigan. Planning Commission members present: Dorance Amos (Chair for this meeting), Renee Mischel (Co-Chair), Harry Potter, Shen Smith, and Don Glowicki, Jr. A quorum was established. Absent: Tom Dame and James Lundy. Also present: Bill Derman, Mike Turkelson, Len Harrett, Kevin Eisenheimer, Brian Garrow, James Garrow, Glenn Paradis, Terri Hoyt (Elk-Skegemog Assoc.), Bill White, Chris Weinzaple & Emil Sabty.

Minutes: A motion was made by Dorance Amos, 2nd by Renee Mischel to table the March and December minutes to the end of this meeting. MOTION CARRIED.

Discussion regarding contract with Larry Sullivan. Renee Mischel reported that as of this meeting a contract has not been signed with Mr. Sullivan but expected to be completed by the Twp Board meeting next Tuesday. More details will be given to the Planning Commission following the public hearing.

Public Hearing – "Garrow Proposal. The hearing was opened to the public for the purpose to consider an amendment to a former Non-Conforming Use Status Class "B" to "A" Upgrade (Parcel E, formerly Parcel F) and to conduct a Site Plan Review and make recommendations to the Elk Rapids Township Board regarding property located in the Plat of Waguagamaw Park, Section 10, T29N, R9W, Elk Rapids Township, Antrim County, Michigan. The Site Plan provides for six (6) build able lots to be known as Parcels A, B, C, D, E & G. The present property tax numbers which encompass the above parcels are as follows: 05-06-600-037-10, 05-06-600-042-00, 05-06-600-042-10 thru 40, 05-06-600-043-00, and 05-06-600-050-00. These properties abut Williams Drive, Cairn Hwy, and Birch Lake Road. The property is owned by Robert L. Garrow, Sherron L. Garrow, and Brian L. Garrow, 11343 Deepwater Point Ln., Rapid City, Michigan 49676.

Township Attorney – William Derman presented an oral history of the 22 lots in question, discussing the rezoning from R-2 to R-1, the Zoning Board of Appeal decisions and conditions, and the Non-Conforming Use Upgrade from Class "B" to Class "A" with conditions on Parcel F. Attorney for the applicants, Kevin Elsenheimer presented the items the applicant's wished to be revised with the new site plan which included removal of Paragraph 4 of the agreement between the Garrow's and the Township of Elk Rapids. Mr. Elsenheimer pointed out that Parcel A and Parcel B would contain non-conforming structures but the applicant's are requesting that the structures remain on the to be newly created lots.

Speaking from the public at large: Terri Hoyt (representing the Elk-Skegemog Lakes Assoc.) indicating the need for the sewer system to be brought forward to help relieve a very serious pollution problem that exists in the Maple Harbor section of Elk Lake. Emil Sabty spoke regarding the ZBA stand on the project. Mike Paradis spoke as a concerned citizen regarding holding the applicant to the original Township agreement to bring the sewer to the proposed project. As there was no further input from the public, a motion was made by Shen Smith, 2nd by Renee Mischel to close the public comment portion of the hearing. MOTION CARRIED.

(Note – Harry Potter recused himself from discussion and deliberations on the Garrow Proposal) Discussion regarding issues before the Planning Commission resulted in a question and answer session between members of the commission and the applicants. Questions put forth indicated a request for additional information regarding the septic systems on Parcel F and that the septic system & dry well be indicated on the site plan as initial review place the dry well & drain field on the adjacent parcel. Discussion regarding why the original agreement between the Garrow's and the Township had not been completed prior to the redesign of the project. Mr. Elsenheimer indicated that the Planning Commission did not wish to know "that can of worms", but members of the Planning Commission indicated that they very much were interested in all aspects of this proposal and the previous proposal. A request for costs to bring in the originally agreed upon sewer line was presented to the applicant. Discussion regarding the possible need

for a variance on Parcel G as it does not meet the requirements for a legal lot of record. Zoning Administrator, Len Harrett indicated that he does consider Parcel G to be a legal lot of record as it is sided by three roads. Discussion regarding the desire of the Planning Commission to have the Township Planner available to review the plan and make recommendations to the Planning Commission regarding the proposed project.

A motion was made by Shen Smith, 2nd by Don Glowicki, Jr. to table further discussion and decision on the Garrow Proposal until after review by the Township Planner. MOTION CARRIED. Dorance Amos instructed Bill Derman & Mike Turkelson to provide Mr. Sullivan with all the Garrow materials and to meet with him prior to the next meeting to prepare a finding of fact statement of pros/cons for the Planning Commission's review.

Mr. Elsenheimer indicated they would wish to meet prior to the next meeting as the applicant is under a time deadline resulted in a motion by Renee Mischel, 2nd by Don Glowicki, Jr. to table the voting on the project to the May 2nd meeting at 7:00 PM, following a report from the Township Planner and Township Attorneys.

Mr. Elsenheimer requested permission to proceed with the site plan review hearing. Planning Commission members indicated they felt the two issues were inter-related and both issues should be tabled until further review. After additional discussion, a motion was made by Shen Smith, 2nd by Renee Mischel to open the public hearing for Site Plan Review on the Garrow Project. MOTION CARRIED.

Question was raised from Bill White as to this project requiring review under the Township Sub-Division Control Ordinance. Attorney Derman indicated that the SDCO requires review and comment from the Planning Commission. As there was no further input from the public, a motion was made by Shen Smith, 2nd by Don Glowicki, Jr. to close the public hearing and table further site plan review until the May 2nd meeting. MOTION CARRIED

Mr. Elsenheimer indicated that they would wish to proceed prior to May 2nd and would be willing to have a special meeting. A motion was made by Shen Smith, 2nd by Dorance Amos, to amend the previous date to April 25th at 7:00 PM. MOTION CARRIED.

A motion was made by Renee Mischel, 2nd by Don Glowicki, Jr., to amend her motion from the May 2nd date to vote on the Garrow proposal to April 25th. MOTION CARRIED

Township Planner Issues - Discussion regarding Larry Sullivan resulted in Bill White indicating that the Township Board will finalize the contract between the Township of Elk Rapids and Mr. Sullivan.

March minutes – a motion was made by Shen Smith, 2nd by Dorance Amos to approve the minutes as published. MOTION CARRIED. **Question regarding December minutes** – (tabled from February meeting). Regarding the Non-Conforming Use Upgrade from Non-Conforming Class "B" to Class "A" for Mr. Langdon. After discussion, it was apparent that the minutes of December reflect the voting of the Planning Commission regarding the moving of the temporary structure located currently on the lot line. As the time was late, the issue was again table to the next meeting.

The next regular meeting of the Planning Commission will be held on April 25, 2000, at 7:00 PM instead of the normal date of May 2nd.

As there was no further business at this time, a motion was made by Shen Smith, 2nd by Don Glowicki, Jr. to adjourn. MOTION CARRIED.

Meeting was adjourned at 9:39 PM.

Respectfully submitted,

Shen Smith
Planning Commision Secretary