Elk Rapids Township Planning Commission
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April 25, 2000

The special meeting of the Elk Rapids Township Planning Commission was called to order at 6:20 PM, on Tuesday, April 25, 2000, by the co-chair – Dorance Amos. In attendance: Dorance Amos, Renee Mischel, Don Glowicki, Jr., Shen Smith, Harry Potter, and Tom Dame. Absent: Jim Lundy. A quorum was established. Also in attendance was Larry Sullivan (Twp Planner), Bill Derman & Mike Turkelson (Twp Attorneys).

Contract between Mr. Sullivan and Township was discussed. Report was given by Larry Sullivan regarding Garrow Project finding of fact. Factors noted: Lot "G" non-conforming by 935 sf but a 960 sf footprint is available and ZBA could reasonably grant a variance for Lot "G". Other parcels meet ordinance with no requirement for sewer. Lot division map is appropriate and benefits the property. Applicants volunteered to provide sewer hookup which was not required by the Township. The Village of Elk Rapids agrees system can be expanded into Maple Harbor with the Township paying the costs, maintenance costs and overtime maintenance costs. Detailed studies are needed by the Township for number/capacity for a new sewer line. Sewer system needs to be looked into for the area with an indication of how many residences would be willing to hook up if a special assessment district were created.

A motion was made by Shen Smith, 2nd by Dorance Amos to adjourn the meeting until 7:00 PM. Motion Carried.

The previously adjourned public meeting was re-opened and called to order by Dorance Amos at 7:05 PM.

Minutes of last meeting. Attorney for Garrow Project requested an addition to the minutes with the wording "primary concerns of the Garrow's being the removal of paragraph 4 of the previously approved conditions which they felt were of unreasonable and unnecessary costs as the land perks". A motion was made by Tom Dame, 2nd by Renee Mischell, to approve the minutes as amended. MOTION CARRIED

Garrow Project was un-tabled from the last regular meeting. *Harry Potter rescued himself from the Board for this portion of the meeting*. Finding of Fact report prepared by Larry Sullivan, Elk Rapids Township Planner was entered into the record. A letter of protest from Mr. Mike Farage was read into the record. Additional materials were submitted for review from the Garrow attorney. Additional material from Gmoser Septic was received indicating the home located on parcel E/F is connected to a drywell but the lines of connection are unknown. Studio on the property is assumed to also be connected to the same drywell as the residence, but this is unknown. Main drywell and drain field for parcel E/F are located on the adjacent parcel of property with easements to be needed on the adjacent parcel.

Sewer Line Discussions: Len Harrett, Zoning Administrator reported the approx. distance to bring in a sewer line to service the Garrow Project being less than 1,000 feet. Discussion of "reasonable cost" vs. "un-reasonable cost" indicated a great discrepancy between that which was reported to the Planning Commission by the Garrow's and that which was reported previously as the estimated costs to bring a sewer line extension to the Garrow property. It was pointed out the sewer lines were supposed to be installed over four years ago and the costs were not un-reasonable then, nor are they un-reasonable now. New quotes for the sewer line work are roughly $20,000.00 which in the opinion of the Planning Commission is not an unreasonable expense to help preserve the water quality of the adjacent Elk Lake.

Discussion regarding parcel E/F indicated a possible need to remove an existing Class A Upgrade on parcel E/F (which would be allowed within the Ordinance) as the primary structure on Parcel E/F is located only 7.6 feet from Williams Road and doesn't meet the setback requirements on two sides of the property. The primary purpose for a consideration of revocation on this parcel would require the primary structure to be relocated to a conforming location upon the parcel in the event the parcel burned. Also to review the "seasonal use" conditions currently allowed to the non-upgraded additional structure (known as the studio). It was pointed out that the term "seasonal use" is very vague and misleading and should be corrected or modified.

Discussion regarding parcel C indicated that no time frame has been offered by the landowner to remove the "rubble" from the lot. A suggestion was offered that a sizable bond be implemented to provide for the trash removal. Parcel C/B/G – no land use permits be issued until structures are removed.

Recommendation consensus from the Elk Rapids Township Planning Commission for the Elk Rapids Township Board to consider when finalizing approval of the Garrow Site Plan:

1. Appropriate steps will be taken to reclassify Parcel E.
2. Require six "Yes" votes to approve a sewer district/special assessment district.
3. Time Frame for removal of all rubble/trash with a substantial performance bond being required.
4. No land use permits to be issued on parcels B/C/G until all structures are removed.
5. No commercial storage or commercial use be allowed in pole barn structure located on parcel A
6. No upgrades will be granted for all existing non-conforming structures.

After additional discussion, a motion was made by Shen Smith, 2nd by Renee Mischel to table to the next meeting consideration of revoking the existing Non-Conforming use upgrade to Class "A" for parcel E/F.

Discussion resulted in a date of May 18, 2000, 6:30 PM be selected for the next meeting. MOTION CARRIED Two additional applications for non-conforming upgrades will also be scheduled for the meeting of May 18th along with a site plan modification review for Ed Hammer (Wooden Hammer).

A motion was made by Renee Mischel, 2nd by Don Glowicki to schedule a public hearing with the next meeting to consider revocation/modification of conditions of the Class "A" upgrade currently held by parcel E/F of the Garrow Project. MOTION CARRIED.

Greenwold Project. Ed Roy addressed the Planning Commission for clarification regarding Enviromental properties owned by Duane & Douglas Greenwold located on Williams Drive, Elk Rapids, MI. After discussion Mr. Roy was referred to the Zoning Board of Appeals for a variance prior to applying for a special use permit for the property in question.

Next Meeting. The next meeting of the Elk Rapids Township Planning Commission will be held at 6:30 PM on Thursday, May 18, 2000, with the agenda to include the following public hearings:

1. Deanna L. Arntson – 7376 Willams Ct., Elk Rapids, Mi – Consideration of a Non-Conforming Upgrade from Class "B" to Class "A".
2. Gerald & Nancy Durdon – 6946 East Harbor Drive, Elk Rapids, Mi – Consideration of a Non-Conforming Structure Upgrade from Class "B" to Class "A".
3. Robert, Sherren, & Brian Garrow – Parcel E/F of the "Garrow Project", Cairn Hwy, Elk Rapids, Mi for consideration of a revocation/modification of Class "A" to Class "B".
4. Ed Hammer – Consideration of Site Plan Modification for Wooden Hammer (no public hearing).

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

Meeting was adjourned at 10:35 PM.

Respectfully submitted,

Shen B. Smith
Secretary