ELK RAPIDS TOWNSHIP
PLANNING COMMISSION

Meeting Minutes – Thursday May 1, 2008

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

Present: Don Glowicki, William Larson, Jim Lundy, Emile Sabty, Shen Smith and Renee' Mischel.

Absent: None (one vacant seat).

Also Present: Leonard Harrett, Zoning Administrator, Larry Nix, Planning Consultant and audience of 5.

Adoption of Agenda: Agenda for 5-1-2008 meeting was adopted by consensus.

Approval of Minutes:
M/S – Mischel/Larson. Minutes for 4-3-2008 meeting were approved unanimously.

Public Forum: None.

Public Hearing: None.

Old Business:

Section 19.07 – Special Exceptions
Chairwoman Mischel asked Mr. Nix, Planning Consultant, to review the revised draft. Mr. Nix explained that the suggested text changes in the draft are applicable, and the reference to Environmental Assessment guides can be used by the Township if desired, but will not be included in the Ordinance.

An in depth discussion of the Special Exception Use, Section 19.07 ensued. Questions were asked as to meanings of some statements in the text, stricter text usage, intent, using guidelines vs. pointed text format, and the need for a new ordinance if the current ordinance is sufficient? Mr. Nix answered the points made, then emphasized the new statutes, and the customary and accepted usage of applicable of kind ordinances.

The discussion brought out the fact that the non restrictive language is the preferred text to use. It was emphasized that the nature of this ordinance is more of a guideline which gives the Planning Commission the leeway to use in preparing standards that would apply to an individual, stand on its own, Special Exception Use request.

As to the need for a new ordinance vs. the existing one, it was explained that the existing ordinance, written in past years, contains many shortages that are required by current statutes, that the new proposed write up contains the new guidelines needed as we go forward and yet comply with the current statutes.

By consensus it was indicated that with the proposed approach we are moving in the right direction, that guidelines should not be restrictive, that some suggested changes in the text might be appropriate, and that by using guidelines to develop Special Exception Use standards, the Planning Commission can be restrictive in developing such standards when needed.

It was also brought out that by using a guide rather than a standard requirement, a potential applicant, when reviewing the ordinance, can see the scope of what is needed of them for consideration by the approving entity.

Chairwoman Mischel asked Mr. Nix to use the discussion input and make draft revisions where appropriate, for the next meeting.

Section 7.06 Group Retreat Center

Mr. Nix, Planning Consultant, reviewed the revised draft pointing out the changes made since the previous meeting. An in depth discussion of the proposed draft took place going over the document item by item.

Some items were discussed in more detail with on the spot rewrite of the text involved to highly emphasize that the Group Retreat Center can only be permitted and located in an R1 Zone and can only be on a parcel of at least seven (7) acres. Sleeping on the premises is only permitted in the Single Family dwelling. That operation of motorized recreational equipment by guests or employees is not allowed on the premises. That the Elk Rapids Fire Department should be included for checking that fire safety regulations are implemented. That voidance of the Special Exception Use takes place when there is a lapse of operation for a certain designated period.

It was brought out that Section 7.06-J as written puts the burden on the Zoning Administrator who is a member of the Township Government; which is not a correct approach. The burden should be on the owner to approach the Township Government and find out what his responsibilities are in operating the Group Retreat Center. Also, language should be added that voidance of the Special Exception Use occurs should the owner fail to contact the Township Government. At this time, the hour was getting late and this item did not get a full review and discussion.

Chairwoman Mischel asked Mr. Nix to review the items discussed and include them in a draft rewrite for the next meeting. Mr. Nix advised that he will send out a revised text draft per the discussions very soon. He requested that the members review the proposed draft and send back any comments for incorporating in the final draft for the next meeting.

Chairwoman Mischel tabled the balance of the agenda items, to be brought up in the next meeting.

The next scheduled meeting will be on June 5, 2008 at the Government Center, 315 Bridge Street.

Having no further business Chairwoman Mischel adjourned the meeting at 9:10 PM.

E.S.Sabty, Secretary
5-1-2008

Minutes Approved 6-5-2008

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