

# AGENDA

**PLANNING COMMISSION REGULAR MEETING TUESDAY, NOVEMBER 28, 2017 AT 7:00 P.M.  
HELD AT THE GOVERNMENTAL CENTER, 315 BRIDGE ST. ELK RAPIDS, MICHIGAN**

**1. PLEDGE OF ALLEGIANCE**

**2. ROLL CALL:**

**3. MINUTES:**

- a. Approval of Minutes Regular Planning Commission meeting October 24, 2017.

**4. CONFLICT OF INTEREST:**

Any Commission member who believes that he or she has a conflict of interest regarding any item on this agenda, shall so state that conflict at this time. Does any member believe they have a conflict of interest regarding any item on this agenda?

**5. CITIZEN COMMENTS:**

Any Citizen who wishes to address the Planning Commission on a matter not listed on this agenda may speak at this time. The Planning Commission Chair should recognize the citizen before speaking. A five minute limitation applies unless extended by the Chair. Citizens wishing to speak on matters listed on the agenda will be permitted, under the same limitations, to speak when the matter is brought before the Commission. Does any citizen wish to address the Planning Commission on a matter not listed on this Agenda?

**6. PUBLIC HEARINGS:**

- a. None.

**7. OLD BUSINESS:**

- a. Septic System Point of Sale discussion.
- b. Coal Tar Sealants - discussion.

**8. NEW BUSINESS:**

- a. Cancel regular meeting on December 26, 2017.

**9. CORRESPONDENCE:**

- a. "Time For Change. (Will be at your seat, Tuesday

**10. REPORTS:**

- a. Planning and Zoning Administrator, Steven Ravezzani – October, 2017 Monthly Report.
- b. Council Representative – B. Mullaly
- c. ZBA Representative – L. Dake
- d. Green ER – Royce Ragland

**11. CALENDER REVIEW:**

- a. Next Planning Commission Meeting – January 23, 2018.

**12. AGENDA ITEMS FOR NEXT MEETING**

- a. To be determined.

**13. ADJOURNMENT**

**PUBLIC NOTICE ANNOUNCEMENT VILLAGE OF ELK RAPIDS**

**NOTICE OF COMPLIANCE WITH THE ADA AT PUBLIC MEETINGS**

The Village of Elk Rapids shall provide reasonable auxiliary aids and services, such as signers for the hearing impaired and individuals with disabilities at meetings/hearings upon five (5) days' notice to the Village. Individuals with disabilities requiring auxiliary aids or services should contact the Village of Elk Rapids by writing or calling the following:

William Cooper, ADA Coordinator 315 Bridge Street, P.O. Box 398, Elk Rapids, MI 49629 (231)-264-9274.

## LIMITED ENGLISH PROFICIENCY NOTICE

With seven days advance notice, accommodations can be made for persons with disabilities and/or limited English speaking ability, and persons needing auxiliary aids or services of interpreters, signers, readers or large print.

Con siete días de anticipación, el alojamiento se pueden hacer las personas con discapacidad y / o capacidad limitada de habla Inglés, y las personas que necesitan ayudas auxiliares de servicios de intérpretes, los firmantes, lectores o en letra grande.

Với bảy ngày thông báo trước, phòng có thể được thực hiện cho người khuyết tật và / hoặc hạn chế khả năng nói tiếng Anh, và những người cần hỗ trợ các dịch vụ phụ trợ của thông dịch viên, những người ký tên, người đọc hoặc in lớn.

Nrog xya hnuv ua ntej daim ntawv ceeb toom, kev kho kom haum yuav ua rau cov neeg muaj kev tsis taus thiab / los yog tsis tau lus Askiv hais lus muaj peev xwm, thiab cov neeg hu ua deductible lwm yam kev pab ntawm cov kev pab cuam ntawm cov neeg txhais lus, signers, txawj nyeem ntawv los yog sau loj loj.

與7天前通知，住宿可以為殘疾人和/或有限的英語口語能力，並需要口譯，簽名，讀者或大型印刷服務的輔助器材的人的人進行。

عم دوجو راحشا قيسم نم عيس مايا، نكمي ريفوت نيم جرتم، نيصتخم غلب قرال، ني يراق، وا فورح قريبك م جحلا يوذل تاجايت حال ا صاخلا، ءالوهو نيذل ال نوملكتي غللا ءيزي لجنال ا ققال طب.

# **APPROVAL OF MINUTES**

**DRAFT**  
**TUESDAY, 7:00 P.M., OCTOBER 24, 2017**  
**PLANNING COMMISSION MEETING**  
**GOVERNMENT CENTER – 315 BRIDGE ST.**

**The meeting was called to order at 7:00 P.M by CHAIR, WALLY HIBBARD. PLEDGE OF ALLEGIANCE WAS RECITED. Meeting taped.**

**ROLL CALL: MEMBERS PRESENT: Chair, Wally Hibbard; Vice-Chair, Royce Ragland; Council Representative, Barb Mullaly; Richard Smith; Jim Okonoski; Becky Lancaster; Excused Absence, Lauren Dake**

**Also present, Secretary Elaine Glowicki; Steve Ravezzani, Zoning Administrator, Milton Township Planning Board Member, Bob Kingon.**

**MINUTES:**

**MOTION by SMITH second by LANCASTER to approve the Planning Commission Minutes dated September 26, 2017 as corrected. Roll Call Vote: Smith, Hibbard, Ragland, Okonoski. Lancaster, Lauren Dake, Barb Mullaly, excused absence. All members present voting yes. MOTION CARRIED.**

**(Correction to minutes) – 1) a comma was removed after Ravezzani's name 2) after a Motion to approve the Minutes dated 8-22-2017, add the following: (All members present voting yes) MOTION CARRIED.**

**CONFLICT OF INTEREST: NONE**

**CITIZEN COMMENT: NONE**

**OLD BUSINESS –**

**SEPTIC SYSTEM POINT OF SALE ORDINANCE DISCUSSION:**

The Zoning Administrator Ravezzani recently presented a preliminary draft of a possible Point of Sale Ordinance similar to Milton Township's Septic Inspection and Property Transfer Ordinance enacted on October 8, 2012. Ravezzani stated that the planning members have been discussing the need for an Ordinance which would require inspection of septic systems at the point of transfer for any property in the Village Elk Rapids.

Milton Township Planning Member, Bob Kingon was asked to be present and answer any questions posed by the planning members regarding the management and enforcement of Milton Township's Septic Ordinance. A copy of Milton Township's First Year Evaluation of their Septic Inspection Ordinance was reviewed by the planning members. Kingon suggested it was important to work with the Realtors, communicate with the residents and send copies of an adopted Ordinance to surrounding Townships.

**DRAFT 11.01.17**

Ravezzani was asked whether a Public hearing would be scheduled. Ravezzani replied that a Public Hearing was not required by the Planning Commission. The only requirement would be a communication by the Planning Commission to Village Council with their recommendation.

**The Planning Commission asked Ravezzani to prepare a draft Septic Ordinance for the November Planning Meeting including the following two definition changes to the Ordinance:**

- 1) Addition of a definition for Required Action to be consistent with changes made by the HDNW to its operations and evaluation form - Section 3 of the Ordinance.***

***“Required Action”. As a result of an evaluation conducted, a determination by the HDNW that there are conditions that pose an imminent hazard and require immediate correction.***

- 2) Redefining “Failed STDA”. - Section 3 of the Ordinance  
Old definition - Failed STDS. A sewage treatment and disposal system that violates Section 4.1 of the environmental Health regulations.**

***New Definition - “Failed STDS”. A sewage treatment and disposal system that violates Section 4.1 of the environmental Health regulations or for which a Required Action has been designated.***

***These changes in Section 3 follow the operational changes that the HDNW recently implemented. The broader definition of failure allows the HDNW more flexibility to require corrections to systems that do not meet the literal definition of Section 4.1 (sewage on the ground or in the premises) but do represent an imminent health hazard.***

## **NEW BUSINESS –** **COAL TAR SEALANTS – DISCUSSION**

**A memo was received from Village Manager, William Cooper regarding “Elimination of Coal Tar based sealcoat”. Cooper stated that he was recently approached by a member of Green ER on an environmental problem with sealcoat products that contain coal tar. In Michigan, there are over a dozen communities who have either outright banned these products or at least limited their use primarily for government applications.**

Chairman Hibbard apprised the members he had only skimmed the 30 plus pages of information but said he would do more research and was convinced perhaps caution should be taken in form of an Ordinance. This subject will be on the November Agenda.

**CORRESPONDENCE:**

A letter was received from Heather Smith, Grand Traverse Bay Keeper, Watershed Center Grand Traverse Bay supporting the efforts of the Village of Elk Rapids in taking action on two topics (Time of Transfer Septic and Coal Tar Ban Ordinance) that will help protect water quality in the Village as well as Grand Traverse Bay and offering their resources.

**REPORTS:**

- **Planning & Zoning Administrator, Steve Ravezzani** presented monthly report for October 2017.
  - 1) Talked to builder (condo information on River St.)
  - 2) Talked to Larry Hicks regarding scheduling meeting dates for any updates to the Master Plan.
- **Council Representative, Barb Mullaly** reported the Council had their First Reading for ADU's. Question was raised regarding the requirement for a second water and sewer meter.
- **ZBA Representative, Lauren Dake** – Meeting was cancelled. No applications were filed.
- **GREEN ER – Royce Ragland, Working on 2018 Budget.** Ragland and Lancaster reported on the workshop they attended (copied – technology, such as sharing speakers with communities, reporting information on housing shortage, goals, solar energy.

**NEXT SCHEDULED PLANNING MEETING: 11/28/2017.**

**ADJOURNMENT: 7:59 p.m.**

**Elaine Glowicki, Recording Secretary**

# **OLD BUSINESS**

SEPTIC SYSTEM POINT OF SALE ORDINANCE DISCUSSION.

COAL TAR SEALANTS – DISCUSSION



**CODE OF ORDINANCES, VILLAGE OF ELK RAPIDS  
CHAPTER 11: ENVIRONMENT**

**ARTICLE VI – SEPTIC INSPECTION AND PROPERTY TRANSFER ORDINANCE**

An Ordinance pursuant to Act 246 of the Public Acts of 1945, as amended (being MCL 41.181) to require the evaluation of sewage treatment and disposal systems (STDS) and the testing of private water supply systems upon the transfer of property served by the STDS; to repeal any Ordinance or portion thereof in conflict herewith; and to provide for the administration of this Ordinance.

- Sec. 11-X Title
- Sec. 11-X Purpose
- Sec. 11-X Definitions
- Sec. 11-X Advising Owners of Ordinance
- Sec. 11-X STDS Evaluation Required and Exemptions
- Sec. 11-X Evaluation Application and Fee
- Sec. 11-X STDS Evaluation and Report
- Sec. 11-X Evaluations
- Sec. 11-X Private Water Supply System Evaluation
- Sec. 11-X Failed STDS or Failed Private Water Supply System
- Sec. 11-X Enforcement and Private Cause of Action
- Sec. 11-X Severability
- Sec. 11-X Repeal
- Sec. 11-X Effective Date

Sec. X-1. Title.

- A. This Ordinance shall be known as the Village of Elk Rapids Septic Inspection and Property Transfer Ordinance. This Ordinance may also be called the TOT (Time of Transfer) Ordinance.

Sec. X-2. Purpose.

- A. The Village is empowered to adopt Ordinances regulating the health, safety, and welfare of persons and property, and to provide penalties for violations of such Ordinances.
- B. The purpose of this Ordinance is to protect public health and to prevent or minimize the degradation of groundwater and surface water quality by malfunctioning sewage treatment and disposal systems (STDS) and to assure safe water supplies by the evaluation of the STDS and private water supply systems at the time of transfer of the property served by the STDS.
- C. This Ordinance contains minimum standards that are in addition to the rules and regulations enacted by the Michigan Department of Community Health (MDCH), the Health Department of Northwest Michigan (HDNW), Michigan Department of Natural Resources and Environment (MDNRE), and any Michigan or federal law or regulation regarding the subject matter of this Ordinance. The intent of this Ordinance is to impose standards that supplement HDNW regulations and which are more restrictive than current

federal or State law or HDNW regulations. In addition, the Township has executed an Intergovernmental Agreement with HDNW pursuant to which the HDNW will conduct the evaluations that are required by this Ordinance. The Intergovernmental Agreement shall be reviewed on an annual basis by both parties to determine if changes should be considered.

- D. This Ordinance requires an evaluation of a sewage treatment and disposal system (STDS) and private water supply system at the time the property is transferred to determine the operational status of the STDS and private water supply system. The Township has an intergovernmental agreement with the HDNW in which the HDNW has agreed to conduct all evaluations required by this Ordinance. Only evaluations conducted by the HDNW or its contractors comply with this Ordinance. If an evaluation discovers a defective STDS or private water supply system, the HDNW may take such action, pursuant to its own rules and regulations, to protect the environment and/or public health.

### Sec. X-3. Definitions.

Absorption System (Field): The collective term for trench or bed excavations used to uniformly distribute septic tank effluent to subsurface soil by means of a network of distribution piping in washed aggregate with covering soil and vegetation. A trench contains one pipe. A bed contains two or more pipes.

Approved/Approval. A decision that denotes a condition, facility, thing, premise, action or use, is in satisfactory compliance with the intent, purpose, and applicable standards of Health Department Environmental Health regulations.

Authorized Agent. A person that is authorized in writing by (a) the owner, or (b) the transferee, to act as legal representative in all matters authorized on behalf of the owner or transferee.

Evaluator. A person who is authorized by the HDNW, to conduct evaluations of STDS and private water supply systems for the purpose of this Ordinance.

Effluent. The partially treated sanitary sewage outflow discharge of a septic tank or similar device.

Environmental Health Regulations. The District Sanitary Code of the Health Department of Northwest Michigan (HDNW) for Antrim, Charlevoix and Otsego Counties, February 25, 2007, and the Michigan Well Construction and Pump Installation Code (TAct 368T of T1978T. TPart 127T, and Administrative Rules.)

Failed STDS. A sewage treatment and disposal system that violates Section 4.1 of the Environmental Health Regulations.

Failed Private Water Supply System. A private water supply system that does not comply with either of the following: the Safe Drinking Water Act (Act 399 of 1976; MCL 325.1001 et seq.) or the Michigan Groundwater Quality Control Rules or other State of Michigan rules that were applicable at the time of construction of the private water supply system.

Groundwater Quality Control Rules. The Michigan Well Construction and Pump Installation Code (TAct 368T of T1978T. TPart 127T and Administrative Rules.)

HDNW. The Health Department of Northwest Michigan, which is also known as the Northwest Michigan Community Health Agency.

Notification. A written document prepared by the Township that contains a summary of the requirements of this Ordinance.

Owner. A person who has legal or equitable title of a premises.

Person. An individual, firm, limited liability company, partnership, party, corporation, company, society, association, or other legal entity.

Premises. Any house, building, structure, facility or improvement that is served by a STDS.

Private Water Supply System. A system of privately-owned pipes and structures through which water is obtained, including but not limited to: the source of the water such as wells, or hauled water storage tanks, pumping and treatment equipment, storage tanks, pipes and appurtenances used or intended to furnish water for potable use. It does not include a municipally-owned water supply system.

Real Estate Service Provider. A person, who for a fee and in connection with the transfer of a premises, provides one or more of the following services: provides escrow services, provides title insurance, or acts as a real estate agent for an owner or a transferee or both.

Septic Tank. A watertight receptacle used to receive all sewage and designed to collect solids from such wastes for decomposition therein.

Sewage Treatment and Disposal System (STDS). The method of disposing of sewage by means of a sewer line connected to a septic tank or aerobic tank and one or more of the following: dry well, seepage pit, block trench, absorption field, trench or bed or any similar device or devices approved by the Health Officer.

Transfer. A conveyance of the entire legal or equitable title to a premises to a person who at the time of the conveyance did not have an ownership interest in the premises. The conveyance may be by any legal means, including but not limited to, a deed, land contract, or inheritance (testate or intestate). In addition, a transfer includes a change in more than 50% of the ownership interest of a legal entity when that legal entity owns a premises.

Transferee. A person to whom a premises is transferred.

Transferor. A person who makes a transfer of a premises.

Village. The Village of Elk Rapids, Michigan

Sec. X-4. Advising Owners of Ordinance.

- A. When providing services in connection with a transfer of a premises, a real estate service provider shall provide the owner and transferee with a TOT Notification. TOT Notification documents may be obtained from a Township officer or employee, as designated by the Township Board, or from the HDNW.

Sec. X-5. STDS Evaluation Required and Exemptions.

- A. Except as provided in subsection B, an owner of any premises in the Township shall not transfer a premises until the following conditions are met:
  1. The existing STDS has been evaluated as required by this Ordinance and the HDNW has determined that the STDS complies with the HDNW's Environmental Health Regulations and, if applicable, the private water supply system complies with the requirements of Section 7 of the Ordinance; and;
  2. A written copy of the evaluation report has been provided to the transferee or an authorized agent of the transferee by the owner or an authorized agent of the owner.
- B. The transfer of a premises is exempt from the STDS and private water supply system evaluation requirements of this Ordinance under any of the following circumstances:
  1. Based on information provided by the owner or the records of the HDNW a determination is made by the HDNW that, pursuant to a permit issued by the HDNW under applicable Environmental Health Regulations, a new or replacement STDS was installed on the premises within ten years prior to the proposed date of transfer.
  2. Based on information provided by the owner or the records of the HDNW, a determination is made by the HDNW that the STDS, which serves the premises, has been evaluated and found by the HDNW to meet the requirements of this Ordinance within 5 years prior to the date of the proposed transfer.
  3. Based on information provided by the owner or the records of the HDNW, a determination is made by the HDNW that any structure on the premises, which is served by a STDS, will be demolished and not replaced.
  4. When a mortgage or other payment obligation for which the premises is pledged as security is refinanced.
  5. A transfer from one spouse to the other spouse and which does not involve any other person obtaining or conveying a legal or equitable interest in the premises.
  6. A change in ownership solely to include a spouse.

7. A transfer to establish, release or foreclose on a secured interest (such as a mortgage).
8. An involuntary transfer pursuant to foreclosure or court order.

Sec. X-6. Evaluation Application and Fee.

- A. Applications for an evaluation that is required by this Ordinance may be obtained from the office of the Village Clerk, or from the HDNW. The application must be returned to the HDNW and an evaluation fee, as set by the HDNW, shall be paid to the HDNW.

Sec. X-7. STDS Evaluation and Report.

- A. An STDS evaluation shall consist of visual and olfactory observations of the sewage system, use conditions, information gathering, evaluation at time of prior pumping, evaluation of the condition of the septic tank, absorption system, pumps, filters, and other important features of the sewage system. The evaluation shall provide a determination regarding whether the STDS is in compliance with the HDNW's Environmental Health Regulations. In making this determination, evaluators will adhere to the evaluation checklist established by the HDNW for evaluations to be conducted under this Ordinance and as specified in an attachment to the Intergovernmental Agreement between the HDNW and the Village of Elk Rapids.
- B. Except as provided in subsection C., below, prior to evaluation, the septic tank(s) must be pumped and serviced by a licensed Michigan hauler. The licensed hauler shall provide written documentation of service to the homeowner and to the evaluator. If a STDS has been pumped within 5 years prior to the evaluation and documentation concerning this prior pumping has been provided to the evaluator prior to the TOT evaluation, the STDS will not need to be pumped as a part of the STDS evaluation under this Ordinance.
- C. An STDS with design features that met the design standards at the time of construction will not be considered a failed system unless its performance is deemed failed.
- D. Evaluation Reports must be in written or electronic form and include, at a minimum:
  1. The address of the site;
  2. The parcel identification number;
  3. The name of the owner or the owner's authorized agent;
  4. The location of the STDS and private water supply system to be inspected;
  5. A description of the current operational status of the STDS, including documentation as to whether the STDS has failed;
  6. Other relevant or unusual observations related to the STDS and/or private water supply system;
  7. Recommendations to extend the life of the STDS and/or to make improvements in compliance with environmental health regulations;

8. A determination that the STDS and private water supply system is or is not in compliance with the HDNW's Environmental Health Regulations;
  9. The results of water quality testing that were performed.
- E. The evaluator shall provide complete documentation of each STDS evaluation to the owner, Township and HDNW within 5 business days of the evaluation.
  - F. Any owner or authorized agent of a failed STDS shall request a permit from the HDNW for corrective action(s). This request shall be made within 10 business days of the receipt of the evaluation report or notification from the HDNW.
  - G. Once the HDNW gives final approval to the corrected STDS, the system shall be considered in compliance with this Ordinance.

Sec. X-8. Evaluations.

- A. Evaluations required by this Ordinance may only be conducted by the HDNW or evaluators contracted by the HDNW.

Sec. X-9. Private Water Supply System Evaluation.

- A. If a STDS must be evaluated as required by this Ordinance and the premises being served by the STDS also has a private water supply system, then the private water supply system shall be evaluated in addition to the STDS. Water sample(s) will be obtained by the evaluator and analyzed at a State of Michigan certified drinking water laboratory to determine the presence or absence of coliform bacteria, nitrate concentrations, and to determine whether the water quality complies with Safe Drinking Water Act (399 PA1976; MCL 325.1001 et seq.).
- B. The evaluator shall also perform a visual evaluation of the private water supply system for compliance with Michigan Groundwater Quality Control Rules or other regulations in force at the time of construction. The evaluator will identify the existence and disposition of any abandoned wells and describe any abandoned wells in the evaluation report. The foregoing information shall be contained in the evaluation report.
- C. All determinations required by this Section shall be made by the HDNW after reviewing all relevant information.

Sec. X-10. Failed STDS or Failed Private Water Supply System.

- A. After reviewing the evaluation report or based on its own investigation, if the HDNW determines that the STDS or private water supply system fails to comply with the requirements of this Ordinance, then the transfer of the premises shall not take place until the failed STDS complies with the HDNW's Environmental Health Regulations and/or the failed private water supply system complies with the requirements of Section 7 this Ordinance.

Sec. X-11. Enforcement & Private Cause of Action.

- A. Nothing in this Ordinance shall be deemed to prohibit the HDNW from enforcing its

Environmental Health Regulations regarding a failed STDS or failed private water supply system in its discretion. The remedies provided by this Ordinance are in addition to remedies and penalties that are authorized by law for violations of those Environmental Health Regulations.

- B. The following provisions apply to a failure to have an STDS or private water supply system evaluated as required by this Ordinance:
1. Penalties: Any seller/transferor who violates this Ordinance shall be subject to a municipal civil infraction punishable by a fine of not more than \$500. All owners, regardless of their interest in the property, may be responsible for the civil infraction. The Village Planning and Zoning Administrator and other officials designated by the Village Council are hereby designated as the authorized officials to issue municipal civil infraction citations directing alleged violators of this Ordinance to appear in court. Each day the violation remains in effect shall be considered a separate offense.
  2. Civil Action: A violation of this Ordinance shall be a nuisance per se. The Village shall have the right to commence a civil action to enforce compliance with this Ordinance.
  3. Village requested Evaluation and Costs: If an owner does not have the owner's premises evaluated as required by this Ordinance, the Village Planning and Zoning Administrator may cause an evaluation to be completed. All costs incurred by the Village and HDNW related to (a) the investigation of failing to have the required evaluation, and (b) in completing the evaluation, may be charged to the owner of the premises. These costs shall include, but are not limited to, the wages and fringe benefit costs of all personnel involved in the matter, including the charges of professionals. If the owner refuses on demand to pay all such costs, the Village may commence a civil action on its behalf and on behalf of the HDNW to obtain a judgment for such sums and for its attorney fees and court costs.

Sec. X-12. Severability.

- A. The provisions of this Ordinance are hereby declared to be severable and if any clause, sentence, work, section, or provision is declared void or unenforceable for any reason by any court of competent jurisdiction, such declaration shall not affect any portion of the Ordinance other than said part or portion thereof.

Sec. X-13. Repeal.

- A. All Ordinances and parts of Ordinances that are in conflict with this Ordinance are hereby repealed.

Sec. X-14. Effective Date.

This Ordinance shall become effective 180 days after approval.

# **NEW BUSINESS**

CANCEL REGULAR MEETING, DECEMBER 26, 2017



# REPORTS

# VILLAGE OF ELK RAPIDS – PLANNING COMMISSION

## PLANNING AND ZONING ADMINISTRATOR MONTHLY ACTIVITIES REPORT FOR THE MONTH ENDING: OCTOBER 31, 2017

### PERMIT INQUIRIES, CONSULTATIONS & REVIEWS

The Planning and Zoning Administrator processed a total of 197 zoning permit inquiries, consultations, and reviews during the month of October, 2017.

### PERMITS REQUESTED:

1. ZCP #2017-056 – Request of Bob Davis for a ZCP to allow for the construction of a 1972 sq.ft. addition to their existing dwelling located at 205 Pine St. Permit Approved.
2. ZCP #2017-057 – Request of John Matthers for a ZCP to allow for the construction of a new two story dwelling located on their property at 323 Green Acres LN. Permit Approved.
3. ZCP #2017-058 – Request of Mike Showalter for an amendment to ZCP #2017-033 to allow for the construction of Bilco doors to allow for access to crawl space on their dwelling located at 111 Traverse St. Permit Approved.
4. ZCP #2017-059 – Request of Melissa West for a Temporary Street Closure Permit to close a portion of Pine St. in front of her home at 604. Permit Approved.
5. ZCP #2017-060 – Request of Short's Brewery for an amendment to Approved Site Plan to allow for the construction of 34'x100' attached lean-to on their property located at 211 Loomis Dr. Permit Approved.
6. ZCP #2017-061 – Request of Harbor Flooring for Commercial Site Plan approval to allow for the construction of 80'x100' commercial building on their property located at US 31 S. Permit Approved.

### PERMIT COMPLIANCE MONITORING VISITS

The Planning and Zoning Administrator conducted site visits to ensure Code compliance at the following properties:

1. Bob Davis – 205 Pine St. – Zoning Compliance Site Visit for ZCP #2017-056.
2. John Matthews – 323 Green Acres Ln – Zoning Compliance Visit for ZCP #2017-057.
3. Mike Showalter – 111 Traverse St. – Zoning Compliance Visit for ZCP #2017-058.
4. Short's Brewery – 211 Loomis Dr. – Zoning Compliance Visit for ZCP #2017-060.
5. Harbor Flooring – US 31 S. – Zoning Compliance Visit for ZCP #2017-061.

# VILLAGE OF ELK RAPIDS – PLANNING COMMISSION

## ZONING CLASSIFICATION CHANGE REQUESTS:

1. None.

## CODE AMENDMENT REVIEW:

1. Ord. #480 – Proposed amendment to the Village of Elk Rapids Zoning Code, Sec. 431, Accessory Dwelling Units.
2. Village of Elk Rapids Code of Ordinances, Chapter 10 – Island Property. Under review by Village legal counsel.

## VIOLATION NOTICES:

1. None.

## MEETINGS:

1. The Planning and Zoning Administrator attended the following meetings:
  - Village Council: October 16, 2017,
  - Planning Commission: October 24, 2017
  - Staff: October 10, 2017, October 17, 2017, October 24, 2017.
  - Meeting with Ed Porter, Porter Builders to review permit requirements for new dwelling on Green Acres Ln.

## ZONING ADMINISTRATOR - OTHER ACITIVITIES:

1. Planning and Zoning Administrator delivered daily bank deposits for the Village.
2. Planning and Zoning Administrator continues the review of the Village of Elk Rapids Code of Ordinances, Chapter 6 – Public Safety, Offenses, and Municipal Civil Infractions, to recommend changes that would update current code in accordance with state statute and provide a more user friendly document.
3. Planning and Zoning Administrator continues the review of the Village of Elk Rapids Code of Ordinances, Chapter 10 – Island Property, to recommend changes that would update current code in accordance with state statute and provide a more user friendly document.

## PLANNING COMMISSION ACTIVITIES:

1. The Planning Commission held their regular meeting on October 24, 2017.
2. The Planning Commission continued their discussion of a possible Point of Sale Septic System Ordinance. Planning and Zoning Administrator provided additional information from Antrim County Health Department on how such an ordinance can be implemented through the County. Discussion to continue at the next regular meeting.

## **VILLAGE OF ELK RAPIDS – PLANNING COMMISSION**

3. The Planning Commission began discussion of a possible ordinance to ban the use of Coal Tar Sealants within the Village. Further discussion will take place at their November meeting.

### **VILLAGE COUNCIL ACTIVITIES RELATED TO PLANNING AND ZONING:**

1. The Village Council held a First Reading of Ordinance #480, proposed amendment to the Village of Elk Rapids Zoning Code §431, Accessory Dwelling Units. The Council scheduled a Public Hearing on the proposed Ordinance for their regular meeting on November 20, 2017.

### **ZONING BOARD OF APPEALS ACTIVITIES:**

1. The Zoning Board of Appeals regular meeting on October 19, 2017 was cancelled because no requests for Appeals were received. The next regular meeting of the ZBA is November 16, 2017.

### **SEMINARS/EDUCATIONAL TRAINING:**

1. Three members of the Planning Commission attended the Housing Summit Seminar held at the Maritime Academy in Traverse City.
2. Zoning Administrator attended Marijuana seminar in Traverse City with Chief Emerson.