

**SANDS TOWNSHIP PLANNING COMMISSION
MINUTES**

September 17, 2013

1. Call to Order at 1830 by Planning Commission Chair R. Titter
2. Roll Call: B. Mann, R. Titter, J. Noe, S. Foulks, S. Brauer, J. Wixtrom & E. Anderson (arrived at 6:33).
 - a. Absent: None
 - b. Others in Attendance: Randy Yelle, Carolyn Kerkela, Rick Nelson, Kim Longtine, Jerry Longtine, Denise Drummond, Kelly Robinson, Dave Drummond, Tony Harry, and Pam Harry.
3. Approval of Agenda: Motion by S. Foulks, Supported by J. Noe, to approve agenda as presented. Ayes: 6, Nay: 0. Motion Carried.
4. Approval of Meeting Minutes of July 16, 2013: Motion by B. Mann, Supported by S. Foulks, to approve the minutes as presented. Ayes: 6, Nay: 0. Motion Carried.
5. Public Comment - Dave Drummond, Vice-President of TEAM (Trail Riders Enthusiasts Alliance of Marquette County), thanked the board for considering the adoption of an ORV ordinance. He explained what the goal of the club is regarding a connecting trail system across the Upper Peninsula and urged the commissioners to research the facts regarding ORV usage and end unjust discrimination against the riders. He feels ORV usage is positive for communities and teaches family values and respect of land and trails to children.
6. Close Public Comment
7. Open Public Hearing on ORV Ordinance:
 - a. Staff Input:

Randy said a Township Board member had concerns with the County ORV ordinance regarding County Road easements, especially in the Sands Plains area. The Ordinance says a speed limit of 25 miles per hour on County roads. These are seasonal, unmaintained roads but are still considered County roads. S. Brauer asked what speed a fast ORV can go; Dave Drummond said some can reach 60 mph, but the average speed traveled on most trails is between 30 and 35 mph.
 - b. Public Input:

Tony Harry, the President of TEAM and involved with several other groups, explained the work being done to create a trail system and stressed how important Sands Township is to having a network across the U.P. He shared information on other Cities and Townships that have approved ORV usage and the success they have had after doing so.

Dave Drummond said he fully supports the 25 mph speed limit on County roads. He feels there could be trouble with trying to enforce an ordinance if the Township decided to draft their own and put a separate speed limit for areas like the Plains.

8. Close Public Hearing

a. Board Discussion and Action:

S. Foulks asked if there was a difference between ATV and ORV; Dave Drummond said the term ORV is becoming the widely used one, and trails are judged by inches as to what can use the trail. He also commented on the County ordinance definition of ATV having a 50cc to 500 cc engine, because they can be much larger now.

B. Mann said he does not think County Road 480 should be exempt from ORV traffic, as the proposed motion states. Allowing ORV usage on the shoulder of the road would allow the sides of the road to heal after the damage ORVs have done already. If pedestrians are a concern, a speed limit of less than 25 mph can be set. R. Yelle explained that was just an idea because of traffic and driveways, but it is up to the Planning Commission to decide. B. Mann also stated that the adoption of an Ordinance allows for enforcement, especially along M-553 where riding is not allowed. Law enforcement agencies have agreed to enforce the Ordinance if one is adopted.

R. Titter asked if M-553 can be posted for no ORV usage. R. Yelle will talk with Andy Sikkema from MDOT about the possibility.

Motion by B. Mann, supported by R. Titter, that after holding the required public hearing, reviewing staff input and taking testimonies from the public, the Sands Township Planning commission recommend to the Sands Township Board to adopt the Marquette County ORV Ordinance. Ayes: 7 Nays: 0 Motion carried.

Motion by B. Mann, supported by R. Titter, to request the Sands Township Board get clarification from Marquette County on the speed limit on non-maintained County roads. Ayes: 7 Nays: 0 Motion carried.

Tony Harry said there is money available through funds and grants for posting signs for ORV usage if the Ordinance is adopted so speed limits can be posted, along with where ORVs are not allowed to be ridden.

9. Unfinished Business – None

10. New Business

a. Potbelly Pigs as Pets

Discussion began regarding the size of potbelly pigs and whether they are considered pets or livestock. R. Titter appointed a sub-committee of S. Brauer (Chair), B. Mann and J. Noe to look review the Zoning Ordinance and information regarding potbelly pigs and return to the Planning Commission with a recommendation.

b. Private Road Ordinance

The sub-committee reported they have reviewed the Private Road Ordinance and have made some recommendations for updates. This will be e-mailed to Commissioners for review at the October meeting.

c. Sands Township Flood Plain

The sub-committee gave an update on the flood plain issue and is recommending a Public Hearing be held to get input from people in the affected areas. The public hearing will be held in October and letters will be sent to property owners in affected areas, along with the notice in the Mining Journal and the website.

d. Administrative Report

Randy Yelle gave report.

11. Public Comment – Tony Harry shared a personal experience in Chocolay Township regarding the floodplain and how it took him a lot of money to have it determined his house was not in a flood plain area after he was told renters insurance was required because he was in a floodplain.

12. Close Public Comment

13. Adjournment – R. Titter adjourned the meeting at 7:28 pm