

MEETING MINUTES OF THE
GRAND HAVEN CHARTER TOWNSHIP PLANNING COMMISSION
JULY 20, 2009
REVISED

I. CALL TO ORDER

Chairman Redick called the regular meeting of the Grand Haven Charter Township Planning Commission to order at 7:34 p.m.

II. ROLL CALL

Members present: Sheffield, Ralya, LaMourie, Williams, Redick, French,
Worthington, Ransford

Members absent: O'Neal

Also present: Community Development Director Waterman, Attorney Bultje and Recording Secretary DeVerney

III. PLEDGE TO THE FLAG

IV. APPROVAL OF MINUTES

Motion by Sheffield supported by French to approve the minutes of the July 6, 2009 meeting. **Which motion carried.**

V. CORRESPONDENCE

Chairman Redick noted a letter received from the Ottawa County Planning Commission approving the Robbins Road sub area section of the Master Plan.

It was also noted that Waterman sent a letter of approval to Olive Township concerning their Master Plan.

VI. BRIEF PUBLIC COMMENTS

Chairman Redick suggested saving the brief public comments until after the applicant has presented the project.

VII. PUBLIC HEARING

None.

VIII. OLD BUSINESS

A. Preliminary Plan Review – Beach Wood Site Condominium Project

Waterman gave an overview of his memo dated July 13, 2009. He noted that the plans had been tentatively approved by the Public Services Department Director, Fire/Rescue Department, Staff, GHT Attorney, Ottawa County Road Commission, and the Drain Commission.

David Bos stated that they have incorporated the changes that we asked of them from the previous meeting and have worked with township staff, the GHT Attorney, the

Ottawa County Road Commission, and the Drain Commission to meet all requirements.

Public Comments (7:51pm – 8:49pm)

Ed Barclay (17620 Buchanan) is opposed to the project and noted the following:

1. Increased traffic on Buchanan, access off Buchanan not preferred.
2. Impact of 17 homes on the public beach access.
3. Parking (300 feet no parking limit on Buchanan).
4. The way property will be marketed.
5. There are already dogs, alcohol, kayaks, and wave runners issues.

Rob Riegler (17500 Buchanan) is opposed to the project and noted the following:

1. Increased traffic on Buchanan, access off Buchanan not preferred.
2. Vacating Beach Road.
3. Headlights in front window.
4. Beach should be widened to allow access.

Scott McKinstry (17586 Buchanan) is opposed to the project and noted the following:

1. Master Deed language, multiple issues.
2. Number of bankruptcies/delays in GHT projects already.
3. Impact of 17 homes on the public beach access.
4. Safety for kids in the neighborhood.
5. Dead end will result in double the traffic on Buchanan.

Glenn Johnson (709 S. Walnut Ave, Arlington Hts, IL 60005) submitted a letter dated July 20, 2009. He noted the following:

1. Non-conforming lot clarification.
2. Buffering, 50 feet requested around property.
3. Flooding.
4. Access and traffic.
5. Construction period traffic.

Brant Hinrichs (1403 N. Summit Ave, Springfield, MO 65807) is in favor of the project and noted the following:

1. Likes proposal as it is.
2. 17 homes better than original plat.
3. He uses Buchanan Street even though Beach is open.

Bruce Hinrichs (12183 Blue Water Road) is in favor of the project and noted the following:

1. Bos homes are first rate.
2. In house but not year round.
3. Would like development to go forward.

Lorie Jager (17424 Buchanan) is opposed to the project and noted the following:

1. Reconsider entrance off Buchanan.
2. Run off on Blue Water Road along with speeding traffic.

Terrence Tyrrell (12121 Blue Water Road) is in favor of the project and noted the following:

1. Happy with the builder and for the development as proposed.

Carl Wasson (17454 Buchanan) concerns are:

1. Not in favor of vacating Beach Road.
2. Water shed.
3. Proposed entrance right over top of hill on Buchanan – dangerous.
4. Proposed entrance right across from his home with increased traffic.
5. Entrance on Beach would be better.
6. Glad for the fewer homes proposed in this development.
7. Extra people on the public access beach.
8. What are the intentions of Planning Commission with regards to Sheldon Park off of Blue Water Road?
9. Right-of-way will be moved into his front yard.
10. Would like to see a green setback along Buchanan.

Miles Murphy (12061 Blue Water Road) in favor of the project and noted the following:

1. Likes 17 lots proposal.

Ed Everhart (12087 Blue Water Road) concerns are:

1. Density of old plat would result in a nightmare.
2. Likes idea of closing Beach Road because dirt bikes and ATVs use this loop to speed around on.
3. People that live in this subdivision will not litter.

Melissa McKinstry (17586 Buchanan) concerns are:

1. Proposed entrance on Buchanan, should propose entrance on Lakeshore and Beach instead.
2. Marketing the development.
3. Only alternative access is at the Christian Reformed Conference Grounds.

Rob Riegler (17500 Buchanan) (2nd request) concerns are:

1. Uncomfortable with entrance at top of hill on Buchanan.
2. All traffic would be going down Buchanan if Beach was vacated.

Comments from Waterman, Bultje to commissioners:

1. The Site Plan and Master Deed language gives the township authority to re-review before any changes can be made.

Bos noted that they decided to use Buchanan as the access because it had the lowest impact and it could handle the proposed increased traffic according to OCRC. As for

the site distance on Buchanan, Bos has worked out with the OCRC to take part of the hill out (8 inches) to make it safer.

Bos's responses to the Public Hearing:

- Their goal was to minimize impacts to the property.
- They are proposing the lowest number of sites possible.
- They looked at multiple access point. This one would do minimal disruption of the site and road is designed to handle traffic.
- Coming off Beach would require massive earth changes.
- Beach is not a conforming road (33 feet).
- OCRC is in favor of closing Beach Road.
- Offered to deed land to 2 lots to eliminate non-conforming (setback issues), but it was taken off the table after there was no response.
- Buchanan Street will be reconstructed by removing 8 inches to address the site development.
- Roadways will be constructed to handle storm water runoff through infiltrating into the ground.
- A drain district will be established, no detention ponds will be utilized.

Comments, questions, and concerns raised by the commissioners included:

1. Would properties have deeded access?
2. Problems with run off – taking down least amount of trees – narrowed right-of-way so trees can be saved. (Waterman referenced drain commissioner letter).
3. Add condition to the Master Plan stating that a home owner can't remove any tree that is 6 inches in diameter.
4. Would alternatives to Beach be extensive removal of trees?
5. What happens to Beach if its vacated?
6. How are you planning to market this development?
7. Will this vacate the access to Sheldon Park beach?
8. Will Blue Water Road be paved?
9. Should a condition be added concerning natural buffer and replacing dead/diseased vegetation within a 6 month period?
10. Condition for sewer – assessment agreement in Master Deed between GHT & developer?

Responses from Bos/Strive to commissioners:

1. This was in reference to the non-conformity, not the deeded access. We offered to deed 2 properties to add an additional 50 feet to both but Merritt pulled the offer off the table
2. Drain will be contained in the right-of-way and will handle each sight individually. There will be valley gutters because of the steep grade and will be maintained by the association.
3. OK with that.
4. Yes, earth change would be massive.
5. Neighbors and OCRC in favor of closing Beach Road. OCRC trumps.

6. Residential development marketing signs will be erected for signage. However, there are 10 people on the waiting list to build. We have done “soft marketing”.
7. Sheldon Park is not part of this proposal.
8. Neighbors, along Blue Water, don't want it paved.
9. When grading is done, Bos wants staff to look at.
10. Move to recommend plus the 2 additional conditions. Bos is OK with adding this in the project.

Motion by Ralya and supported by French to move to recommend to the Township Board approval of the requested site condominium development known as “Beach Wood” on parcel numbers 70-07-16-351-001 and 002, as shown on the approved site plan (last revision date 07/10/09).

This recommendation for approval includes the following conditions:

- 1. The private streets are assigned names that are approved by Grand Haven Township prior to the issuance of any building permits.**
- 2. The Developer shall agree to any requested language amendments to any associated development documents by the Township and/or its legal counsel.**
- 3. The Development shall comply with all applicable requirements of the Ottawa County Road Commission, Ottawa County Drain Commission, and Ottawa County Health Department.**
- 4. No building permits shall be issued for the Development until the Developer has obtained the Township attorney's approval of the Master Deed and Bylaws, and has submitted proof of recording of the same at the Ottawa County Register of Deeds to the Township attorney.**
- 5. Article VIII, Section 1, Paragraph Y on page 42 – expand to require the replacement of dead or diseased trees removed from the natural buffer or landscape buffer. Grand Haven Charter Township shall be named as a 3rd party beneficiary of this requirement.**
- 6. The developer shall enter into a sanitary sewer assessment agreement with Grand Haven Charter Township.**

Williams asked about the impact to the land use and how it impacts the residents. She felt that the land was taking precedence in the decision to access off Buchanan. Bos replied that Buchanan was designed to handle much more traffic than this development will create.

In recommending the approval of this proposed development, the Planning Commission finds that the project meets the site plan review standards of Section 23.06 of the Zoning Ordinance as follows:

- A. The uses proposed will not adversely affect the public health, safety, or welfare. Uses and structures located on the site take into account topography, size of the property, the uses on adjoining property and the relationship and size of buildings to the site. The site will be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this ordinance.
- B. Safe, convenient, uncontested, and well-defined vehicular and pedestrian circulation is provided for ingress/egress points and within the site. Drives, streets and other circulation routes are designed to promote safe and efficient traffic operations within the site and at ingress/egress points.
- C. The arrangement of public or private vehicular and pedestrian connections to existing or planned streets in the area are planned to provide a safe and efficient circulation system for traffic within the township.
- D. Removal or alteration of significant natural features are restricted to those areas which are reasonably necessary to develop the site in accordance with the requirements of this ordinance. The planning commission may require that landscaping, buffers, and/or greenbelts be preserved and/or provided to ensure that proposed uses will be adequately buffered from one another and from surrounding public and private property.
- E. Areas of natural drainage such as swales, wetlands, ponds, or swamps are protected and preserved insofar as practical in their natural state to provide areas for natural habitat, preserve drainage patterns and maintain the natural characteristics of the land.
- F. The site plan provides reasonable visual and sound privacy for all dwelling units located therein, and adjacent thereto. Landscaping shall be used, as appropriate, to accomplish these purposes.
- G. All buildings and groups of buildings are arranged so as to permit necessary emergency vehicle access as requested by the fire department.
- H. All streets and driveways are developed in accordance with the Ottawa county road commission specifications, as appropriate, unless developed as a private road in accordance with the requirements for private roads in this ordinance or any other township ordinance.
- I. Appropriate measures have been taken to ensure that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Provisions have been made to accommodate storm water, prevent erosion and the formation of dust.
- J. Exterior lighting is arranged so that it is deflected away from adjacent properties and so that it does not interfere with the vision of motorists along adjacent streets, and consists of sharp cut-off fixtures.
- K. All loading and unloading areas and outside storage areas, including areas for the storage of trash, which face or are visible from residential districts or public streets, are screened.

- L. Entrances and exits are provided at appropriate locations so as to maximize the convenience and safety for persons entering or leaving the site.
- M. The site plans conforms to all applicable requirements of county, state, federal, and township statutes and ordinances.
- N. The general purposes and spirit of this ordinance and the master plan of the township are maintained.

Roll Call

Ayes: Sheffield, Ralya, LaMourie, Redick, French, Worthington, Ransford

Nays: Williams

Absent: O'Neal

Which motion carried.

IX. NEW BUSINESS

- A. Re-appoint Terry French to the Planning Commission Ordinance Review Committee

Motion by Williams and supported by Sheffield to re-appoint Terry French. Which motion carried.

X. REPORTS

- A. Attorney Report.

None.

- B. Staff Report.

None.

- C. Other

None.

XI. EXTENDED PUBLIC COMMENTS

None.

XII. ADJOURNMENT

Motion by Ralya and supported by Worthington to adjourn the meeting. Which motion carried. The meeting adjourned at 9:50 p.m.

Respectfully submitted,

Kristi DeVerney
Recording Secretary