

MEETING MINUTES  
GRAND HAVEN CHARTER TOWNSHIP  
PLANNING COMMISSION  
MAY 18, 2015

I. CALL TO ORDER

Kantrovich called the meeting of the Grand Haven Charter Township Planning Commission to order at 7:30 p.m.

II. ROLL CALL

Members present: Kantrovich, Kieft, LaMourie, Robertson, Taylor, and Reenders

Members absent: Gignac & Wilson

Also present: Fedewa and Attorney Bultje

**Without objection**, Kantrovich instructed Fedewa to record the minutes.

III. PLEDGE TO THE FLAG

IV. APPROVAL OF MINUTES

**Without objection**, the minutes of the May 4, 2015 meeting were approved.

V. CORRESPONDENCE – None

VI. PUBLIC COMMENTS ON AGENDA ITEMS ONLY – None

VII. PUBLIC HEARING

A. Special Land Use application – Single Family Dwelling in AG Zoning District (McVoy)

Kantrovich opened the Public Hearing at 7:33 p.m.

Fedewa provided an overview through a memorandum dated May 14<sup>th</sup>.

The Special Land Use application was discussed by Commissioners and focused on:

- Questioned the legal standing of the applicant, Jennifer McVoy (*not in attendance*).
- Questioned if the property owner, Jason Bergeron (*not in attendance*), was fully aware of the risk and liability he assumed by granting an occupant permission to improve the real property.

Kantrovich closed the Public Hearing at 7:41 p.m.

B. PUD Amendment – Copper Stone Single Family Site Condominiums

Kantrovich opened the Public Hearing at 7:41 p.m.

Fedewa provided an overview through a memorandum dated April 7<sup>th</sup>.

The developer, Jake Hogeboom, was present and available to answer questions from the Commissioners.

Kantrovich closed the Public Hearing at 7:45 p.m.

VIII. OLD BUSINESS

A. Special Land Use application – Single Family Dwelling in AG Zoning District (McVoy)

The Special Land Use application was discussed by Commissioners and focused on:

- Fedewa provided an historical review of the property and conversations with staff.
- Commissioners directed staff to send a letter to the property owner outlining the potential risks and liabilities.

**Motion** by Robertson, supported by Taylor to approve with conditions the Single Family Dwelling in AG District Special Land Use application submitted by Jennifer McVoy and Jason Bergeron for property located at 12511 152<sup>nd</sup> Avenue, based on the application meeting applicable requirements and standards set forth by the Grand Haven Charter Township Zoning Ordinance. Approval shall be conditioned upon:

1. The property owner returning a notarized letter of understanding that describes the risks and liabilities assumed by granting an occupant permission to improve the real property.

**Which motion carried.**

REPORT

1. This approval is based on the affirmative findings that each of the following standards has been fulfilled:
  - A. The proposed use is consistent with, and promotes the intent and purpose of this Ordinance.
  - B. The proposed use is of such location, size, density, and character as to be compatible with adjacent uses of land and the orderly development of the district in which situated and of adjacent districts.

- C. The proposed use does not have a substantially detrimental effect upon, nor substantially impair the value of, neighborhood property.
  - D. The proposed use is reasonably compatible with the natural environment of the subject premises and adjacent premises.
  - E. The proposed use does not unduly interfere with provision of adequate light or air, nor overcrowd land or cause a severe concentration of population.
  - F. The proposed use does not interfere or unduly burden water supply facilities, sewage collection and disposal systems, park and recreational facilities, and other public services.
  - G. The proposed use is such that traffic to, from, and on the premises and the assembly of persons relation to such use will not be hazardous, or inconvenient to the neighborhood, nor unduly conflict with the normal traffic of the neighborhood, considering, among other things: safe and convenient routes for pedestrian traffic, particularly of children, the relationship of the proposed use to main thoroughfares and to streets and intersections, and the general character and intensity of the existing and potential development of the neighborhood.
  - H. The proposed use is consistent with the health, safety, and welfare of the Township.
2. The application meets the site plan review standards of Section 23.06 of the Zoning Ordinance. Specifically, the Planning Commission finds 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.
  - B. 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.
  - C. 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.
  - D. 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.
  - E. Removal or alterations 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 has required 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.

- F. 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.
- G. 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.
- H. All buildings and groups of buildings are arranged so as to permit necessary emergency vehicle access as requested by the fire department.
- I. All streets and driveways are developed in accordance with the Ottawa County Road Commission specifications, as appropriate.
- J. 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.
- K. Exterior lighting is arranged so that it is deflected away from adjacent properties and so it does not interfere with the vision of motorists along adjacent streets, and consists of sharp cut-off fixtures.
- L. 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.
- M. Entrances and exits are provided at appropriate locations so as to maximize the convenience and safety for persons entering or leaving the site.
- N. The site plans conform to all applicable requirements of County, State, Federal, and Township statutes and ordinances.
- O. The general purposes and spirit of this Ordinance and the Master Plan of the Township are maintained.

B. PUD Amendment – Copper Stone Single Family Site Condominiums

The PUD Amendment application was discussed by Commissioners and focused on:

- Inquired if the entry drives to the development were gated. It was unclear when reviewing the landscape plan.
  - Per the Developer—no, the gates will serve as decorative fences. The entry drives will not be gated.

**Motion** by Robertson, supported by LaMourie to recommend to the Township Board approval with conditions of the Copper Stone Site Condominium Planned Unit Development Amendment application located on parcels 70-07-12-300-033 and 70-07-12-300-036 based on the application meeting

applicable PUD requirements and standards set forth by the Grand Haven Charter Township Zoning Ordinance. Approval shall be conditioned upon:

1. Submission of the Master Deed Exhibit B documents.
2. The Developer shall enter into a new PUD Contract with the Township noting the new Final Approved Site Plan is dated 4/23/2015.
3. Combine parcels 70-07-12-300-033 and 70-07-12-300-036.
4. Approval and compliance with all requirements of the OCRC, OCWRC, and MDEQ. Copies of approvals and/or permits must be submitted to staff and made part of the file. No building permits shall be issued until all permits have been obtained.
5. Sidewalk shall be installed within 5 years of the first occupancy permit issued in Phase I, or prior to the issuance of the first occupancy permit for Phase II—whichever is later.
6. Individual certificates of occupancy shall not be granted until the sidewalk and landscaping for that unit is installed. Sidewalks and landscaping shall comply with the plan dated 3/18/2015.

**Which motion carried.**

**REPORT**

Pursuant to the provisions of the Grand Haven Charter Township (the “Township”) Zoning Ordinance (the “Zoning Ordinance”), the following report of the Grand Haven Charter Township Planning Commission (the “Planning Commission”) concerning an application by Jake Hogeboom (the “Developer”) for approval of a Copper Stone Site Condominium Planned Unit Development Amendment (the “Project” or the “PUD”).

The Project will consist of a medium density single-family residential development comprised of 73 dwelling units and qualifying open space for a total development area of about 59.4834 acres. Phase I of the PUD shall include 46 lots. The Project as recommended for approval is shown on a final site plan, last revised 4/23/2015 (the “Final Site Plan”), presently on file with the Township.

The purpose of this report is to state the recommendation of the Planning Commission concerning the Project, the basis for the Planning Commission’s recommendation, and the Planning Commission’s recommendation that the Copper Stone Site Condominium PUD Amendment be approved as outlined in the above motion. The Developer shall comply with all of the documentation submitted to the Township for this Project. In recommending the approval of the proposed PUD application, the Planning Commission makes the following findings pursuant to Section 17.04.3 of the Zoning Ordinance:

1. The Project meets the site plan review standards of Section 23.06 of the Zoning Ordinance. Specifically, pursuant to Section 23.06.7, the Planning Commission finds 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.
  - B. 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.
  - C. 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.
  - D. 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.
  - E. Removal or alterations 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 has required 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.
  - F. 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.
  - G. 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.
  - H. All buildings and groups of buildings are arranged so as to permit necessary emergency vehicle access as requested by the fire department.
  - I. All streets and driveways are developed in accordance with the Ottawa County Road Commission specifications, as appropriate.
  - J. 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.
  - K. Exterior lighting is arranged so that it is deflected away from adjacent properties and so it does not interfere with the vision of motorists along adjacent streets, and consists of sharp cut-off fixtures.
  - L. 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.

- M. Entrances and exits are provided at appropriate locations so as to maximize the convenience and safety for persons entering or leaving the site.
  - N. The site plans conforms to all applicable requirements of County, State, Federal, and Township statutes and ordinances.
  - O. The general purposes and spirit of this Ordinance and the Master Plan of the Township are maintained.
2. The Planning Commission finds the Project meets the intent for a PUD, as described in Section 17.01.3 of the Zoning Ordinance. By approving this Project as a PUD, the Township has been able to negotiate various amenities and design characteristics as well as additional restrictions with the Developer, which the Township would not have been able to negotiate if the PUD Chapter of the Zoning Ordinance was not used.
  3. Compared to what could have been constructed by right, the Project has been designed to accomplish the following objectives from Section 17.01.4 of the Zoning Ordinance:
    - A. The Project will encourage the use of land in accordance with its natural character and adaptability;
    - B. The Project will promote the conservation of natural features and resources through the preservation of required open space;
    - C. The Project will promote innovation in land use planning and development;
    - D. The Project will promote the enhancement of housing and traffic circulation for the residents of the Township;
    - E. The Project will promote greater compatibility of design and better use between neighboring properties;
    - F. The Project will promote more economical and efficient use of the land while providing harmonious variety of housing choices; and
    - G. The Project will promote the preservation of open space.
  4. The Project meets the following qualification requirements of Section 17.02 of the Zoning Ordinance:
    - A. The Project meets the minimum size of five (5) acres of contiguous land.
    - B. The Project exhibits significant natural features encompassing more than 25% of the land area, which will be preserved as a result of the PUD plan.
    - C. The PUD design substantially moves forward the Intent and Objectives of Section 17.01 of the Zoning Ordinance.
  5. The Planning Commission also finds the Project complies with the general PUD Design Considerations of Section 17.05 of the Zoning Ordinance:
    - A. The storm water management system for the Project and the drainage facilities will properly accommodate storm water on the site, will prevent run off to adjacent properties, and are consistent with the Township's groundwater protection strategies.

- B. The Project will not interfere with or unduly burden the water supply facilities, the sewage collection and disposal systems, or other public services such as school facilities, park and recreation facilities, etc.
- C. Utility services within the Project shall be underground. This includes but is not limited to electricity, gas lines, telephone, cable television, public water and sanitary sewer.
- D. The internal road system in the Project is designed to limit destruction of existing natural vegetation and to decrease the possibility of erosion.
- E. Vehicular circulation, traffic and parking areas have been planned and located to minimize effects on occupants and users of the Project and to minimize hazards to adjacent properties and roadways.
- F. Parking requirements for each use have been determined to be in accordance with Chapter 24 (Parking, Loading Space, and Signs).
- G. Street lighting will be installed in the same manner as required under the Township's Subdivision Control Ordinance.
- H. Buildings in the Project have been sited to protect natural resources. Natural features such as natural grade, trees, vegetation, water bodies and others have been incorporated into the Final Site Plan.
- I. The predominant building materials have been found to be those characteristic of Grand Haven Charter Township such as brick, wood, native stone and tinted/textured concrete masonry units and/or glass products.
- J. Landscaping, natural features, open space and other site amenities have been located in the Project to be convenient for occupants of, and visitors to, the PUD.
- K. The Project is reasonably compatible with the natural environment of the site and the adjacent premises.
- L. The Project will not unduly interfere with the provision of adequate light or air, nor will it overcrowd land or cause an unreasonably severe concentration of population.
- M. Exterior lighting within the Project complies with Chapter 20A for an LZ 2 zone.
- N. The Project will not have a substantially detrimental effect upon or substantially impair the value of neighborhood property, as long as all of the standards and conditions of this approval of the Project are satisfied.
- O. The Project is in compliance with all applicable Federal, State, County, and local laws and regulations. Any other permits for development that may be required by other agencies shall be available to the Township Board before construction is commenced.
- P. The Project provides adequate accessibility for a single family residential development with more than 24 dwelling units (*i.e., more than one separate access*).
- Q. The driveways providing access to corner lots shall gain access from the lesser traveled of the two intersecting streets.

- R. The Project satisfies the minimum open space of 25% required by the Zoning Ordinance.
- S. The open space in the Project is large enough and properly dimensioned to contribute to the purpose and objectives of the PUD.
- T. The open space in the Project consists of contiguous land area which is restricted to non-development uses.
- U. The open space shall remain under common ownership or control.
- V. The open space shall be set aside by a means of conveyance approved by the Township Board, which conveyance satisfies the requirements of Section 17.05.5.G of the Zoning Ordinance.
- W. The Project does abut a single family residential district. The two developments consist of a natural feature transition consisting of woodlands and a ravine.
- X. The Project is consistent with the goals and objectives of the Master Land Use Plan. Specifically, it is consistent with the Master Plan designation of the property in question.

## IX. NEW BUSINESS

### A. 2015 – 2018 Strategic Plan Presentation

Fedewa provided an overview through a memorandum dated May 14<sup>th</sup>.

The 2015 – 2018 Strategic Plan Draft was discussed by Commissioners and focused on:

- Noted the section describing the Master Plan update indicates the plan was adopted. Fedewa explained the 2015 Business Plan adopted by the Township Board indicated the projected date of completion was September 2015. Therefore, the section was written for that time period.
- The second Special Joint Session with the Township Board and Planning Commission is scheduled for June 3<sup>rd</sup>, which will be a good opportunity to discuss the Strategic Plan in detail.

Kieft made a motion to recommend approval of the Strategic Plan, but withdrew the motion before it was seconded.

**Motion** by LaMourie, supported by Kieft to table the proposed 2015 – 2018 Strategic Plan until after the Special Joint Session with the Township Board and Planning Commission on June 3<sup>rd</sup>.

**Which motion carried.**

X. REPORTS

A. Attorney Report – None

B. Staff Report

- Next Resilient Grand Haven Meeting – Thur, May 28<sup>th</sup> @ 7pm in GHT Board Room
- Special Joint Session with Township Board and Planning Commission – June 3<sup>rd</sup> at 7pm in GHT Board Room
- Schultz Transport & Landscape has completed the conditions of approval and the site plans have been finalized.

C. Other

- Commissioners discussed the desire to learn more about the roles played by other staff and agency's that review development plans. For example, water supply, sewer capacity, road capacity, etc. Staff offered to invite the other staff and agencies to a future meeting in order to give a presentation on their roles and responsibilities.

XI. EXTENDED PUBLIC COMMENTS ON NON-AGENDA ITEMS ONLY – None

XII. ADJOURNMENT

**Without objection**, the meeting adjourned at 8:36 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Stacey Fedewa". The signature is written in black ink and is positioned below the text "Respectfully submitted,".

**Stacey Fedewa**

Acting Recording Secretary