

MEETING MINUTES
GRAND HAVEN CHARTER TOWNSHIP
PLANNING COMMISSION
AUGUST 1, 2016

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, LaMourie, Kieft, Taylor, Cousins, Reenders, and Gignac

Members absent: Robertson and 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 July 18, 2016 meeting were approved.

V. CORRESPONDENCE

- Fedewa noted that correspondence was received, and will be discussed during New Business.

VI. PUBLIC COMMENTS ON AGENDA ITEMS ONLY – None

VII. PUBLIC HEARING

A. Special Land Use – Single Family Dwelling in Agricultural Zoning District – Williams

Kantrovich opened the public hearing at 7:33 p.m.

Fedewa provided an overview through a memorandum dated July 27th.

Applicants, Robert and Adele Williams, were present and available to answer questions:

- Will have at least three alpaca because they require companionship to survive. Generally, alpaca are well received by neighbors because they cause minimal noise and odor. Intend to dedicate approximately 2 acres for pasture and also provide hay and grain.
- Will grow lavender on approximately ½ acre. Understands there are specific state and federal guidelines that must be followed.

Kantrovich closed the public hearing at 7:39 p.m.

B. Corrective Rezoning – Timber View PUD – RR to PUD (Township Initiated)

Kantrovich opened the public hearing at 7:39 p.m.

Fedewa provided an overview through a memorandum dated July 27th.

There being no public comments, Kantrovich closed the public hearing at 7:42 p.m.

C. Zoning Text Amendment Ordinance – Maintain an Existing Dwelling During the Construction of a New Dwelling; and Maintain an Existing Accessory Building without a Principal Building

Kantrovich opened the public hearing at 7:42 p.m.

Fedewa provided an overview through a memorandum dated July 27th.

There being no public comments, Kantrovich closed the public hearing at 7:43 p.m.

VIII. OLD BUSINESS

A. Special Land Use – Single Family Dwelling in Agricultural Zoning District – Williams

The application was discussed by Commissioners and focused on:

- Current application is ok, and blends well into the surrounding residential land uses, but recommended staff develop specific guidelines to as to what defines an “active agricultural activity” that is eligible for a single family dwelling. Not sure if hobby farms meet the intent of this regulation.
 - Staff is utilizing the Right to Farm Act as a guideline for determining “active agricultural activity,” which has a very low threshold.
- It was noted the right to continue occupancy of the single family dwelling is contingent upon a continued active agricultural activity. If the activity is discontinued the dwelling would become a nonconforming use.

Motion by Cousins, supported by Gignac, to **conditionally approve** the Special Land Use application to allow a Single Family Dwelling in the AG District for property located at 14615 Hunters Court, based on the application meeting applicable requirements and standards set forth by the Grand Haven Charter Township Zoning Ordinance. The motion is subject to, and incorporates, the following report and condition:

1. No building permits shall be issued until the property is engaged in an active agricultural activity that is permitted in the AG zoning district and the permitted agricultural activity is confirmed by the Zoning Administrator.

Which motion carried unanimously.

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. Corrective Rezoning – Timber View PUD – RR to PUD (Township Initiated)

The application was discussed by Commissioners and focused on:

- This application is simply needed to correct an omission from the 2003 rezoning ordinance for the Timber View Planned Unit Development project.

Motion by Kieft, supported by Taylor, to recommend to the Township Board **approval** of the Timber View corrective rezoning of parcels 70-03-33-200-072 and 70-03-33-200-079 from Rural Residential (RR) to Planned Unit Development (PUD) based on the application meeting applicable rezoning requirements and standards of the Grand Haven Charter Township Zoning Ordinance, Master Plan, and Future Land Use Map. **Which motion carried unanimously.**

C. Zoning Text Amendment Ordinance – Maintain an Existing Dwelling During the Construction of a New Dwelling; and Maintain an Existing Accessory Building without a Principal Building

This application was discussed by Commissioners and focused on:

- Inquired if a maximum timeframe should be specified in the proposed ordinance, for the property to come into compliance with the Zoning Ordinance.
- Situations are unique, so a blanket timeframe policy is not advisable. Rather, the Township must have a trustworthy Zoning Administrator to determine a reasonable timeframe based on the specific circumstances of each case.

Motion by Gignac, supported by LaMourie, to recommend to the Township Board **approval** of the proposed Zoning Text Amendment Ordinance to revise sections of the General Regulations Chapter of the Grand Haven Charter Township Zoning Ordinance. **Which motion carried unanimously.**

D. Lincoln Pines PUD – Landscape and Signage Plan

Fedewa provided an overview through a memorandum dated July 27th.

The submission was discussed by Commissioners and focused on:

- Indicated the Planning Commission expects the developer to return for landscape plan approval for future phases because they were not included in the current submission.
- Discussed what the Zoning Ordinance and Subdivision Control Ordinance require for residential landscaping, which is minimal, and the developer exceeds those requirements.
- Street trees planned around the lot because they will not be damaged during the construction of dwellings.

Motion by Cousins, supported by Gignac, to **approve** the Lincoln Pines PUD Phase 1 Landscape Plan and Signage Plan.

E. Stonewater PUD – Formal Motion and Report

Fedewa provided an overview through a memorandum dated July 28th.

The submission was discussed by Commissioners and focused on:

- Staff explained the developer intends to submit the financial guarantee in phases rather than the full amount in the beginning. Therefore, a 20% contingency increase will be required for each phase to accommodate for inflation and higher material costs.
- Phasing has improved since the previous meeting with the Planning Commission.
- Must ensure the Township is holding the financial guarantee for the next phase when the previous phase is ready to be released.
- Staff noted the conditions of approval were inadvertently omitted from the memo, but will be incorporated into the Board memo. The conditions are very typical and include the PUD Contract, Private Road Maintenance Agreement, Special Assessment Lighting District Agreement, obtaining permits from required agencies, sidewalk construction timeline requirements, etc.

Motion by Gignac, supported by Cousins, to recommend to the Township Board **approval with conditions** of the Stonewater Planned Unit Development. This is based on the application meeting the requirements and standards set forth by the Grand Haven Charter Township Zoning Ordinance and Master Plan. This action is based upon the findings and other information included in the Planning Commission report on this application.

Report

Pursuant to the provisions of the Grand Haven Charter Township (the “Township”) Zoning Ordinance (the “Zoning Ordinance”), the following is the report of the Grand Haven Charter Township Planning Commission (the “Planning Commission”) concerning an application by Lincoln Street Holdings LLC (the “Developer”) for approval of the Stonewater Planned Unit Development (the “Project” or the “PUD”).

The Project will consist of 182 residential units—107 single family dwellings, 48 two-unit condominiums, and 27 three-unit condominiums. This 68 acre Project will be located on four parcels of land on Lincoln Street in Section 14 of the Township. The Project as recommended for approval is shown on a final site plan, last revised 4/21/2016 (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 Stonewater PUD be approved as outlined in this 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. 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 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.
 - 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 (“OCRC”) specifications, as appropriate.
 - 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 stormwater, prevent erosion and the formation of dust.
 - J. 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.
 - 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 Final Site Plan 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.
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. Section 17.01.5 of the Zoning Ordinance allows for departures from Zoning Ordinance requirements, and it is intended to result in land use development that is substantially consistent

with the goals and objectives of the Township Master Plan, the Zoning Ordinance, and consistent with sound planning principles. The applicant requested seven departures. The Planning Commission makes the following findings.

- A. A minimum lot area of 10,000 square feet for the single family dwellings is permitted because the Township has approved similar minimum lot areas for PUD's, and permits the Project to develop in an innovative manner that substantially moves forward the Intent and Objectives of Section 17.01.
 - B. A minimum lot width of 75 feet for the single family dwellings is permitted because the Township has approved similar minimum lot widths for PUD's, and permits the Project to develop in an innovative manner that substantially moves forward the Intent and Objectives of Section 17.01.
 - C. A minimum rear yard setback of 25 feet for lots 72 and 73 is permitted because the irregular lot shape would result in a building envelope that would be unable to support the minimum floor area for the dwelling unit.
 - D. A minimum rear yard setback of 35 feet is permitted for the remaining single family dwellings because the Township has approved similar minimum rear yard setbacks for PUD's, and permits the Project to develop in an innovative manner that substantially moves forward the Intent and Objectives of Section 17.01.
 - E. A minimum side yard setback of 8 feet for both sides is permitted for the single family dwellings because the Township has approved similar minimum side yard setbacks for PUD's, and permits the Project to develop in an innovative manner that substantially moves forward the Intent and Objectives of Section 17.01.
 - F. A minimum building separation of 16 feet is permitted for the condominiums because it complements the side yard setback departure granted for the single family dwellings, and because the Township has approved similar minimum building separations for PUD's, the open space requirements of the Zoning Ordinance are more than satisfied by the Project, and permits the Project to develop in an innovative manner that substantially moves forward the Intent and Objectives of Section 17.01.
 - G. A minimum lot size per condominium unit, defined as "dwelling unit plus required front yard," is permitted because if the same calculations are used for the typical R-2 zoning district standards the Stonewater minimum lot sizes per condominium unit is greater in size. The permitted minimum lot sizes are:
 - i. Condominiums with a sidewalk are permitted to have a minimum lot size of 4,697 square feet per unit.
 - ii. Condominiums without a sidewalk are permitted to have a minimum lot size of 4,280 square feet per unit.
4. 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;
 - C. The Project will promote innovation in land use planning and development;
 - D. The Project will promote the enhancement of housing and recreational opportunities 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 for parks, recreation, or agriculture.
5. The Project meets the following qualification requirements of Section 17.02 of the Zoning Ordinance:
- A. The Project meets the minimum size of five acres of contiguous land.
 - B. The Project site has distinct physical characteristics which makes compliance with the strict requirements of this Ordinance impractical.
 - C. The PUD design substantially promotes the Intent and Objectives of Section 17.01 of the Zoning Ordinance.
6. The Planning Commission also finds the Project complies with the general PUD Design Considerations of Section 17.05 of the Zoning Ordinance.
- A. The stormwater management system for the Project and the drainage facilities will properly accommodate stormwater on the site, will prevent runoff 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 the Township such as brick, native stone, and 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. No additional driveways onto public roadways have been permitted. Furthermore, driveways providing access to corner lots shall gain access from the lesser traveled of the two intersecting streets.
- Q. The Project provides adequate accessibility for residential development with more than 24 dwelling units.
- R. The Project satisfies the minimum open space of 20 percent 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 in the Project will remain under common ownership or control.
- V. The open space in the Project is set aside by means of conveyance that satisfies the requirements of Section 17.05.5.G of the Zoning Ordinance.
- W. The Project abuts a single family residential district and a woodland will provide a sufficient obscuring effect and act as a transitional area.
- 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. Citizen Request – 1 Domestic Farm-Type Animal on 2.5 Acres

Fedewa provided an overview through a memorandum dated July 28th.

The submission was discussed by Commissioners and focused on:

- Request is reasonable, and aligns with the regulations of surrounding communities.
- Township has chosen to delay making significant changes to farm-type animals as an accessory use to a residential district because the Michigan Department of Agriculture and Residential Development (MDARD) continues to amend the General Accepted Agricultural Management Practices for Siting Livestock Facilities. Furthermore, the Township is awaiting the creation of an Urban Agriculture Act as recommended by the Livestock Facility Workgroup created by MDARD.
- Discussed the pro's and con's of allowing 1 farm-type animal on 2.5 acres in each of the eight residential zoning districts.

- There is a greater expectation that farm-type animals may be sited on Rural Preserve and Rural Residential parcels.
- The LDR, R-1, R-2, R-3, R-3.5, and R-4 residential districts allow far greater densities than RP and RR. May not be appropriate for allowing 1 farm-type animal on 2.5 acres.
- Comfortable moving forward with a text amendment to allow 1 domestic farm-type animal on 2.5 acres, but only in the RP and RR districts. The remaining districts will maintain the current regulations.

B. Appointment of New Chairperson

Fedewa provided an overview through a memorandum dated July 28th.

Chairperson Kantrovich will not seek another term on the Planning Commission due to new responsibilities in his career. As such, the August 1st meeting will be his last.

Motion by LaMourie, supported by Reenders, to nominate and appoint Cousins as the Planning Commission Chairperson. **Which motion carried unanimously.**

X. REPORTS

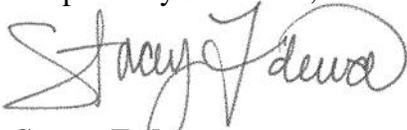
- A. Attorney Report – None
- B. Staff Report – None
- C. Other – None

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

XII. ADJOURNMENT

Without objection, the meeting adjourned at 8:26 p.m.

Respectfully submitted,



Stacey Fedewa

Acting Recording Secretary