

MEETING MINUTES
GRAND HAVEN CHARTER TOWNSHIP
PLANNING COMMISSION
NOVEMBER 7, 2016

I. CALL TO ORDER

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

II. ROLL CALL

Members present: Cousins, LaMourie, Kieft, Robertson, Chalifoux, Taylor, Reenders, Gignac,
and Wilson

Members absent: None

Also present: Fedewa and Attorney Bultje

Without objection, Cousins instructed Fedewa to record the minutes.

III. PLEDGE TO THE FLAG

IV. APPROVAL OF MINUTES

Without objection, the minutes of the October 17, 2016 meeting were approved.

V. CORRESPONDENCE

A. Brucker Beach Woods:

- Ben and Anna Braymer 17961 Brucker Street
- Norm Barkeley 18005 Brucker Street
- Richard and Claudine Weber 14654 Pine Island Drive
- Larry and Rochelle Gorey 17993 Brucker Street
- Fred and Wendy Beamer 17885 Brucker Street
- Stephen and Nancy Bowen 14679 Pine Island Drive
- A.W. Betts 14567 South Highland Drive
- Donald and Patricia Lipinski 14579 South Highland Drive
- Derrick Schabbel 16167 Heyers Place, Spring Lake
- Terry French 600 Washington Ave, Grand Haven
- Bill and Kima Johnson 17896 Hidden Acres Lane
- Brian and Catherine Haick 17864 Hidden Acres Lane

VI. PUBLIC COMMENTS ON AGENDA ITEMS ONLY – None

VII. PUBLIC HEARING

A. Site Condominium – Brucker Beach Woods

Fedewa provided an overview through a memorandum dated November 4th. Additionally, Fedewa noted the following:

- Site condominiums do not equal multi-family residential.
- Developer is proposing 7 single family dwellings, and no multi-family dwellings.

The developer, Steve Davis; Westshore Consulting Surveyor, Stephen Vallier; and attorney, Robb Robbins were present and available to answer questions. The following items were noted by Robbins during the developer's presentation:

- Regarding comparative lot sizes, it was noted if the 13 acre parcel owned by the land conservancy were removed the average lot size would be smaller.
- Does not believe sidewalks are necessary for this development.
- Desires the smallest buffer possible if the Planning Commission requires a visual buffer.
- Indicated the hash-marks on the plans identify a building envelope that meets setbacks, and should not be interpreted as a tree clear-cutting line.

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

- Rick Hunter – 17910 Brucker, does not support the development as currently proposed:
 - Lived in the area for approximately 45 years, and has experienced steady growth including 5 homes on the adjacent Pine Island Drive.
 - Multi-family condominiums would be a shocking change to the neighborhood.
 - Calculated, and provided, average lot size information.
 - Traffic concerns are more related to pedestrians and bicyclists rather than vehicles.
- Richard Weber – 14654 Pine Island Drive, does not support the development as currently proposed:
 - Believes 7 – 9 homes are not cohesive with neighborhood.
 - Has concerns regarding stormwater runoff and the amount of hardscaping that would exacerbate an issue. Swales would be better for stormwater disposition.
 - The pond adjacent to Pine Island Drive is a stormwater retention basin as well. Believes septic leaching and fertilizer use will result in a biomass within the pond.
 - Confident people will trespass on private property to visit and enjoy the pond adjacent to Pine Island Drive because people are attracted to bodies of water.
 - Requests the developer perform a water quality study for the area.
- Stephen Bowen – 14679 Pine Island Drive, does not support the development as currently proposed:
 - Moved to area because of the natural wooded area, and new residents deserve to enjoy the natural character just like existing residents.

- Feels a high-density development is not cohesive with the neighborhood.
- The 200' x 200' divided lot could be divided again to create two lots rather than one. Resulting in what appears to be 9 lots rather than the 7 that are proposed. These lots would not be subject to Planned Unit Development requirements, so the land is less protected and the Township does not receive a benefit.
- Provided data on average lot sizes of the surrounding area.
- Believes all trees will be clear-cut and removed from the property because a lot of fill-dirt will need to be brought onsite to raise the grade for the road and septic system.
- Requests a substantial visual buffer be required. Either 50'-70' or 30'-50'.
- Richard Cromwell – 18008 Brucker Street, does not support the development as currently proposed:
 - Feels a high-density development is not cohesive with the neighborhood.
 - Believes the developer is falsely advertising the property by stating the road-end beach access is 211' in width when it's only 118' by his calculations.
 - More people accessing the beach will result in erosion and fire hazards.
 - Stated there is no routine cleanup of the beach, and because there are no public restrooms a public health hazard is present.
 - Upset about loud parties in the area.
 - Continues to have unpleasant interactions with beach-goers when he notified them of the rules governing the beach.
- Susan Arminio – 18005 Brucker Street, does not support the development as currently proposed:
 - Beach is already stressed, and if more people use it the stress will grow.
 - Questions what variances have been given to allow this development to happen.
 - Does not believe the R-1 zoning district regulations are met.
 - Feels a high-density development is not cohesive with the neighborhood.
 - Believes if development is approved a precedence will be set.
- Norman Barkeley – 18005 Brucker Street, does not support the development as currently proposed:
 - Upset with, and cannot trust, the Township because a dwelling was constructed that is too tall for the fire truck to provide fire protection.
 - More people creates more risk and leads to more fire hazards that can spread quickly and damage homes.
 - At the beach there too many cars, not enough police, no restrooms, and no trash cleanup.

- Suzanne Scholl – 14315 Lakeshore Drive & 18002 Brucker Street, does not support the development as currently proposed:
 - Has lived in the area for over 50 years.
 - Proposed development would have a significant impact on the existing wildlife. Because of the uniqueness of the wildlife the development site is “sacred.”
 - Traffic issues for residents are enormous simply due to visitors constantly turning around in their driveways.
- Brian Haick – 17864 Hidden Acres Lane, does not support the development as currently proposed:
 - Proposed density is uncharacteristic of the area.
 - Believes too many trees will be removed, which will disrupt the wildlife in the area. Likely to result in the wildlife relocating.
 - If too many trees are removed, it will negatively affect impervious surface runoff and further reduce stormwater disposition.
 - Thinks the Vincent Drain will have to be fixed again if this development is approved, which will require the neighborhood to pay for it again.
 - Opposed to the density, but not the development.
- Anna Braymer – 17961 Brucker Street, does not support the development as currently proposed:
 - Neighborhood has a quaint, wooded feel, which creates the charming character of the area.
 - Already dealing with short-term rentals in the area, and believes this development would result in more short-term rentals.
 - Tree removal is problematic.
- Don Lipinski – 14579 South Highland Drive, does not support the development as currently proposed:
 - Has lived in the area for about 40 years, and has transitioned into a full-time resident.
 - Believes he lives in a “high rent district” because of the proximity to Lake Michigan.
 - Stated that he has great neighbors, but indicated the Township does nothing to help patrol and maintain the beach so the Township is a bad neighbor. Does not understand why the Buchanan Beach receives the needed attention, but Brucker Beach does not.
 - Continues to have unpleasant interactions with beach-goers when he notified them of the rules governing the beach.

Cousins closed the public hearing at 8:23 p.m.

VIII. OLD BUSINESS

A. Site Condominium – Brucker Beach Woods

The application was discussed by Commissioners and focused on:

- Confirmed the DEQ had a pre-application meeting with the developer and received a Letter of No Authority stating that permits are not required unless someone impacts the Critical Dune Area, but the proposed building envelopes do not encroach into the regulated area.
- Private septic systems and drain fields is not ideal, but public sanitary sewer is approximately 3,900 feet away from the site. Developers are only required to extend sanitary sewer if it is located within 2,700 feet.
 - Private septic systems and drain fields within a subdivision or site condominium development are regulated by the State and are held to a higher standard when compared to Ottawa County regulations.
- Due to concerns raised by neighbors regarding short-term rentals it may behoove the developer to amend the Bylaws to further restrict or prohibit short-term rentals.
- Concerns were raised about stormwater:
 - Runoff in front yard directed to catch basins, but what about the rear yard?
 - Will gutters and downspouts be required to direct the stormwater?
 - Due to the sensitive landscape of this area it may be prudent to accept the Ottawa County Water Resources Commissioners recommendation that individual dry bio-swales be utilized rather than a single retention basin.
 - Agree that removing too many trees will negatively affect stormwater disposition.
- Cannot require off-site improvements such as installing a fence to prevent the possibility of people trespassing onto adjacent property. Can only require natural buffers to afford visual screening.
- At the request of the Planning Commission, Fedewa explained that Buchanan Beach and Brucker Beach are treated differently for a very specific reason. In the mid-1990's there was an adverse possession dispute between property owners at the Buchanan road-end and the Ottawa County Road Commission (OCRC) as it related to the right-of-way. A lawsuit was filed, and eventually all parties consented the OCRC would maintain ownership, but certain signage, fencing, restrooms, and a beach attendant would be required. Furthermore, those property owners agreed to have the cost of the improvements and employee be specially assessed against their property taxes.
- The previously divided 200' x 200' lot does appear to be an eighth, possibly ninth, lot within this development. Although this was not intentional the resulting development

would appear to violate the Zoning Ordinance that requires Large Scale Developments (*8 or more lots*) to be constructed as a Planned Unit Development.

Motion by Kieft, supported by Chalifoux, to **table** the Brucker Beach Woods Site Condominium application, and direct the applicant to make the following revisions:

1. Utilize dry bio-swales as the method of stormwater disposition, rather than a single retention basin.
2. Reduce the number of lots, so only 7 properties utilize the proposed road to eliminate the appearance of a Planned Unit Development violation.
3. Incorporate a 25' undeveloped natural buffer around the property to provide visual screening.
4. Add a sidewalk.
5. Amend Master Deed and/or Bylaws to require additional trees be preserved within the front and side yards.
6. Consider amending the Master Deed and/or Bylaws to restrict, or prohibit, short-term rentals.

Which motion carried unanimously.

IX. REPORTS

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

X. EXTENDED PUBLIC COMMENTS ON NON-AGENDA ITEMS ONLY

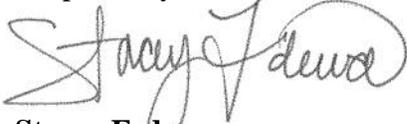
- Don Lipinski – 14579 South Highland Drive
 - Still has concerns about cars parking on Brucker Street.
- Richard Cromwell – 18008 Brucker Street
 - Questioned how to obtain traffic counts.
 - LaMourie provided information about how, why, and when traffic counts are conducted.
- Suzanne Scholl – 14315 Lakeshore Drive & 18002 Brucker Street
 - Brucker Street is not a typical road. Needs “no parking” signs.
- Norman Barkeley – 18005 Brucker Street
 - Quality of life will change if this development is approved.

- Too much E. coli from people utilizing the beach all day without a public restroom.

XI. ADJOURNMENT

Without objection, the meeting adjourned at 9:30 p.m.

Respectfully submitted,

A handwritten signature in black ink that reads "Stacey Fedewa". The signature is written in a cursive, flowing style.

Stacey Fedewa
Acting Recording Secretary