

**GRAND HAVEN CHARTER TOWNSHIP BOARD
MONDAY, NOVEMBER 28, 2016**

REGULAR MEETING

I. CALL TO ORDER

The regular meeting of the Grand Haven Charter Township Board was called to order at 7:00 p.m.

II. PLEDGE TO THE FLAG

III. OATH OF OFFICE FOR NEW BOARD MEMBERS

Clerk Larsen administered the Oath of Office to Supervisor Reenders and Trustee Gignac.

IV. BRIEF RECESS AND RECEPTION

Supervisor Reenders called for a brief recess and invited the public to join friends and family for cake and coffee.

V. ROLL CALL

Board members present: Reenders, Behm, Larsen, Gignac, Meeusen, Redick, and Kieft.

Board members absent:

Also present was Superintendent Cargo.

VI. APPROVAL OF MEETING AGENDA

Motion by Clerk Larsen and seconded by Trustee Meeusen to approve the meeting agenda. **Which motion carried.**

VII. APPROVAL OF CONSENT AGENDA

1. Approve November 14, 2016 Regular Board Minutes
2. Approve Payment of Invoices in the amount of \$246,436.50 (*A/P checks of \$144,719.07 and payroll of \$101,717.43*)
3. Approve Execution of Stonewater PUD Contract and Private Road Maintenance Special Assessment Contract by the Supervisor and Clerk, with an amendment to change "Limited Liability Corporation" to "Limited Liability Company" in both documents.
4. Approve Supervisor Reenders' Committee appointments as delineated in the November 21st memorandum.

Motion by Clerk Larsen and seconded by Trustee Behm to approve the items listed on the Consent Agenda. **Which motion carried.**

VIII. PRESENTATIONS – Chamber of Commerce Economic Development Services Report
David Miller from the Chamber of Commerce provided a brief report on economic

development services provided in 2016.

IX. OLD BUSINESS

1. Supervisor Reenders noted that he was informed by Trustee Redick that Redick had a pecuniary interest in the proposed bond attorney service agreement with Mika Meyers since Redick is a member of that law firm. Cargo noted that the Township had worked with Mika Meyers for bond services prior to the election of Redick to the Township Board of Trustees and noted that he had received no communication from Redick encouraging Cargo to recommend Mika Meyers as bond counsel.

Motion by Clerk Larsen and supported by Trustee Meeusen to allow Trustee Redick to abstain from the discussion and vote to hire Mika Meyers as bond counsel because of a pecuniary interest that Redick has in this contract. **Which motion carried, unanimously.**

Motion by Treasurer Kieft and supported by Trustee Behm to authorize Superintendent Cargo to execute a legal services agreement with Mika Meyers for bond counsel services not to exceed \$23,000 related to the proposed \$4.5 million bond sale for a proposed 10-mile pathway extension. **Which motion carried.**

2. **Motion** by Trustee Meeusen and supported by Clerk Larsen to authorize Superintendent Cargo to execute a financial services agreement with The PFM Group for financial advisory services not to exceed \$13,925 related to the proposed \$4.5 million bond sale for a proposed 10-mile pathway extension. **Which motion carried.**
3. **Motion** by Trustee Meeusen and supported by Trustee Redick to authorize Superintendent Cargo to execute an engineering services agreement with Prein & Newhof for engineering services not-to-exceed \$109,390 related to the extension of a pathways along Sleeper Street and Buchanan Street during the 2017 construction season. **Which motion carried.**

X. NEW BUSINESS

1. **Motion** by Treasurer Kieft and supported by Clerk Larsen to authorize Trustee Gignac to continue to serve as a part-time fire fighter within the Township Fire/Rescue department pursuant to the applicable job description and pursuant to the approved compensation package. **Which motion carried.**
2. Supervisor Reenders announced that the next order of business was consideration of the Brucker Beach Woods Site Condominium application and that he would begin the process with an overview of the proposed development from the staff.

Superintendent Cargo referenced the November 22nd memorandum from Community Development Director Fedewa and noted that additional correspondence had been received and shared with the Township Board.

Supervisor Reenders requested that the developer (*i.e.*, *Steve Davis*) explain the proposed site condominium project to the full Board. Davis noted that the lot sizes

are 2.5 times the minimum, that the development complies with the Master Plan, that preliminary approval has been provided from the required agencies, that he does not believe the development creates any attractive nuisance, and that the single family homes are in-line with the neighbors.

Supervisor Reenders opened the process to public comments.:

- i. Steve Bowen (*14679 Pine Island Drive*) stated that 26 nearby homeowners are opposed to the development; that the project does not fit with the existing neighborhood, that the lots are smaller than those in the immediate vicinity, that the low lying ground will require fill that will change the existing topography, that the property could have been developed with only three or four homes; that a fence is needed since there is no attractive nuisance currently but that the development will create an attractive nuisance of the pond.
- ii. Ben Braymer (*17961 Brucker Street*) stated that the neighbors expected three or four homes, not the seven included, that the development will create a barracks effect, that he agrees with the buffer and natural swales but the development has too many lots.
- iii. Richard Weber (*14654 Pine Island Drive*) stated his concern with storm water runoff from the rear lots causing erosion on adjacent parcels, that the development should be limited to three or four lots.

After public comments were received, the Board discussed the project and agreed that the development should not have to install any fencing along the east property line. After the discussion, the following motion was offered:

Motion by Trustee Redick and supported by Treasurer Kieft to conditionally approve the Brucker Beach Woods Site Condominium 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 Township Board report.

Approval is subject to the following conditions:

1. If applicable, incorporate Master Deed restrictions from the Ottawa County Environmental Health Department, Ottawa County Water Resources Commissioner, and Ottawa County Road Commission.
2. Approval and compliance with all requirements of the OCRC, OCWRC, and OCEHD. Copies of approvals and permits must be submitted to staff and made part of the file. No building permits shall be issued until all permits have been obtained.
3. Enter into a Special Assessment Lighting District (SALD) Agreement with the Township. The Agreement and Resolution adopting the SALD shall be reviewed and approved by the Township Board.
4. Enter into a Special Assessment District Agreement with the Township for the possibility of a future sanitary sewer extension. The Agreement shall be reviewed and approved by the Township Board.
5. The Developer shall relocate the private septic system and drain fields for Lots 3 and 4. The location shall be approved by staff and the Ottawa County

Environmental Health Department.

6. Township Attorney shall review and approve all language within the Master Deed and Bylaws including the Township being named as a third party beneficiary.
7. The developer is not required to construct any fence on Lots 2 and 3 or depict the same fencing on the approved site plan

Which motion carried, as indicated by the following roll call vote:

Ayes: Larsen, Gignac, Kieft, Meeusen, Redick, Behm, Reenders

Nays:

Absent:

REPORT USED WITH A MOTION FOR APPROVAL

1. The application meets the site plan review standards of Section 23.06 of the Zoning Ordinance. Specifically, the Township Board 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. 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 conform 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 application meets the site condominium project review standards of Section 18.03 of the Zoning Ordinance. Specifically, the Township Board finds as follows:
- A. The project plan provides adequate common elements and maintenance provisions, use and occupancy restrictions, utility systems and streets, and project layouts and design.
 - B. The project plan complies with the Condominium Act, other applicable laws, ordinances, and regulations.
 - C. The building site for each site condominium unit complies with all applicable provisions of the ordinance including minimum lot area, minimum lot width, required front, side, and rear yards, and maximum building height.
 - D. The project plans public street will be paved and developed to the minimum design, construction, inspection, approval, and maintenance requirements for platted public streets as required by the Ottawa County Road Commission.
 - E. The project will provide public water facilities to the site condominium units, and is in accordance with Township standards.

- F. The project provides for private septic system and drain field located within the condominium unit's building site, and have been approved by the Ottawa County Department of Health.
- G. The project will provide the required street light fixture within the cul-de-sac.

XI. REPORTS AND CORESPONDENCE

- a. Correspondence was reviewed
- b. Committee Reports
- c. Manager's Report
 - i. October Legal Services Report
 - ii. Superintendent Cargo noted that the Phase I pathway segments were selected because (1) Buchanan had a relatively high number of homes and traffic; and, (2) Sleeper did not require any easements since the property was controlled by the Township that will be easy design in the "short" period prior to the construction season.
- d. Others

XII. PUBLIC COMMENTS

Laird Schaefer (*12543 Wilderness Trail*) discussed the City of Grand Haven's most recent traffic study on Robbins Road and noted that the City has not included any of the proposed improvements on the West Michigan Shoreline Regional Development Commission 5-year capital plan.

XIII. ADJOURNMENT

Motion by Clerk Larsen and seconded by Trustee Gignac to adjourn the meeting at 8:33 p.m. **Which motion carried.**

Respectfully Submitted,

Laurie Larsen
Grand Haven Charter Township Clerk

Mark Reenders
Grand Haven Charter Township Supervisor