

MEETING MINUTES
GRAND HAVEN CHARTER TOWNSHIP
PLANNING COMMISSION
MARCH 20, 2017

I. CALL TO ORDER

Cousins called the meeting of the Grand Haven Charter Township Planning Commission to order at 7:00 p.m.

II. ROLL CALL

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

Members absent: None

Also present: Community Development Director 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 January 17, 2017 meeting were approved with the revision to correct the Attorney name.

V. CORRESPONDENCE – None

VI. PUBLIC COMMENTS ON AGENDA ITEMS ONLY

VII. PUBLIC HEARING

A. Special Land Use – Single Family Dwelling in AG District – Schmidt

Cousins opened the public hearing at 7:03pm.

Fedewa provided an overview through a memorandum dated March 16th.

Reenders recused himself due to a conflict of interest; he will be performing an agricultural activity on the subject property.

The applicant, David Schmidt, was present and available to answer questions:

- Intends to construct the house this summer after Rye grass is planted.

There being no public comment Cousins closed the public hearing at 7:08pm.

VIII. OLD BUSINESS

A. Special Land Use – Single Family Dwelling in AG District – Schmidt

The application was discussed by Commissioners and focused on:

- Confirmed the existing dwelling was constructed over 100 years ago, and is abandoned.
- Property is legally nonconforming because a dwelling exists on property zoned Agricultural and does not have an active agricultural activity. Thus, a Special Land Use permit is required to become conforming under the current Zoning Ordinance.

Motion by Wilson, supported by Taylor, to **conditionally approve** the Special Land Use application to allow a Single Family Dwelling in the AG District for property located at 16064 Winans Street, 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 conditions:

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. The applicant shall schedule a site inspection with the Zoning Administrator to confirm the activity.
2. No building permits shall be issued until the applicant obtains a demolition permit from the Township to remove the existing dwelling.
3. Pursuant to Section 19.07.39.D the right to continue to occupy and use the single family residence is dependent upon the active conduct of another of the Agricultural District's permitted or special land uses. If such use is discontinued, then the special land use for the single family residence may be revoked by the Township and the dwelling from that time considered as a nonconforming use.

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.

IX. NEW BUSINESS

Reenders rejoined the Commission.

A. Speedway PUD Extension

Wilson recused himself due to a conflict of interest; he is a secondary applicant on the subject PUD project.

Fedewa provided an overview through a memorandum dated March 15th.

Motion by Robertson, supported by Chalifoux, to recommend the Township Board **approve** the requested 6-month extension (*i.e., September 28, 2017*) for the Speedway PUD based on the request meeting the applicable requirements of Section 17.04.7.A of the Grand Haven Charter Township Zoning Ordinance. **Which motion carried unanimously.**

B. Appoint 2 Members to the Zoning Ordinance Joint Review Committee

Wilson rejoined the Commission.

Without objection Cousins and Wagenmaker were appointed to the Zoning Ordinance Joint Review Committee.

X. REPORTS

A. Attorney Report

- Bultje provided a summary of the NOCH lawsuit oral arguments that occurred on March 6th. It is anticipated a ruling will be received in the coming weeks.

B. Staff Report

- The Brucker Beach Woods project will likely reapply soon to convert the public road to private. This would enable the developer to save 100+ trees by locating the stormwater swales within the right-of-way.

C. Other

- Cousins described information that was learned from two Medical Marihuana workshops he attended. The workshops described the recent Acts the Michigan Legislature adopted in December 2016, that identify 5 facility types. The topic will be discussed in depth this year because permits for these facilities will be issued by the state beginning December 15, 2017.

Communities that elect to opt-out of allowing any facilities do not need to take any action. However, if a community wants 1 or more of these facility types there are certain steps and ordinance changes that must take place. It is noted that communities that allow these facilities will receive a portion of the sales tax revenue that will be generated from the sales at provisioning centers.

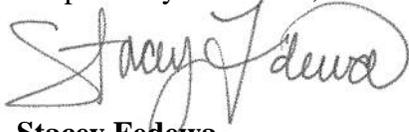
- Taylor indicated she continues to be in communication with the Grand Haven Area Public School district to stay apprised of how the Township's population growth is impacting the district. She also mentioned that administrators and staff members of the district praised Fedewa for providing them with timely updates on new residential developments.

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

XII. ADJOURNMENT

Without objection, the meeting adjourned at 7:30 p.m.

Respectfully submitted,



Stacey Fedewa
Acting Recording Secretary