

MEETING MINUTES
GRAND HAVEN CHARTER TOWNSHIP
PLANNING COMMISSION
JULY 17, 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, Taylor, Kieft, Wilson, Chalifoux, and Wagenmaker

Members absent: Reenders

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 June 19, 2017 meeting were approved.

V. CORRESPONDENCE

A. Port Sheldon Township – Master Plan Public Hearing

B. Mark and Karen Yoder – Ehlert Rezoning Application

C. Charles and Peggy Tyler – Deur Special Land Use Application

VI. PUBLIC COMMENTS ON AGENDA ITEMS ONLY – None

VII. PUBLIC HEARINGS

A. Rezoning – R-4 to R-1 – Wood

Wagenmaker recused himself due to a conflict of interest – the applicant may sign a contract with him to construct the dwelling.

Cousins opened the public hearing at 7:04pm.

Fedewa provided an overview through a memorandum dated July 12th.

The applicant, Steve Wood, was present and available to answer questions.

There being no public comments, Cousins closed the hearing at 7:06pm.

Wagenmaker rejoined the Planning Commission.

B. Rezoning – RR to AG – Ehlert

Cousins opened the public hearing at 7:06pm.

Fedewa provided an overview through a memorandum dated July 12th.

The applicant, John Ehlert, was present and available to answer questions.

Fedewa noted that correspondence was received from Mark and Karen Yoder objecting to the application because an agricultural use is not suitable for that area of the Township.

There being no public comments, Cousins closed the hearing at 7:09pm.

C. Special Land Use – Group Day Care – Deur

Cousins opened the public hearing at 7:10pm.

Fedewa provided an overview through a memorandum dated July 12th.

The applicant, Kristine Deur, was present and available to answer questions.

Fedewa noted that correspondence was received from Charles and Peggy Tyler objecting to the application because of shared driveway concerns.

Bultje explained this land use is protected by the State of Michigan and the Michigan Zoning Enabling Act, which outline specific provisions the Township can consider. If all provisions are met, the Township is obligated to approve.

The Commission inquired if this case would be different if a new road, or driveway, was included with the application. Yes, because the Township could then require the new road, or driveway, to meet current standards. However, this site has a legally nonconforming shared driveway.

There being no public comments, Cousins closed the hearing at 7:14pm.

D. Special Land Use – Ag in RR District – Bradley

Cousins opened the public hearing at 7:14pm.

Fedewa provided an overview through a memorandum dated July 13th.

The applicants, Vincent and Linda Bradley, were present and available to answer questions.

Fedewa and Bultje noted that having a dual principal land use—residential and agricultural—will allow the agricultural use to construct more/larger buildings than typically allowed in a residential zoning district.

There being no public comments, Cousins closed the hearing at 7:17pm.

E. Special Land Use – Indoor Exercise Facility in C-1 District – Wilbur

Wilson recused himself due to a conflict of interest – he is the property owner of the subject parcel.

Cousins opened the public hearing at 7:17pm.

Fedewa provided an overview through a memorandum dated July 13th.

The applicant was not present to answer questions, only the property owner.

A brief discussion ensued about possible text amendments to the access management sections of the Special Land Use Chapter.

There being no public comments, Cousins closed the hearing at 7:22pm.

Wilson rejoined the Planning Commission.

F. PUD – Regency at Grand Haven

Cousins opened the public hearing at 7:22pm.

Fedewa provided an overview through a memorandum dated July 14th.

The developers' representatives—Roy Baker of NSA Architects and Scott Peruski of PEA Inc.—were present and available to answer questions.

- Discussed the process of obtaining a Certificate of Need.
- Short-term rehabilitation patients are typically brought from a hospital directly to the facility.

Public comments included:

- Erin Tibaldi – 14906 172nd Avenue, opposes the development:
 - Resided in her home for 20 years, and believes she is the last owner-occupied home in that area.
 - Surrounding developments have changed and impacted her property, and the enjoyment of her property over the years. Including:
 - Losing part of her yard to a county drain
 - Loss of wildlife
 - Described issues with the Piper Lakes and Timber View developments impacting the enjoyment of her property.
 - Would prefer the Regency at Grand Haven developer purchase her land too.

- Concerned there will be light pollution.
- Bret Lewis of Churette Group (Piper Lakes developer) – 333 Washington Ave, GH:
 - The Churette Group is satisfied with the concept of the development, but would prefer the content of the plans be improved:
 - Improve the roofline and building materials to be more cohesive with adjacent developments and continue enhancing the quality of this community.
 - Regarding the internal cross-connection driveway between the two developments, the Churette Group requests the connection be on the south end of the parking lot rather than the north to reduce non-resident traffic traveling through the Piper Lakes community.
 - Township has requested the watermain be looped between the two projects, but an engineering report must be supplied before they agree to sign a public utility easement.
 - Concerned the parking lot lights along the eastern boundary line will allow light to trespass onto the Piper Lakes property and shine into their largest apartment building that faces west.

A Commissioner noted there is a need for more capacity in short-term rehabilitation facilities.

There being no further public comments, Cousins closed the hearing at 7:38pm.

VIII. OLD BUSINESS

A. Rezoning – R-4 to R-1 – Wood

Wagenmaker recused himself due to a conflict of interest – the applicant may sign a contract with him to construct the dwelling.

The application was discussed by Commissioners and focused on:

- Inquired if this was the same area owned and developed by the DeGroot family—yes.
- Parcel accessed via an easement though, and not utilizing Serenity Court.

Motion by Chalifoux, supported by Wilson, to recommend to the Township Board **approval** of the Wood rezoning application of parcel 70-03-33-300-059 from Multiple Family (R-4) to Single Family (R-1) 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.**

Wagenmaker rejoined the Planning Commission.

B. Rezoning – RR to AG – Ehlert

The application was discussed by Commissioners and focused on:

- A single family dwelling could be constructed now in the RR district. However, property owner is not ready to construct a home at this time.
- Confirmed there are a number of other horses nearby the subject parcel.

Motion by Taylor, supported by Chalifoux, to recommend to the Township Board **approval** of the Ehlert rezoning application of parcel 70-07-14-200-039 from Rural Residential (RR) to Agricultural (AG) 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. Special Land Use – Group Day Care – Deur

The application was discussed by Commissioners and focused on:

- Michigan Zoning Enabling Act is specific on what items can be considered.
- Existing private driveway is legally nonconforming, and not an item the State has allowed the local municipality to consider. However, if a new private driveway was requested it would be subject to compliance with the Township's Private Road and Driveways Ordinance.

Motion by LaMourie, supported by Wagenmaker, to **approve** the Special Land Use application to allow Group Day Care Home on 7-acres of property located at 14736 Lakeshore Drive. This approval is based on the application meeting the applicable requirements and standards set forth by the Grand Haven Charter Township Zoning Ordinance and Michigan Zoning Enabling Act. This motion is subject to, and incorporates, the following report. **Which motion carried unanimously.**

REPORT – GROUP DAY CARE

1. This approval is based on the affirmative findings that each of the following standards of Section 19.05 have 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. 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 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 storm water, 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 site plans conform to all applicable requirements of County, State, Federal, and Township statutes and ordinances.
- N. As appropriate, fencing has been required by the Planning Commission around the boundaries of the development to minimize or prevent trespassing or other adverse effects on adjacent lands.
- O. The general purposes and spirit of this Ordinance and the Master Plan of the Township are maintained.

D. Special Land Use – Ag in RR District – Bradley

Motion by Kieft, supported by Wilson, to **approve** the Special Land Use application to allow an Agricultural operation in the Rural Residential zoning district on 12.3-acres of property located at 12240 152nd Avenue, Parcel No. 70-07-13-300-020. This approval is based on the application meeting the applicable requirements and standards set forth by the Grand Haven Charter Township Zoning Ordinance. This motion is subject to, and incorporates, the following report. **Which motion carried unanimously.**

REPORT – AGRICULTURE IN RR DISTRICT

1. This approval is based on the affirmative findings that each of the following standards of Section 19.05 have 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. 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 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 storm water, 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 site plans conform to all applicable requirements of County, State, Federal, and Township statutes and ordinances.
 - N. As appropriate, fencing has been required by the Planning Commission around the boundaries of the development to minimize or prevent trespassing or other adverse effects on adjacent lands.

- O. The general purposes and spirit of this Ordinance and the Master Plan of the Township are maintained.

E. Special Land Use – Indoor Exercise Facility in C-1 District – Wilbur

Wilson recused himself due to a conflict of interest – he is the property owner of the subject parcel.

The application was discussed by Commissioners and focused on:

- There is a need to modify, or remove, certain access management provisions in the Special Land Use Chapter. At times, they discourage the reuse of existing buildings. At times, they also do not apply to a business within a certain land use category, so there is a need for the Commission to have more flexibility on these items.
 - The Commission directed staff to draft a text amendment.
- Unless a traffic study is conducted to justify the eastern driveway it should be closed to comply with the SLU provision and the Robbins Road Sub-Area Plan.
- Glad to see the western driveway is aligned to the adjacent city-owned street.

The property owner, Wilson, indicated he likes and prefers to keep both driveways to enhance circulation when fitness classes begin and end.

Motion by Taylor, supported by Wagenmaker, to **table** the Special Land Use application. **Which motion carried unanimously.**

Wilson rejoined the Planning Commission.

F. PUD – Regency at Grand Haven

The application was discussed by Commissioners and focused on:

- Discussed the proposal of having 2 driveways on Comstock Street. As well as, relocating the internal cross-connection driveway with Piper Lakes closer to Comstock Street in light of the adjacent developer’s preference.
- If the watermain is to be looped between the adjacent development and the applicant the Piper Lakes developer would require an engineering report ensuring there would not be an issue with water pressure.
- Confirmed the need to shield the pole-mounted light fixtures from the adjacent development and the street.
- Want to ensure the proposed trees along Comstock Street are tall enough, or setback far enough from the nonmotorized pathway that a user does not have to be concerned they will be “whacked in the head.”
- Although state law prohibits a property owner from negatively altering the natural stormwater drainage patterns, the Commission still requests a condition of approval be included that prohibits the applicant from negatively impacting the stormwater

disposition of the area. Particularly as it relates to the adjacent single family residence and their concerns about a greater stormwater impact.

Motion by Kieft, supported by Chalifoux, to direct staff to draft a formal motion and report, which will recommend **conditional approval** of the Regency at Grand Haven PUD application, with those Zoning Ordinance compliance departures which were discussed and will be reflected in the meeting minutes. This will be reviewed and considered for adoption at the next meeting. **Which motion carried unanimously.**

IX. REPORTS

A. Attorney Report – None

B. Staff Report

- The next Zoning Ordinance Update Committee meeting is scheduled for Thursday, August 10th @ 6pm in the Main Conference Room.

C. Other

- Cousins reports the Special Land Use options to allow accessory buildings in front yards was not included on the agenda because of the number of applications. It will be discussed at the next meeting.

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

XI. ADJOURNMENT

Without objection, the meeting adjourned at 8:28 p.m.

Respectfully submitted,



Stacey Fedewa

Acting Recording Secretary