

MEETING MINUTES
GRAND HAVEN CHARTER TOWNSHIP
PLANNING COMMISSION
JUNE 4, 2018

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, Chalifoux, Wagenmaker, Kieft, Reenders, Wilson, and Hesselsweet

Members absent: None

Also present: Community Development Director Fedewa, Attorney Bultje, and Assistant Zoning Administrator Hoisington

Without objection, Cousins instructed Fedewa to record the minutes.

III. PLEDGE TO THE FLAG

IV. APPROVAL OF MINUTES

Without objection, the minutes of the May 21, 2018 meeting were approved.

V. CORRESPONDENCE

- Lakeshore Gardens PUD – Scott Klaassen
- Lakeshore Gardens PUD – Jolee Wennersten, DVM
- Lakeshore Gardens PUD – Ronda Ruscett, OD

VI. PUBLIC COMMENTS – None

VII. PUBLIC HEARING

A. PUD – Lakeshore Gardens – Multifamily Apartment Complex

Cousins opened the public hearing at 7:02pm.

Fedewa provided an overview through a memorandum dated May 31st.

Developers Ben Robbins and Terry Nash were present and available to answer questions as well as architect Mark Oppenhuizen and environmentalist Roger Bour.

- Another overview of the project was provided by the developer.
- Developer requested the Planning Commission strongly consider a motion for conditional approval and allow the environmental studies to be completed at a later date because it is typically outside the purview of the local municipality.
- Acknowledged the storage unit proposal was no longer part of the application.

- Detailed information regarding the universal design incorporated into some of the project such as pocket doors, zero-step entrances, extra handicap accessible parking spaces (*both surface and garage stalls*), and will comply with all other accessibility requirements under the building code.

Public Comments include:

- Jean Kocher – 15002 Madeleine Court – supports the application:
 - New resident of Grand Haven.
 - Has a daughter with special/unique abilities.
 - Previous location where daughter lived in Lansing was condemned.
 - Daughter has been independent and held a job for 20+ years and wants to continue.
 - This type of development, and non-profits such as Gracious Grounds make that possible.
- Sandy Baker – 1015 Moorings Court, North Muskegon – supports the application:
 - Executive Director of Gracious Grounds.
 - Has many people with unique abilities that want, and need, a place to live independently.
 - The greater Grand Haven community has been actively supporting Gracious Grounds and their mission.
 - Believes the proposed apartments are suitable “forever homes” for people with unique abilities because maintenance and other household obligations are completed by the apartment complex.
- Ted Fricano – 15081 168th Avenue – has questions and concerns:
 - Speaking on behalf of his mother, who is concerned that easements proposed within this development would encroach onto her land.
 - Believes 156-units will bring much more traffic and other intensities to the area.
 - Urged the Planning Commission to take their time, carefully consider all aspects of the application, and make an informed decision.

Cousins noted that correspondence was received in regard to the application. One in support, and the other two noting concerns with the impact to their adjacent businesses.

There being no further comments, Cousins closed the public hearing at 7:25pm.

VIII. OLD BUSINESS

A. PUD – Lakeshore Gardens – Multifamily Apartment Complex

The application was discussed by the Commissioners and focused on:

- Reviewed, considered, and discussed the proposed departure request to increase the width of the maneuvering lane from 24-feet to 35-feet to enable wheelchair accessible vans to have more maneuverability to enter/exit the garage stall.
 - Developer acknowledge it would be better to have a circulation plan that includes a wheelchair accessible van, but Auto-CAD does not have a model for that type of vehicle, and were unable to produce the requested illustration.
 - Inquired what the width of the accessible stalls are in the garage buildings. Uncertain if theirs is shown at 13-feet or 16-feet.
 - Developer is uncertain, but will review the matter and if needed make adjustments to garages accordingly to ensure compliance with accessibility parking requirements.
 - Recommended the developer reduce the length of the landscape islands adjacent to garage buildings to support their desire for safe maneuverability.
 - Commission provided verbal confirmation they would support this departure request at the width of 35-feet based on the safety arguments provided by the developer.
 - It is noted a verbal confirmation is not binding, but was merely provided in an effort to give the developer meaningful input for them to finalize their design concepts.
- Inquired how much open space is being proposed.
 - 20% is required, but developer is proposing 22%, or approximately 2.5-acres.
- An in-depth and lengthy discussion ensued about the recent environmental studies that were provided to the Township.
 - Fedewa explained a complaint was received from a former employee that alleged a variety of possible contamination. Including leaking equipment and unpermitted septic systems. Based on this complaint, staff requested the environmental study. Initially, the developer was unwilling to provide the studies, but assured staff there were no issues. After much back-and-forth between staff and the developer; and between the attorneys for the Township and developer the Phase 1 Environmental Site Assessment (ESA) was provided after meeting packets were distributed; and Phase 2 ESA was provided the day of this meeting. Due to the lack of time that staff, and the Commission, have to review the studies—staff is recommending the application be tabled.
 - Further, per Superintendent Cargo the Township must be aware of contamination for many reasons including—type of gaskets to use in utility installation; groundwater discharge procedure for dewatering; dust particles that could trespass onto adjacent property; contamination plumes within the groundwater, etc.

- Fedewa then had numerous inquiries for environmentalist Bour, which included:
 - Township does not have record of the site being connected to municipal sanitary sewer. The ESA's indicate part of the site is connected. Inquired if that would change how the testing and sampling was conducted.
 - Bour response: Yes, more sampling and testing would be conducted. Explained the property owner was provided a questionnaire about condition and use of the land. Simply relied upon the information given in the questionnaire, and did not follow-up to confirm accuracy of said information.
 - Samples were only taken around the Above-ground Storage Tanks (ASTs). Questioned if samples were taken from anywhere else on the site, and if not, why? It was an intense land use for nearly 60-years (*according to the ESA*) and the type of business would have, and use, numerous products that contain a variety of chemicals.
 - Bour response: Based on questionnaire information and Phase 1 ESA there was no need to perform further testing. Only contamination present is a 40' x 40' area around the ASTs.
 - Questioned if he believed a problem could arise if a municipal watermain were to traverse through the contaminated AST area. ESA's describe a common resolution is to leave contamination in place, not treat it, and simply record a restrictive covenant against the property prohibiting any structures from being built on the contaminated area. Then install monitoring wells to test for possible contamination over the next year. Noted that if persons with unique abilities from Gracious Grounds live onsite they may have enhanced sensitivities to the contamination and that should be a consideration within the scope of the ESA.
 - Bour response: Yes, installing municipal watermain through the contaminated area could be problematic, and cleaning the area would be the best method of resolving this concern.
 - Inquired why they ceased testing for diesel fuel after one sample returned a negative result?
 - Bour response: Followed protocol, and did not believe further testing of diesel fuel was warranted after the negative result.
 - Inquired when information and test results would become available for the deep boring test, which is intended to determine if the contamination has plumed, and if so, what direction.
 - Bour response: Waiting for test results, but do not anticipate a problem.

- Commissioners asked the following related to the environmental studies:
 - Would a common septic tank meet the threshold for sampling?
 - Bour response: No, not if only used for human waste. However, if a private septic system was used to discharge non-human waste such as petroleum based products then further testing would be needed.
 - Inquired if a baseline test or due care plan was created? It is common practice to do both.
 - Bour response: No, did not seem necessary and was not requested by property owner.
- The Commission, Fedewa, and Bultje did express to the developer and audience that while the discussion may seem concerning—the true scope of the contamination and cleanup is minimal. However, the Township received the information very late, and had many questions. Had the information been provided earlier, the inquiries about process and procedure would have occurred outside the public hearing process, and staff would have just reported the findings and solution.
- Glad to see the additional points of access to the adjacent D&W property. Inquired if the easements would be permanent.
 - Developer response: Yes, will be permanent, but if the adjacent property owner found the cross-connection was impeding their business then they would require the connection point to solely be maintained as an emergency access. However, that is not expected to occur and is merely a safeguard.
- Questioned the two commercial outlots noted as A-1 and A-2 on the plans; and why a driveway was being shown on Robbins Road. Commission would be opposed to this additional driveway when access can be provided via the entrance road for the apartments. Requested that driveway be removed from the site plan because the two outlots are not part of the PUD application.
- Agreed that two more dumpster enclosures are needed for the site.
- Affirmed the Fire/Rescue Department request to increase the width of the main entrance.
- Commissioners reviewed the departure request to reduce the minimum floor area for two of the apartment floor plans.
 - Developer provided compelling documentation of comparable apartment sizes.
 - Ottawa Housing Next providing support for an efficiency unit is also compelling.

- Commission provided verbal confirmation they would support this departure request to allow minimum floor areas of 496 sqft for 12-units, and 730 sqft for 39-units.
 - It is noted a verbal confirmation is not binding, but was merely provided in an effort to give the developer meaningful input for them to finalize their design concepts.
- Fedewa inquired about an idea that was discussed with the Ottawa County Water Resources Commissioner to improve the stormwater management plan and provide more resiliency.
 - If the landscape islands within the parking lot and the open space area east of the clubhouse were to be slightly depressed to allow stormwater to infiltrate onsite, would the Commission be agreeable to allowing that to occur within the open space. It would be unnoticeable to the users of the site, and the depression would be so shallow that after the rain event ended there would not be any pooling or ponding of excess stormwater within the open space areas.
 - Yes, the Commission expressed their verbal approval of this design.

Motion by Taylor, supported by Wagenmaker, to **table** the Lakeshore Gardens PUD application, and direct the applicant to address the following:

1. Provide written documentation from the City of Grand Haven DPW Director that conceptually approves the proposed access points onto Robbins Road.
2. Provide written documentation from the Ottawa County Water Resources Commissioner that conceptually approves the stormwater management system.
3. Increase the width of the main drive aisle to 30-feet from the boulevard to the curve adjacent to the clubhouse.
4. Add another dumpster enclosure near Building F.
5. Add another dumpster enclosure on the west side of Buildings A/B.
6. Shift the driveway stub to A-1 and A-2 to the south, or provide a circulation plan that shows a commercial vehicle can successfully complete the required turning movements.
7. Create, and provide a Due Care Plan for the environmental concerns.
8. Conduct additional sampling if it is determined the site is not connected to municipal sanitary sewer; and provide the updated environmental reports.
9. Remove proposed curb-cut on Robbins Road that would allow access to the A-1 and A-2 outlots that are not part of the PUD application.

10. Clarify if the width within the garage stalls is 16-feet and can accommodate a wheelchair accessible van.

Which motion carried unanimously.

IX. NEW BUSINESS

A. 2017 Planning Commission Report

Fedewa provided an overview of the report in a memorandum dated June 4th.

The Commissioners affirmed the findings and information provided in the report.

X. REPORTS

A. Attorney Report – None

B. Staff Report – None

C. Other

- Wilson noted the Special Land Use application for Fit Body Bootcamp is being withdrawn because they found another site that better suites their needs.
- Reenders noted his concerns over stormwater runoff and accountability to ensure construction is done according to the permitted plans.
- Reenders noted the Gardens Alive Farms at 16127 Winans Street is ceasing operations effective August 3rd. Considering its size, and location adjacent to existing industrial, and proposed industrial, the Township should review the various options available when the Future Land Use map is amended after the new zoning ordinance is adopted.

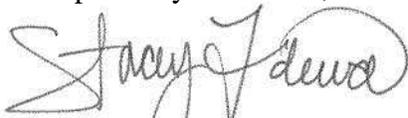
XI. EXTENDED PUBLIC COMMENTS

- Ryan Kilpatrick – 238 Bristol Ave – Ottawa Housing Next Executive Director.
 - Appreciates the Township’s support to enable affordable housing opportunities.
 - Likely providing a smaller floor plan is the best long-term solution.
 - Expressed his thanks for their hard work and careful consideration.

XII. ADJOURNMENT

Without objection, the meeting adjourned at 8:43 pm.

Respectfully submitted,



Stacey Fedewa
Acting Recording Secretary