

**GRAND HAVEN CHARTER TOWNSHIP BOARD
MONDAY, NOVEMBER 12, 2018**

WORKSESSION – 6:30 p.m.

1. The Board discussed the 2015 through 2018 Strategic Plan and instructed staff to update the current plan with new facts and figures and with the addition of certain objectives – such as the addition of park land for sports fields. Manager Cargo noted that he expected a draft could be returned to the Board in January. Clerk Larsen requested a minimum of two weeks to review the plan before any Board action is scheduled.
2. The Board discussed the passage of Proposal 1 and possible responses by the Township. The Board instructed staff to (a) direct legal staff to prepare the necessary “opt-out” ordinance for a first reading at the November 26th Board meeting; (b) direct Township staff to schedule a public hearing by the Planning Commission on the related “opt-out” Zoning ordinance amendments.
3. Community Development Fedewa will provide an update on the Schultz Landscaping ordinance enforcement issue.
4. Manager Cargo noted that the Chamber of Commerce will be contacting the current investment firm that owns the Zelenka property to ascertain their support for a change to the Master Plan (*i.e., AG to I*).

REGULAR MEETING

I. CALL TO ORDER

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

II. PLEDGE TO THE FLAG

III. ROLL CALL

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

Board members absent:

Also present were Manager Cargo, Community Development Director Fedewa, and Public Services Director VerBerkmoes.

IV. APPROVAL OF MEETING AGENDA

Motion by Clerk Larsen and seconded by Treasurer Kieft to approve the meeting agenda with Public Services Truck Purchase being moved from the Consent Agenda to New Business. **Which motion carried.**

V. APPROVAL OF CONSENT AGENDA

1. Approve October 22, 2018 Board Minutes
2. Approve October 30, 2018 Budget Work Session Special Meeting
3. Approve Payment of Invoices in the amount of \$918,614.47 (*A/P checks of \$690,605.47 and payroll of \$228,009.00*)
4. Renew IT Services Contract with EGL Tech (\$77,460 annual)
5. Approve Bid Package - Replace Portion of Administrative Building Roof

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

VI. PRESENTATION – Affordable Housing Task Force

City Manager McGinnis provided PowerPoint presentation on the City of Grand Haven's Affordable Housing Task Force recommendations and actions.

VII. PUBLIC HEARING – Joint Special Assessment Public Hearing

Supervisor Reenders opened the 2018 Special Assessment Public Hearings at 7:13 p.m. on the following special assessment rolls:

- i. FY2019 Special Assessment Police Services Roll
- ii. FY2019 Special Assessment Sewer Roll
- iii. FY2019 Special Assessment Storm Drain Roll
- iv. FY2019 Special Assessment Delinquent Water and Sewer Payments
- v. FY2019 Special Assessment Street Lighting Roll
- vi. FY2019 Special Assessment Street Paving Roll
- vii. FY2019 Special Assessment Delinquent Rubbish Cleanup

Manager Cargo provided an overview of the proposed FY2019 special assessments that total \$649,393.81 noting that the notice for the rolls had been provided in the Grand Haven Tribune of Friday, November 2nd and that copies of the rolls had been placed in the Township lobby for public review.

There being no further comments, Supervisor Reenders closed the public hearing at 7:15 p.m.

VIII. OLD BUSINESS

1. **Motion** by Trustee Redick supported by Clerk Larsen to approve and adopt the Right-of-Way work amendment to the Water System Ordinance. This is a second reading. **Which motion carried** pursuant to the following roll call vote:
Ayes: Larsen, Gignac, Kieft, Meeusen, Redick, Behm, Reenders
Nays:
Absent:
2. **Motion** Treasurer Kieft supported by Trustee Meeusen to approve and adopt the Right-of-Way work amendment to the Sewer Usage and Administration Ordinance. This is a second reading. **Which motion carried** pursuant to the following roll call

vote:

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

Nays:

Absent:

3. **Motion** by Trustee Redick supported by Trustee Gignac to conditionally approve the Millhouse Bayou Condos PUD application and rezoning of 70-07-01-151-056, -011, and part of -008 from Rural Residential (RR) to Planned Unit Development (PUD). This is based on the application meeting the requirements and standards set forth by the Grand Haven Charter Township Zoning Ordinance, Master Plan, and Private Road Ordinance. This motion is subject to and incorporates the following conditions and report. This is the second reading. **Which motion carried** pursuant to the following roll call vote:

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

Nays:

Absent:

Millhouse Bayou Condos PUD Report

Pursuant to the provisions of the Grand Haven Charter Township (the “Township”) Zoning Ordinance (the “Zoning Ordinance”), the following is the report of the Grand Haven Charter Township Board (the “Board”) concerning an application by Mike Bosgraaf of T Bosgraaf Homes LLC (the “Developer”) for approval of a Millhouse Bayou Condos Planned Unit Development (the “Project” or the “PUD”).

The Project will consist of single-family attached condominiums. This 9.1-acre Project will consist of eleven two-unit attached condos and one four-unit attached condo. It will also include 3.93-acres of designated open space. The Project as recommended for approval is shown on a final site plan (the “Final Site Plan”), last revised 9/21/2018, including landscaping (the “Final Landscape Plan”); collectively referred to as the “Documentation,” presently on file with the Township.

The purpose of this report is to state the decision of the Board concerning the Project, the basis for the Board’s recommendation, and the Board’s decision that the Millhouse Gardens PUD be approved as outlined in this motion. The Developer shall comply with all the Documentation submitted to the Township for this Project. In granting the approval of the proposed PUD application, the Board makes the following findings pursuant to Section 17.04.3 of the Zoning Ordinance.

1. The Project meets the site plan review standards of Section 23.06 of the Zoning Ordinance. Specifically, pursuant to Section 23.06.7, the 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. 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 Board 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/Rescue Department.
 - H. All streets and driveways are developed in accordance with the OCRC specifications, as appropriate. In addition, an internal sidewalk system has been included along the south side of the private road.
 - 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 stormwater, 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 to reduce light pollution and preserve the rural character of the Township.
 - 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 Documentation conforms to all applicable requirements of County, State, Federal, and Township statutes and ordinances.
 - N. As appropriate, fencing will be required by the Township, and installed by the Developer, around the boundaries of the development if deemed necessary to preventing 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.
2. The Board finds the Project meets the intent for a PUD, as described in Section 17.01.3 of the Zoning Ordinance. By approving this Project as a PUD, the Township has been able to negotiate various amenities and design characteristics as well as additional restrictions with the Developer, as described in this report, which the Township would not have been able to negotiate if the PUD Chapter of the Zoning Ordinance was not used.
 3. Section 17.01.5, Section 17.02.1.B.1-4 of the Zoning Ordinance, as well as Section 503 of the Michigan Zoning Enabling Act, allow for departures from Zoning Ordinance requirements; these

provisions are intended to result in land use development that is substantially consistent with the goals and objectives of the Township Master Plan and the Zoning Ordinance, and consistent with sound planning principles. The Developer requested two departures. The Board makes the following findings.

- A. Section 21.02 – allow an 8-foot side yard setback, totaling a 16-foot building separation.
 - i. The Board finds it acceptable to allow a reduced side yard setback based on past practices of other residential PUDs, particularly those that include condominiums; and based on the preservation of open space.
4. The Grand Haven Charter Township Private Roads and Driveways Ordinance provides the standards for private road construction. Section 7 of this Ordinance permits the Board to grant exceptions when the strict application of the literal terms would impose an undue hardship, or when it results in practical difficulties. However, it is the general purpose of that Ordinance to protect the public health, safety, and welfare, and it is therefore anticipated that such exceptions should be rarely granted. The Board makes the following findings:
 - A. Section 4.1 – allow 26 premises on a private road with only one entrance.
 - i. The Board finds it acceptable to allow the additional two premises because the Grand Haven Charter Township Fire/Rescue Department is supportive of the request. Furthermore, Section D107.1 of the 2012 International Fire Code allows up to 30 dwellings utilizing one approved fire apparatus access road (*i.e., one entrance*).
 - ii. That the strict application of the literal terms of the Private Road Ordinance would impose an undue and substantial hardship on the Developer and adjacent residents, and the benefits would be limited, pursuant to the findings described below.
 - iii. That the aforementioned improvements to the road system would ensure adequate access for emergency vehicles.
 - iv. That granting the exception would not alter the essential character of the surrounding neighborhood.
 - v. That the residential units to be constructed can meet the requirements of all other applicable state and Township regulations.
 - vi. Further conditions are described in Section 9 of the Report.
 - B. Section 4.3.C.3 – allow a reduced roadway width of 24-feet.
 - i. The Board does not find this acceptable because the minimum requirements of the Ottawa County Road Commission call for a 26-foot width.
5. Compared to what could have been constructed by right, the Project has been designed to accomplish the following objectives from Section 17.01.4 of the Zoning Ordinance.
 - A. The Project will encourage the use of land in accordance with its natural character and adaptability;

- B. The Project will promote the conservation of natural features and resources;
 - C. The Project will promote innovation in land use planning and development;
 - D. The Project will promote the enhancement of housing for the residents of the Township;
 - E. The Project will promote greater compatibility of design and better use between neighboring properties;
 - F. The Project will promote more economical and efficient use of the land while providing a harmonious variety of housing choices and community facilities in the form of a clubhouse; and
 - G. The Project will promote the preservation of open space.
6. The Project meets the following qualification requirements of Section 17.02 of the Zoning Ordinance:
- A. The Project meets the minimum size of five acres of contiguous land.
 - B. The Project site exhibits significant natural features encompassing more than 25% of the land area of the PUD which will be preserved as a result of the PUD plan. The features include wetland and floodplain.
 - C. The Project site has distinct physical characteristics which makes compliances with the strict requirements of the ordinance impractical.
7. The Board also finds the Project complies with the general PUD Design Considerations of Section 17.05 of the Zoning Ordinance.
- A. The stormwater management system for the Project and the drainage facilities will properly accommodate stormwater on the site, will prevent runoff to adjacent properties, and are consistent with the Township's groundwater protection strategies.
 - B. The Project will not interfere with or unduly burden the water supply facilities, the sewage collection and disposal systems, or other public services such as school facilities, park and recreation facilities, etc.
 - C. Utility services within the Project shall be underground. This includes but is not limited to electricity, gas lines, telephone, cable television, public water and sanitary sewer.
 - D. The internal road system in the Project is designed to limit destruction of existing natural vegetation and to decrease the possibility of erosion.
 - E. Vehicular circulation, traffic and parking areas have been planned and located to minimize effects on occupants and users of the Project and to minimize hazards to adjacent properties and roadways.
 - F. Parking requirements for each use have been determined to be in accordance with Chapter 24 (Parking, Loading Space, and Signs).
 - G. Street lighting will be installed in the same manner as required under the Township's Subdivision Control Ordinance.
 - H. Buildings in the Project have been sited to protect natural resources. Natural features such as natural grade, trees, vegetation, water bodies and others have been incorporated into the Documentation.

- I. Landscaping, natural features, open space and other site amenities have been located in the Project to be convenient for occupants of, and visitors to, the PUD.
 - J. The Project is reasonably compatible with the natural environment of the site and the adjacent premises.
 - K. The Project will not unduly interfere with the provision of adequate light or air, nor will it overcrowd land or cause an unreasonably severe concentration of population.
 - L. Exterior lighting within the Project complies with Chapter 20A for an LZ 3 zone.
 - M. Outside storage of materials shall be screened from view.
 - N. Signage is compliant with Section 24.13 of the Zoning Ordinance.
 - O. The Project will not have a substantially detrimental effect upon or substantially impair the value of neighborhood property, as long as all of the standards and conditions of this approval of the Project are satisfied.
 - P. The Project is in compliance with all applicable Federal, State, County, and local laws and regulations. Any other permits for development that may be required by other agencies shall be available to the Township Board before construction is commenced.
 - Q. The Project satisfies the minimum open space of 20 percent required by the Zoning Ordinance.
 - R. The open space in the Project is large enough and properly dimensioned to contribute to the purpose and objectives of the PUD.
 - S. The open space in the Project consists of contiguous land area which is restricted to non-development uses.
 - T. The open space in the Project will remain under common ownership or control.
 - U. The open space in the Project is set aside by means of conveyance that satisfies the requirements of Section 17.05.5.G of the Zoning Ordinance.
 - V. The Project is consistent with the goals and objectives of the Master Land Use Plan. Specifically, it is consistent with the Master Plan designation of the property in question.
8. The Board finds that the Project complies with the uses permitted for a residential planned unit development, as described in Section 17.07.1.C of the Zoning Ordinance—Multiple Family Dwellings.
9. The Board also finds the Project shall comply with the below additional conditions as well.
- A. The exception to the Private Road Ordinance shall be conditioned upon the following:
 - i. The private road must have a 66-foot right-of-way for the entire length of the road.
 - ii. The private road must have a subbase of granular material (MDOT Class II), which is at least 12” in depth for the entire length of the road.
 - iii. The private road must have an aggregate base course of compacted gravel, crushed concrete, slag, or similar material which is at least 6” in depth for the entire length of the road.

- iv. The private road must have a bituminous paving overlay of the base course which is at least 2½” in depth for the entire length of the road; and the bituminous mixture or content must also meet or exceed the current standards of the Ottawa County Road Commission.
 - v. The minimum width of the subbase, aggregate base course, and bituminous paving overlay shall be at least 26-feet for the entire length of the road.
 - vi. The private road shall have a vertical clearance of at least 13-feet for the entire length of the road.
 - vii. The private road must be “clear and passable” for an additional two-feet on each side of the road, which means it shall be free of brush, shrubs, trees, obstructions, or any other debris.
 - viii. The private road shall end in a cul-de-sac with a minimum 40-foot radius.
 - ix. No occupancy permit for any building accessed by the private road shall be issued until the owner’s engineer has certified to the Township that the private road has been constructed in compliance with all of the aforementioned requirements.
 - x. The owner(s) of the property adjacent to the private road shall execute a Private Road Maintenance Agreement, which will be drafted by the Township Attorney and recorded with the Ottawa County Register of Deeds. A copy of which shall be provided to any purchase of property served by the private road. The maintenance provisions (*e.g., snow removal, tree trimming, tree removal, and reconstruction*) shall apportion the maintenance responsibilities among the appropriate property owners. The special assessment portion of the agreement must be signed by all owners of record of all the property to be served by the private road at the time of application. The agreement shall provide that if the private road is not maintained in accordance exception, the Township shall have the option but not the obligation to establish a special assessment district to fund the required improvements. The agreement shall provide that all of the signatories and their successors shall be deemed in favor of the special assessment district, and all their property shall be included within said district.
 - xi. The name of a private road shall be established only with the approval of the Township’s Fire/Rescue Department in order to avoid confusion or duplication of names.
 - xii. The property shall not be divided or split inasmuch as an additional split would increase the private road non-conformity.
 - xiii. The property shall meet all other environmental, building, and zoning requirements that may arise during the course of the home construction.
 - xiv. The property owner and Township shall enter into an agreement based upon this motion, which agreement shall be recorded with the Ottawa County Register of Deeds.
- B. All dwellings shall be constructed a minimum of 3-feet above the Base Flood Elevation as determined by the FEMA NFIP Map with a 12/16/2011 effective date.
- C. The Condominium Master Deed, Bylaws, and Exhibit B documents must be submitted to the Township for review and approval prior to obtaining a building permit.

- D. The open space must be set aside by means of conveyance that satisfies the requirements of Section 17.05.5.G of the Zoning Ordinance. Said conveyance shall be submitted to the Township for review and approval prior to obtaining an occupancy permit.
 - E. Must obtain permits from all applicable agencies including, the Ottawa County Road Commission and Ottawa County Water Resources Commissioner. Permits shall be obtained before building permits are issued.
 - F. The Developer shall enter into a PUD Contract with the Township, which will be drafted by the Township Attorney and executed by the Township Board prior to receiving an occupancy permit.
 - G. This approval is also conditioned upon the Developer meeting all applicable Federal, State, County, and Township laws, rules, and ordinances.
 - H. The Developer shall comply with all the requirements of the Documentation, specifically including all the notes contained thereon, and all the representations made in the written submissions by the Developer to the Township for consideration of the Project.
 - I. In the event of a conflict between the Documentation and these conditions, these conditions shall control.
4. **Motion** by Treasurer Kieft supported by Trustee Meeusen to approve the Zoning Map Amendment Ordinance and Conditional Zoning Agreement concerning the rezoning of 0.55-acres from part of parcel 70-07-01-151-008 from Rural Residential (RR) to Single Family Residential (R-2). This is the second reading. **Which motion carried** pursuant to the following roll call vote:
 Ayes: Gignac, Larsen, Kieft, Reenders, Behm, Meeusen, Redick
 Nays:
 Absent:
5. **Motion** by Clerk Larsen supported by Trustee Behm to conditionally approve the Lincoln Pines Expansion PUD application and rezoning of 70-07-12-400-007 from Rural Residential (RR) to Planned Unit Development (PUD). This is based on the application meeting the requirements and standards set forth by the Grand Haven Charter Township Zoning Ordinance, Master Plan, and Private Road Ordinance. This motion is subject to and incorporates the following conditions and report. This is the second reading. **Which motion carried** pursuant to the following roll call vote:
 Ayes: Meeusen, Behm, Larsen, Kieft, Redick, Gignac, Reenders
 Nays:
 Absent:

Lincoln Pines Expansion PUD Report

Pursuant to the provisions of the Grand Haven Charter Township (the “Township”) Zoning Ordinance (the “Zoning Ordinance”), the following is the report of the Grand Haven Charter Township Board (the “Board”) concerning an application by Signature Land Development Corporation (the “Developer”) for approval of the Lincoln Pines Planned Unit Development expansion (the “Project” or the “PUD”).

The Project will consist of the existing 38 platted lots in phase 1, and in phases 2 and 3 will have an additional 76 platted lots and 48 condominium units. The Project as recommended for approval is shown

on a final site plan (the “Final Site Plan”), last revised 11/2/2018 and is referred to as the “Documentation,” presently on file with the Township.

The purpose of this report is to state the decision of the Board concerning the Project, the basis for the Board’s recommendation, and the Board’s decision that the amended Lincoln Pines PUD be approved as outlined in this motion. The Developer shall comply with all of the Documentation submitted to the Township for this Project. In granting the approval of the proposed PUD application, the Board makes the following findings pursuant to Section 17.04.3 of the Zoning Ordinance.

10. The Project meets the site plan review standards of Section 23.06 of the Zoning Ordinance. Specifically, pursuant to Section 23.06.7, the 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. 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 Board 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/Rescue Department.
- H. All streets and driveways are developed in accordance with the OCRC 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 stormwater, 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 to reduce light pollution and preserve the rural character of the Township.

- 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 Documentation conforms to all applicable requirements of County, State, Federal, and Township statutes and ordinances.
 - N. As appropriate, fencing will be required by the Township, and installed by the Developer, around the boundaries of the development if deemed necessary to preventing 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.
11. The Board finds the Project meets the intent for a PUD, as described in Section 17.01.3 of the Zoning Ordinance. By approving this Project as a PUD, the Township has been able to negotiate various amenities and design characteristics as well as additional restrictions with the Developer, as described in this report, which the Township would not have been able to negotiate if the PUD Chapter of the Zoning Ordinance was not used.
12. Section 17.01.5, Section 17.02.1.B.1-4 of the Zoning Ordinance, as well as Section 503 of the Michigan Zoning Enabling Act, allow for departures from Zoning Ordinance requirements; these provisions are intended to result in land use development that is substantially consistent with the goals and objectives of the Township Master Plan and the Zoning Ordinance, and consistent with sound planning principles. The Developer requested two departures. The Board makes the following findings.
- A. Section 21.02 – allow an 8-foot side yard setback, totaling a 16-foot building separation.
 - i. The Board finds it acceptable to allow a reduced side yard setback based on past practices of other residential PUDs, particularly those that include condominiums; and based on the preservation of open space.
13. The Grand Haven Charter Township Private Roads and Driveways Ordinance provides the standards for private road construction. Section 7 of this Ordinance permits the Township Board of Trustees to grant exceptions when the strict application of the literal terms would impose an undue hardship, or when it results in practical difficulties. However, it is the general purpose of that Ordinance to protect the public health, safety, and welfare, and it is therefore anticipated that such exceptions should be rarely granted. In doing so, the Board makes the following findings:
- A. Section 4.3.C.3 – allow a reduced roadway width of 24-feet.
 - i. The Board does not find this acceptable because the minimum requirements of the Ottawa County Road Commission call for a 26-foot width.
14. Compared to what could have been constructed by right, the Project has been designed to accomplish the following objectives from Section 17.01.4 of the Zoning Ordinance.
- A. The Project will encourage the use of land in accordance with its natural character and adaptability;
 - B. The Project will promote the conservation of natural features and resources;

- C. The Project will promote innovation in land use planning and development;
 - D. The Project will promote the enhancement of housing for the residents of the Township;
 - E. The Project will promote greater compatibility of design and better use between neighboring properties;
 - F. The Project will promote more economical and efficient use of the land while providing a harmonious variety of housing choices; and
 - G. The Project will promote the preservation of open space.
15. The Project meets the following qualification requirements of Section 17.02 of the Zoning Ordinance:
- A. The Project meets the minimum size of five acres of contiguous land.
 - B. The Project contains two separate and distinct residential uses—single family and attached condominiums.
 - C. The Project site has distinct physical characteristics which makes compliances with the strict requirements of the ordinance impractical.
 - D. The PUD design includes innovative development concepts that substantially forward the Intent and Objectives of Section 17.01 and permits an improved layout of land uses that could not otherwise be achieved under normal zoning.
16. The Board also finds the Project complies with the general PUD Design Considerations of Section 17.05 of the Zoning Ordinance.
- A. The stormwater management system for the Project and the drainage facilities will properly accommodate stormwater on the site, will prevent runoff to adjacent properties, and are consistent with the Township’s groundwater protection strategies.
 - B. The Project will not interfere with or unduly burden the water supply facilities, the sewage collection and disposal systems, or other public services such as school facilities, park and recreation facilities, etc.
 - C. Utility services within the Project shall be underground. This includes but is not limited to electricity, gas lines, telephone, cable television, public water and sanitary sewer.
 - D. The internal road system in the Project is designed to limit destruction of existing natural vegetation and to decrease the possibility of erosion.
 - E. Vehicular circulation, traffic and parking areas have been planned and located to minimize effects on occupants and users of the Project and to minimize hazards to adjacent properties and roadways.
 - F. Parking requirements for each use have been determined to be in accordance with Chapter 24 (Parking, Loading Space, and Signs).
 - G. Street lighting will be installed in the same manner as required under the Township’s Subdivision Control Ordinance.
 - H. Buildings in the Project have been sited to protect natural resources. Natural features such as natural grade, trees, vegetation, water bodies and others have been incorporated into the Documentation.

- I. Landscaping, natural features, open space and other site amenities have been located in the Project to be convenient for occupants of, and visitors to, the PUD.
 - J. The Project is reasonably compatible with the natural environment of the site and the adjacent premises.
 - K. The Project will not unduly interfere with the provision of adequate light or air, nor will it overcrowd land or cause an unreasonably severe concentration of population.
 - L. Exterior lighting within the Project complies with Chapter 20A for an LZ 3 zone.
 - M. Outside storage of materials shall be screened from view.
 - N. Signage is compliant with Section 24.13 of the Zoning Ordinance.
 - O. The Project will not have a substantially detrimental effect upon or substantially impair the value of neighborhood property, as long as all of the standards and conditions of this approval of the Project are satisfied.
 - P. The Project is in compliance with all applicable Federal, State, County, and local laws and regulations. Any other permits for development that may be required by other agencies shall be available to the Township Board before construction is commenced.
 - Q. The Project satisfies the minimum open space of 20-percent required by the Zoning Ordinance.
 - R. The open space in the Project is large enough and properly dimensioned to contribute to the purpose and objectives of the PUD.
 - S. The open space in the Project consists of contiguous land area which is restricted to non-development uses.
 - T. The open space in the Project will remain under common ownership or control.
 - U. The Open space in the Project is set aside by means of conveyance that satisfies the requirements of Section 17.05.5.G of the Zoning Ordinance.
 - V. The Project is consistent with the goals and objectives of the Master Land Use Plan. Specifically, it is consistent with the Master Plan designation of the property in question.
17. The Board finds that the Project complies with the uses permitted for a residential planned unit development, as described in Sections 17.07.1.A and 17.07.1.C of the Zoning Ordinance—Single Family Dwellings and Multiple Family Dwellings.
18. The Board also finds the Project shall comply with the below additional conditions as well.
- A. The Developer shall coordinate efforts with the Township to grant necessary easements for the construction of a non-motorized pathway on 144th Avenue and Lincoln Street in 2019.
 - B. The Developer shall rezone the outlot to comply with minimum zoning requirements.
 - C. The open space must be set aside by means of conveyance that satisfies the requirements of Section 17.05.5.G of the Zoning Ordinance. Said conveyance shall be submitted to the Township for review and approval prior to obtaining an occupancy permit.

- D. Must obtain permits from all applicable agencies including, the Ottawa County Road Commission and Ottawa County Water Resources Commissioner. Permits shall be obtained before building permits are issued.
 - E. The Developer shall enter into a PUD Contract with the Township, which will be drafted by the Township Attorney and executed by the Township Board prior to receiving an occupancy permit.
 - F. This approval is also conditioned upon the Developer meeting all applicable Federal, State, County, and Township laws, rules, and ordinances.
 - G. The Developer shall comply with all the requirements of the Documentation, specifically including all the notes contained thereon, and all the representations made in the written submissions by the Developer to the Township for consideration of the Project.
 - H. In the event of a conflict between the Documentation and these conditions, these conditions shall control.
6. **Motion** by Treasurer Kieft supported by Trustee Redick to approve the Zoning Text Amendment (*draft date 10/22/18*) to increase the minimum square footage allowance for accessory buildings in the Grand Haven Charter Township Zoning Ordinance. This is the second reading. **Which motion carried** pursuant to the following roll call vote:
 Ayes: Reenders, Kieft, Behm, Meeusen, Larsen, Redick, Gignac
 Nays:
 Absent:
7. **Motion** by Clerk Larsen supported by Trustee Behm to approve and adopt Resolution 18-11-01 approving the special assessment roll for police services in the amount of \$426,635.74 for FY2018. **Which motion carried** pursuant to the following roll call vote:
 Ayes: Redick, Meeusen, Kieft, Gignac, Larsen, Reenders, Behm
 Nays:
 Absent:
8. **Motion** by Trustee Meeusen supported by Trustee Redick to approve and adopt Resolution 18-11-02 approving the special assessment roll for sewer services in the amount of \$40,326.62 for FY2019. **Which motion carried** pursuant to the following roll call vote:
 Ayes: Meeusen, Reenders, Gignac, Larsen, Behm, Kieft, Redick
 Nays:
 Absent:
9. **Motion** by Clerk Larsen supported by Trustee Redick to approve and adopt Resolution 18-11-03 approving the special assessment roll for storm sewer districts in the amount of \$56,121.21 for FY2019. **Which motion carried** pursuant to the following roll call vote:
 Ayes: Larsen, Gignac, Kieft, Meeusen, Redick, Behm, Reenders
 Nays:
 Absent:

10. **Motion** by Trustee Meeusen supported by Trustee Larsen to approve and adopt Resolution 18-11-04 approving the special assessment roll for delinquent utility bills in the amount of \$1,488.20 for FY2019. **Which motion carried** pursuant to the following roll call vote:
 Ayes: Behm, Gignac, Meeusen, Redick, Kieft, Reenders, Larsen
 Nays:
 Absent:
11. **Motion** by Trustee Meeusen supported by Trustee Redick to approve and adopt Resolution 18-11-05 approving the special assessment roll for street lighting in the amount of \$116,193.41 for FY2019. **Which motion carried** pursuant to the following roll call vote:
 Ayes: Kieft, Reenders, Meeusen, Behm, Gignac, Larsen, Redick
 Nays:
 Absent:
12. **Motion** by Treasurer Kieft supported by Clerk Larsen to approve and adopt Resolution 18-11-06 approving the special assessment roll for road paving in the amount of \$6,328.63 for the FY2019. **Which motion carried** pursuant to the following roll call vote:
 Ayes: Gignac, Larsen, Kieft, Reenders, Behm, Meeusen, Redick
 Nays:
 Absent:
13. **Motion** by Trustee Redick supported by Trustee Behm to approve and adopt Resolution 18-11-07 approving the special assessment roll for Delinquent Rubbish Cleanup in the amount of \$300 for the FY2019. **Which motion carried** pursuant to the following roll call vote:
 Ayes: Meeusen, Behm, Larsen, Kieft, Redick, Gignac, Reenders
 Nays:
 Absent:

IX. NEW BUSINESS

1. **Motion** by Trustee Gignac supported by Trustee Redick to approve the Tentative Preliminary Plat for Lincoln Pines Subdivision No. 2 based on the application meeting applicable requirements and standards set forth by the Grand Haven Charter Township Subdivision Control Ordinance. **Which motion carried.**
2. **Motion** by Treasurer Kieft supported by Clerk Larsen to approve and adopt Resolution 18-11-08, which approves a donation policy for the Township. **Which motion carried** pursuant to the following roll call vote:
 Ayes: Reenders, Kieft, Behm, Meeusen, Redick, Gignac
 Nays:
 Absent:

3. **Motion** by Trustee Meeusen supported by Trustee Redick to approve the purchase the purchase of a 2019 Ford F250 Service Truck from Preferred Ford of Grand Haven for 30,183, plus document and license fees. It is noted that this is \$93 higher than the bid from a Muskegon Ford dealer; but the Board determined that the positive economic benefit from buying local exceeded the price difference. **Which motion carried.**

X. REPORTS AND CORESPONDENCE

- a. Committee Reports
 - i. Personnel Committee will meet on Wednesday, November 14th at 7:00 a.m.
- b. Manager's Report
 - i. October Building Report
 - ii. October Ordinance Enforcement Report
 - iii. October Public Services Report
 - iv. September Legal Review
- c. Others

XI. PUBLIC COMMENTS

- a. Craig Yoas (*16620 Pine Dunes Court*) criticized the removal of leaves from the paths and the crosswalk markings, asserting that the crosswalk markings were not in compliance with the standards of the Uniform Traffic Code.

XII. ADJOURNMENT

- Motion** by Clerk Larsen and seconded by Trustee Behm to adjourn the meeting at 7:46 p.m. **Which motion carried.**

Respectfully Submitted,

Laurie Larsen
Grand Haven Charter Township Clerk

Mark Reenders
Grand Haven Charter Township Supervisor