

MEETING MINUTES
GRAND HAVEN CHARTER TOWNSHIP
PLANNING COMMISSION
AUGUST 19, 2019

I. CALL TO ORDER

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

II. ROLL CALL

Members present: Cousins, Chalifoux, Wagenmaker, Kieft, LaMourie, Hesselsweet, Wilson, Taylor

Members absent: Reenders

Also present: Community Development Director Fedewa

Without objection, Cousins instructed Fedewa to record the minutes.

III. PLEDGE TO THE FLAG

IV. APPROVAL OF MINUTES

Without objection, the minutes of the August 5, 2019 meeting were approved.

V. CORRESPONDENCE – None

VI. PUBLIC COMMENTS

- Curt Walburg, North Ottawa Rod & Gun Club – 13084 160th Avenue:
 - Not allowed to regulate per the Sport Shooting Range Act and the 2014 Michigan Supreme Court Ruling of Addison Township v. Barnhart.
 - Compliance with the NRA range manual also prohibits municipal involvement.
 - Not allowed to:
 - Require sound control for indoor ranges.
 - Limit hours of operation.
 - Require bullet stops or backstops.
 - Claims the Club has recorded a document with the Ottawa County Register of Deeds to “inform” new property owners via title work of what the standard shooting times are.
 - Finds the previously proposed “zero tolerance policy” inappropriate.
 - Provided stories of bad behavior, and stated “you can’t control idiots.”

VII. NEW BUSINESS

A. Site Plan Review – Expand Historic Cemetery

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

Motion by Taylor, supported by LaMourie, to **approve** the Site Plan Review application to expand the Historic Cemetery at 12604 168th Avenue. **Which motion carried unanimously.**

REPORT – EXPAND HISTORIC CEMETERY – SITE PLAN REVIEW

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 stormwater, 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.

VIII. OLD BUSINESS

A. Discuss Draft of Zoning Ordinance

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

Commission requested Fedewa go through each item individually.

- Deck Allowance on Walkways
 - Consensus – size of deck to correspond to accessory building setback, but does not count against the number, or square footage, allowance for accessory buildings on the property as a whole.
- Outdoor Gun Ranges
 - Consensus to follow staff recommendations in the memo, after the following discussion:
 - Approach seems to be “guilty until proven innocent,” and it is not practical to prove a negative.
 - Anti-gun club citizens may trespass on property and purposefully shoot a person, property, or animal to enforce the zero tolerance policy and close the range for a year.
 - Questioned if the existing club is so unsecured that anyone can sneak onto the property and discharge a firearm? Requiring reasonable security is not an unreasonable regulation.
 - Include language that would require the initial event of a bullet escaping and causing injury or damage must have occurred when the range is open.
 - Ranges should be setup in a way to prevent injury. Responsible to keep their business safe.
 - The proposed language provides the Township latitude to consider all circumstances. For example, a bullet escaping during an event vs. a club member.
 - Questioned the legal authority of the Township to regulate, and directed staff to inquire with the Attorney.
 - It was reiterated this enforcement policy only applies if a bullet escapes the property and causes injury or damage to a person, property, or animal. There is no penalty under the zoning ordinance if a bullet escapes and does not cause damage or injury.
- Seasonal Roadside Stands
 - Consensus, with the following additions:
 - Applies to AG, RP, and RR districts.
 - Include a requirement the stand be removed annually after the season is over.

- US-31 Overlay Zone Building Materials
 - Consensus – expand the building materials allowed by utilizing the “south of Hayes Street” options that include 10 different materials.
- ZBA Discretionary Authority
 - Consensus to allow, and directed staff to incorporate provisions and review with the ZBA.
- Missing Middle Housing Overlay Zone
 - Consensus – this newer concept deserves more attention prior to adoption, and will be removed from current draft and the chapter marked as “Reserved.”
- R-3 Building Height and Stories
 - Consensus – maximum allowable should be 40 feet and 3 stories.
 - 40 feet will allow taller ceilings. 3 stories are a minimum requirement to comply with the accessibility.
- Retaining Wall Setback
 - Consensus – regulations are acceptable as written, and no changes are needed.
- Maximum Lot Coverage
 - Consensus – 40% maximum coverage for residential, and 70% maximum coverage for non-residential.

IX. REPORTS – None

X. EXTENDED PUBLIC COMMENTS – None

XI. OPEN DISCUSSION FORUM

Wagenmaker feels the private road ordinance needs to be revised now, and adopted simultaneously with the zoning ordinance. Supportive of the previous private road ordinance, but not the current version. Maintenance agreement is one of the most important aspects. Suggested staff provide the current, and previous, versions via email so Commissioners can review on their own time, and discuss at the next Open Discussion Forum in October.

Others noted the Board should be aware of the Commissions intent to begin reviewing that ordinance. Chair Cousins will draft a memo to the Board.

XII. ADJOURNMENT

Without objection, the meeting adjourned at 8:06 pm.

Respectfully submitted,



Stacey Fedewa, AICP
Acting Recording Secretary