

AGENDA

Grand Haven Charter Township Planning Commission

Monday, March 20, 2017 – 7:00 p.m.

** Note the New Meeting Time **

- I. Call to Order
- II. Roll Call
- III. Pledge to the Flag
- IV. Approval of the January 17, 2017 Meeting Minutes
- V. Correspondence
- VI. Public Comments/Questions on Agenda Items Only (Limited to 3 minutes)
- VII. Public Hearing
 - A. Special Land Use – Single Family Dwelling in AG District – Schmidt
- VIII. Old Business
 - A. Special Land Use – Single Family Dwelling in AG District – Schmidt
- IX. New Business
 - A. Speedway PUD Extension
 - B. Appoint 2 Members to Ordinance Review Committee
- X. Reports
 - A. Attorney’s Report
 - B. Staff Report
 - C. Other
- XI. Extended Public Comments/Questions on Non-Agenda Items Only (Limited to 4 minutes)
- XII. Adjournment

Note: Persons wishing to speak at public hearings, on agenda items, or extended comments, must fill out a “Speakers Form” located on the counter. Completed forms must be submitted to the Zoning Administrator prior to the meeting.

MEETING MINUTES
GRAND HAVEN CHARTER TOWNSHIP
PLANNING COMMISSION
JANUARY 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, Kieft, Taylor, Wilson, Reenders LaMourie, Chalifoux, and Wagenmaker

Members absent: Robertson

Also present: Fedewa and Attorney Bob Sullivan

Without objection, Cousins instructed Fedewa to record the minutes.

III. PLEDGE TO THE FLAG

Cousins welcomed Wagenmaker to the Planning Commission and noted that he had not been sworn in yet as a member. Therefore, he will not participate with motions during the meeting.

IV. APPROVAL OF MINUTES

Without objection, the minutes of the December 14, 2016 meeting were approved.

V. CORRESPONDENCE – None

VI. PUBLIC COMMENTS ON AGENDA ITEMS ONLY

VII. PUBLIC HEARING

A. Special Land Use – Outdoor Pond – Voss

Cousins opened the public hearing at 7:02pm.

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

The applicant, Bryan Voss, and Westshore Consulting engineer, Wade VandenBosch, were present and available to answer questions:

- Previous owner clear-cut property and they are trying to rectify the damage and make their land attractive again.

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

B. Tentative Preliminary Plat – Stonewater Subdivision No. 1

Cousins opened the public hearing at 7:08pm.

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

The developers engineer, Rick Pulaski from Nederveld, was present and available to answer questions.

There being no public comment Cousins closed the public hearing at 7:10pm

VIII. OLD BUSINESS

A. Special Land Use – Outdoor Pond – Voss

Kieft requested staff to provide an explanation on the sand mining operation that occurred on the property in early 2016. Fedewa explained the property owner was selling sand from the same area as the proposed pond. The owner was not aware such an activity required a permit. Staff worked with the owner, and engineering firm, and determined the material that was removed was under 2,500 cubic yards. Therefore, it was eligible to be permitted administratively. Fedewa issued a zoning permit for the activity and assessed an after-the-fact fee for failing to obtain a permit before the activity commenced. Ultimately, the mining operation does not impact the Outdoor Pond application.

Motion by Wilson, supported by Chalifoux, to **approve** the Outdoor Pond Special Land Use application for 16575 Lake Michigan Drive, based on the application meeting 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

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.

B. Tentative Preliminary Plat – Stonewater Subdivision No. 1

Motion by LaMourie, supported by Wilson, to recommend the Township Board **approve** the Tentative Preliminary Plat for Stonewater Subdivision No. 1 based on the application meeting applicable requirements and standards set forth by the Grand Haven Charter Township Subdivision Control Ordinance. **Which motion carried unanimously.**

IX. REPORTS

A. Attorney Report

- Bultje provided a summary of the NOCH lawsuit.

B. Staff Report – None

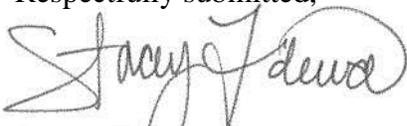
C. Other

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

XI. ADJOURNMENT

Without objection, the meeting adjourned at 7:19 p.m.

Respectfully submitted,



Stacey Fedewa
Acting Recording Secretary

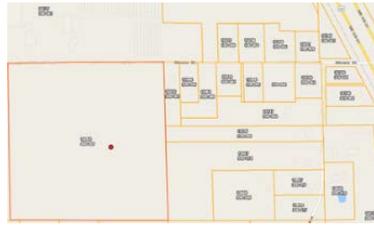


GRAND HAVEN CHARTER TOWNSHIP

Community Development Memo

DATE: March 16, 2017
 TO: Planning Commission
 FROM: Stacey Fedewa, Community Development Director
 RE: Special Land Use – Single Family Dwelling in AG Zoning District

APPLICATION AND PROPERTY DETAIL

CASE NUMBER P17SLU0002	APPLICANT/PROPERTY OWNER David Schmidt/Day by Day Farm LLC
PUBLIC HEARING DATE March 20, 2017	PROPERTY ADDRESS/LOCATION 16064 Winans Street (<i>west of US-31</i>)
BRIEF SUMMARY OF REQUEST Construct a Single Family Dwelling on an Agriculturally Zoned Property	

PARCEL SIZE	EXISTING ZONING	EXISTING LAND USE	MASTER-PLANNED ZONING	SURROUNDING ZONING & LAND USES	SITE IMPROVEMNTS
40 Acres	AG	Vacant Agriculture	AG Preservation	N AG Agriculture S AG, RP Res. & Vacant E RP, RR Residential W AG Agriculture	1. 8,000 sf barn 2. 720 sf house 3. 2,000 sf barn

COMPATABILITY WITH MASTER PLAN	PROPERTY HISTORY
<ul style="list-style-type: none"> To consist of agricultural uses & agri-businesses. Should contribute to the rural character. Homes as a subordinate use is allowed. Land divisions and new residential developments (<i>i.e., multiple single family homes</i>) are strongly discouraged due to the lack of infrastructure. 	<ul style="list-style-type: none"> Existing dwelling was constructed around 1915 & likely the dilapidated barn. Commercial blueberry farm for many years. 2016 a permit issued for an 8,000 sqft barn (<i>store equipment and process blueberries</i>). Qualified Ag Exemption effective 12/31/16.

COMPATABILITY WITH ZONING ORDINANCE
<ul style="list-style-type: none"> Meets minimum design standards for an Agricultural Parcel (<i>i.e., lot size, width, etc.</i>). Proposed dwelling is compliant with minimum standards (<i>i.e., setbacks and floor area</i>). Applicant will occupy the dwelling and have a commercial crop operation of rye grass and blueberries.

ATTACHMENTS (circled/highlighted)			
Application	Site Plan	Public Comments	Agency Comments
Project Narrative	Departure Requests	Traffic Impact Study	Elevations/Renderings
Photometric Plan	Material Samples	Other:	

ADDITIONAL INFORMATION

Currently, the property does not have an active agricultural activity, which is understandable considering the applicant only purchased the property in February 2016. The intent is to plant rye grass in the spring of 2017, and then begin planting blueberries in the fall of this year.

In September 2016, the applicant received an Agricultural Exempt Building Permit to construct an 8,000 sqft barn. This supports the applicant's intent to utilize this property agriculturally. Aside from the Ag Exempt permit this property does not have any other permits or variances on record.

The land has been commercially farmed for decades (*minimally the adjacent Zelenka farms had a long-term lease from 1997*) but due to unknown reasons the activity was abandoned on this property around 2008.

It is noted there is an existing dwelling on the property that would need to be demolished before a building permit is issued, and staff encouraged the applicant to remove the dilapidated barn at the same time. However, because the barn is unrelated to the application staff recommends only requiring the house be demolished.

SAMPLE MOTIONS

If the Planning Commission finds the application meets the applicable standards, the following motion can be offered:

Motion 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 condition:

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.

If the Planning Commission finds the application does not meet the applicable standards, the following motion can be offered:

Motion to direct staff to draft a formal motion and report, which will **deny** the Special Land Use application, with those discussion points which will be reflected in the meeting minutes. This will be reviewed and considered for adoption at the next meeting.

If the Planning Commission finds the application is in need of revisions before a determination can be made, the following motion can be offered:

Motion to **table** the Special Land Use application, and direct the applicant to make the following revisions:

1. List the revisions.

Please contact me prior to the meeting with questions or concerns.

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.
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 - 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.
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 - 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.



GRAND HAVEN CHARTER TOWNSHIP

SPECIAL LAND USE APPLICATION

Application Type	Fee	Escrow*	Sewer Escrow**	
Original	\$125	\$1,000	Main Extension	\$5,000
Amendment	\$100	\$500	Lift Station	\$2,000

Applicant Information

Name DAVID Schmidt
 Phone 616-847-6335 Fax _____
 Address 15400 Lincoln St Cell 638-1624
 Email Address dave @ schmidt Bros . net

Owner Information (If different from applicant)

Name DAVID Schmidt
 Phone 616-847-6335 Fax _____
 Address 15400 Lincoln St Grand Haven

Property Information

Address/Location 16064 Winans St
 Parcel Number 70-07-27-400-003 Size (acres) 40.7 ACRES
 Current Zoning Ag Master-Planned Zoning _____

Description of Proposed Use/Request (attach additional pages as needed)

Build new Home on Agg property.

NOTE: The architect, engineer, planner, or designer shall be responsible for utilizing the Township Ordinance books and following all applicable requirements, including those of Chapters 19 and 23 of the Zoning Ordinance. Initially, submit five copies of the required information for staff review. Once staff has granted tentative approval, additional copies will be required as requested by staff.

I hereby attest the information on this application is, to the best of my knowledge, true and accurate.

David Schmidt
 Signature of applicant

2/2/17
 Date

* To cover cost of legal and consulting fees, may be increased as necessary

** If approval of this application requires/includes the extension of a municipal sanitary sewer main, an additional \$5,000.00 escrow fee shall be required, and an additional \$2,000.00 escrow fee shall be required for the installation of a lift station.



Legend

Parcels

Notes

546.0 0 273.00 546.0 Feet



GRAND HAVEN CHARTER TOWNSHIP

Community Development Memo

DATE: March 15, 2017
TO: Planning Commission
FROM: Stacey Fedewa, Community Development Director
RE: Speedway PUD – Request For Extension

BACKGROUND

On March 28, 2016 the Township Board conditionally approved the Speedway PUD. The PUD approval is valid for 1 year, and substantial construction must begin within that time period or the permit will expire. Section 17.04.7.A governs this situation (*see right caption for specific ordinance language*), and requires the Planning Commission to make a recommendation to the Township Board.

REQUEST

The written request for an extension was received from the applicant on March 3rd and requests a 6-month extension to achieve the following items prior to the commencement of substantial construction:

1. DEQ acceptance of their wetland mitigation plan; and
2. Execution of the PUD Contract (*and the Private Road Maintenance Agreement*).

STAFF RECOMMENDATION

Staff is confident that Speedway will break ground in May 2017 because the water and sewer applications will be permitted this month and likely the remaining legal documents will be completed within 30-45 days. Thus, the 6-month extension request is reasonable and obtainable.

Motion 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.

SECTION 17.04.7.A

Approval of the PUD shall expire and be of no effect unless substantial construction has commenced within 1 year of the date of approval of the Final Site Plan of the PUD or any phase thereof. An extension for a specific period may be granted by the Township Board upon good cause shown, only if such request is made in writing to the Township Board prior to the expiration date. The Township Board, prior to making a determination, shall forward the request to the Planning Commission, and ask for a recommendation. If a recommendation from the Planning Commission is not offered within 21 days after being referred to the Planning Commission, the Township Board may act without input from the Planning Commission on the applicant's request for an extension.

From: Bergman, Michael R. (Speedway)
To: [Stacey Fedewa](#)
Cc: [Lewis, Kevin C. \(Speedway\)](#); [Fritz, Matthew R. \(Speedway\)](#); [Foley, Kevin T. \(Speedway\)](#); [Gauss, Mandy \(CESO\)](#)
Subject: Speedway store 1830 - Grand Haven Twp., MI (17281 Hayes Street new build): Request for an extension of a PUD approval
Date: Friday, March 03, 2017 3:13:04 PM
Attachments: [image001.png](#)
[03282016 - TB Minutes.pdf](#)

Stacey,

Speedway LLC is hereby requesting an extension of the Speedway PUD approval granted on March 28, 2016. It is requested that the approval be extended by six months to allow adequate time for the following actions to occur:

- 1) acceptance by the Michigan Department of Environmental Quality (MDEQ) of a wetland mitigation plan, and
- 2) execution of the PUD Contract.

Please contact me if you have any questions regarding this request.

Mike Bergman, RLA, EI | Construction Project Manager | Speedway LLC

8902 Vincennes Circle, Suite E, Indianapolis, IN 46268

Phone: 317-833-1221 | Mobile: 937-206-9605 | Email: mbergman@speedway.com



GRAND HAVEN CHARTER TOWNSHIP

Community Development Memo

DATE: March 15, 2017
TO: Planning Commission
FROM: Stacey Fedewa, Community Development Director
RE: Appointments to Ordinance Review Committee

BACKGROUND

On February 15th a Request For Proposals (RFP) was released for a new zoning ordinance. Myself, and the Ordinance Review Committee, will be responsible for working with a consultant that will be selected this month after submissions were received on March 15th.

COMMITTEE COMPOSITION

The RFP states the Committee will be comprised of 5 members—2 from the Board (*appointed by the Board*), 2 from the Planning Commission (*appointed by the PC*), and 1 from the ZBA (*appointed by the ZBA*).

SAMPLE MOTION

Motion to nominate _____, and _____ for appointment to the Ordinance Review Committee to help craft a new Zoning Ordinance for Grand Haven Charter Township.