

MEETING MINUTES
GRAND HAVEN CHARTER TOWNSHIP
PLANNING COMMISSION
JULY 1, 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, Reenders, Wilson, Taylor

Members absent: Wagenmaker, Kieft, LaMourie, Hesselsweet

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 3, 2019 meeting were approved.

V. CORRESPONDENCE – None

VI. PUBLIC COMMENTS – None

VII. PUBLIC HEARING

A. Conditional Rezoning – Lincoln Farms Drive – AG to RR

Cousins opened the public hearing at 7:02 pm.

Fedewa provided an overview through a memorandum dated June 27th.

Three of the applicants were present, and offered the following:

- Josh Westra – Owner of Lot F:
 - Disabled veteran moved back from Colorado with wife and children after medical discharge.
 - Chose to buy Lot F to have the freedom to live outdoors – playing outside with his children, riding ATV's, shooting firearms, archery, small hobby farm, etc.
 - The acreage allows seclusion from neighbors.
- Mary Lynn Bovee – Owner of Lots C and D.
- Forrest Johnson – Developer of land with brother, have about 5 lots remaining to sell.

There being no further public comments, Cousins closed the hearing at 7:15 pm.

VIII. OLD BUSINESS

A. Conditional Rezoning – Lincoln Farms Drive – AG to RR

The Commissioners had the following comments to offer:

- Conditional Rezoning was requested based on Township’s acknowledgement that it intends to initiate a rezoning of the land, but it may take 6+ months. The delay in time is creating issues for the developer and lot owners.
- Inquired about owner of Lot E – Somers.
 - Somers is aware of the Townships intention to rezone, but he chose not to participate in the conditional rezoning request because he has already received permits to build the house.
- Confirmed the Private Road Exemption granted by the Township Board in August 2018.
- Discussed Ag Exempt structures. Structures used solely for agricultural purposes will still be Ag Exempt. Conversely, if part of the building is not used agriculturally it cannot be exempt from the building code.
- Inquired why RR was chosen for all lots instead of RP for the 10 acre parcels.
 - Fedewa explained it was for continuity. RP and RR are generally the same for allowable uses. Differences are more apparent for land divisions. Land Divisions are prohibited pursuant to the Private Road Exemption agreement and is proposed to be restated if the Conditional Rezoning is approved.
 - Bultje explained the applicant requested RR and the Township cannot modify any aspect of a conditional rezoning request. Only to approve or deny.

Motion by Wilson, supported by Chalifoux, to recommend the Township Board **conditionally approve** the Lincoln Farms Drive conditional rezoning request to rezone Lots C, D, and F – K from Agricultural (AG) to Rural Residential (RR). The motion is subject to the following condition:

1. Private Road Maintenance Special Assessment Contract (*draft date 9/19/18*) and Declaration of Joint Maintenance and Easement (*draft date 9/26/18*) shall be executed, recorded with the Ottawa County Register of Deeds, a copy provided to the Township, and the Document Numbers added to Section 2 of the Conditional Rezoning Agreement. This shall occur prior to the Conditional Rezoning Agreement being executed by the Township.

Which motion carried unanimously.

IX. NEW BUSINESS

A. Review Draft of Zoning Ordinance

Fedewa provided an overview through a memorandum dated June 27th.

Commission requested Fedewa go through item by item to obtain feedback:

- Minimum Floor Area for Single Family Dwelling.
 - Acceptable to reduce to standard a 800 square feet. Restate ground floor is still required to be 800 square feet even if it is a two-story dwelling.
- Pole Mounted Lighting.
 - Acceptable to reduce maximum height from 30 feet to 20 feet.
- Outdoor Ponds.
 - Acceptable to allow administrative approval for ponds < 5 acres. Special Land Use still required for ponds 5+ acres in size.
- Accessory Building Size for lots < ½ acre.
 - The 2018 text amendment reduced the amount of square footage allowance for lots < ½ acre. Was allowed 720 square feet, but now only 600 square feet.
 - Most found it acceptable to increase that allowance to 720 square feet.
- Shipping Containers as Accessory Buildings.
 - Acceptable to still allow these structures to be used as an accessory building in non-residential districts.
- Domestic Pets.
 - Mixed opinions on increasing the number of domestic pets allowed in a dwelling from four to five.
- Livestock and Chickens.
 - Proposals discussed at the previous joint session were reaffirmed.
- Bee keeping.
 - Do not want to regulate or require a zoning permit.
- US-31 Overlay Zone Building Materials.
 - Mixed opinions on keeping the 80% brick requirement for property north of Hayes. Some like the character of brick, others find it looks sterile. May be preventing creative designs.
 - Want to compare language of north vs. south of Hayes.
 - Recommend the Board provide feedback too.
- US-31 Overlay Zone & PUD Wall Lengths.
 - Acceptable to require both chapters to state walls over 50 feet in length must incorporate architectural features to break up the expanse of the wall.
- Mixed Use PUD.
 - Acceptable to remove the 30% cap on commercial uses within a residential PUD, but must be within reason, and Township needs to maintain controls.
 - Bultje noted the only benefit a PUD receives for incorporating more than one use is related to open space and density; and not a benefit such as the “dairy

treat” case in the City of Grand Haven where including commercial allows a setback reduction or elimination.

- Federally insured mortgages for mixed use developments is difficult to obtain.
- PUD Required Open Space.
 - Acceptable to require 5% of open space be preserved in commercial and industrial PUDs.
- PUD Open Space Type.
 - Acceptable to require approximately half of the open space to be pocket parks and central gathering spaces. The remainder will continue to be contiguous natural areas.
- PUD Amendments.
 - Acceptable to incorporate an administrative approval for changes so small they would not amount to a “minor” amendment.
- Road Network for New Development.
 - Acceptable to encourage connectivity, and discourage cul-de-sacs. However, it is not a prohibition and it must all be done within reason because the primary development pattern are typical subdivisions.
- Site Condo Amendments.
 - Acceptable to follow the PUD Amendment guidelines for Site Condos.
- Sewage System Setbacks on Waterfront Lots.
 - Acceptable to require sewage disposal systems to be setback as far as reasonably possible from the waterfront.
- Decks and/or Sitting Areas on Elevated Walkways.
 - Acceptable to allow, but need to determine a number or size allowance. 400 square feet was discussed and seemed reasonable, but requested staff provide options to review.
- Seawalls on Lake Michigan.
 - Acceptable to prohibit seawalls on Lake Michigan. Adjacent properties experience accelerated erosion from seawalls and there are issues with emergency vehicles having unobstructed access.
- Natural Shoreline.
 - Mixed opinions on whether waterfront property owners should be encouraged to keep 75% of the shoreline natural. Would help water quality and is supported by the master plan. Would also deter geese and other waterfowl from roosting on manicured lawns abutting the waterfront.
 - Fedewa explained the provision would indicate it is *encouraged* to maintain a natural shoreline and would be used as more of an educational tool for residents. Would not be a regulation that is enforced, rather it would be a resilient best management practice that residents are encouraged to follow.

- County Drain Setback.
 - Acceptable to require a 10 foot setback from county drains, including structures and crops.
 - Michigan Agriculture Environmental Assurance Program (MAEAP) requires a 30 foot setback; as does other federally funded programs.

X. REPORTS

- A. Attorney Report – None
- B. Staff Report – None
- C. Other – None

XI. EXTENDED PUBLIC COMMENTS

- Tim Whalen – 16527 Lake Michigan Drive:
 - Appreciates the Township staff being responsive to his inquiries.
 - Disagrees with the Township’s Private Road and Driveways Ordinance prohibiting shared driveways. Requests the Township review and consider more leniency.
 - His previous experience as an appointed official in Illinois was very pro-property rights and always deferred to the lot owners for decisions.
 - Was surprised that Planning Commissioners did not have email address or other contact information posted on the website.
 - Bultje explained that is done on purpose because the Planning Commission must act as a body and not individuals. Township Board members do have contact information posted online because they are elected officials that need to be accessible to their constituents. Planning and zoning questions are to go through the Zoning Administrator.
 - Whalen understands the information, but explained a Zoning Administrator is only one person with one opinion, and prefers an opportunity to speak with many individuals.
 - Questions why Fedewa denied the request to perform a boundary line adjustment into an irregular shape.
 - Fedewa provided a sketch of the proposal and explained irregular lots cause numerous issues down the road and it is poor planning to approve otherwise.
- The Chair directed Fedewa to research ordinances from other communities related to private roads vs. shared driveways, and regulations on irregular lots.

XII. ADJOURNMENT

Without objection, the meeting adjourned at 8:38 pm.

Respectfully submitted,

A handwritten signature in black ink that reads "Stacey Fedewa, AICP". The signature is written in a cursive style with a large, looping initial "S".

Stacey Fedewa, AICP
Acting Recording Secretary