

MEETING MINUTES
GRAND HAVEN CHARTER TOWNSHIP
PLANNING COMMISSION
SEPTEMBER 8, 2020
Remote Electronic Meeting

I. CALL TO ORDER

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

II. ROLL CALL

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

Members absent: Reenders

Also present: Community Development Director Fedewa

Commissioner Wagenmaker joined at 7:11pm.

Without objection, Cousins instructed Fedewa to record the minutes.

III. APPROVAL OF MINUTES

Without objection, the minutes of the August 17, 2020 meeting were approved.

IV. CORRESPONDENCE

- Crockery Township Planning Commission – Notice to Create a Sub Plan within their Master Plan

V. PUBLIC COMMENTS – None

VI. PUBLIC HEARING

A. Rezoning – Boelkins – AG to RP

Cousins opened the hearing at 7:05pm.

Fedewa provided an overview through a memorandum dated September 2nd.

The applicant, Stan Boelkins and his engineer, Don DeGroot, were present and available to answer questions.

- Believes residential is the highest and best use for this property.
- Farmer next door would not purchase additional land because it is not good for crops.

There being no further comments, Cousins closed the hearing at 7:12pm.

B. Zoning Ordinance Text Amendments

Cousins opened the hearing at 7:12pm.

Fedewa provided an overview through a memorandum dated September 2nd.

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

VII. OLD BUSINESS

A. Rezoning – Boelkins – AG to RP

The Planning Commission noted the following points of discussion:

- Maximum number of lots permitted is 7, because of the Large Scale Development regulation that requires residential developments of 8 or more units become a Planned Unit Development. The first requirement of a PUD is access to municipal water and sanitary sewer. Neither are available at this site.
- Reviewed the Statement of Purpose for the RP district.
- Adjacent blueberry farmer unwilling to purchase additional land because it is not suitable for crops.
- Tree farming is an agricultural use.
- If true agricultural is not suitable for the land, then large lot residential is the second most desirable use. Particularly if the lots remain heavily wooded.
- Attorney Bultje explained the Planning Commission has indicated a consensus to update the Future Land Use map to allow large-lot residential. If the “3 C’s” method is met for determining an appropriate rezoning it is better suited than a contractual rezoning.
- Concerns raised that properties farther east on Buchanan will begin requesting rezonings out of the AG district.
- Typically, MDOT is unwilling to grant driveway access to US-31 if access can be obtained via a non-trunkline roadway.

Motion by Wilson, supported by Wagenmaker, to recommend the Township Board **approve** the Thirty-One Properties Inc. rezoning application of 11806 US-31 from Agricultural (AG) to Rural Preserve (RP) based on the application meeting the rezoning standards of the Zoning Ordinance and Master Plan. **Which motion carried, pursuant to the following roll call vote;** with Cousins voting against because there are agricultural uses available for the property.

Ayes: Wilson, LaMourie, Chalifoux, Wagenmaker, Kieft, Taylor, Hesselsweet

Nays: Cousins

Absent: Reenders

B. Zoning Ordinance Text Amendments

The Planning Commission noted the following points of discussion:

- Questioned if it was appropriate to obtain medical information from applicants requesting a waiver.
 - Not all requests will be related to medical.

- Anyone seeking an accommodation is obligated to provide a legitimate reason to enable the Planning Commission to make an informed decision. The waiver process is voluntary.
- The special use notice area of 300-feet is necessary to know the true impact on the neighborhood.

Motion by Chalifoux, supported by Kieft, to recommend the Township Board **approve** the proposed zoning text amendment ordinance with draft date 9/1/2020. **Which motion carried unanimously.**

C. Domestic Animal Waiver – Lampe

Fedewa provided an overview through a memorandum dated September 2nd.

Applicant, Daniel Lampe, was present and available to answer questions.

The Planning Commission noted the following points of discussion:

- The total number of adult birds is being reduced.
- Plenty of space inside the lofts to properly house the birds.
 - Smaller “kit boxes” used to isolate the birds. These are inside the former dog kennel area, which did have a doghouse.
 - Are “kit boxes” structures or just a bird cage?
 - Per staff, not a structure because on stilts and essentially no ground cover.
- Lampe’s have no other pets.
- Nothing looks out of place. The less intrusive government can be, the better.

Motion by LaMourie, supported by Taylor, to **conditionally grant** the Domestic Animal Waiver request from Daniel and Doreen Lampe located at 14927 152nd Avenue, per Section 14.02.D of the Zoning Ordinance. The Planning Commission finds the following:

1. The birds in the application are not exotic or wild animals as defined in the Zoning Ordinance; rather, they are pets and considered to be domesticated animals as defined in the Zoning Ordinance.
2. The additional pigeons requested by the applicants are unlikely to cause negative impacts on neighboring properties.
 - a. The birds are generally confined.
 - b. One neighbor was unaware of their existence even though the applicants use to have 25 to 30 birds and are now seeking to have only eight, just 3 more than they are allowed by right.
 - c. A second neighbor has supported the request of the applicants, and only one neighbor has objected.
 - d. The birds are very small. They make very little noise and create very little waste.

- e. The housing for the birds is cleaned daily, and they create no offensive smell.
 - f. The birds do not create a disease risk; they are vaccinated annually for PMV and Salmonella, and they are cared for by an Aviary veterinarian.
3. The lot in question has adequate size to accommodate eight birds; in fact, the lot has previously accommodated up to 25 to 30 birds without a neighbor even being aware. Further, the lot has an adequate physical structure to accommodate the number of birds requested.
4. Removing the birds from the lot would cause them harm. The birds are flock animals that mate for life. It would be detrimental to them if they were not kept together as couples. This would be particularly detrimental because they are award-winning racing pigeons. An odd number of adult birds cannot be kept without creating infighting. Newborns would die without their parents being together and carrying for them as a couple. An even number of adult birds must be kept, and eight is a reasonable number given all of the above factors in this motion.
5. The conditions of this approval are that the applicants comply with all of the representations made in their application for this waiver; that they comply with all other requirements of the Zoning Ordinance; that they replace the blue tarp existing on the current physical structure for housing the pigeons. **Which motion carried unanimously.**

VIII. REPORTS

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

IX. EXTENDED PUBLIC COMMENTS – None

X. ADJOURNMENT

Without objection, the meeting adjourned at 8:04pm.

Respectfully submitted,



Stacey Fedewa, AICP
Acting Recording Secretary