

SPECIAL MEETING MINUTES
GRAND HAVEN CHARTER TOWNSHIP
PLANNING COMMISSION

May 3, 2021

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, Taylor, Reenders, Hesselsweet, Wagenmaker, Mesler and Lemkuil

Members absent: Chalifoux

Also present: Community Development Director Fedewa, Associate Planner Hoisington, and Attorney Bultje

Motion by Reenders, supported by Wilson, to **approve the amended agenda** and to move item XIII.C – Site Plan Review- Ground-Mounted Solar Array to item IX.A, and item IX.A – Text Amendment – Minimum Dwelling Unit Sizes to item IX.B. **Which motion carried unanimously**, as shown by the following roll call:

Ayes: Cousins, Wilson, Taylor, Hesselsweet, Wagenmaker, Reenders, Mesler, Lemkuil

Nays: None

Absent: Chalifoux

Without objection, Cousins instructed Hoisington to record the minutes.

III. STATEMENT ON REMOTE MEETING

It was noted the Planning Commission was meeting remotely on the Zoom platform because of health concerns associated with COVID-19 pandemic. Information on this remote meeting has been posted so that the public may participate. All officials present noted they are meeting remotely and are located within Grand Haven Charter Township.

IV. APPROVAL OF MINUTES

Without objection, the minutes of the March 15, 2021 meeting were approved.

Without objection, the joint Board minutes of April 19, 2021 were approved.

Without objection, the minutes of the April 21, 2021 meeting were approved.

V. CORRESPONDENCE

- Vera Armstrong - 13487 Hidden Creek Dr – SLU – Open Air Business – Oppose
- Terry & Peggy Berens – 16607 Ferris St – SLU – Open Air Business – Support
- Paul & Gwen Bierman – 13040 Always Ln – SLU – Open Air Business – Support
- Paul & Brenda Curtis – 13457 Hidden Creek Court – SLU – Open Air Business – Oppose

- Dennis Cuti – 13311 Hidden Creek Dr – SLU – Open Air Business – Oppose
- Mary Doane – 13642 Hidden Creek Ct – SLU – Open Air Business – Oppose
- Richard Edwards – 13224 Hidden Creek Dr – SLU – Open Air Business – Oppose
- France – Voicemail – No Address Provided – SLU – Open Air Business – Support
- Bryan Hildreth – No Address Provided – SLU – Open Air Business – Support
- Brandon & Sarah Kaines – 13257 Hidden Creek Dr – SLU – Open Air Business – Oppose
- Mary & Andreas Koller – 13246 Hidden Creek Dr – SLU – Open Air Business – Oppose
- Bob & Julie Koning – 13210 Hidden Creek Dr – SLU – Open Air Business – Oppose
- Michael Lamkin – 13321 Hidden Creek Dr – SLU – Open Air Business – Oppose
- Sandra Ledbetter – 1345 Taylor Ave – SLU – Open Air Business – Support
- Ben Lillmars – 13263 Hidden Creek Dr – SLU – Open Air Business – Oppose
- Mary Miel – No Address Provided – SLU – Open Air Business – Support
- James & Sandra Miller – 13465 Hidden Creek Ct – SLU – Open Air Business – Oppose
- Linda Namenye – No Address Provided – SLU – Open Air Business – Support
- Joe & Elaine O’Neill – 1805 Wisconsin St – SLU – Open Air Business – Support
- Mitch Pratt – 13075 Always Ln – SLU – Open Air Business – Support
- Kitty Rauschert – 13759 Hofma Dr – SLU – Open Air Business – Support
- Donald Reis – 13213 Hidden Creek Dr – SLU – Open Air Business – Oppose
- Tim Reynolds – No Address Provided – SLU – Open Air Business – Support
- Susan Robertson – 13252 Hidden Creek Dr – SLU – Open Air Business – Oppose
- Scott Silberzahn – No Address Provided – SLU – Open Air Business – Support
- Edward & Pamela Tysman – 13360 Hidden Creek Dr – SLU – Open Air Business – Oppose
- Elizabeth Reynolds – 15322 Channel Rd – SLU – Open Air Business – Support

VI. PUBLIC COMMENTS – None

VII. PUBLIC HEARING

A. Special Land Use – Open Air Business – vandenBerg Excavating

Cousins opened the hearing at 7:13pm.

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

The applicant and owner, Susan vandenBerg, her son and business partner, James vandenBerg, manager John Helder, and project engineer Andrew Rossell, PE were present to provide information.

- Established the excavating business 40 years ago. In order to sustain the business, it was moved to its current location 30 years ago.

- Current business sells goods to contractors and delivers to homeowners but have experienced a demand by individuals who would like to pick up the products themselves.

The correspondence received as part of the public hearing notice was read into the record.

Following the initial discussions, the Chair opened the public comment period:

- Richard Edwards – 13224 Hidden Creek Dr
 - Submitted a letter of correspondence, questioned staff if one had been received from Lamkin.
- Bob Koning – 13210 Hidden Creek Dr
 - Opposes the proposed business.
 - Lives nearby and shared concerns over traffic and appearance.
- John Helder – 15890 Robbins Rd
 - Manager of vandenBerg Excavating
 - Asserted traffic is not currently an issue and would not become one in the future.
 - Noted the business predates the Hidden Creek Subdivision.
- Bill Trap – 13597 Hidden Creek Ct
 - Shared concern about impact on traffic on Ferris St and within Hidden Creek subdivision.
- Tim Reynolds – 14442 Stillwater Dr
 - Supports the business and their role in the local economy.

There being no further comments, Cousins closed the hearing at 8:00pm

B. Special Land Use – Zoning Text Amendment – Open Air Business

Cousins opened the hearing at 8:00pm.

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

There being no further comments, Cousins closed the hearing at 8:05pm

VIII. OLD BUSINESS

A. Special Land Use – Open Air Business – vandenBerg Excavating

The Planning Commission noted the following points of discussion:

- Questions about the hours of operation.
 - Proposed hours are Monday to Friday between 8:00am – 6:00pm and Saturday from 8:00am – 2:00pm.
- Noted concern over traffic

- Asked if a deceleration lane would be feasible.
 - Not required by the OCRC.
- Should widen driveway to 24-feet.
- Suggestion to flip the site design to have the business access on the south part of the existing drive, farther away from the road to avoid traffic back-ups.
- Acknowledged concerns of neighboring property owners.
- Discussed screening requirements, consensus to increase the height of the berms.
- Conversation about potential pollution from products on site.
 - Helder assured that any dyes used in products are tolerable for any soil.
 - Proposed to use asphalt millings for parking surface, the Planning Commission agreed that the drive into the site should be asphalt paved.
 - The OCWRC has reviewed the plans and is only requiring a culvert under the driveway.
- Asked how products would be unloaded on site.
 - James vandenBerg explained the products are unloaded into the receptacle directly from the delivery truck, rather than unloaded elsewhere on site and brought over.
- Commissioners had questions on the existing business and the US-31 Overlay Zone and what was required to come into compliance.
- Attorney Bultje clarified the applicant may request that only a portion of the property be used for a special land use.

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

1. Provide a revised site plan with the site “flipped” so the access drive would be on the south side of the existing driveway.
2. The entry driveway shall be increased to 24’ in width and be paved asphalt.
3. Increase the height of the berms to 2-3 feet.
4. The hours of the business shall be limited to 8:00am-6:00pm Monday-Friday and 8:00am-2:00pm on Saturday.
5. Restocking shall only occur during business hours and not when customers are outside their vehicles.

Which motion carried unanimously, as shown by the following roll call:

Ayes: Cousins, Wilson, Taylor, Hesselsweet, Wagenmaker, Reenders, Mesler, Lemkuil,

Nays: None

Absent: Chalifoux

B. Special Land Use – Zoning Text Amendment – Open Air Business

The Planning Commission noted the following points of discussion:

- Clarified the special land use would only be allowed in C-1, C-2, and I-1 Districts.
- Removed a section to allow Planning Commission to approve any use that was not already described in the ordinance.
- Amended the proposed text amendment to require an appropriate method of containing windblown debris.

Motion by Taylor, supported by Mesler, to recommend the Township Board **approve** the proposed zoning text amendment ordinance with draft date of 4/29/2021 concerning Open Air Businesses with the amendments as discussed in the meeting. **Which motion carried unanimously**, as shown by the following roll call:

Ayes: Cousins, Wilson, Taylor, Hesselsweet, Wagenmaker, Reenders,
Mesler, Lemkuil
Nays: None
Absent: Chalifoux

IX. NEW BUSINESS

A. Site Plan Review – Ground-Mounted Solar Array – City of Grand Rapids

Fedewa provided an overview through a memorandum dated April 28th.

Representatives from the City of Grand Rapids, Alison Sutter – Sustainability and Performance Management Officer and Wayne Jernberg – Water System Manager were present as were staff from CMS Energy, Krishnan Kandasamy – Director of Strategic Projects and Julio Morales – Executive Director. Andrew Fraser from Golder Associates was present to provide expertise for the solar glare study. The following information was presented:

- Glare study is being redone again with new information about the anti-glare coating and proposed landscaping.
 - Fraser does not expect to see a significant change with the new study. It is expected the time period for glare may increase slightly, but the intensity would decrease from yellow to green.
- Very difficult to achieve solar arrays without any glare but are able to minimize negative impact with landscaping.
 - Can provide site-specific glare analysis once installed, and can determine if additional landscaping is necessary to block the glare.
- Expect the solar array lifespan to be around 25 years but may last as long as 35 years.
- Desire is to have construction completed by Fall 2021, ZBA requires landscaping to be completed in June 2022.

The Planning Commission noted the following points of discussion:

- Questions over landscaping.
 - 3' berm required by ZBA.
 - Proposed transplanted trees may not survive.
- Concern over glare impacting neighboring properties.
 - Attorney Bultje advised the ordinance would not need to be amended, rather the language says, “no impact,” not “no glare.” The ordinance could be amended to include a statement about detrimental impact.
 - Decided if there is a negative impact on neighboring properties the applicant will need to resolve the issue.

Motion by Wilson, supported by Hesselsweet, to **conditionally approve** the Site Plan Review application to install a 2.9-acre nearly one megawatt ground-mounted solar array at the City of Grand Rapid’s Lake Michigan Filtration Plant located at 11177 Lakeshore Drive. Approval is based on the application meeting the requirements of the Zoning Ordinance. This motion is subject to, and incorporates, the following conditions and report.

1. Landscape berm shall have a minimum height of 3-feet.
2. Supply documentation showing the planting list is substantially native to Michigan.
3. Annually, provide a copy of the MSU Pollinator Scorecard to the Township
4. Revise the glare study to ensure no impact on public roadways or residential dwellings.
5. All required landscaping, including the pollinator field, shall be installed by June 1, 2022.
6. Provide an irrigation plan to the Planning Commission to ensure the required landscaping is appropriately watered to ensure its long-term health and viability.
7. Signage shall comply with the minimum necessary for safety and those required by other agencies
8. Provide a copy of the Soil Erosion and Sedimentation Control permit prior to beginning construction.
9. The applicant shall comply with all of the information submitted to the Township to support the site plan review request. These materials shall control over the earlier material associated with the variance if inconsistent.

Which motion carried unanimously, as shown by the following roll call:

Ayes: Cousins, Wilson, Taylor, Hesselsweet, Wagenmaker, Reenders, Mesler, Lemkuil,

Nays: None

Absent: Chalifoux

REPORT – SITE PLAN REVIEW – GROUND MOUNTED SOLAR ARRAY – CITY OF GRAND RAPIDS

1. The application meets the site plan review standards of Section 18.07.G 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. 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 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.
 - 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. Fences, walls, barriers, and/or 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 Township Subdivision Control Ordinance, the Ottawa County Road Commission and/or Michigan Department of Transportation specifications, as appropriate, unless developed as a private road in accordance with the requirements for private roads in the codified ordinances of the Township.
 - I. Sidewalks or pathways shall be deemed to be required along all public and private roadways unless the applicant provides compelling evidence, in the opinion of the Planning Commission, that they are not necessary for pedestrian access or safety.
 - 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. Lighting is minimized to reduce light pollution and preserve the rural character of the Township.
 - 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. As appropriate, fencing has been required by the Planning Commission around the boundaries of the development to minimize or prevent trespassing or other adverse effects on adjacent lands.
- P. The general purposes and spirit of this Ordinance and the Master Plan of the Township are maintained.

B. Discussion – Text Amendment – Minimum Dwelling Unit Sizes

Fedewa provided an overview through a memorandum dated April 29th.

The Planning Commission noted the following points of discussion:

- Disagreement over what minimums are appropriate.
 - Wagenmaker believes the Board would like to revert back to the numbers in the 1999 edition of the Zoning ordinance.
- Concern the smaller size would cause duplexes to be created out of existing single family homes.
- Suggestion to meet in the middle and increase AG, RP, and RR, to a minimum 1100 sqft, R-1 to 950 sqft, and R-2 kept at the current minimum of 800 sqft. Also keeping multi-family dwellings at a minimum 500 sqft.
- Directed staff to set a public hearing for June 7th with the suggested changes to the text amendment.

X. REPORTS

- A. Attorney’s Report – none
- B. Staff Report – none
- C. Commissioner Comments – none

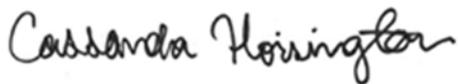
XI. EXTENDED PUBLIC COMMENTS – None

XII. ADJOURNMENT

Motion by Hesselsweet, supported by Wilson, to **adjourn** the meeting at 10:15pm.

Which motion carried unanimously, as shown by the following roll call:

Ayes: Cousins, Wilson, Taylor, Hesselsweet, Wagenmaker, Reenders, Mesler, Lemkuil,
Nays: None
Absent: Chalifoux



Cassandra Hoisington
Acting Recording Secretary