

MEETING MINUTES  
GRAND HAVEN CHARTER TOWNSHIP  
PLANNING COMMISSION  
June 21, 2021

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, Chalifoux, Reenders, Hesselsweet, Wagenmaker, Mesler and Lemkuil

Members absent: Taylor

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

**Without objection**, Cousins instructed Hoisington to record the minutes.

III. PLEDGE TO THE FLAG

IV. APPROVAL OF MINUTES

**Without objection**, the minutes of the June 7, 2021 meeting were approved.

V. CORRESPONDENCE

Don Reis – 13213 Hidden Creek Drive, Grand Haven, MI 49417

- Opposes the vandenBerg special land use application.
- Believes approval would be an instance of spot zoning.

VI. PUBLIC COMMENTS

Russ Doane – 13462 Hidden Creek Ct, Grand Haven, MI 49417

- Opposes the vandenBerg Excavating application due to an anticipated adverse impact on the Hidden Creek Neighborhood.
- Opposes the proposed text amendment for outdoor businesses.

Richard Edwards – 13224 Hidden Creek Ct, Grand Haven, MI 49417

- Opposes the vandenBerg Excavating application.
- Believes it will negatively impact surrounding residents due to potential for noise and pollution.

Don Reis – 13213 Hidden Creek Drive, Grand Haven, MI 49417

- Submitted letter of correspondence.
- Former urban planner.

- Believes approval of the vandenBerg Special Land Use application violates the future land use map and would be spot zoning.

Susan Robertson – 13252 Hidden Creek Drive, Grand Haven, MI 49417

- Was on the Planning Commission during the time when a similar use was established on US-31.
- Noted many issues with violations from the special land use, but the new owners have been doing a good job.
- Believes the Township does not have a good history of enforcing conditions of approval for special land uses.

Dan Bradbury – 13490 Hidden Creek Court, Grand Haven, MI 49417

- Opposes the vandenBerg Excavating application.
- Shared concerns over traffic congestion on Ferris Street and the potential impact on young drivers.

Attorney Bultje clarified two subjects:

- The special land use application is not an example of spot zoning because the land is not being rezoned.
- A text amendment does not rezone a property.

## VII. PUBLIC HEARING

### A. Rezoning – Stillwater Development – Winans Street – AG to RR

Cousins opened the hearing at 7:13pm.

Fedewa provided an overview through a memorandum dated June 15<sup>th</sup>.

The applicant, Kelly Kuiper of Stillwater Development, was present to answer any questions and provided the following information:

- The requested application is consistent with the future land use designation of Rural Residential.
- The parcel is bisected by Little Pigeon Creek and has significant wetlands and floodplains present.
- The parcel is granted up to 9 divisions by right, but divisions are limited by the lot width/depth ratio requirements. The 6 proposed lots maximize the buildable land for sellable parcels.
- Is agreeable to a contract rezoning based on the proposed divisions.

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

Harold Englund – 10568 168<sup>th</sup> Avenue, West Olive, MI 49460

- Property has wetlands, floodplains, and is a spring fed cold water stream that are essential for spawning.

- Shared concerns about protecting the natural resources on site.

Laura Newman – 10574 168<sup>th</sup> Avenue, West Olive, MI 49460

- Enjoys the peace and quiet that exists in the area.
- Noted the presence of a variety of animal species in the area that need to be protected.

Dave Newman – 10574 168<sup>th</sup> Avenue, West Olive, MI 49460

- Adjacent property owner.
- Enjoys the wildlife in the area.
- Shared concerns about over developing the area.

Dean Reisner – 16555 Pierce Street, West Olive, MI 49460

- Adjacent property owner.
- Rural Residential is not appropriate zoning for the area.
- Lack of utilities in the area.
- The area is not ripe for development yet – a similar lot was planted as a blueberry field and is expected to remain in that state for many years.
- The proposed divisions are not binding after the rezoning.

Jon Bagley – 16552 Winans Street, West Olive, MI 49460

- Notes the remainder parcel is almost entirely encumbered by floodplains.
- Questioned if it was feasible to build on the remainder parcel.

There being no further comments, Cousins closed the hearing at 7:31pm.

## VIII. OLD BUSINESS

### A. Rezoning – Stillwater Development – Winans Street – AG to RR

The Planning Commission asked Attorney Bultje to explain contract rezoning.

- The proposed land division plan that accompanies the rezoning application is non-binding. If the rezoning is approved the applicant may propose divisions that do not match the layout.
- Contract rezoning must be initiated by the applicant but can include written conditions that the Planning Commission may either accept or reject.
- The contract rezoning “runs with the land” and is binding on future owners.
- The Planning Commission may consider a contract rezoning to be a good solution if the applicant is willing to include the division information in a request for a contract rezoning.

The Planning Commission noted the following points of discussion:

- Shared concerns about overdeveloping the area when it may not be ripe for development.
- Discussed the buildable areas on the various lots.

- Discussion over the differences in Rural Residential, Rural Preserve, Planned Unit Development's and land division rights.
- Expressed concern about the potential for a driveway to be built over the creek on the Remainder parcel. Not in favor of any private roads being constructed. Prefer easement access on a parcel abutting Pierce Street.
- Open to contract rezoning to lock in parcel divisions as proposed by the applicant.
- Consensus to accept applicants offer of a conditional rezoning. Must table to await the written offer.

**Motion** by Wagenmaker, supported by Hesselsweet, to **table** the Stillwater Development rezoning application to await a written request for a contract rezoning agreement that includes proposed conditions. The agreement would be drafted by the Township Attorney for consideration by the Planning Commission. **Which motion carried unanimously.**

B. Text Amendment – Minimum Floor Area per Dwelling Unit

Fedewa provided an overview through a memorandum dated June 17<sup>th</sup>.

Fedewa shared comments from Commissioner Taylor who was not present at the meeting. Strongly disagrees with the proposal to increase minimum floor areas. No evidence of lower home values. Support from local realtors on current size. Not all Board members agree that a lower minimum floor area is needed.

The Planning Commission noted the following points of discussion:

- Suggestion to wait on the text amendment until revisions to the Township Master Plan are completed so the topic can be addressed in more detail.

**Motion** by Wagenmaker, supported by Wilson, to **schedule a public hearing** for the proposed zoning text amendment ordinance concerning Minimum Floor Areas for Dwelling Units. Sizes are as follows: AG, RP, RR, R-1 = 1,100 sqft; R-2 = 960 sqft.

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

Ayes: Wilson, Hesselsweet, Chalifoux, Wagenmaker, Reenders, Mesler

Nays: Cousins and Lemkuil

Absent: Taylor

C. Text Amendment – Outdoor Storage

Fedewa provided an overview through a memorandum dated June 17<sup>th</sup>.

The Planning Commission noted the following points of discussion:

- Discussion over the terminology “undue hardship” in Section 12.34.A.5. Bultje recommended to provide more specific language to better define situations where discretion is merited.

- Questioned if a 100-foot setback is typical. Fedewa confirmed it is typical and helps prevent a “takings” case.

**Motion** by Wagenmaker, supported by Reenders, to direct staff to schedule a public hearing for the proposed zoning text amendment ordinance concerning Outdoor Storage that includes the revisions to Section 12.34.A.5 to provide guidance on when discretion should be utilized. **Which motion carried unanimously.**

IX. NEW BUSINESS

- A. Training Video – Roles & Responsibilities – CANCELED
- B. Training Video – Housing – CANCELED

X. REPORTS

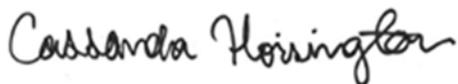
- A. Attorney’s Report – None
- B. Staff Report
  - Fedewa researched connection with NOWS for a possible sewer connection on Fillmore Street and determined it was not possible.
- C. Commissioner Comments – None

XI. EXTENDED PUBLIC COMMENTS – None

XII. ADJOURNMENT

**Without objection**, the meeting adjourned at 8:34 pm.

Respectfully submitted,



**Cassandra Hoisington**  
Acting Recording Secretary