

Crockery Township

Regular Planning Commission Meeting
January 21, 2020
Approved Minutes

Chairman Bill Sanders called the meeting to order at 7:31 P.M. Roll call was taken with Commissioners Dave Meekhof, Jon Overway, Bill Sanders, Ryan Arends, Rich Suchecki, and Mike Munch present. Z.A. Robert Toland was also present for this meeting.

Commissioner Roy Holmes was absent.

There were twelve persons seated in the public gallery.

Agenda Item 2. Approval of the Agenda

Approved as submitted.

Agenda Item 3. Approval of Minutes

The Commission reviewed the minutes from the December 17, 2019, Regular Planning Commission Meeting. A **motion** was made to approve the minutes, as written, by Commissioner Mike Munch. A 2nd was offered by Commissioner Ryan Arends. The motion was unanimously approved.

Agenda Item 4. Announcements

Commissioner Suchecki advise the Board had recently approved the recommended private drive standards.

Agenda Item 5. Communications

None.

Agenda Item 6. Public Comment

Chairman Bill Sanders asked for public comment. None was offered at this time.

Agenda Item 7. Action Items

A. Public Hearing – Section 6 Rezoning.

The Planning Commission has determined on its own initiative to rezone certain parcels in Section 6 of the Township from I-1 light Industrial to R-1 Low Density Single-Family Residential, and, to rezone certain parcels in Section 6 of the Township from R-1 Low Density Single-Family to R-2A Low Density Single-Family Residential.

Chairman Sanders opened the public hearing.

Mr. Toland advised there are several parcels in Section 6 that have been partially or wholly listed as Light Industrial. The partially (Industrial) zoned lots are found on 144th Avenue and are currently utilized as residential use properties. The wholly zoned (Industrial) parcel is found on Hickory Street and has a history of industrial use. All of the industrial zoned parcels mentioned are isolated and found within residentially zoned neighborhoods.

Mr. Toland further advised the parcels found within the triangle of Apple Drive, 144th Avenue, and Taft Street are residential in nature and many (approximately one third) are undersized, legal non-conforming lots.

Chairman Sanders opened public comment.

Mr. Chris Cumberworth questioned the proposed R-2A zoning designation, which would allow smaller lots within the triangular area (listed above). Mr. Cumberworth stated the area is generally wet and there is no public sewer for potential developments.

The Commission advised Mr. Cumberworth the proposed zoning change to R-2A would accurately reflect the current state of the neighborhood and bring many of the parcels back into conformance with zoning regulations.

Mr. Dave Willis provided some historical insight on the partially (industrial) zone lots on 144th Avenue.

After all public comments were heard, Chairman Sanders closed public comment.

The Commission advised the residential and industrial designations in Section 6 have been studied for several months. The Commission believes the proposed zoning designations accurately reflect the actual, present use and would better serve the neighborhood.

After all interested parties were heard, and all discussion complete, Commissioner Dave Meekhof made **a motion, via resolution**, to recommend to the Township Board, that the proposed rezoning for certain parcels found within Section 6 of the Township, from I-1 Light Industrial to R-1 Low Density Single-Family Residential, and, from R-1 Low Density Single-Family Residential to R-2A Low Density Single-Family Residential be approved. A 2nd was

offered by Commissioner Mike Munch. The motion was unanimously approved by the Commission.

B. Public Hearing – Fillmore SLU – Accessory Dwelling.

Thomas and Maria Fillmore have made a request for a Special Land Use permit to construct a 1,920 SF accessory building, incorporating a 960 SF dwelling space, on their parcel #70-04-11-300-023, 19.35 acres, located at 17932 112th Avenue. This parcel is currently zoned Ag-2 Rural/Agricultural Preserve.

Documents received by the Commission for this hearing include; (1) a Planning and Zoning Review by Z/A Toland, dated January 21, 2020, discussing this proposal, (2) a review by Max Bjorkman, REHS, Ottawa County Department of Public Health, dated October 16, 2019, discussing septic and water arrangements, (3) two sketch drawings of the proposed accessory building footprint, including an aerial view, and (4) an Ottawa County GIS aerial of the lot and surrounding parcels.

Chairman Sanders opened the public hearing.

Thomas and Maria Fillmore were present for this hearing.

Mr. Toland provided a lead-in to the discussion by reiterating the information found in his Planning and Zoning review, indicating the Fillmore parcel (70-04-11-300-023) is 19.35 acres in size and is currently zoned Ag-2 Rural/Agricultural Preservation. Mr. Toland stated the Fillmore's are proposing to construct a 1,920 SF accessory building that would contain a 960 SF accessory dwelling, which meets current zoning regulation. Mr. Toland further advised the accessory building/dwelling will be connected to public water and the existing septic system has been approved for use by the Ottawa County Health Department (document provided). Mr. Toland indicated the dwelling space is restricted to family or domestic help only.

Maria Fillmore discussed the location and appearance of the proposed structure with the Commission. Mrs. Fillmore advised the dwelling portion would initially be used by her daughter, a university student, and that future use may include caring for their (Tom and Maria Fillmore) elderly parents.

Chairman Sanders opened public comment.

Andy Groenink asked if the parcel would be split after construction of the accessory building/dwelling.

The Fillmore's stated they have no intent to split the parcel. It was noted the proposed accessory building site would make the parcel difficult to split. Further, the current zoning criteria would not allow for a split (Ag-2 requires a 10-acre minimum parcel size).

After all interested parties were heard, Chairman Sanders closed public comment.

The Commission discussed this proposal at length, including set-back and structure appearance issues with the Fillmores. The commission felt the proposal was acceptable and reminded the Fillmores of the dwelling occupant limitations.

After all interested parties were heard, and all discussion complete, Commissioner Rich Suchecki made a **motion, via resolution**, to approve the Special Land Use permit, requested by Thomas and Maria Fillmore, for construction of an 1,920 SF accessory building, incorporating a 920 SF dwelling place, on parcel 70-04-11-300-023, located at 17932 112th Avenue, contingent upon the Township receiving a legal affidavit signed by Thomas and Maria Fillmore, recognizing the restrictions associated with occupant use of the incorporated dwelling. A 2nd was offered by Commissioner Ryan Arends. The motion was unanimously approved by the Commission.

C. Public Hearing – Zoning Amendments – Lot depth to width ratio, adjacent nonconforming lots, parcel size discrepancy for AG buildings in AG zoning districts, and small accessory building.

The Planning Commission has determined on its own initiative to revise certain provisions in the Crockery Township Zoning Ordinance, specifically;

Amend Article 3, Maximum Lot Depth to Width Ratio; Non-conforming Lots under Common Ownership; Repeal a portion of Section 3.13, amend Section 3.02.4B and, Section 3.02.6 Accessory Buildings, revise alpha-numeric order in the subsections of Section 19.13, and amend Section 19.14.

Chairman Sanders opened the public hearing.

The draft document of the proposed zoning amendments was discussed at length by the Commission.

Chairman Sanders asked for public comment.

Mr. Dave Willis felt the language found in the Maximum Lot Depth to Width Ratio, Section 2. Non-conforming Lots under Common Ownership, was unnecessarily restrictive.

The Commission discussed the language with Mr. Willis and Commissioner Meekhof further noted a potential conflict with Section 23.10 that may need to be taken into consideration.

After hearing all interested parties, Chairman Sanders closed public comment.

Due to issues raised when reviewing the draft, the Commission asked for further clarification and information before proceeding.

A **motion**, was made by Commissioner Mike Munch to table this proposal until February 18, 2020, where further information may be presented. A 2nd was offered by Commissioner Rich Suchecki. The motion was unanimously approved by the Planning Commission.

Agenda Item 8. Presentations

A. Site Plan Review – Price Right Auto Sales – Rezone, Intent to hold a Public Hearing.

The Planning Commission has received a request from John Stuyfzand to rezone parcel 70-04-16-400-010 (3 acres), located at 12257 Cleveland Street, from C-1 Neighborhood Commercial to C-3 Highway Commercial. The request is consistent with the Township's Master Plan (future land use mapping).

Documents received by the Commission in this matter include; (1) a site plan by Feenstra and Associates, Inc., Civil Engineers and Surveyors, 7482 Main Street, Jenison, Michigan, 49428, 616 457-7050, by Adam Feenstra, dated January 16, 2020.

Mr. Toland advised, due to the nature of the proposed business, a zoning change would have to take place, prior to a site plan review, for the business to be conforming. The proposed zoning change is consistent with the Master Plan.

Commissioner Ryan Arends made a **motion, via resolution**, to hold a public hearing in this matter on Tuesday, February 18, 2020, at the Township Hall, at 7:30 P.M. A 2nd was offered by Commissioner Dave Meekhof. The motion was unanimously approved by the Commission.

Agenda Item 9. Discussion Items

A. Discuss areas for potential rezoning.

No further discussion at this time.

B. Discuss zoning amendment for 1500 plant growers.

The Township Board has indicated an existing medical marijuana grower business has an interest in expanding the number of plants it may grow.

Therefore, the Planning Commission has suggested revisions to certain provisions in the Crockery Township Zoning Ordinance, specifically;

Amend Section 11.02.5 of the Zoning Ordinance of the Township of Crockery to read in its entirety as follows; A Medical Marijuana Grower Facility established by the holder of a Township Medical Marijuana grower facility permit and which has been issued a Class A Medical Marijuana Grower State Operating License that is valid and effective.

Commissioner Mike Munch made a **motion, via resolution**, to hold a public hearing in this matter on Tuesday, February 18, 2020, at the Township Hall, at 7:30 P.M. A 2nd was offered by Commissioner Dave Meekhof. The motion was unanimously approved by the Commission.

C. Review Draft of Planning Commission Annual Report.

Mr. Toland provided a draft of the Planning Commission Annual Report for review. Further discussion to occur on February 18, 2020.

D. Planning Commissioner Training Opportunity.

Mr. Toland provided Commissioners with several up-coming training opportunities.

Agenda Item 10. Adjournment

A **motion** to adjourn was made by Commissioner Mike Munch at 8:54 P. M. A 2nd was offered by Commissioner Ryan Arends. The motion was unanimously approved.

Respectfully Submitted,

Jon C. Overway, Secretary
Crockery Township Planning Commission

Next Regular Meeting - February 18, 2020

Next Special Meeting - TBD