

Crockery Township

## **Regular Planning Commission Meeting**

**March 17, 2020**

**Approved Minutes**

Chairman Bill Sanders called the meeting to order at 7:30 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 and Attorney Ron M. Redick were also present for this meeting.

Commissioner Roy Holmes was absent.

There were six 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 February 18, 2020, Regular Planning Commission Meeting. A **motion** was made to approve the minutes, as written, by Commissioner Ryan Arends. A 2<sup>nd</sup> was offered by Commissioner Mike Munch. The motion was unanimously approved.

### **Agenda Item 4. Announcements**

Commissioner Suchecki advise the Board is moving forward, working with the DNR, to make progress on the North Bank Trail. The Board is also interested in creating zoning ordinance and regulation that will allow for adult recreational marijuana use. Additionally, the Board approved a per diem rate increase for Planning Commission members.

### **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. Zoning Amendment – Private Street Maintenance Agreement.**

The Commission reviewed and discussed the final draft language presented by Mr. Toland. The Commission found the language in the proposed draft acceptable.

Amend Section 3.35.2, Private Street Application Requirement, regarding a road maintenance or restrictive covenant agreement, and, Section 3.35.9, Existing Private Streets and Easements, regarding private streets extended in length being brought into compliance with a turn-around provided at end of the private street.

Chairman Bill Sanders asked for public comment in this matter.

George Czinder inquired on paving regulations for new private streets. Mr. Czinder was informed the Township does have regulation in place for requiring pavement under certain circumstances.

Don Jablonski inquired on the paving of easement drives. Mr. Redick responded that virtually all private streets are easements and the Township standards for pavement would apply. Mr. Redick further stated that all private streets must be maintained, at a minimum, for safe vehicular traffic, and that all parties benefitted by the drive are essentially responsible for maintenance.

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

The Commission has studied this issue and believes it is ready to forward for Board consideration. The language found in this amendment allows the Township further authority in seeing repair and maintenance is accomplished for private streets.

Commissioner Ryan Arends made **a motion, via resolution**, to recommend to the Township Board the amendments to Section 3.35.2, Private Street Application Requirement, regarding a road maintenance or restrictive covenant agreement, and, Section 3.35.9, Existing Private Streets and Easements, regarding private streets extended in length being brought into compliance with a turn-around provided at end of the private street, be approved. A 2<sup>nd</sup> was offered by Commissioner Mike Munch. The motion was unanimously approved by the Commission.

### **B. Special Land Use – In-Depth Excavation LLC – PMR Permit Application – Public Hearing.**

In-Depth Excavation LLC, C/O Robert Holmen, has made a request for a Special Land Use permit for a Planned Mineral Removal from Parcels #70-04-16-300-001 & 70-04-16-300-002 to remove an estimated 168,000 cubic yards from an existing pond, 71,000 cubic yards from an area north of the existing pond, and 42,000 cubic yards from an area east of the existing pond, totaling 281,000 cubic yards. These parcels are currently zoned I-1 light Industrial.

Documents provided to the Commission at this time include; (1) a Site Plan by Nederveld, 347 Hoover Blvd., Holland, Michigan, 49423, 616 393-0449, by WDS, Dated February 2, 2020, Project #19201202, (2) a Crockery Township Zoning Application, signed by Robert Holmen, In-Depth Excavation, dated February 11, 2020, (3) a Project Narrative, dated February 13, 2020, (4) a Planning and Zoning Review by Z/A Robert Toland, dated March 17, 2020, discussing this issue, (5) a Review by Kevin S. Kieft, PE, Prein & Newhof, Engineers for the Township, dated March 5, 2020, discussing this proposal, and (6) Real Estate Summary Sheets for parcels 001 & 002.

Mr. Mike Baker of Nederveld and Mr. Robert Holmen of In-Depth Excavation were present representing the Jeanette-Steven Waite Trust.

Chairman Bill Sanders opened the public hearing.

Commissioner Dave Meekhof requested to be excused from this discussion as his company will be involved in marketing the soil removed by the proposed excavations. Chairman Sanders granted Commissioner Meekhof's request, citing a conflict of interest. Commissioner Meekhof took a seat in the public gallery.

Mr. Baker provided an overview of the proposed project using the site plan, and explained the three (3) specific areas of excavation.

Mr. Holmen further discussed the methods of excavation, the access road location, the movement of soil offsite onto the Meekhof property, and the permits being sought and/or obtained from local and State authorities. Mr. Holmen stated there would be no haul route, the excavated material would be moved directly onto the adjacent Meekhof property without public roadway travel, and deposited to the west of a high-pressure gas main to avoid this obstacle.

The Commission, Mr. Toland, and Mr. Redick discussed the details of the proposal with Mr. Baker and Mr. Holmen at considerable length, reviewing matters cited in the Prein & Newhof assessment, Mr. Toland's Planning and Zoning Review, and the site plan.

As a result of these discussions, the Commission will ask for further documentation, clarification, and materials from the applicant.

This would include, but is not limited to;

The trustee(s) of the Jeanette-Steven Waite Trust be signatory to the PMR application to the Township.

The subject parcels (001 & 002) be combined into a single parcel.

A letter from Meekhof Holding Co., Inc. agreeing to be party to the offsite maintenance of stockpiled excavated material.

Provide to the Township documentation and/or agreements of all necessary State and local permits, performance guarantee fees, required insurance, Township application and surveillance fees, as may be required by the Township.

Correct site plan detail to match cross-section data.

Propose fencing, post markers, postings, acceptable to the Township.

State expected time-table dates of proposed project, including termination date.

Show required entrance/exit gate.

State finished acreage of completed ponds.

Chairman Sanders asked for public comment in this matter.

George Czinder encouraged the Township to verify the terms of agreement between the Township and the applicants, if the project is approved, by regular site visits.

Don Jablonski stated he supports the proposal. Mr. Jablonski further advised he believes the Township should correct the public posting for this hearing as there appears to be a discrepancy. Mr. Toland advised the discrepancy was corrected on the individual notices and will consider reposting the public notice.

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

After all discussion was complete and all interested parties heard, Commissioner Ryan Arends made a **motion**, to table this proposal until April 21, 2020, for additional information. A second was offered by Commissioner Rich Suchecki. The motion was unanimously approved.

C. Zoning Amendments (tabled) – Lot Depth to Width Ratio, Adjacent Non-conforming Lots, Parcel Size Discrepancy for AG Buildings in AG Zoning Districts, Small Accessory Building.

Commissioner Rich Suchecki made a **motion** to take this issue from the table and continue the discussion. A 2<sup>nd</sup> was offered by Commissioner Ryan Arends. The motion was unanimously approved.

The Commission continued to discuss and consider the draft language. The Commission, after listening to options provided by Mr. Redick and Mr. Toland, decided to strike from the draft the language related to non-conforming lots under common ownership, feeling that existing Section 23.10 was adequate in addressing Township needs.

The Commission felt the remaining proposed amendments were appropriate.

Commissioner Mike Munch made a **motion, via (amended) resolution**, to recommend to the Township Board the amendments to Article 3 Maximum Lot Depth to Width Ratio, repeal a portion of Section 3.13, amend Section 3.02.4.B, and Section 3.02.6 Accessory Building, revise alpha-numeric order in the subsections of Section 19.13, and amend Section 19.14, be approved. A 2<sup>nd</sup> was offered by Commissioner Dave Meekhof. The motion was unanimously approved.

D. Zoning Amendments – Adult Use Marijuana – Resolution to Set a Date for a Public Hearing.

The Board has indicated there is an interest in providing for recreational marijuana within the Township. The Planning Commission will take the proposed zoning amendments (draft provided) for Recreational Marijuana Establishments to a public hearing.

Commissioner Rich Suchecki made a **motion, via resolution**, to take this matter to a public hearing on Tuesday, April 21, 2020, at 7:30 P.M., at the Township Hall. A 2<sup>nd</sup> was offered by Commissioner Ryan Arends. The motion was unanimously approved by the Commission.

**Agenda Item 8. Presentations**

None.

**Agenda Item 9. Discussion Items**

A. Delegate authority to schedule meetings.

Mr. Redick advised the Planning Commission may wish to delegate authority to the Commission Chairperson to act in concert with the Township Supervisor to schedule meetings, including cancellations when public health is of concern.

Commissioner Mike Munch offered a **resolution** authorizing the Planning Commission Chairperson to act with the Township Supervisor in scheduling Commission meetings, including cancellations when public health is of concern. A 2<sup>nd</sup> was offered by Commissioner Ryan Arends. The resolution was unanimously approved by the Commission.

B. Mr. John Stuyfzand – Priced Right Auto Sales.

Chairman Sanders advised he had been in touch with Mr. Toland regarding a minor change to Mr. Stuyfzand's recently approved site plan. The change involved a 5' difference in the building site plan. This was felt to be a minor change and was approved.

This circumstance precipitated a discussion regarding site plan approval with contingencies. The Commission was agreeable to keeping contingencies to a minimum when approving future site plans.

C. Excused Absence from Meeting.

Chairman Sanders indicated excused absences from meetings will be limited to three (3) meetings per year and requests should be directed to him for record keeping purposes.

**Agenda Item 10. Adjournment**

A **motion** to adjourn was made by Commissioner Dave Meekhof at 10:17 P. M. A 2<sup>nd</sup> was offered by Commissioner Ryan Arends. The motion was unanimously approved.

Respectfully Submitted,

Jon C. Overway, Secretary  
Crockery Township Planning Commission

Next Regular Meeting - April 21, 2020

Next Special Meeting - TBD