

Crockery Township

**Regular Planning Commission Meeting**  
**November 26, 2019**  
**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, Mike Munch, and Roy Holmes present. Z.A. Robert Toland and Attorney Ronald M. Redick were also present for this meeting.

Commissioner Rich Suchecki was absent.

There were twenty-three persons seated in the public gallery.

**Agenda Item 2. Approval of the Agenda**

“Section 5” removed from Action Item 7. C.

**Agenda Item 3. Approval of Minutes**

The Commission reviewed the minutes from the October 15, 2019, Regular Planning Commission Meeting. A **motion** was made to approve the minutes, as written, by Commissioner Mike Munch. A 2<sup>nd</sup> was offered by Commissioner Roy Holmes. The motion was unanimously approved.

**Agenda Item 4. Announcements**

None.

**Agenda Item 5. Communications**

Mr. Toland advised the Commission that Mr. Patrick Harmon, of Naperville, Illinois, has requested an extension to complete construction of his (2) ponds, located at 10894 Garfield Drive. Mr. Harmon was present, with his attorney, Phillip B. Slot, and indicated this is primarily due to the consistent wet weather. Mr. Toland provided the Commission with copies of his letters to Mr. Harmon, dated October 12, 2018, and October 15, 2019, seeking further information and offering direction, as well as, a communication from Mr. Harmon’s attorney, Mr. Phillip B. Slot, dated October 22, 2019, responding to Mr. Toland’s request. Mr. Toland also provided the Commission with a detailed timeline regarding the Harmon pond(s) activity.

After discussing the issue with Mr. Harmon, the Commission agreed to extend the pond construction SLU permit. Copies of the SESC permits provided by Mr. Harmon.

**A motion** was made by Commissioner Roy Holmes to extend Mr. Harmon's SLU permit for the construction of two recreational ponds, on Parcel #70-04-35-100-002, located at 10894 Garfield Street, through June 30, 2020. A 2<sup>nd</sup> was offered by Commissioner Ryan Arends. The motion was unanimously approved by the Commission.

### **Agenda Item 6. Public Comment**

Mr. Patrick Harmon used this time to make a presentation of his intended plan for his property located at 10894 Garfield Street. Mr. Harmon advised he intends to farm the property and has started a modest operation by planting fruit trees, planting a test garden, planting ginseng in his woods, milling harvested timber, installing a small greenhouse, and raising chickens. Mr. Harmon further stated he intends to plant fish in his ponds as part of an attraction. Mr. Harmon provided picture boards of his activities for the Commission to view. Mr. Harmon stated he has filed farm income as a result of his activities on the property.

### **Agenda Item 7. Action Items**

#### **A. Brown – Rezoning R-2 to R-5 - Public Hearing.**

The Planning Commission has received a request from Rick and Francine Brown to rezone parcel #70-04-14-351-005 (4.4 acres), located at 11115 Cass Street, from R-2 Medium Density Residential to R-5 Village Mixed Use. This request is consistent with the Township's Master Plan (future land use).

Documents provided to the Commission for this hearing include; (1) a Planning and Zoning Review by Z/A Toland, dated November 26, 2019, discussing this proposal, (2) an Ottawa County GIS aerial of the subject parcel and surrounding parcels, and (3) a Crockery Township Zoning Application, requesting the zoning change, signed by Rick Brown, dated October 3, 2019.

Commissioner Roy Holmes requested to be excused from the Commission panel, indicating the applicants are family members. Chairman Sanders granted the request and Commissioner Holmes took a seat in the public gallery.

Chairman Sanders opened the public hearing. Rick and Francine Brown were not in attendance.

Mr. Toland provided a lead-in to the discussion, covering the points in his planning and zoning review, including lot location, access points, frontage, and comparisons of the R-2 and R-5 zoning regulations.

Chairman Sanders opened public comment.

Cathy Ames asked how many lots the subject parcel could be split into under the R-5 Village Mixed Use zoning. Mr. Toland advised a maximum of three (3) lots.

Hollee Kriger inquired about access to the property. The resulting discussion indicated points of access would include Cass Street and Plews Street. Driveways to any resulting residence(s) would likely be off Cass Street.

Denise Moon asked if duplex homes would be allowed. The Commission advised any allowances for the R-5 zoning would be permitted, including duplex homes.

Cathy Ames asked if rentals (duplex homes) would be prohibited. The Commission advised those allowances under R-5 zoning would not be prohibited, including duplex homes.

After all public comment was heard, Chairman Sanders closed public comment.

The commission discussed the proposal at length. It was further explained that this request dealt with the proposed zoning change and not the specific intention of what (allowable) construction might take place as a result of the proposed change. The Commission noted the request for R-5 Mixed Village Use zoning was consistent with the Township's Master Plan (future land use).

After all interested parties were heard and all discussion complete, Commissioner Dave Meekhof made a **motion, via resolution**, to approve the Brown's request to rezone Parcel #70-04-14-351-005, located at 11115 Cass Street, from R-2 Medium Density Single-Family Residential to R-5 Village Mixed Use, in accordance with the Township's Master Plan. A 2<sup>nd</sup> was offered by Commissioner Mike Munch. The motion was (unanimously) approved by Commissioners Meekhof, Overway, Sanders, Arends, and Munch (quorum met). Commissioner Holmes had temporarily stepped down due to a conflict of interest in this matter.

#### B. Zambetis – Private Street - Public Hearing.

The Planning Commission has received a request from Evan and Amanda Zambetis to construct a private street on parcels #70-04-19-400-018 and #70-04-30-200-035, running south off Leonard Road. The parcels are currently zoned Ag-2 Rural/Agricultural Preservation. The proposed private Street is less than 750 feet, and is intended to serve one residential parcel.

Documents provided to the Commission for this hearing include; (1) a Crockery Township Private Street Application submitted by Evan Zambetis, (2) a review by Prein & Newhof, dated November 21, 2019, discussing this proposal, (3) an Ottawa County GIS aerial of the subject parcels and surrounding properties, (4) an Ottawa County Road Commission Driveway Permit, issued September 12, 2019, Permit #760332, by Natasha Bullerk, (5) a drawing of the proposed private drive by Callen Engineering, Inc., 113 W. Savidge Street, Spring Lake, Mi., by JWC, amended November 22, 2019, and (6) a property survey by Milanowski & Englert Engineering and Surveying, Grand Haven, Michigan, showing two (2) 40 foot easements on (018) to the subject parcels, now (035),.

Evan and Amanda Zambetis were present for this hearing.

Chairman Sanders opened the public hearing.

Z/A Toland provided a brief history of the property, location information, regulations for private streets within Crockery Township, and noted there are two (2) existing forty (40) foot easements to parcel (035). The Zambetis' intend to utilize the shorter, westerly easement.

Mr. Zambetis stated he hopes to build a house on the property within two to three years and is dealing with the private street issue tonight.

Chairman Sanders asked for public comment.

Mr. Paul Richerd asked if the property (035) could be split. Mr. Toland explained that would require 150 of frontage for both lots, making a split unlikely. Mr. Richerd also inquired as to the property width requirements. Mr. Toland explained the one to four ratio requirements of both the Township and the State. Mr. Toland further explained the 40-foot easement is acceptable for private street under 750 feet in length.

After all public comment was heard, Chairman Sanders closed public comment.

The Commission discussed the proposal at length. The Commission found the proposal generally acceptable, however, would like more definition on the engineered drawing, particularly defining unlabeled hash marks. The Commission also expects the Prein & Newhof comments to be adhered to, but notes comment #3, describing the existing culvert, appears to be in error.

After all interested parties were heard and all discussion complete, Commissioner Roy Holmes made a **motion** to approve the Zambetis Private Street application, contingent on the Township receiving an improved, defined drawing of the private street, and adherence to the Prein and Newhof recommendations (exception point #3) in their review, dated November 21, 2019. A 2<sup>nd</sup> was offered by Commissioner Ryan Arends. The Commission unanimously approved the motion.

### C. Section 6 Rezoning – Resolution of Intent to Hold a Public Hearing.

The Planning Commission has determined on its own initiative to rezone six parcels, found in Section 6 of the Township, from I-1 Light Industrial to R-1 Low Density Residential. Additionally, the Commission on its own initiative, has determined those parcels found within the area of 144<sup>th</sup> Avenue, Apple Drive, and Taft Street, should be rezoned from R-1 Low Density Residential to R-2A Low Density Single-Family Residential.

Commissioner Mike Munch made a **motion, via resolution**, to hold a public hearing in this matter on Tuesday, January 21, 2020, at the Township Hall, at 7:30 P.M. A 2<sup>nd</sup> was offered by Commissioner Roy Holmes. The motion was unanimously approved by the Commission.

D. Fillmore SLU – Accessory Dwelling – Resolution to Hold a Public Hearing.

The Planning Commission has received a request from Maria and Thomas Fillmore for a Special Land Use permit to construct a 1920 SF accessory building, with a 960 SF accessory dwelling, on Parcel #70-04-11-300-023, located at 17932 112<sup>th</sup> Avenue. This parcel is currently zoned Ag-2 Rural/Agricultural Preservation.

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

**Agenda Item 8. Presentations**

None.

**Agenda Item 9. Discussion Items**

A. Discuss areas for potential rezoning.

Action taken above in 7. C.

B. Zoning Amendments – Lot depth to width ratio, adjacent non-conforming lots.

The Commission discussed draft language concerning lot ratios and non-conforming adjacent lots. Mr. Redick commented on issues of zoning, boundary adjustments, and SLU. The Commission found the draft acceptable and recommended it go to a public hearing.

Commissioner Mike Munch made a **motion**, to hold a public hearing in this matter on Tuesday, January 21, 2020, at the Township Hall, at 7:30 P.M. A 2<sup>nd</sup> was offered by Commissioner Roy Holmes. The motion was unanimously approved by the Commission.

C. Parcel Size Discrepancy for Ag Buildings in Ag Zoned Districts.

The Commission reviewed the current zoning language regarding accessory building in agriculturally zoned districts. The discrepancy occurs when larger parcels found within Ag-1 zoned districts, having less than 40 acres, and therefore non-conforming, cannot enjoy the same conditions applied to accessory buildings found in conforming Ag-2 zones, which require 10 acres or more. The non-conforming Ag-1 parcels, even though they may be sizable, are limited to residential, rather than Ag, building restrictions.

The Commission agrees that a rewrite of the zoning ordinance in this matter is warranted. Mr. Toland will prepare a draft amendment for future consideration.

D. Small Accessory Buildings Section 3.02 C.

The Commission reviewed the limitations regarding small accessory buildings of not more than 200 SF. Suggested amendments to setback and zoning permits were discussed. Mr. Toland will prepare a draft amendment for future consideration.

**Agenda Item 10. Adjournment**

A **motion** to adjourn was made by Commissioner Ryan Arends at 8:47 P. M. A 2<sup>nd</sup> was offered by Commissioner Mike Munch. The motion was unanimously approved.

Respectfully Submitted,

Jon C. Overway, Secretary  
Crockery Township Planning Commission

Next Regular Meeting - December 17, 2019

Next Special Meeting - TBD