

Crockery Township
Regular Planning Commission Meeting
December 18, 2012
(Approved)

Chairman Bill Sanders called the December 18, 2012, Regular Planning Commission Meeting to order at 7:31 P.M. Roll-call was taken with Dave Meekhof, Jon Overway, Bill Sanders, Ryan Arends, Rich Suchecki, and Mike Munch present. Z/A Robert Toland and Attorney James R. Brown were also present for this session. Commissioner Nancy Schindlbeck was absent.

Agenda Item 2. Approval of the Agenda

Approved as submitted.

Agenda Item 3. Approval of Minutes

The Commission reviewed the minutes from the November 20, 2012, Regular Planning Commission Meeting. Commissioner Dave Meekhof made a motion to accept the minutes as written. A 2nd was offered by Commissioner Mike Munch. The motion was unanimously approved.

The Commission also reviewed the minutes from the November 27, 2012, Special Planning Commission Meeting. Commissioner Rich Suchecki made a motion to accept the minutes as written. A 2nd was offered by Commissioner Ryan Arends. The motion was unanimously approved.

Agenda Item 4. Announcements

Commissioner Rich Suchecki advised the Board has appointed Robb Constantine and Sean Anderson to the Township's Zoning Board of Appeals.

Item 5. Communications

None.

Agenda Item 6. Public Comment

Supervisor Leon Still advised the Commission he is currently working with Attorney Ross A. Leisman to create a Court ordered agreement to resolve the differing opinions between the Township and Mr. Ducham (of Auto Pro) regarding site plan submissions. It appears Mr. Ducham may need to submit an acceptable site plan for improvements to his property and the Township may need to allow temporary use of the access drive area for parking until the access drive is needed for off street circulation.

Architect Brock Hesselsweet, representing Groenink's Elevator, asked the Commission for a preliminary opinion regarding the possibility of rezoning a lot acquired by Groenink's Elevator for their business use. Mr. Hesselsweet felt rezoning this particular parcel to I-1 would seem to be a good fit and allow the proposed use. The Commission opined that the thought was not outside the scope of possibility and generally fit with future planning for the immediate area. The Commission suggested that a Township Zoning Application be made and serious consideration could then be given to the rezone proposal.

Agenda Item 7. Action Items

A. Anlaan - Site Plan Amendment.

Documents provided to the Commission for the continuance of this hearing include; (1) a Planning and Zoning Review by Z/A Robert Toland, addressed to the Commission, dated December 18, 2012, (2) a review memo from Kevin S. Kieft, P.E., of Prein & Newhof, dated December 14, 2012, commenting on the site plan, (3) a site plan by Driesenga & Associates, Inc., 455 E. 8th Street, Suite 100, Holland, Michigan, 49423, job #1210157.1B by RKP/AJN, dated November 27, 2012, (4) a letter from Mr. Toland to Mr. Baker/Anlaan Corp., dated November 9, 2012, requesting site plan clarifications, (5) a letter from Mr. John Gutierrez, P.E., Ottawa County Road Commission, to Mr. Aaron Neitling, P.E., Driesenga & Associates, Inc., dated December 10, 2012, offering site plan comments, (6) an e-mail communication from Attorney James R. Brown to Mr. Toland, dated December 14, 2012, offering site plan comments.

Mr. Nick Baker of Anlaan was present, along with his project engineer, Mr. Todd Paquette of Driesenga & Associates, Inc.

This site plan amendment review is part of a continuing discussion between the interested parties, including; The Commission, Mr. Toland, Mr. Brown, Mr. Baker, and Mr. Paquette. The revised site plan (description noted above) was discussed at great length. Mr. Paquette also produced a site plan, dated December 4, 2012, showing septic system detail. As a result of this

discussion, the Commission, upon the advice of Attorney Brown, determined they would offer a resolution to approve the site plan amendment, with conditions.

A motion was made by Commissioner Jon Overway to adopt a resolution to approve the site plan with the following conditions; (1) delivery of approval document(s) from the Ottawa County Drain Commissioner, (2) delivery of approval document(s) from the Ottawa County Road Commission, (3) delivery of approval Document(s) from the Ottawa County Health Department, including septic system detail (found on site plan 12-4-2012, Driesenga & Associates), (4) the Commission will offer a waiver of the (lighting) photometric plan, based upon comment #8 of the 11-27-2012 site plan, (5) rezone the southern portion of the parcel to Ag-1 upon approval of the site plan (Township initiative), (6) the landscaping plan shall include nine conifer trees south of the driveway, along 112th avenue, as part of the screening effort, and (7) the berm associated with the future storage area will move south and east, to offer buffering/screening, as the storage area expands in use. A 2nd was offered by Commissioner Mike Munch. The motion was unanimously approved by the commission. Mr. Brown will prepare the resolution document.

B. Sandy Shores Lake (Allen Edwin Homes) Open Space Development Amendment.

Documents provided to the Commission for the continuance of this hearing include; (1) a Planning and Zoning Review by Z/A Robert Toland, addressed to the Commission, dated November 20, 2012, (2) a Crockery Township Zoning Application, dated November 5, 2012, (3) a review memo from Kevin S. Kieft, P.E., of Prein & Newhof, dated November 28, 2012, with comments, (4) a sketch plan of Sandy Shores OSD, by Allen Edwin Homes, showing overview of parcels and open space, (5) a letter from Attorney James R. Brown to Chairman Bill Sanders and Z/A Robert Toland, dated December 14, 2012, offering observations and suggestions regarding this proposal, (6) the Second Amendment and Restatement to the Declaration of Restrictive Covenants (Sandy Shores Lake), with attachments – Exhibits A through F, and (7) a resolution document prepared by Attorney James R. Brown.

Mr. Tom Larabel of Allen Edwin Homes was present for this review.

The Commission, Mr. Toland, Mr. Brown and Mr. Larabel discussed the detail found in the documents presented at considerable length. During the discussion, language changes and deletions were suggested regarding Section 5.03 (Restrictive Covenants) and Section 4 (b) of the Resolution was deleted. The Commission also requested a detailed site plan (overview), combining the detail found in the many individual exhibits provided. As a result of this discussion, the Commission, upon the advice of Attorney Brown, determined they would offer a resolution to approve the site plan amendment, including the Second Amendment and

Restatement to the Declaration of Restrictive Covenants (Sandy Shores Lake), with attachments – Exhibits A through F., with the suggested modifications and deletions.

A motion was made by Commissioner Dave Meekhof to adopt a resolution to approve the Sandy Shores Open Space Development site plan amendments and Restatement of Restrictive Covenants, with the suggested changes and modifications, and that a detailed site plan overview document will be provided to the Township. A 2nd was offered by Commissioner Rich Suchecki. The motion was unanimously approved by the Commission. Mr. Brown will prepare the modified resolution document.

D. C-Plastics – Site Plan Amendment.

Documents provided to the Commission for continuance of this hearing include; (1) a Planning and Zoning Review by Z/A Robert Toland, addressed to the Commission, dated December 18, 2012, (2) a Crockery Township Zoning Application signed and dated October 1, 2012, (3) a letter from Mr. Toland to Mr. Wurn, dated November 9, 2012, with comments and suggestions regarding the site plan, (5) an e-mail communication from Attorney James R. Brown to Mr. Toland, dated December 17, 2012, offering observations and suggestions regarding this proposal, and (6) a site plan by Hughes Builders, Inc., 3279 E. Laketon Ave., Muskegon, Michigan, by S. Parker, dated November 20, 2012, project #A12091.

Mr. Bob Wurn, part-owner of C-Plastics, was present for this site plan review.

The Commission, Mr. Toland, Mr. Brown and Mr. Wurn reviewed and discussed the site plan offered at length. Mr. Wurn did propose to increase the size of his addition to 12,000 sq. ft. for this review. It should also be noted that the Commission determined Section 23.02 of the Township's Zoning Ordinance applies to C-plastics existing building, specifically the language concerning setbacks.

After all discussion was complete, Commissioner Rich Suchecki made **a motion** to approve this site plan amendment, contingent upon the Township receiving a revised site plan showing (1) fifteen additional parking spaces required by Ordinance, (2) identify the surface material utilized for the parking area (crushed concrete), (3) provide appropriate external lighting description, (4) provide a project completion date, and (5) the Commission agrees to waive applicable landscaping provisions. A 2nd was offered by Commissioner Ryan Arends. The motion was unanimously approved by the Commission.

C. Public Hearing (tabled) – Repeal of Section 23.07 Non-conformity Created by Eminent Domain

A motion was made by Commissioner Jon Overway to remove from the table this request to repeal Section 23.07. A 2nd was offered by Commissioner Ryan Arends. The Commission unanimously approved the motion.

The public hearing was opened. No public comments were offered.

The Commission determined Section 23.07 does have present day application, and further, could be applied to future builds-outs of M-231 and M-104. The Commission preferred to recommend a less drastic action that would affect the language found in 23.07 – 3(c) and protects the language found in the M-104 Overlay District provisions.

A Motion was made by Commissioner Mike Munch to recommend to the Board that the language found in Section 23.07 – 3(c) be affected by new language, to include the phrase, “except with respect to land within the M-104 Overlay District”. A 2nd was offered by Commissioner Dave Meekhof. The motion was unanimously approved by the Commission. The precise language in the recommendation will be provided by Attorney James R. Brown.

E. D. J. McQuestion and Son, Inc. – Planned Mineral Removal Resolution.

The commission briefly reviewed the preliminary documents in the matter. Mr. Stan Scott offered some insight to this project, which will affect the Spoonville Gun Club. This project is associated with the M-231 build-out in Crockery Township.

A motion was made by Commissioner Rich Suchecki to adopt a Resolution to Hold a Public Hearing in this matter on January 8, 2013, at 7:30 P.M. at the Township Hall. A 2nd was offered by Commissioner Dave Meekhof. The motion was unanimously approved by the Commission.

F. Ottawa County Road Commission – Resolution for Public Hearing – Special Land Use - Tower.

The Ottawa County Road Commission wishes to obtain a Special Land Use permit to construct a 51 ft. tower and antennae at 14310 State Road, parcel #70-04-18-100-036.

