

Crockery Township

Regular Planning Commission Meeting

November 21, 2023

Approved Minutes

Chairman Bill Sanders called the meeting to order at 7:31 P.M. Roll call was taken with Commissioners, Ryan Kelly, Dave Meekhof, Jon Overway, Bill Sanders, Ryan Arends, Mike Munch and Roy Holmes present. Planner Julie Lovelace with Fresh Coast Planning and Attorney Ron Redick were also present on behalf of the Township. Paige Silva was present as Recording Secretary.

There were 65 people 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 October 17, 2023, Regular Planning Commission Meeting. A **motion** was made to approve the minutes, as written, by Commissioner Munch. A second was offered by Commissioner Kelly. The motion was unanimously approved by the Commission.

Agenda Item 4. Announcements

Commissioner Kelly said the individuals to fill the upcoming vacancies in the Planning Commission are present at this meeting tonight. The Crockery Township Fire Department purchased a heavy lifting truck and the old truck is being donated to a smaller municipality in Michigan.

Agenda Item 5. Communications

None.

Agenda Item 6. Public Comments

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

Agenda Item 7. Action Items

A. Public Hearing Special Land Use Depth-to-Width Ratio - Kingfisher Estates

Documents received by the Commission for this hearing include; (1) a Planning Review by Planner Julie Lovelace, dated November 1, 2023, discussing Eastbrook Homes Site Condo Plan Review, Special Use Request and Private Road, (2) a letter from Prein & Newhof dated October 27, 2023, (3) a Crockery Township Fire Department Site Plan Review dated October 12, 2023 and (4) a Site Condominium & Private Road Submittal for Kingfisher Estates as written by Nederveld on October 5, 2023.

Mr. Michael McGraw, Applicant and partner of the Company, Eastbrook Homes was present regarding the Special Land Use Application for the property located at 15300 144th Avenue. Applicant Mr. McGraw has submitted a site plan with a Special Land Use for four parcels to exceed the 4:1 depth-to-width ratio as stated in the Crockery Township Zoning Ordinance.

Planner Julie Lovelace provided an explanation of the Special Land Use and a Map was introduced regarding such. She further explained the Special Land Use Application process and the many agencies involved in its final approval.

Applicant Mr. McGraw with Eastbrook Homes explained the multiple agency approval process, septic systems, general topography, and customized home plans. Public comment interrupted the Applicant. Attorney Ron Redick defined the difference between platted subdivisions and condominiums. He also made it clear to the public what powers the Homeowners Association (HOA) can hold.

Chairman Sanders explained the public comment process. In reply to the previous public comment – he explained the difference between agricultural and residential zoning and it was approximately 40 years ago the zoning for this particular land changed to what it remains now.

Applicant Mr. McGraw continued to introduce his site plan and was interrupted with public comment. Applicant clarifies this is a special land use and the zoning of this particular parcel has been decided. The shortage of housing in West Michigan was of subject.

Chairman Sanders opened the public hearing.

Brenda Marek - 15456 144th Ave. - School capacity concerns. Traffic density concerns.

Courtney Holmes - 11422 Leonard St. - School capacity concerns.

Chris Vargo - 15718 144th Ave. - Wetland diminishment concerns.

Pat Yonker - 14999 Thoroughbred Run - Septic installation concerns.

Beverly Traxler - 13625 State Rd. - Concerns about R-2 zoning expanding.

Brooke Kingstnorth - 15160 144th Ave. - Questions about connecting the Bayou.

Darcy Southball - 17574 144th Ave. - Wetland diminishment concerns.

Brett Cagney - 15371 144th Ave. - Traffic concerns regarding road width. Sell by or fill rate inquiry to Applicant. Pre existing project concerns.

Chad Rajala - 9810 Leonard St. - Design concerns about the overall site plan.

Shelia Murdoch - 14627 Boom Rd. - Water runoff concerns. Pre existing traffic congestion. Pedestrian safety concerns regarding sidewalks, lights and accessibility.

Mark Miedema - 14546 Boom Rd. - Traffic safety concerns regarding summer increase in foot traffic and the nature of the road being narrow and having lots of curves.

Karla Constantine - 16451 124th Ave. - Inquiry to Applicant as to how long this project has been pending, "since July" was the Applicant's answer.

Kristofer Swanson - 15345 144th Ave. - Traffic concerns considering his driveway's proximity to the entrance.

Quinton Jones - 15303 104th Ave. - "Considers this a prelude" to him living in Crockery Township.

Donna Vargo - 15786 144th Ave. - Traffic concerns and drainage questions.

Kirk Semlow - 15550 144th Ave. - Traffic concerns. Asking about a possible petition to stop the development of the property.

Jannella Jonio - 16015 104th Ave. - Questions about the Depth-to-Width Ratio. Planner Julie Lovelace explained the map orientation. Tax effect concern.

Commissioner Overway answered Ms. Jonio stating how similar properties are considered in the area for the purposes of taxes.

Mark Bieszka - 14010 Garfield St. - Immediately east of the Applicant's property. Mr. Bieszka previously spoke with Murak about a much smaller development plan.

Jim Carne - 15224 144th Ave. - Originally sold the property to Murak - Extensive wildlife concerns and their relocation.

Kevin Kieft - 15447 138th Ave. - Questions about the private road.

Cynthia Kloosterhouse - 15416 144th Ave. - Questions about the water reservoir. Applicant Mr. McGraw with Eastbrook said there is going to be a water infiltration basin on their shared property line. Ms. Kloosterhouse is very concerned with the water levels and previous flooding in her own home.

Traci Raja - 10991 Wren Dr. - Wants to know how the community can prevent more developments. Planner Julie Lovelace said they will be reviewing the Master Plan and the community's attendance to the Workshop will provide accurate input for the direction of the Township.

James Plaisier - 10692 Garfield Dr. - Questions about the notice requirements for the surrounding properties. Attorney Redick clarified his questions saying both special land use and a rezone require public notice.

Susan Marris - 15160 144th Ave. - Lot width-to-depth ratio concern and questions about soil quality. Attorney Redick clarified the Applicant wishes to exceed the lot-to-depth ratio. Commissioner Overway says the soil will be quality tested by Environment, Great Lakes and Energy (EGLE).

Chairman Sanders closed public comment at 9:23 P.M.

After all discussion was complete, and all the parties heard, Commissioner Overway made a **motion** to approve. Commissioner Kelly seconded. The Commission unanimously approved the motion.

B. Public Hearing Private Road - Kingfisher Estates

Documents received by the Commission for this hearing include; (1) a Planning Review by Planner Julie Lovelace, dated November 1, 2023, discussing Eastbrook Homes Site Condo Plan

Review, Special Use Request, and Private Road, (2) a letter from Prein & Newhof dated October 27, 2023, (3) a Crockery Township Fire Department Site Plan Review dated October 12, 2023, and (4) a Site Condominium & Private Road Submittal for Kingfisher Estates as written by Nederveld on October 5, 2023.

Planner Julie Lovelace states the Applicants plans for the private road appear to meet the requirements, pending the board approval.

Chairman Sanders opened the public comment regarding the proposed private road in Kingfisher Estates.

Karla Constantine - 16451 124th Ave. - Inquiry how long the road would be.

Nancy Crane - 15224 144th Ave. - Procedural questions. Chairman Sanders reiterated the road cannot begin construction prior to all approvals, the Township being one of them.

Michelle VanDreumel - 15246 144th Ave. - Questioned how this would benefit the community and if the road absolutely has to be that long.

Courtney Holmes - 11422 Leonard St. - Questioned the benefit of this road. Chairman Sanders said the application was made on this basis and its existence does not have to have a benefit to the community.

Applicant Mr. McGraw with Eastbrook Homes stated the ordinance. He said if there is a house, a roadway can be built to provide a street.

Planner Julie Lovelace read the ordinance again.

Other comments from people who did not state their name, but expressed the following:

Tax concerns

Home Owner's Association (HOA) Concerns

Road Maintainability

A motion for the line of credit - interrupted by a public comment.

Commissioner Munch asked for Attorney Redick's legal advice.

After all discussion was complete, Commissioner Meekhof made **a motion** to approve the Private Road, pending the letter of credit (to be determined by the Township Engineer). A second

was offered by Commissioner Overway. Commissioners Arends, Munch, Kelly, Holmes, and Chairman Sanders descend. Motion failed to pass.

Further discussion was held regarding the split vote.

Commissioner Munch rescinds his motion. A second was offered by Commissioner Kelly.

Commissioner Overway made **a motion** to approve with a letter of credit as determined by Crockery Township engineer. A second was offered by Commissioner Meekhof.

A roll call vote was taken: Chairman Sanders approves, Commissioner Arends approves, Commissioner Kelly approves, Commissioner Meekhof approves, Commissioner Overway approves, Commissioner Holmes approves and Commissioner Munch approves.

C. Site Condominium Review - Kingfisher Estates

Documents provided to the Commission for this Site Condominium Review include; (1) a Planning Review by Planner Julie Lovelace, dated November 1, 2023, discussing Eastbrook Homes Site Condo Plan Review, Special Use Request, and Private Road, (2) a letter from Prein & Newhof dated October 27, 2023, (3) a Crockery Township Fire Department Site Plan Review dated October 12, 2023, and (4) a Site Condominium & Private Road Submittal for Kingfisher Estates as written by Nederveld on October 5, 2023.

Mr. McGraw, Applicant and partner of the Company, Eastbrook Homes was present regarding the property located at 15300 144th Avenue the location of this Site Condominium Review. Applicant Mr. McGraw states he believes the standards have been met according to the Zoning Ordinance. Lot 11 requires review from EGLE. No outdoor lighting is currently proposed. Water shall be reviewed by the Ottawa County Health Department. Signage is not proposed and if it is requested, it will need to be reviewed separately. Off street parking on each parcel is proposed. No additional outdoor buildings are applied for at this time. Applicant Mr. McGraw went back to the topic of outdoor lighting and how proposed lighting would be pointed downwards and probably be a total of three lights for the private roadway. The Commissioners discussed the fact that they do not want lighting to leave the property and their desire for the property to remain relatively wooded. Applicant Mr. McGraw pointed out there is a tree planting provision within their proposal. Attorney Redick does not have any questions at this point. Planner Julie Lovelace is requesting the by-laws be submitted for Attorney Redick's review. There are conditions of this Site Condominium Review, stated as follows:

(1) Applicant's submission of the Condominium By-Laws for Crockery Township's Attorney Review, (2) submission and approval of Environment, Great Lakes and Energy (EGLE) 399 Water Permit, (3) Ottawa County Department of Public Health approval for water resources, (4)

Ottawa County Department of Public Health evaluation and issuance of water permit, (5) Street Lighting specifications to be reviewed and approved by Planner, Julie Lovelace, (6) Crockery Township approval of roadway entrance (7) approval from the Crockery Township Fire Department for Lot 11's driveway, (8) approval from EGLE for Lot 11's driveway, (9) approval from Ottawa County Road Commission for public utilities, (10) no front gate or other way of prohibiting the passage of the public.

After all discussion was complete, Commissioner Kelly made **a motion** to approve the Site Condominium with the aforesated stipulations. A second was offered by Commissioner Holmes. The Commission unanimously approved the motion.

Agenda Item 8. Presentations

None.

Agenda Item 9. Discussion Items

A. Section 18.08(1) amendments to submittal documents

This matter was not discussed and will be put on the Agenda for the next Regular Meeting.

Agenda Item 10. Adjournment

A motion to adjourn was made by Commissioner Kelly at 10:28 P.M. A second was offered by Commissioner Overway.

Respectfully Submitted,

Paige Silva
Recording Secretary

Next Regular Meeting - January 16, 2023
Next Special Meeting - TBD