

**BLENDON TOWNSHIP
PLANNING COMMISSION MEETING
MINUTES
11-13-2018**

1. At 7:00 pm Chairman Rick Lamer called the meeting to order.

2. Jeff Van Eck offered the invocation.

3. Roll call:

- Present; Jim VanderVeen, Jason VanderKodde, Jeff VanEck, Rick Lamer, Terry Huberts
- Absent: Ron Wind, Jeff DeWind

4. Attendees:

- Andrew Moore, Planning Consultant
- Kirk Scharphorn Jr., Zoning Administrator

5. Approval of the Agenda

- *Motion by Jim VanderVeen, supported by Jason VanderKodde to approve the agenda with the addition of 'Farmhaus Cider SLU Annual Review' being added as 8b under 'New Business'*

Motion carried – Unanimous

6. Approval of the minutes of the October 2, 2018 Planning Commission meeting.

- *Motion by Jason VanderKodde, supported by Terry Huberts to approve the minutes from the October 2, 2018 planning commission meeting with the following amendments:*
 - *Item 9a – South Blendon Vista: Deletion of extra bullet point = 'Motion' (clerical error)*
 - *Item 9b – Remove bullet point 'Revised SLU: Attached to end of minutes' – clerical error, revised SLU not in November packet.*
 - *Item 9b – Add '3 year Expiration' to the conditions of approval in the minutes and the revised SLU, as stated in the original motion. (Check resolution to make sure listed there)*

Motion carried - Unanimous

7. Opportunity for public comment – none given

8. New Business:

a. 48 West Commercial LLC Rezone from AG-C1:

- Ron Van Singel, of The Merestone Group, addressed the Board on behalf of his client, property owner Jack Brown.
- Mr. Brown is looking to rezone the 6.55 of the originally stated 7.31 acres of parcel #70-13-25-200-034, located at 6075 48th Avenue, Hudsonville, from AG to C1.
- The applicant is no longer pursuing the original intent for the property due to the following reasons:
 - Soil testing deemed portions of the parcel unsuitable for well water.
 - Per the applicant's correspondence with Consumer's Energy, the requested 66ft easement needed for the proposed road through the parcel was denied due to an existing variance that is already in effect.

- Applicant stated the reasons they feel the new C1 zoning will fit within the township's master plan, and indicated the potential for an indoor-outdoor storage facility.
- Kirk Scharphorn Jr presented the Public Hearing Notice
- Public Hearing opened by Chairman Lamer
 - Kevin Bohl, of 6093 – 48th Avenue, addressed the Board with his concerns:
 - Traffic – multiple vehicles
 - Lights – vehicle and facility
 - Noise
 - 24 hour operation
 - The easement for the drive runs within feet of the side of his existing garage.
 - Kevin Peters, of 5070 Port Sheldon, addressed the Board and the applicant with a question:
 - What happens to the back piece of the property that is being left as residential?
 - How would it be accessed?
 - Where would the access be?
- No other comments - Public Hearing closed by Chairman Lamer
- Andrew Moore recapped the reasons why the rezone request may or may not fit within the township rezoning criteria as highlighted in his report dated 11.06.2018, which was included in your meeting packet.
- The Planning Commission spent time discussing the details of a possible rezone and some of the following concerns:
 - Approval would be considered a blanket C1 rezone since no specific use of the land has been submitted at this time; this would allow for any C1 compatible use of the property.
 - C1 zone in this area would not be compatible with the current Master Plan at this time.
 - Proximity to homes and schools
 - Inappropriate precedent for 'Leapfrogging Zones'
- Based on the discussion and concerns, applicant asked to have this item tabled until they are able to make a formal submission of their intentions and plans for this parcel before the Planning Commission takes a vote.
- *Motion was made by Jason Vander Kodde, supported by Jim Vander Veen, to table the 48 West Commercial LLC Rezone per the request of the applicant.*

Motion carried: Unanimous

b. Farmhaus Cider SLU Annual Review:

- Andrew Moore reminded the Planning Commission that this is just a review, a time for the Commissioners to express questions and/or concerns. No action or conditions are required.
- Jim VanderVeen abstained from discussion due to 'conflict of interest'
- John Behrens, owner of Farmhaus Cider, appeared before the commissioners to give an annual review as stated in the conditions of approval of the SLU.
- Discussion was had on settled court cases concerning a variance that was granted by Blendon Township's Zoning Board of Approval. Both Circuit and District Court upheld the decision by the ZBA to grant the variance to Farmhaus Cider.

- John Behrens, stated that he is considering submitting an application to amend his original SLU and site plan for the following reasons:
 - Addition of a 2nd driveway
 - Remain open year round
 - Year round events
 - Movie nights
- Planning Commissioners satisfied; review closed

9. Old Business –

a. **Robert Driesenga SLU:**

- Kirk Scharphorn Jr presented the Public Hearing Notice
- Robert Driesenga, owner, of 5810 – 84th Avenue (parcel #70-13-29-400-004), addressed the commissioners with an explanation supporting his request of a SLU for his Agricultural Support Services Business.
- Andrew Moore offered clarification for the commissioners to help in their decision making process:
 - The property is within the R-1 Low Density Residential District, where agricultural support service businesses are permitted if approved by the Planning Commission as a SLU.
 - Mr. Driesenga’s agricultural support business currently satisfies the standards set by the Planning Commission concerning an SLU.
 - Suggestions for conditions if the Planning Commission decides to approve the request.
- Board addressed Mr. Driesenga with questions about traffic, semi-trucks, number of employees, hours of operation and restroom facilities; the Board was satisfied with the answers given.
- Public Hearing was opened by Chairman Lamer.
- Joel Vander Kolk of 5299 Eagle Cove Drive, Hudsonville, asked about potential growth in the future...Mr. Driesenga stated that there was no intention for growth as he preferred to remain a small family business.
- Public Hearing was closed by Chairman Lamer.
- *Motion made by Jim Vander Veen, supported by Terry Huberts, to table the SLU until a current site plan could be presented.*

Motion carried - unanimous.

b. **Julius Haveman Rezone AG-R1:**

- Kirk Scharphorn Jr presented the Public Hearing Notice
- Kirk Scharphorn Jr offered the following explanation for the rezone on behalf of the applicant, Julius Haveman of 8724 Fillmore Street (parcel #70-13-05-100-001):
 - Asking for a rezone due to parcel split requirements under AG zoning.
 - Mr. Haveman would like to divide his existing parcel into two pieces:
 - 18 acres to remain farmable land. This piece will be purchased and farmed by the applicant’s son Dave Haveman.
 - 11.71 acres, that contains the house, will continued to be occupied by the applicant.
- Open for board comment/questions.
 - No comments offered
- Public Hearing opened by Chairman Lamer
 - No comments offered
- Public Hearing closed by Chairman Lamer

- *Motion made by Jason Vander Kodde, supported by Jim Vander Veen, to recommend approval, of the rezone of parcel #70-13-05-100-001, owned by Julius Haveman, to the Township Board, based on compliance to the Blendon Township Master Plan.*

Motion carried: Unanimous

c. South Blendon Vista SLU:

- Motion made by Jim Vander Veen, supported by Terry Huberts, to remove South Blendon Vista SLU from tabled business.
- Todd Stuive, from Excel Engineering, presented proposed revisions to the project, on behalf of applicant, for the Planning Commission's consideration. Revisions include:
 - Building revisions to accommodate square footage requirements in the Township Zoning Ordinance.
 - Blendon Drive slightly reconfigured
 - Modification to pond and trees
 - Utility connections
- Mr. Stuive stated that the site plan and new revisions are contingent on the decision made by the Planning Commission on whether the road running through Eagles Landing remains public or becomes private. If the road becomes private then there will need to be changes to the site plan.
- *Motion made by Jason Vander Kodde, supported by Terry Huberts, to retable the South Blendon Vista SLU until there is an outcome to the private-public road discussion concerning Eagles Landing.*

Motion carried: 4-1

d. Outdoor Events Ordinance:

- Andrew Moore presented a second draft of the Outdoor Events Ordinance dated 11.05.2018 for review and discussion.
 - Andrew highlighted the revisions that were made to the original draft
 - Special note on the specifics of the '11-2 Penalties'; this section has not yet been reviewed for legal constraints and are subject to change based on the recommendations and advice given from Blendon Township's attorney.
 - Emphasized that this is for one-time events and acts like more of a 'permit'
- Items/concerns brought up during Planning Commission discussion:
 - Readdress the threshold for number of people in attendance at one time
 - Suggestions on how do we control events in the township for safety purposes? (Planning Commission and Township Board)
 - Setting a date where any existing, long-term event is exempt from the new ordinance
 - Comparison of the current Farms with Sales Ordinance to the proposed new ordinance - differences
- *Motion was made by Jim Vander Veen, supported by Terry Huberts, to extend the current moratorium an additional four (4) months in order to give the Planning Commission time to look at the current Farms with Sales Ordinance.*

Motion Carried: Unanimous

e. Ottawa County Ground Water Report

- Commissioner Jim Vander Veen presented the following information concerning current well water findings at Robinson Township School (Grand Haven Public School District):
 - PFAS (Per- and Polyfluoralkyl Substances) found in the water
 - School has 55 foot – shallow well
 - Upper aquifer
 - Quicker refresh rate
 - Concerns:
 - Where did the PFAS come from?
 - If this was a deep well it could potentially move toward Blendon Township.
- Going Forward:
 - Township is keeping tabs on the testing, findings, and reports.
 - Township Board and Planning Commission are working on the possible adoption of recommendations. (ex. Water restrictions for irrigation)
 - Need the Ottawa County Health Department and the DEQ on board with solutions.

10. Correspondence – the following items were received into correspondence

a. Email Correspondence:

- An email was received from Janette Schuiteman voicing her concerns about the South Blendon Vista Apartments. (Included in meeting packet)

b. Eagles Landing No. 2 – Informal Discussion

- Eagles Landing represented by a large number of residents.
- Craig Natty addressed the Planning Commission in order to gather the Planning Commissions thoughts on the following items:
 - Changing the road in Eagles Landing from a public, connecting road to a private road, therefore not connecting to the South Blendon Vista apartment complex.
 - Changing from the previously stated plat to site condominiums.
 - Previously mentioned concerns were also reiterated:
 - Home values
 - Traffic
 - Wanting ‘rural’ feel
 - Connection of like use developments
- Andrew Moore offered procedural advice to the Planning Commission concerning the applicant:
 - Current application and site plan is for a subdivision plat so decisions are to be made based on that information.
 - Applicant would have to withdraw their current SPR and SLU and submit a new, formal application if they would like to make the proposed changes and have private roads and site condominiums.
 - New application would then start the approval process again, addressing ordinances for site condominiums and private roads.
 - Upon new applications, the Planning Commission would rescind the current approval of Eagles Landing No 2 as a plat.
- The Planning Commission offered questions, comments and concerns.
- Chairman Lamers told applicant that they would need to present official documentation of how they would like to proceed at this point.
- Applicant stated township would be contacted by his lawyer.

11. Upcoming events

- Township Board Meeting – November 19, 2018
- Safety Services Meeting – January 31, 2019
- Planning Commission Meeting – December 4, 2018

12. Additional 'Reminders' directed at the commissioners stated by Chairman Rick Lamer:

- Keep meeting professional
- Keep your personal issues out of your decision making
- Absolutely NO meetings are to take place outside the designated Planning Commission Meeting dates-times without being commissioned by the board.

13. Adjournment:

- *Motion to adjourn made by Terry Huberts, support by Jim Vander Veen.*

Motion Carried - unanimous

Adjourned at 10:20 pm

Recorded by Tina Vander Schuur
Submitted by Jeff DeWind, Secretary