

Blendon Township
Planning Commission Meeting
April 9, 2019

1. **The meeting was called to order** at 7:00 pm by Chairman Rick Lamer.

2. **Invocation** was given by Jim Vander Veen

3. **Roll Call: PRESENT:**

Rick Lamer	Terry Huberts
Jeff Van Eck	Jim Vander Veen
Jason Vander Kodde	Brett Huizenga
Jeff De Wind	

4. **Also Attending:**

- a) Andrew Moore – Planning Consultant
- b) Kirk Scharphorn Jr. – Zoning Administrator
- c) Kurt Gernaat, - Fire Chief

5. **Motion to approve the agenda** was made by Jason Vander Kodde. Support by Terry Huberts with the following addition:

- *New Business (e): Planning Commission 2018-19 Annual Report for the Township Board.*

Motion Carried

6. **Motion to approve the Planning Commission Meeting Minutes**, dated March 5, 2019, was made by Jason Vander Kodde, support by Jeff DeWind.

Motion Carried

7. **Opportunity for public comment and communication of business not on the Agenda:**

None

8. **New Business:**

a) **New Member – Brett Huizenga:**

- Welcome to new Commissioner, Brett Huizenga

b) **Koetje Rezone – AG-R1 to R2 Conditional**

- Commissioner Jim Vander Veen recused himself, as he represents the property owners in the sale of the land, at 7:04pm.
- Todd Stuive, of Exxel Engineering, addressed the Commission on behalf of Koetje Developers.
 - Reviewed the reason for the Rezone request
 - Voluntarily asking for the condition that no multi-family units be allowed on the property.
 - Stated that both water and sewer would be available for the development.
- Fire Chief, Kurt Gernaat, read the Public Hearing Notice
- Chairman, Rick Lamer, opened the Public Hearing at 7:13 pm.
 - Jim Doctor, 6358 Eaglewood Dr (Lot 3), asked for clarification on what a R2 zoning includes, and what does 'conditional' mean.

- Todd Stuve explained to Mr. Doctor the meaning of the word 'conditional' in the zoning request, referring back to the statement that no multi-family units will be allowed on the property. (Multi-family being 3 or more units to a building)
- Township Planning Consultant, Andrew Moore expounded on Mr. Stuve's response and explained what type of structures could fall under a R2 Zone, as noted in section 03.02.01 - Table 3.01, under Blendon Township Zoning Ordinances.
- With no further public questions or comments, Chairman Lamer closed the public hearing at 7:15 pm.
- Planning Consultant, Andrew Moore, highlighted his submitted report on whether or not this request meets the rezoning criteria.
 - Rezone request appears to be consistent with the basic purposes of the Ordinance.
 - Consistent with recent development trend in the area and acceptable according to the future land use of the Township's Master Plan.
 - Consistent with and reflective of the changing conditions of this portion of the township.
 - Consistent with previous decisions made
 - Consistent with the zoning of other parcels in the area
 - Meets the minimum dimensional requirements
 - Consistent with other development patterns in the area, resulting in a node of higher density development.
 - Preferred location for new development due to the fact that there is more infrastructure available there to accommodate it.
 - Water and wastewater service could likely be extended to serve the parcel.
 - ✓ Andrew reminded the Commissioners that tonight's discussion and potential vote is to accept or deny the Rezone request as presented.
 - ✓ Andrew also advised that over time, it is hard to keep track of 'conditional' rezoning. If the Commission approves he would recommend the following items take place:
 - Update the current zoning map to reflect the change to R2-conditional.
 - Obtain a signed acknowledgement from the developer of the conditions on the property.
 - Record the Conditional Zoning with the Register of Deeds.
 - Additional discussion was had by the Commissioners.
 - The Commissioners agreed that the rezone is acceptable.
- ***Motion to table the rezone request until the May meeting until Andrew Moore can rewrite the Zoning Ordinance was made by Terry Huberts, support by Jeff DeWind.***

Motion Carried

c) **Election of Officers:**

- **Motion to elect Terry Huberts** as Planning Commission Chair was made by Jim Vander Veen, support by Jason Vander Kodde.

Motion Carried

- **Motion to elect Jeff Van Eck** as Planning Commission Vice-Chair was made by Jim Vander Veen, support by Jason Vander Kodde.

Motion Carried

- **Motion to elect Jason Vander Kodde** as Planning Commission Secretary was made by Jim Vander Veen, support by Jeff DeWind.

Motion Carried

d) **Approval of 2019-2020 Meeting Dates:**

- Commissioner Vander Veen stated that the meeting dates were approved by the Township Board at the March 18 meeting.
- A copy of the meeting dates will be attached to the end of the minutes.
- **Motion made to accept the 2019-2020 Meeting Dates** as presented was made by Jim Vander Veen, support by Jeff DeWind.

Motion Carried

e) **Planning Commission Annual Report:**

- The By-Laws state that the Planning Commission is required to submit an annual report to the Township Board at the end of the fiscal year.
 - Annual Report was handed out and reviewed by the commissioners.
 - Changes were made to the meeting minutes dates that were presented on the report.
 - ✓ Remove March 2018
 - ✓ Add March 2019
 - ✓ Correct the year for January and February from 2018 to 2019.
 - A copy of the Annual Report will be attached to the end of the minutes.
- **Motion to Submit the Planning Commission Annual Report** to the Township Board, with the revisions noted, was made by Jason Vander Kodde, support by Jim Vander Veen.

Motion Carried

9. **Old Business:**

a) **Emelander Rezone Request:**

- **Motion to remove the Emelander Rezone request from the table** was made by Jim Vander Veen, support by Jason Vander Kodde.

Motion Carried

- Zoning Administrator – Kirk Scharphorn Jr, notified the Commission that the Emelander Rezone request has been withdrawn, due to the fact that the Emelander's are able to split the property under their current AG zone.

- **Motion to dismiss the Emelander Rezone request**, due to applicant withdraw, was made by Jim Vander Veen, support by Jeff De Wind.

Motion Carried

b) **Farmhaus Cider SLU Amendment:**

- ***Motion to remove Farmhaus Cider SLU from the table was made by Terry Huberts, support by Jeff Van Eck.***

Motion Carried 6-0

Jim Vander Veen abstained from vote

- Commissioner Vander Veen recused himself from discussion at 7:49 pm, due to conflict of interest.
- Chairman Rick Lamer, stated for the record that Mr. Mike Hill provided additional pictures showing Farmhaus patrons parking across the street from the facility.
- Commissioner Jason Vander Kodde provided an overview of the discussions that took place at the sub-committee meeting that was held on March 21, 2019.
 - Commissioner Vander Kodde stated that there are a couple of items that the sub-committee would like input on from the Commission before final decisions could be made.
 - Copy of the signed agreement that resulted from the sub-committee meeting is attached to the end of the minutes.
- Discussion was had by the Commissioners on fencing type and location.
 - Condition 19 on the original SLU approval stated that a split rail fence was to be installed and the location of the fence; However, a woven wire fence was installed at a different location.
 - ✓ Owner John Behrens stated he thought he informed either Kirk Scharphorn or Kurt Gernaat of the fencing change; neither recalled any conversations of approving the change of material or location.
 - ✓ John Behrens also stated that the MLCC told him on a recent visit that they prefer a woven wire fence over a split rail for containment purposes. John said he could get a signed statement from the MLCC if requested.
 - ✓ Commissioner Huberts visited the site and prefers the look of the woven wire fence; looks more agricultural.
 - ✓ Commissioner DeWind also prefers a woven wire fence to split rail, he feels that it is more restrictive.
 - ✓ Commissioner Vander Kodde stated that he is against both the change in the material of the fence and the change in location of the fence since this would not be abiding by the original agreement between Farmhaus and the Township and was done without prior approval.
 - ✓ Chairman Lamer not as concerned with the fencing material but would also like to see the fence placed at the location stated on the original agreement. Stated either a new fence could be erected at the original location or the existing fence can be moved.
 - Discussion was had by the Commissioners about what the extent of the Apple Orchard should be based on the original agreement.
 - ✓ Commissioner Vander Kodde noted the following changes on the submitted site plans:
 - 2014: Farmhaus Cider state it would reopen the original orchard and use the apples for production of the cider.
 - 2017: The size of the Orchard was reduced

- 2019: There is no Orchard remaining.
- ✓ Commissioner Vander Kodde stated that by removing the apple trees you are essentially eliminating the AG and product growth on site.
- ✓ Owner John Behrens stated that he added a 'crop area' to the site plan. There is one apple tree and vegetables grown there.
- ✓ Commissioner Vander Kodde he would like to see more apple trees planted somewhere on the property that is consistent with the 2017 site plan
- A lengthy discussion ensued concerning driveway use, the walking path and how people can best get from the parking area to the facilities.
- Based on the discussion John Behrens will provide an updated site plan for staff review.
- ***Motion to approve the amended SLU for Farmhaus Cider pending the completion and staff review of the following conditions, was made by Terry Huberts, supported by Jeff DeWind:***
 - ✓ ***15 apple trees are to be planted and maintained in the garden area, near the old foundation, as shown on the site plan.***
 - ✓ ***Applicant is to install a fence across the complete north side of the site but at the location stated on the original application, not along the property line.***
 - ✓ ***Owner is to provide an updated site plan to show the parking and signage location for staff review.***

Motion Carried

- Commissioner Jim Vander Veen rejoined the meeting at 9:08 pm.

c) **Bonds and SLUs:**

- Zoning Administrator, Kirk Scharphorn Jr updated the Planning Commission of changes that have occurred with bonds.
 - Telecom ERS has not provided the township with the required bond at this point.
 - ✓ Enforcement action will be taken.
 - ✓ A cease and desist order will be put in place
 - ✓ A citation will be sent

d) **Township Board Meeting Update:**

- Commissioner Jim Vander Veen updated the Commissioners on the following items that the Board was working on:
 - 2019-2020 Budget has been approved
 - Appointment of the new Planning Commissioner: Brett Huizenga
 - Approved the Outdoor Events Ordinance.
 - ✓ Kirk Scharphorn Jr. will notify Ferwerda's of the new Ordinance and how it affects their events.
 - Explained that the township is moving towards appointing a Township Manager.
 - ✓ Stated that Kurt Gernaat will likely be appointed to that position.

10. Items to Remain Tabled:

- a) Rush Creek Lot 51 SPR
- b) 48 West Rezone (AG-C1)
 - Zoning Administrator, Kirk Scharphorn Jr, will send a letter to both parties stating if no new information is received before the next meeting on May 14, then their applications will be un-tabled and considered withdrawn.

11. Correspondence: None

12. Upcoming Events:

- a) Township Board Meeting: April 15, 2019
- b) Planning Commission Meeting: May 14, 2019 (2nd Tuesday, due to elections)

13. Time of Thanks:

- a) ***Motion was made to recognize Rick Lamer's service to the Township on the Planning Commission, serving as both Vice-Chairman and Chairman was made by Jim Vander Veen, support by Jeff DeWind.***

Motion Carried

- Commissioner Vander Veen thanked Chairman Lamer for his unwavering wisdom and wise council during all of his years of service.

- b) Meeting was not adjourned at this point due to the open meetings act, but there was a time of fellowship with refreshments provided.

14. Adjournment:

- a) *With no other business to be brought before the Planning Commission, a motion was made by Jeff DeWind, supported by Jim Vander Veen, to adjourn the meeting at 9:45 pm.*

Motion Carried

Recorded by Tina Vander Schuur
Submitted by Jason Vander Kodde

Attachments: (3)

- 2019-2020 Planning Commission Annual Meeting Dates
- 2018-2019 Planning Commission Annual Report
- Farmhaus Cider SLU Amendment – Sub-committee report and signed agreement