

Blendon Township
Planning Commission Meeting
November 2, 2021

1. **The meeting was called to order** at 7:00 pm by Chairman, Terry Huberts
2. **Invocation** was given by Sean Miller
3. **Roll Call:**

PRESENT:	Jason Vander Kodde	Jeff DeWind
	Sean Miller	Jeff Meyer
	Lyn Peters	Terry Huberts
ABSENT:	Brett Huizenga (with notice)	
4. **Also Attending:**
 - a. Andrew Moore – Township Planning Consultant
 - b. Steve Kushion – Township Zoning Administrator
 - c. Kurt Gernaat – Fire Chief
5. **Motion to approve the agenda with the following addition** was made by Terry Huberts, support by Jason Vander Kodde
 - Add 13(c): Letter from Ottawa County Department of Strategic ImpactMotion Carried 6-0
6. **Motion to approve the Planning Commission Meeting Minutes, dated October 5, 2021, with the following correction** was made by Jeff Meyer, support by Sean Miller:
 - Make clerical correction to correct item #9.Motion Carried 6-0
7. **Opportunity for public comment and communication of business on the agenda:**
 - Judy Schmidt: 6695 Fillmore St
 - Concerned with DeYoung – Miedema Rezone Request
 - Feels that R1 would be more appropriate that R2 is too dense for the area.
 - Dave VanDussen: 6700 Fillmore St
 - Concerned with DeYoung – Miedema Rezone Request
 - Opposed to the development
 - Too much traffic already
 - Concerned about forced utilities
8. **New Business:**
 - a. **Lois Kossen Rezone Request**
 - Rezone from AG – R1
 - Zoning Administrator, Steve Kushion, read the public notice
 - Applicant was present
 - Applicant’s son, Kevin Kossen, highlighted the reason for the application for the commission.
 - Chairman, Terry Huberts, opened the public hearing at 7:11 pm
 - No public comments
 - Chairman Huberts closed the public hearing at 7:11 pm

- Township Planner, Andrew Moore highlighted the proposed zoning amendment to the commission.
- ***Motion to recommend to the Board, the approval of the Kossen Rezone Request from AG to R1, was made by Jeff DeWind, support by Sean Miller.***
Motion Carried 6-0

9. Old Business:

a. **Miedema-DeYoung Conditional (contractual) Rezone Request:**

- Township Planner, Andrew Moore, highlighted his provided memorandum and comments on the project, indicating that he was not supportive of the project because it is inconsistent with the Master Plan and future land use.
 - Out of character with the surrounding area
 - Forty-eight proposed lots:
 - Need 69000 square feet of recreation area
 - Sidewalks
 - Figure 450-500 trips a day
 - Could warrant a traffic study
 - Approving would have significant ramifications on the Master Plan.
- ***Motion to remove the Miedema-DeYoung Rezone Request from the table was made by Jason Vander Kodde, support by Lyn Peters.***
Motion Carried 6-0
- Rick Pulaski, from Nederveld and Associates, presented on behalf of the applicant. Mr. Pulaski stated the following items:
 - Project would have an overall density of approximately 1-acre per unit.
 - Likely to be a site condominium with public roads.
 - Watermain would be made available to the site from Fillmore St.
 - Allendale Twp willing to collaborate with developers on extending the watermain.
 - Site has two open spaces:
 - Proposed pond
 - Stand of trees on the SE corner of the site
 - Believes that the Master Plan opens the door for development by stating that the connection of water/sewer could be a viable way to develop in R2.
 - Proposed single family dwellings with garages, accessory buildings, home occupations, family daycare centers, etc.
- The commissioners spent time discussing the proposal:
 - DeWind: Major concern is water. The accessibility to water with this project is favorable. Currently seeing more impact from the splitting of AG land, into large lots without water, is not sustainable because of the residents and irrigation that occurs on these sites. Feels that lawn irrigation is a huge contributor to the township's groundwater problem.
 - Vander Kodde: Had several questions for the applicant:
 - What was the nature of the water discussions with Allendale?
 - The Supervisor and DPW would be willing to negotiate the service of the project
 - Vander Kodde indicated that he spoke with the director of the DPW, and he has no knowledge of the project.
 1. Asked applicant to present a copy of the email correspondence with Allendale and the DPW.

- Where would the water come from:
 - Runs down 68th Ave and extends east and west across nearly the entire frontage of the property.
- Has the Ottawa County Road Commission provided input on the project yet?
 - Not yet
- Are they familiar with the township's site condominium ordinance and are they willing to comply?
 - Yes, they are familiar and willing to comply.
- Questioned the Consumer's Energy Easement.
 - Blanket easement that would have to be reduced, so Consumers could clear them.
 - Vander Kodde does not want to show tree preservation where it cannot be promised.
- Why were the two out-lots not included?
 - Trying to give mixed us options but could include in the site condominium if preferred.
- Vander Kodde Noted the following:
 - Referenced the Master Plan and the discouragement of scattered, leap-frog patterns.
 - The applicant stated that the neighboring parcels in Allendale Township are 1-acre parcels, but Vander Kodde noted that the adjacent AG parcels in Blendon average to 20+ acres per parcel.
 - Agrees with DeWind and likes the advantage of the accessibility of water.
 - Not comfortable with from a density and zoning perspective. Feels that the zoning action should be related to density and use, but not the layout because that might change based on other inputs.
 - Plan for stubs to adjoining properties; how is that going to work.
 - Conditional rezone request should offer the conditions in writing absent of the site plan, that way the approval is based on the conditions not a specific layout.
 - Prefer to see:
 - Written conditions based on zoning-type, land use, lot size, etc.
 - Then submit a site condominium application
- There were no other commissioner comments
- Applicant asked to voluntarily table the request.
- ***Motion to table the application in order to address the issues stated above was made by Sean Miller, support by Jeff DeWind.***

Motion Carried 6-0

b. Farmhaus Cider SLU Amendment:

- Zoning Administrator, Steve Kushion, read the public hearing.
- Chairman Huberts opened the public hearing at 8:06 pm
 - Peter Rhodes, of Rhodes-McKee, and the Attorney for Mike and Beverly Hill, stated the following:
 - This is such an unusual use, and it is important that stipulations are built in to protect the surrounding property uses as well.

- There are two major themes in the May 2017 amendment – hours and seasonality.
 - 2017 built in protections that are now being ‘trampled’
 - Farmhaus has been incrementally increasing their impact on the surrounding area since the 2017 approval.
 - Noted that somehow the parking lot has expanded by approximately 30%.
 - Reminded the commission that parking on Stanton Street is prohibited and that if there is the finding of 3-violations that the Planning Commission ‘shall’ revoke the SLU.
 - Asked that the applicant’s request is denied.
 - Vander Kodde addressed the statements made by Mr. Rhodes:
 - Parking: none cited
 - Violations: Per the statement of the Zoning Administrator at the October 2021 meeting, there have been no proven violations since the December 2021 review.
 - Parking: Planning commission approved a new site plan 8.1.2019.
 - Seasonality: On the table for discussion at tonight’s meeting.
 - Huberts stated that the Planning Commission cannot control if people park on the street or if a neighbor across or down the street has company and decides to walk from their home.
 - Jerry Behrens:
 - Agreed with Huberts by stating that the township cannot regulate if they have company and decide to walk across the street to Farmhaus Cider.
- Chairman Huberts closed the public hearing at 8:20 pm.
- The Commissioners added the following comments:
 - Vander Kodde stated the following:
 - This is particularly challenging.
 - The Master Plan shows that this area is planned for ‘Mixed Use.’ (Reviewed the language with respect to Mixed Use area within the Master Plan)
 - Although Farmhaus Cider meets that idea of small scale, low intensity, commercial it does not offer connectivity and walkability within the area.
 - Discussion on the sub-committee’s findings and changes.
 - Prefers 2-day closed per week.
 - Huberts stated the following:
 - Review of the hours with each SLU amendment:
 - 2017 – 1700 hours
 - 2019 – 1100 hours
 - 2021 – 2100 hours
 - Peters questioned the following:
 - How many more times is the commission going to keep making changes to the SLU?
 - Does the applicant have an exit plan for when they outgrow their current location?
 - Applicant stated that they are not building anything new
 - Peters noted that they are building hours though.

- Meyer stated the following:
 - Referred to the future land use and noted that the area is planned for mixed-use.
 - We have designated this area to show where we desire the growth to be.
 - This is the type of operation that belongs in a mixed-use area.
 - The mixed-use has to start with a 'first business.'
 - Limiting the hours does not allow the business to thrive.
 - Noted the amount of support we have received for the applicant and the amount of support that the applicant gives back to the community.
 - Stated he is generally supportive of the request.
 - Miller stated the following:
 - Agreed that this matches the future land use map.
 - Noted that although there was an increase in hours, there was a decrease in events.
 - The seasonality was cleaned up to only two seasons
 - Language was added requiring them to be totally closed one day a week.
 - DeWind stated the following:
 - Agrees with the statements made by Peters
 - Stated that the applicant does continue to come back every couple years asking for more.
 - Sympathetic to the concerns of the neighbors.
 - Hubert stated the following:
 - He is also sympathetic to the neighbors
 - **Motion to approve the SLU Amendment for Farmhaus Cider as presented was made by Jeff Meyer, support by Sean Miller.**
 - *Discussion: change 8(d) in Conditions and Findings dated 11.02.2021, to read 'determined by the zoning administrator'.*
 - Roll Call: Yay: Miller, Meyer, Huberts
 - Nay: Vander Kodde, DeWind, Peters
 - Absent: Huizenga
- Motion failed 3-3-1
- The commissioners reopened deliberations.
 - Vander Kodde felt that he would be more comfortable requiring 2-days a week off.
 - Applicant agreed.
 - **Motion to approve the SLU Amendment for Farmhaus Cider with the following changes was made by Jason Vander Kodde, support by Sean Miller**
 - *Add the word 'after' in front of 10:00 pm in number 7.*
 - *Change 8(d) to read 'determined by the Zoning Administrator'*
 - *Change 8(c) to state 'two days a week'*
 - Roll Call: Yay: Huberts, Vander Kodde, Peters, Miller, Meyer, DeWind
 - Nay: None
 - Absent: Huizenga
- Motion Carried 6-0-1

10. Updates of Ongoing Business:

a. Township Board Meeting Minutes:

- As submitted
- Highlighted by Jeff Meyer

b. Bonds and SLU:

- No Additions or changes

c. Master Plan Updates:

- Planner Andrew Moore highlighted his memo and presented several maps
- Chairman Huberts urged the commissioners to email Andrew Moore with comments on the Master Plan.

11. Opportunity for public comment and communication of business not on the agenda:

- Mary Behrens: 5094 Stanton Street
 - Made comments on traffic generate from Hill's Clock Repair and the in-home daycare down the street.
 - Feels that Farmhaus Cider is over-regulated in a way that other uses are not.

12. Planning Commissioner Comments:

- Huberts – attended a sign presentation ceremony for Carson DeHaan. He put his 37-acre farm into farmland preservation. Feels that a farmer would be a good addition to the Planning Commission when a seat is vacated.
- Vander Kodde – Disagrees with a statement that was sent out by the County, which stated that the Planning Commission has all the power to alleviate groundwater issues in the township. He feels that the Township Board should respond and take issue with that statement.

13. Correspondence for informational purposes only:

- Budget vs. Actual Report
- Letter from the Ottawa County Ground Water Board
- Letter from the Ottawa County Department of Strategic Impact

14. Upcoming Events:

- a. Township Board Meeting: November 15, 2021
- b. Planning Commission Meeting: December 7, 2021

15. Adjournment:

- a. With no further business brought before the Planning Commission a motion was made to adjourn, at 9:13 pm, by Lyn Peters, support by Sean Miller.

Motion Carried 6-0

Recorded by Tina Vander Schuur
Respectfully Submitted by Lyn Peters, Secretary