

Blendon Township
Planning Commission Meeting
May 4, 2022
(Amended 6.6.2022)

1. **The meeting was called to order** at 7:00 pm by Chairman, Jason Vander Kodde
2. **Invocation** was given by Jason Vander Kodde

Roll Call: PRESENT: Jason Vander Kodde Brett Huizenga
 Jeff Meyer Terry Huberts
 Lyn Peters Shane Herrema
 ABSENT: Brian Tacoma (absent with notice)

3. **Also Attending:**

- a. Andrew Moore – Township Planning Consultant
- b. Steve Kushion – Township Zoning Administrator
- c. Kurt Gernaat – Fire Chief

4. **Motion to approve the agenda** was made by Jeff Meyer, support by Brett Huizenga.
Motion Carried 6-0

5. **Motion to approve the Planning Commission Meeting Minutes, dated April 11, 2022,** was made by Lyn Peters, support by Terry Huberts.
Motion Carried 6-0

- a. **Motion to approve the Planning Commission Meeting Minutes, dated March 7, 2022,** was made by Jeff Meyer, Brett Huizenga.
Motion Carried 6-0

6. **Opportunity for public comment and communication of business on the agenda:**

- Ron Van Singel
 - Representing Jack Brown and his parcel on 48th Ave.
 - Wanted the township to review the following items:
 - Rezoning their parcel to R3 – water and sewer available
 - Last parcel south served by water/sewer
 - Storage units permitted in a C1 as a special use
 - Review the C1-LI map and possible corrections.
- Jacob Bruggink: 6300 Bauer Rd project
 - Had comments on the conditions of approval from the March meeting.
 - Chairman Vander Kodde stated that this discussion would be addressed under item 11, later in the meeting.

7. **New Business:**

a. **Mullennix Rezone Request:**

- Applicant, Roger Mullennix was present
 - Rezone AG to R1
 - 4 splits allowed whether AG or R1
 - Looking for flexibility in lot size
- Chairman Vander Kodde explained that the number of splits allowed in AG and R1 are the same, but the size of the lots can be larger under R1.

- Chairman Vander Kodde opened the public hearing at 7:14 pm.
 - Sheri Schnaubel: 1345 Port Sheldon St, Jenison
 - Pending lawsuit concerning first right of refusal on the parcel, concerns about the wetlands and the ecosystems.
 - William (Luke) Aurner: 6040 Taylor St.
 - Concerns about watershed, flooding, elimination of the natural habitat of the wildlife, road degradation, feels that DEQ and EGLE should be involved.
 - Cindy Bush: 6033 Taylor St.
 - Agrees with the first two comments, concerned about the wildlife, the wetlands, and the watershed.
 - Ron Zichterman: 5926 Taylor St
 - Concerned about the impact on wells, water levels, height of houses being built due to the high-water tables, and septic systems.
 - Colleen Kautenberg: 5885 Taylor St
 - Concerned about the wildlife and flooding
 - Mary Lotz: 5825 Taylor St
 - Question the wording of the ordinance and requirements for AG zoning and would like it addressed.
 - Beth Rotman: 5775 Taylor St
 - Inquired about the number of splits allowed given the limited road frontage. Does not feel its accurate to say that the number of splits could stay the same.
 - Bruce York: 5976 Taylor St
 - Agrees with the other residents. The street is already busy, and this would cause an even greater increase in traffic. Felt that the legal issue should be resolved before any decisions are made.
- Chairman Vander Kodde closed the public hearing at 7:29 pm
- Chairman Vander Kodde addressed the residents' concerns expressed in the public hearing:
 - Asked zoning administrator, Steve Kushion, if the applicant submitted a valid application. Mr. Kushion stated that the applicant is the property owner, and a valid application was submitted, and all fees have been paid.
 - Vander Kodde stated that the application can proceed regardless of pending lawsuits that do not concern the township.
 - Land Divisions: Mr. Kushion explained the allowable splits due to the Land Divisions Act. Information related to the zoning ordinance and land divisions can be found in section 03.03.01 of the zoning ordinance book. He also stated that he mentioned that EGLE would need to be involved due to the wetlands on the property.
 - Road Frontage: If there is not enough main road frontage, per ordinance, the applicant can utilize shared driveways or private roads.
 - Wetlands: Township has no wetlands ordinance. EGLE has jurisdiction over wetlands not the township. Applicant is responsible for the appropriate permits.
 - Roads and Traffic: Ottawa County Road Commission is responsible for the condition of the roads; the number of houses potentially being added would not create enough traffic to require of traffic study
 - Wildlife: The township ~~cannot~~ **does not** govern wildlife

- AG to R1 is zoning compliant with the Master Plan
- Surface Water Drainage: Ottawa County Water Resources Commission reviews and handles storm water and drainage issues.
- Water well / Septic: Permitting and approval handled by the Ottawa County Health Department, not the township.
- Groundwater Issues: Trustee Jeff Meyer stated that the Township Board is taking the groundwater issues seriously and actively seeking solutions.
- Chairman Vander Kodde stated that letters were submitted by both Mary Lotz and Beth Rotman. These letters have been reviewed and entered into record.
- Chairman Vander Kodde asked the commissioners for each of their comments:
 - All of the commissioners stated they appreciate the comments from the public and understand the concerns. However, they do not have the jurisdiction to address any of the concerns related to water, wetlands, drainage, septic systems, etc.
- ***Motion to recommend the approval of the rezone of 5987 Taylor St from AG to R1, to the Township Board, was made by Lyn Peters, support by Terry Huberts.***

Motion Carried 6-0

8. Old Business:

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

- To remain tabled until September 7, 2022

b. Holstege SLU:

- To remain tabled until July 6, 2022

9. 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:

- Township Planner, Andrew Moore, highlighted the compiled results from the survey, that was created at the joint meeting of the Planning Commission and the Township Board, concerning the creation of additional C1 and LI zones in the township.
 - After considerable discussion, the planning commission directed Andrew Moore to prepare an updated future land use map to reflect the following:
 - Expand Commercial for areas 1, 6, 14, 18, 15
 - Commercial and Industrial: 17
 - Industrial: 10, 4
 - Modify the language for the Mixed-Use area at Baldwin and 48th Ave.
 - Expand area 6 as noted on the map
 - Area 14 – leave as is, no modifications to the text.
 - Area 18 – Commercial along 48th Ave
 - Area 17 – 80-160 acres Commercial North and South of Barry along 96th Ave

- Area 10 to Port Sheldon – Industrial
- Area 4 – 320 acres for Industrial
- Area 13 – Expand on the west side of 56th Ave
- Area 11 – No change

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

- a. **Jacob Bruggink**, engineer-excavator, 6300 Bauer Road Sand Mine
- Questions and concerns on the conditions of approval that were set by the planning commission at the March meeting.
 - Chairman Vander Kodde stated the following:
 - The conditions were agreed to by the applicant
 - The Commission did due process on the application
 - The Planning Commissions does not have to accept the changes to the conditions that are being presented.
 - Questions and Clarification/Answers (in bold)
 - #2: Why 16 feet? Plan to dig into but not through the clay.
 - **Need to show where the clay barrier is located. Ordinance ~~13.053.19g3~~ 13.05.19g3 states that excavation can have no impact on the potable water aquifer. The operator of a site shall not disturb in any manner any clay aquitard underlying the mineral formations which are being mined.**
 - #3: Why switch the topsoil and stockpile locations?
 - **Better barrier of noise for the neighbor**
 - #4: Overflow pipe or swale, why needed?
 - **Diminish negative neighbor impact**
 - #11: 1 on 1 slope agrees with the ordinance
 - #12: Tipping fee, not paid in the past, not paying now.
 - **Not enforced in the recent past. Legal counsel to be addressed. Plan to pay going forward.**
 - #14: Verbiage is too open ended
 - **This verbiage is historically on every document written for Blendon Township.**
 - #25-26: Excessive, will provide signage that is minimal per the Ottawa County Road Commission.
 - **These are the requirement of the Blendon Ordinance for resident protection not the OCRC.**
 - Chairman Vander Kodde indicated that he is not sure that any of the conditions in question would be modified but the applicant could submit a special land use amendment if he would like the Commission to make an official ruling
 - This was an informal discussion, and no official action was taken.
- b. **Jack Brown**: 7540 48th Ave.
- Master Plan:
 - Is there is any public involvement in the Master Planning Process?
 - Vander Kodde stated that a public hearing will be held for resident input.
 - Asked about the water study that was being referred to.
 - The township is in the process of developing a utilities master plan.

c. **Ken Vander Kolk**: 8121 – 56th Ave

- Stated that he was curious to what was taking place **related to the large ground water withdrawal notifications**. Reiterated what he understood from the rezone request and the discussion that followed to make sure he was understanding correctly.

11. Planning Commissioner Comments:

- None

12. Correspondence for informational purposes only:

- 2022 Citizen Planner Training Opportunities
- EGLE Large quantity water withdrawal notifications:
 - Jared Dekker
 - Dale Gemmen

13. Upcoming Events:

- a. Township Board Meeting: May 16, 2022
- b. Planning Commission Meeting: June 6, 2022

14. Adjournment:

- a. With no further business brought before the Planning Commission a motion was made to adjourn, at 9:45 pm, by Brett Huizenga, support by Lyn Peters.

Motion Carried 6-0

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