

Blendon Township
Planning Commission Meeting
September 7, 2022

1. **The meeting was called to order** at 7:00 pm by Chairman, Jason Vander Kodde
2. **Invocation** was given by Shane Herrema
3. **Roll Call:** PRESENT: Jason Vander Kodde Brett Huizenga
 Jeff Meyer Brian Tacoma
 Lyn Peters Shane Herrema
 ABSENT: Terry Huberts (with notice)
4. **Also Attending:**
 - a. Andrew Moore – Township Planning Consultant
 - b. Steve Kushion - Zoning Administrator
 - c. Kurt Gernaat – Fire Chief
5. **Motion to approve the agenda with the following addition** was made by Jeff Meyer, support by Brett Huizenga.
 - **Add 5.5: Conflict of interest**

Motion Carried 6-0
- 5.5 **Conflict of Interest:**
 - None
6. **Motion to approve the Planning Commission Meeting Minutes, dated July 6, 2022, with the following corrections** was made by Jeff Meyer, support by Shane Herrema.
 - **Holstege Farms Conditions #18**
 - Add 'prior to events' to the end of the condition

Motion Carried 6-0
7. **Opportunity for public comment and communication of business on the agenda:**
 - Dave Van Dusen: 6700 Fillmore St, Allendale
 - Miedema-DeYoung project was given 6-month table in order to provide new information. 6 months concluded with September meeting. Still not on the agenda, question if they will need to reapply and start over and if the project will be re-noticed.
 - Chairman Vander Kodde stated that a water service subcommittee was formed 2 months ago and that the project has been put on hold until an outcome can be determined from the subcommittee.
8. **New Business:**
 - a. **Wade Slagh – Lakeshore Sand Holdings LLC SLU:**
 - Dave Hanko – Feenstra & Associates presented representing the applicant
 - Highlighted the SLU application
 - Slightly less than 5-acre pond
 - Mine the sand out
 - No EGLE permit required due to less than minimum size requirement
 - Truck route to be east on Polk Street to 72nd Ave
 - Polk Street to be maintained as follows:

- Grade 1x per day – more as needed
 - No prompting from the township or road commission or fines will be instilled.
 - Add gravel as needed
 - No hauling during rain and/or thaw
 - Brine for dust control
 - 5-year reclamation
 - 3 lots on Polk Street
- Public Hearing opened at 7:17 pm
 - Cory Wind: 7505 Polk St
 - Expressed concerns about affecting the water table.
 - Drying up of shallow wells
 - Shape of the pond
 - Mary Hoogerhyde: 7411 Polk St
 - Written letter received
 - In person: Concerned about wells and water for future generations
 - Jennifer Matthews: 7573 Polk St
 - Concerned about already low water table levels
 - Wells drying up
 - Jared Host: 8287 – 80th St
 - Concerned about noise and hours of operation
 - Gloria Nagelkirk: Polk St Farm
 - Concerned about run off
 - Marilyn Battjes: 7375 Polk St
 - Written letter received
- Public Hearing closed at 7:22 pm
- Township Planner, Andrew Moore, highlighted his report to the commission.
- Chairman Vander Kodde addressed the concerns of the public:
 - Water – sand will be wet-mined. No dewatering of the property. Will not impact the water table. Shallow well coverage addressed in condition #8.
 - Shape – as proposed on the site plan
 - Lots – 3 lots with frontage on Polk St upon completion of the pond.
 - Water Table - Blendon Township does not govern the local water table
 - Dry wells - Addressed in Condition of Approval #8
 - Storm water runoff – flat ground, current water table is 4 feet low, the proposed pond will have enough storage capacity to house storm water. Proposed 2.5-acre single family lots will have no impact on the runoff.
 - Chairman Vander Kodde asked the applicant if they would be willing to create a swale on the east and the west side of the property and connect the runoff and the pond to the drainage ditch on Polk St.
- Discussion ensued
 - Hydrogeological Report:
 - Want or waive:
 - Waive due to condition of approval #8
 - No need for parameter on affected wells
 - Wetland Impact Report
 - Want or waive:
 - Want and list as a condition of approval

- Emergency Driveway:
 - Okay per Chief Gernaat
 - Provide detail of the drive on the site plan
- Topsoil:
 - Both on site and removed
 - Included in the 135,000 yds estimated for removal
- Construction Drive:
 - Move to the east side of the property closer to 72nd Ave for a shorter haul route.
- Scrub Pad:
 - Asphalt or aggregate as proposed?
 - 75' minimum length
 - 2"-3" aggregate allowed but needs to be maintained per conditions of approval
- Monitoring Well:
 - Ordinance requires
 - Filed with the clerk annually
 - Approved a certified survey from Feenstra & Associates in lieu of the monitoring well.
- Restoration:
 - Site restored as they go (slope, seed, etc.)
 - Same season restore
 - Add to condition of approval #6
- Disturbance of land:
 - Not to take place within the 50-foot set-back requirement
- Gate:
 - To be installed on driveway
- Hours:
 - Adjusted to comply with current ordinance
- Signage:
 - Add to condition #13: 'approaching entrance' warning signs to the east and the west.
- Safety slope:
 - Asked applicant to review and take into consideration the low water slope break.

• ***Motion to approve the Lakeshore Sand Holdings LLC Sand Mine SLU Request with the following conditions was made by Brett Huizenga, support by Shane Herrema:***

Motion carried 6-0.

1. **The applicant shall obtain and provide the Township with copies of all applicable permits obtained from EGLE, the Ottawa County Water Resources Commissioner, the Ottawa County Road Commission, and any other agencies having jurisdiction.**
2. **No natural resource extraction activities shall be conducted within the required fifty (50) foot setback.**
3. **The location of the gravel driveway extending from Polk Street, as shown on the site plan, shall be used as the ingress and egress drive into the site and this location shall be approved by the Ottawa County Road Commission prior to it being utilized. The applicant**

shall furnish the Township with a copy of said permit. No other access shall be constructed.

4. The operations shall take all reasonable steps to minimize airborne materials. This includes dust control, minimizing stockpile areas and stockpile height of 20 feet. Any stockpiles over 20 feet in height shall be covered over at least 50 percent of their height except when actively in use and shall be covered between the hours of operation permitted above.
5. The driveway shall be maintained regularly in a mud and dust-free condition to minimize dust, dirt, and mud accumulations and not produce a public nuisance. Polk Street shall be graded regularly to maintain the travel surface in an acceptable condition. The scrub pad shall be 75 feet long and consist of 2-3" aggregate as shown on the site plan.
6. The owner/operator shall file with the Township Zoning Administrator the name and telephone number of the person designated by the owner/operator to act on behalf of the owner operator, who will be held responsible for resolving any and all complaints related to this operation. When the owner/operator receives a complaint, he or she shall file a report with the Zoning Administrator regarding the nature of the complaint and the resultant action of the owner/operator.
7. No use of lighting in connection with the excavation activity shall occur on the site.
8. The owner/operator/applicant and subsequent assigns, hereby agree to take full remedial and financial responsibility for any impact on nearby water supply wells, as determined by EGLE or OCHD.
9. The applicant shall provide a performance guarantee in a form acceptable to the Township Attorney pursuant to the requirements of Section 13.05.19(c)(1). The amount of the guarantee shall be \$25,000.
10. Hours of operation shall be consistent with Section 13.05.19(g)(27).
11. The pond shall be complete, and the site fully restored consistent with the site plan by September 7, 2027, unless extended at a future date by the Planning Commission. Restoration of the pond shall be complete within the same season as the completion of the mining operation.
12. The haul route shall follow Polk Street east to 72nd, or as otherwise directed by the Ottawa County Road Commission.
13. Additional signs shall be posted at the entrance to the operation for the duration of the excavation process identifying rules for, hours of operation or other appropriate messages intended to protect the public health, safety, and welfare. This sign shall also contain the name and phone number of the person responsible for answering questions or responding to complaints.
14. The applicant has designed and engineered the pond included as part of the project. The applicant assumes all responsibility with respect to the adequacy of the pond concerning its design, its adequacy for surface drainage of the premises, its safety with respect to the general public, and all other aspects of the construction, operation, and maintenance of the pond.

15. All other federal, State, and County rules and regulations, as well as those of Blendon Township shall be applicable and enforceable. The applicant shall obtain and submit to the Township all applicable federal, State, County, or local permits prior to beginning mining activities.
16. Prior to commencing operations, the site plan shall be updated to include the following:
 - a. Hours of operation, shallow wells, haul route, restoration add to site plan notes.
 - b. Relocate driveway to east side of property
 - c. Provide a section detail for the driveway to ensure fire truck access.
 - d. Show drainage swales connecting to Polk Street roadside ditch
 - e. Applicant shall evaluate and revise slope break from 1:1 to 1:4 for low water seasons
 - f. Add a gate at the site entrance per 13.05.19,g,1
17. Applicant to provide a stamped survey showing the water elevation or a monitoring well annually to serve as a monitoring well.
18. Wetland scientist to confirm that there are no wetlands on the property prior to operation commencing.
19. Signage shall be installed on Polk Street to the east and west of the drive entrance warning of truck traffic. Jake braking shall be prohibited.
 - a. **Ordinance Amendment:**
 - i. Ordinance 15.03.02(c)(d)
 1. Discuss adding a clause concerning AG Barns verses Accessory Buildings.
 - a. Andrew Moore highlighted the potential need for the amendment based on items that came to light at a ZBA meeting recently.
 2. Question: Should AG Barns be exempt from the ordinance and should that be put in the ordinance in writing:
 - a. Commission agreed that since AG Barns are currently exempt from the ordinance that verbiage should be added to the ordinance for clarification.
 - i. Andrew Moore will prepare the amendment for next month's meeting.
 3. Question: Based on continuing changes within the township, should the commission re-address the ordinance as a whole?
 - a. Commission asked Andrew Moore to provide examples of other municipalities ordinances pertaining to accessory buildings for a comparison.
20. **Old Business:**
 - a. **48 West:**

- i. Applicant, Jack Brown, was present
- ii. Ron Van Singel presented on behalf of the applicant
 - 1. Proposed an R3 Conditional Rezone based on the following:
 - a. Density: limit units per acre from 8 to 6, cap at 156 total units
 - b. Buffering: increase the setback on the NE corner of the property from 25' to 50'. Run this setback the entire west side of the parcel and on the north side from the NW corner east to Nattes Way.
 - c. 48th Ave Access: Continue to work with Consumers Energy to obtain the permit to extend Nattes Way to 48th Ave.
 - 2. Stated the following:
 - a. Currently possess a permit for 33ft to cross the Consumers Energy easement.
 - b. Need additional permit in order to widen the crossing to 66 ft required for the road.
 - c. There is currently no timeframe for approval from Consumers Energy. Consideration dependent on the outcome of the rezone request.
- iii. Township Planner, Andrew Moore, highlighted his report to the commission.
 - 1. Stated he is not opposed to the proposal. The access to utilities and the ability for guided growth could merit the up zoning in the Master Plan.
- iv. Discussion ensued among the Commissioners
 - 1. Meyer: Okay with the proposed density, feels that 48th Ave access is needed
 - 2. Herrema: Okay with proposed density, feels that 48th Ave access is needed
 - 3. Peters: feels that 48th Ave access is needed
 - 4. Huizenga: feels that 48th Ave access is needed
 - 5. Tacoma: feels that 48th Ave access is needed
 - 6. Vander Kodde: feels that the density is still too high for his liking, also feels that 48th Ave access is needed.
- v. ***Motion made to recommend to the township board, the denial of the conditional R3 rezone request based on no committed access to 48th Ave was made by Shane Herrema, support by Brett Huizenga.***

Motion Carried 5-1

b. **DeYoung – Miedema Rezone Request**

- i. Remain Tabled

21. Updates of Ongoing Business:

a. **Township Board Meeting Minutes:**

- i. As submitted
- ii. Highlighted by Jeff Meyer

b. **Zoning Board of Appeals:**

- i. As submitted
- ii. Highlighted by Brett Huizenga

c. **Bonds and SLU:**

- i. No Additions or changes

d. **Master Plan Updates:**

- i. Water Subcommittee Update

1. As submitted
2. Highlighted by Shane Herrema

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

- i. Dave Van Dusen: 6700 Fillmore
 1. Would like to be notified when the Miedema-DeYoung project is removed from the table.
 - a. Admin to email Mr. Van Dusen a meeting agenda each month.

23. Planning Commissioner Comments:

- i. Lyn Peters will not be at the next meeting
- ii. Kurt Gernaat will not be at the next meeting
- iii. Thoughts on addition of 5.5 Conflict of Interest to the Agenda:
 1. Commissioners thought that it was a reasonable addition

24. Correspondence for informational purposes only:

- i. Holland Charter Township – Notice of Intent to Plan
- ii. Allendale Charter Township – Notice of Intent to Plan
- iii. Allendale Charter Township – master Plan Draft Solicitation of Comments

25. Upcoming Events:

- a. Township Board Meeting: September 19, 2022
- b. Planning Commission Meeting: October 3, 2022

26. Adjournment:

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

Motion Carried 6-0

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