

NELSON TOWNSHIP
Special Planning Commission Meeting
Nelson Township Municipal Building
2 Maple Street
Sand Lake, Michigan 49343

Wednesday, September 21, 2016
7:00 P.M.

MINUTES

The regular Planning Commission meeting was called to order at 7:00 p.m. by Commissioner McKown.

McKown expressed that Kevin Grifhorst has resigned from the Planning Commission effective immediately. Grifhorst relayed to McKown that he was appreciative of the opportunity but has obligations to his family that prevent him from continuing to serve.

Commissioners Present: Hoffman, Stolk, McKown, Wall, Litwinchuk.

Commissioners Absent: Grifhorst, Covell.

Also Present: Zoning Administrator Jerry Gross, Township Attorney Ross Leisman, Dan Larabel from Allen Edwin Homes, Township Engineer Kevin Gritters, Supervisor Tom Noreen and the Township residents who signed the attendance sheet attached to these minutes.

Approval of Agenda: Stolk motioned to amend the agenda by moving Unfinished Business 6.a) White Pine Ridge OSPUD discussion before New Business, and New Business 5.f) to the top to accommodate members of the audience. The motion was seconded by Litwinchuk, to approve the September 21, 2016 agenda as amended. Yes – 5, No – 0, Absent 2.

Approval of Minutes:

Hoffman moved to approve the July 20, 2016 regular meeting minutes as written. Seconded by Stolk. Yes – 5, No – 0, Absent 2.

Stolk, seconded by Litwinchuk, moved to approve the August 17, 2016 special meeting minutes with the change on Page 3, 4th paragraph, second line from “high” to “low.”

Comments from the Public – Items Not on Agenda:

Bruce Yowitz, B&B Self Storage, asked for clarification about adding another building to his business because the zoning ordinance has changed. Attorney Leisman explained the process: i) rezone property to industrial and ask for a special use, ii) apply for conditional rezoning, iii) apply for a nonconforming use in front of the Zoning Board of Appeals, or iv) self-

storage businesses could be added to the commercial district. The Planning Commission will hear more on this issue after an application is submitted.

White Pine Ridge OSPUD Discussion:

Stolk asked Engineer Gritters to discuss the drainage issues. He presented a color-coded map to explain where the three different areas of water flow around the proposed development.

- The proposal for the northern 6.1 acres is to reroute the water with drainage swales around the parcels and south to the existing culvert under Shaner. There is a reduction in area that flows across the property, with a chance there might be an increase in the speed of flow which could be lessened with check dams or other measures before it reached the culvert under Shaner.
- The 57-acre area in the middle would be redirected around the development and flow into an infiltration basin which would hold all of the water that reaches it up to the 100-year storm event. The water would be conveyed with check dams and a wide drainage swale to prevent excessive velocities
- The southern 6.5 acres would be redirected around the development back to where it originally flowed with a very minor change outside of the swale by means of a berm.

All offsite areas are being rerouted around the site from the existing conditions. The whole onsite area would make it to the infiltration basin. Five-foot soil borings were done and did not hit water. It meets Kent County requirements.

There was discussion about size and maintenance of the water system, setting up a fund to pay for it, and how it would be administered.

Stolk then expressed the following concerns from the subcommittee meeting:

- Fence around infiltration basin: The subcommittee discussed this option. It could be an attractive nuisance and collect debris.
- Mosquito control: Engineer Gritters confirmed that mosquito control is most likely not needed because the pond is designed to empty within 72 hours.
- The Subcommittee asked Supervisor Noreen to contact the Kent County Road Commission about cleaning out two culverts. A representative from the Road Commission looked at the culverts and didn't think cleaning was necessary. Supervisor Noreen will contact them again.
- Funding for maintenance: The subcommittee thought it was important to establish a fund for maintenance of the storm water system.
- Tree line: The Subcommittee would like to see clumps of trees rather than a straight row to make it look more natural.

Stolk, seconded by Wall, made the motion to recommend approval of the preliminary plan and site condominium plan of White Pine Ridge with the following conditions:

- Drainage swales will have a side slope of 4:1.
- Storm water drainage system inspection will be conducted by an engineer jointly agreed upon by the Township and the homeowner's association.
- A fund will be established and maintained in the amount of \$5,000, in addition to any operating reserve required by state law, for maintenance of the storm water system. If the Township has to make any emergency repairs, it can collect from the homeowner's association if the fund is deleted. Any reference to a bond or letter of credit will be deleted.
- 7(n) will be modified to add the Subcommittee Report of August 30.
- Other conditions will be added to include that the evergreen screen will be planted and maintained by the homeowner's association and a landscape plan will be submitted with the final development plan.
- J(1) will be changed from residential lighting to all lighting.
- 6(k) – the last sentence regarding signage will be removed.

The Commissioners expressed to the resident audience that they spent a lot of time on this issue and felt this option gave them more control over the development than if the developer had built the homes by right. A lot of public comments were taken throughout the process and the primary concern of the Planning Commission was to make sure there were no adverse effects on the neighbors. The Township Engineer has spoken confidently that the plan will reduce the adverse effects.

Motion carried. Yes – 4, No – 1, Absent 2.

New Business:

- a) Discussion to Set Public Hearing: Sand Removal – Brett Toppen – 8344 18 Mile Road, N.E.

Brett Toppen was approached by someone about mining sand from his property. He addressed the Planning Commission about what would be needed and stated he anticipated a 10-year life of the mine. The Planning Commission asked him some questions and recommended that he present revised plans showing proposed grades after the mining was completed, removal of the driveway loop, entrance, designation that mining is for sand only, and be submitted to Township before October 15.

Motion by Hoffman, seconded by Stolk, to set a public hearing. Motion carried. Yes – 5, No – 0, Absent 2.

- b) Special Use: Giggles and Wiggles Child Care Increase in Licensing from 6 to 12 Children – Jennifer Ruwersma – 16115 Morel Lane

Jennifer Ruwersma would like a special use to expand her daycare from 6 kids to 12. She will have an assistant to help. She has the support of her neighbors. She has also gone through all of the steps the State of Michigan requires.

Motion by Wall, seconded by Stolk, to set a public hearing. Motion carried. Yes – 5, No – 0, Absent 2.

- c) Request from Township Board to review Planning Commission Bylaws regarding 3-minute timeframe to make public comment

Attorney Leisman reviewed the Planning Commission Bylaws and there is no set time for public comments. The Planning Commission will review all portions of the bylaws.

Motion by Wall, seconded by Stolk, to review the bylaws at the November 16, 2016 meeting. Motion carried. Yes – 5, No – 0, Absent 2.

- d) Request from Township Board to review allow rezoning in Commercial District to allow for erection of a residential home

Joseph VandenBerg wants to build a residential home in a commercial district. He feels it wouldn't be a viable commercial parcel because of the wetlands. The Planning Commission will address this request when an application is received and would like to see more information about the wetlands and the suitability of development or building.

- e) Master Plan Review

Supervisor Noreen would like the Planning Commission to review the Township's Master Plan to see if the goals and objectives of the Township are current. The Planning Commission would like some input from the Township Board about their desires and would like to work with a planner to give some guidance regarding key issues and modifications.

Motion by Hoffman, seconded by Litwinchuk, to table review of the Master Plan. Motion carried. Yes – 5, No – 0, Absent 2.

- f) Inclusion of Nelson Township in Cedar Springs Area Parks and Recreation Plan

Supervisor Noreen is working with the Cedar Springs Area Parks and Recreation to have Nelson Township included in their plan. He feels this would open up more grant funding to the Township for trails and nonmotorized access. Goals from the current Master Plan would be incorporated into the recreation plan.

Comments from the Commissioners. Commissioner Stolk feels that the Open Space PUD and Private Road ordinances should be reviewed again. There was consensus from the Commissioners that splitting off the parcels and then using the OSPUD process did not fit the intent of the ordinance because the amount of open space was pretty small when the swales and basins were used.

Extended Public Comments.

Lyle Buffum, 15429 Shaner, spoke about his observations over the last 27 years regarding the water on Shaner. He feels it is dangerous in the winter when it ices up and neighbors have standing water in their yards with heavy rain and snow melt. He has questions about whether or not the drain basin is going to handle that. The Commissioners encouraged him to attend the Township Board meeting and contact the Kent County Road Commission.

Loretta Lee, 6340 18 Mile, stated that there are issues with the construction equipment using the middle of the road and traffic lanes. She said they need a staging area instead of the road if they are going to build.

Adjournment. Stolk, seconded by Hoffman, moved to adjourn the meeting at 9:27 p.m.

The next regular Planning Commission meeting will be held on November 16, 2016 at 7:00 p.m.

Christine Witt
Recording Secretary