

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

Wednesday, January 18, 2017  
7:00 P.M.

**MINUTES**

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

**Commissioners Present:** Mahoney, Stolk, McKown, Wier, Wall, Litwinchuk, Covell.

**Commissioners Absent:** None.

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

**Approval of Agenda:** Stolk moved to amend the agenda to reflect that the next meeting date will be March 15, 2017. Seconded by Litwinchuk. Yes – 7, No – 0.

**Approval of Minutes:** Wall moved to approve the November 16, 2016 regular meeting minutes with changes from the name “Rolland to Rowland”, and a typo on the fourth paragraph of page 2 from “of” to “or.” Seconded by Litwinchuk. Yes – 7, No – 0.

**Comments from the Public – Items Not on Agenda:** None.

**Public Hearing:**

- a) *Consideration: Text amendment to the Commercial District to allow storage facilities as a permitted Special Land Use*

Attorney Leisman explained the procedure would be a text amendment to allow storage facilities with a public hearing, discussion, and then, if approved, recommend to the Board for their approval.

The public hearing was opened at 7:06 p.m. A resolution was distributed for review. Attorney Leisman clarified that this was just a line item addition for storage facilities in the current ordinance and gave the background on the request. There being no public comment, the public hearing was closed at 7:09 p.m.

Wier moved to recommend the proposed text amendment to the Township Board. Wall seconded. Yes – 7, No – 0.

- b) *Consideration: B&B Self Storage Application for Special Land Use to construct an additional storage unit*

The public hearing was opened at 7:10 p.m. There were no comments from the public. The public hearing was then closed at 7:11 p.m.

Bruce Yowitz, 15964 Northland Drive, spoke about his request stating that the entry to the proposed new building will come in from the south off the concrete pad. A truck and trailer should have enough room to make the turn. He has spoken to the DEQ and they are agreeable to his plans. The new building won't affect the other storage units or impede the current use of those units. He also confirmed to the Planning Commission that there is a 12-foot strip of grass between the area and the ditch on Northland Drive, as well as a security gate to get in, and lights on each unit. The light won't shine out by Northland Drive or cause any distraction.

Attorney Leisman explained that the resolution would reference the fact that there are already storage units there. The Planning Commission would recommend to the Board that it be added to the commercial district. The second page would add the new building, make the existing buildings lawfully conforming, require compliance with the site plan, and not take effect until approved and published.

Stolk moved to approve the special land use pending Board approval of the text amendment with additional language in the resolution to provide that the area between the building and the fence will be mowed and maintained. Seconded by Wier. Yes – 7, No – 0.

**New Business:**

- a) *Appointment of Planning Commission Officers – Chair, Co-Chair, Secretary*

Stolk nominated Bob McKown for Chairman, support by Wier.  
Yes – 7, No – 0.

Wier nominated Marc Stolk for Vice-Chair, support by Wall.  
Yes – 7, No – 0.

Wier nominated Maureen Mahoney for Secretary, support by Wall.  
Yes – 7, No – 0.

- b) *Review only – Master Plan comments from Supervisor dated 8/30/16*

Supervisor Britton feels it is time to review the master plan. Attorney Leisman explained that the master plan doesn't expire but townships are required to review them every five years. There was then general discussion about whether a planner or consultant should be hired and in what capacity, how much revision is envisioned for the master plan, updating it to reflect some of the commercial issues and the bike trail, and whether a subcommittee should be formed. No action was taken.

**Unfinished Business:**

- a) *Bret Toppen Mining Operation (Toppen to provide plans as soon as possible so subcommittee can review - PC will make its decision - the public hearing was already held on 11/16/16)*

Mr. Toppen did not provide the site plan the subcommittee needs for proper review. There isn't anything more to do until the site plan is provided. This will be kept on the agenda.

Stolk, with support from Wier, moved to table. Yes – 7, No – 0.

- b) *Application for Final Site Plan Condo Approval: Allen Edwin White Pine Ridge PUD*

Attorney Leisman explained procedurally where the Township is with this. The Planning Commission looked at drafts, had several meetings, and the ordinance is in effect with the Board having approved it. The applicant is now requesting that the Planning Commission give final approval to the site plan. The engineer reviewed the plans in great detail. Leisman prepared a draft approval resolution that explains where the Township is in the process and would give approval with conditions, if any.

Stolk then showed Dan Larabel (Allen Edwin Homes) a picture of the ditch at the construction site full of debris and requested that he talk to the construction crew. Having the ditch full of debris is not a wise idea and will potentially impact the drainage and water runoff which is a major concern to the Township and its residents.

Larabel submitted the final construction plans, contacted Engineer Gritters, and is working on the Master Deed revisions. He is looking forward to making this a successful project in the community.

The landscape buffer trees were discussed – the type of trees, size, and whether or not they are native to the area. The Planning Commission requests the trees not be seedlings. They should be mature trees of 3-4 ft. height and reflected on a revised Landscape Plan approved by the Planning Commission subcommittee prior to issuance of building permits.

There was more discussion about the storm water system.

- Gritters has requested additional information from Allen Edwin, including calculations and verification of multiple items, correct sizing, bond info, and he won't give his final approval until he reviews all of it.
- A 100-year overflow swale was added to back up the drainage basin. Every drop up to the 100-year event should stay in the basin. A 100-year event is about 6 inches of rain in a 24-hour period. Anything more than that would go into the swale and head south.
- The check dams are part of the soil erosion program and permanent structures to slow travel through the swales.
- Gritters will verify the swale and reconfiguration to make sure it doesn't hit the Gilson property.
- Gritters will confirm the building type and floor type and specific elevations for each of the homes, which should be shown on the plans.
- Gritters has asked that the specifications of inlet grate types and covers for yard drains be specified on the plans.
- Larabel confirmed that the houses will have daylight basements and the grades are being built up instead of cut out of the earth.
- Larabel confirmed there will be sump drains of stone and tile that will pump up to grade.
- Gritters is confident that once all of these items are verified the storm water management system will work.

Attorney Leisman explained that the final site condo plan can be approved subject to conditions such as approval of the private road, the requirement that it is operated and constructed in accordance with all laws, compliance with the Township Engineer's letter, appropriate changes to the condo documents, that escrow fund and bonds be in place before building permits are issued, and the revised landscaping plan be approved by a subcommittee appointed at tonight's meeting.

Mahoney motioned to appoint a subcommittee consisting of Litwinchuk, Stolk, and Wall to review the revised plans after Engineer Gritters has received the information requested. Seconded by Covell. Yes – 7, No – 0.

Wall moved to approve the final site condominium plan resolution, contingent on landscaping, the Township Engineer's approval, and subcommittee approval. Seconded by Stolk. Yes – 7, No – 0.

c) *Review Draft No. 1 of Proposed Sign Ordinance*

Attorney Leisman suggested review of the entire sign ordinance to not only reflect a new ruling from the court, but also to bring the sign ordinance up to date and make it consistent. He will make a more detailed presentation at the March 15, 2017 meeting.

d) *Review Planning Commission Bylaws*

Planning Commission Bylaws will be distributed to everybody for review. If changes are required, that can be brought up after all Planning Commission members have had a chance to thoroughly review.

**Comments from the Commissioners.** Stolk would like to discuss private roads and the Open Space Planned Unit Development at the next meeting. Attorney Leisman will look at both of these items to see if there is a way to provide control and greater benefit to the Township.

**Extended Public Comments.** None.

**Adjournment.** Wier, with support from Stolk, motioned to adjourn the meeting at 8:54 p.m. Yes – 7, No – 0.

The next regular Planning Commission meeting will be held on March 15, 2017 at 7:00 p.m.

Christine Witt  
Recording Secretary