

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

Wednesday, April 19, 2017
7:00 P.M.

MINUTES

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

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

Commissioners Absent: None.

Also Present: Supervisor Robyn Britton, Zoning Administrator Jerry Gross, Township Attorney Ron Redick, and the Township residents who signed the attendance sheet attached to these minutes.

Approval of Agenda: Stolk moved to approve the agenda as presented. Seconded by Mahoney. Yes – 7, No – 0.

Approval of Minutes: Wier moved to approve the agenda as presented. Seconded by Litwinchuk. Yes – 7, No – 0.

Comments from the Public – Items Not on Agenda: Zoning Administrator Gross informed the commission that there may be a new applicant coming before the Planning Commission on a mining issue.

New Business: None.

Unfinished Business:

- a) *Bret Toppen Mining Operation – Review Plans and Proposed Resolution Approving Special Land Use*

The plans were provided by Mr. Toppen but he was not present to answer questions. A subcommittee consisting of Wall, Stolk, and Litwinchuk will meet before the May meeting to review the plans. Motion by Stolk, seconded by Wier, to table approval until the next meeting. Yes – 7, No – 0.

Final. Approved at 5/17/17 meeting

b) *Review Draft No. 2 Proposed Private Road Ordinance*

Attorney Redick walked the Planning Commission through the draft ordinance explaining that most of the revisions are contained in Section 3.17.

There was discussion about changing the number of houses on a private road. A developer could appeal to the zoning board of appeals if it wanted additional homes on a private road outside of the ordinance. Redick explained that the Zoning Board of Appeals has a more demanding standard to follow in granting variances.

The Township Attorney will revise the draft to reflect that more than 6 homes on a road must be a public road.

Motion by Wier, with support from Mahoney, to table until the next meeting.
Yes – 7, No – 0.

c) *Review Draft No. 2 Proposed Open Space PUD Ordinance*

Attorney Redick explained the changes made in the second proposed draft of the OSPUD ordinance. The changes aim to make clear that multifamily PUDs are not allowed unless multifamily dwellings are allowed in the zoning district. In such case, both units would be counted for density purposes. There is also a new requirement for walkable paths unless waived by the Planning Commission or Board, a decrease in the amount of areas that can be counted in the open space percentage, and changes to Section 12.7g which discourages the practice of splitting off certain lots and creating an OSPUD with the rest of the original parcel.

There was discussion about the open space preservation option which must be available to owners as of right, but aren't popular with developers.

The Planning Commission discussed generally maintenance of pathways in the OSPUD, the number of feet required to be open space from the road right of way, and landscaping buffers.

The Township Attorney will revise the draft to provide a 200-foot open space area from the road right of way in the front of the development, a provision that addresses splits off of the original parcel prohibited when developing an OSPUD, and a requirement that the land be left in its natural condition or landscaping that provides buffering or a visual barrier.

Motion by Stolk, seconded by Wall, to table until next meeting and edits are provided by the attorney. Yes – 7, No – 0.

There was discussion about a moratorium on OSPUDs until the ordinance can be resolved. Redick stated the Planning Commission can request it but the Board would have to approve it.

Motion by Stolk, seconded by Litwinchuk, to request a moratorium on development of OSPUDs until the ordinance is resolved. Yes – 7, No – 0.

There was then discussion about who is inspecting the development at White Pine Ridge. Zoning Administrator Gross will contact the engineer and Kent County to address concerns.

d) Review Draft No. 3 of Proposed Sign Ordinance

Attorney Redick explained that changes were made to the previous sign ordinance draft that incorporate new billboard being prohibited but maintenance for nonconforming existing signs is allowed.

There was a lot of discussion about the use of roof signs – the different types, what districts they should be allowed in, and height regulations.

Next was discussion about the sizes of various types of signs as listed in the definitions. The Planning Commission wants to see samples of other ordinances to see how they are handling these issues.

Motion by Wier to table until next meeting. Support from Stolk. Yes – 7, No – 0.

e) Review Planning Commission Bylaws

There was discussion about the procedures and the time limit for allowing residents to comment, recognizing that if fewer residents are present, there may be additional time allotted to them than if the meeting is heavily attended.

Motion by Wier, with support from Mahoney, to allow the chairperson to set a reasonable time limit for comments at each meeting to ensure that equal speaking time is granted to each person. Yes – 7, No – 0.

Comments from the Commissioners. None.

Extended Public Comments. Loretta Lee, 6340 18 Mile Road, expressed concern that the swales are deeded through the Register of Deeds and that different entities are getting the same prints because so many revisions have been made. She wants to know who is responsible. She is also concerned that the swale is right next to the septic system and a lot of dirt is being moved. She thinks the responsibility lies on the Planning Commission or Board to enforce the water issues. Jerry will call to talk to the health department.

Adjournment. Stolk, with support from Litwinchuk, to adjourn the meeting at 9:31 p.m. Yes – 7, No – 0.

The next regular Planning Commission meeting will be held on May 17, 2017 at 7:00 p.m.

Christine Witt
Recording Secretary