

HOLLAND CHARTER TOWNSHIP PLANNING COMMISSION
Regular Meeting
February 1, 2022

Chairman Randy Kortering called the meeting to order at 6:00 pm and asked for a roll call of members present.

Present: Chairman Randy Kortering, Vice-Chairman/Secretary Jack VanderMeulen, Members Leo Barajas, Doug Becker, Steve Darrow, Miska Rynsburger and Evan Sharp. Also present were Community Development Director Corey Broersma, and Recording Secretary Tricia Kiekintveld.

Absent: None.

Public Comment: None.

Minutes:

** It was moved by VanderMeulen and supported by Rynsburger to approve the minutes of the January 4, 2021, meeting with one correction. All in favor. Motion carried.

Public Hearings:

Chairman Kortering opened a public hearing for consideration of an amendment to a PUD Final Development Plan submitted by Vishal Arora of Magnus Capital Partners. Said lands are located at 12169 Felch Street, described more specifically as Parcel Number 70-16-16-200-063. The proposed amendment consists of a new maintenance building and site amenities.

Present for this request was Mr. Eric Maring of Hooker DeJong Architects, 316 Morris Avenue, Suite 410, Muskegon, MI, 49440.

Mr. Maring stated that they have been talking to Staff regarding adding some amenities to their plans. They wanted to add a pickle ball court, a dog park and a maintenance building. He said they worked with Staff adding the pickle ball court and dog park and have also added a row of parking. Mr. Maring said that with the changes shown tonight they now have 231 parking spaces at a parking ratio of 2.02 spaces per unit.

Mr. VanderMeulen asked what they are going to be using the maintenance building for? Mr. Maring answered that they will be using it for general storage of maintenance equipment. He said the building will also have bike storage on one side which will be the bike storage for the main building in the back, as that building does not have bike storage inside the building like the other two buildings do.

Mr. Maring also noted that they are proposing a water hose spigot to be able to wash down equipment after use. They are not adding restrooms or proposing any sanitary sewer line be added, as that would not be possible at this point in the construction process.

Mr. Maring said that Staff is recommending the bike storage be moved to the east side from the west side of the building due to safety concerns. Mr. Maring said that they will flip the layout of the building to have the bike storage on the east and the maintenance storage on the west side.

That will give residents access to the bike storage in a better lit area of the property. He also pointed out that the building will be constructed with similar materials as the apartment buildings so it will blend in with the surrounding buildings.

Staff said that it looks good to them to move the bike storage to the east side of the proposed building as that will be safer for residents. It was also noted that the Township ordinance requires a parking ratio of 2.5 parking spaces per unit but that an amendment was previously approved to reduce the parking ratio. Staff finds this amendment acceptable if the Commission is satisfied with the additions.

Chairman Kortering opened the meeting up for public comments.

There was no one from the public present to speak to this request.

** It was moved by Rynsburger and supported by VanderMeulen to close the public hearing. All in favor. Motion carried.

Staff stated that they will need the applicant to submit 2 hard copies and 1 electronic copy of updated plans showing the bike storage on the east side of the building.

** It was moved by VanderMeulen and supported by Rynsburger to approve the amendment, asking Staff to draft a resolution, under the condition that the applicant provide Staff all required documentation. A roll call vote was taken. All in favor. Motion carried.

Chairman Kortering opened a public hearing for consideration of a special land use request submitted by David J VanderSlik Jr of Black Lake Property LLC. Said lands are located at 873 and 891 Black River Drive, described more specifically as 70-16-25-474-004.

Present for this request was Mr. John Male of Excel Engineering, 5252 Clyde Park Ave. SW, Grand Rapids, MI, 49509 and Mr. David VanderSlik Jr. of Black Lake Property LLC.

Mr. Male said that they plan to construct a building for a landscaping business on the property. They are asking for a special use for outdoor storage at a contractor facility. Mr. Male pointed out that the building was approved in July with conditions. At this time, they are asking for a revision of some of the conditions including the "Future Expansion Area" and approval of a salt bin structure.

Mr. Male stated that at their other locations they have their salt storage in a canvas top structure but, as those are not allowed in the Township, they needed a more permanent structure which is shown on the drawings submitted. Originally, they had a future expansion area in the back with fencing right up to the approved area. Mr. Male said that they are now asking for the whole site to be approved.

Mr. Male clarified that the area marked "blacktop milling" will be used for storage of snowplow equipment or landscaping equipment depending on the season. They will line up the equipment in an orderly fashion on the blacktop millings so that it looks nice.

Mr. Male said that in their other locations they have the fuel stations and a garbage dumpster in close proximity to each other as that works very well for the drivers returning at the end of the day to have one stop to be able to fuel up and get rid of any trash that they have on their vehicles. Their preference would be to leave it as shown on the drawings. Mr. Kortering pointed out that the Fire Chief said that they need to be separated because of the fire risk. Mr. Male said that they would prefer to keep it as shown but they could move it if necessary. Mr. VanderMeulen asked if they have another location in mind where they could move it to? Mr. VanderSlik stated that they could move it and work around it, but said that at their 7 other locations it has never been a problem. Mr. VanderSlik asked if it would be possible to talk to the Fire Chief to see what the concern is? He also said that the millings area in the back is a very low traffic area and it will be kept very clean and well organized.

Staff asked if they could clarify the storage areas for stone, bark and topsoil. Mr. VanderSlik stated that the stone and bark would be in areas surrounded by walls and that the topsoil would be under an overhang that extends from the salt storage building.

Mr. Becker asked if the parcels have been combined yet. Mr. Male said that they still need to do that.

Mr. Kortering went through the seven (7) General Standards of Approval.

1. The use will be harmonious and appropriate with the existing or intended character and land uses in the general vicinity.

Mr. Kortering asked if the fencing proposed will work? Mr. VanderSlik said that they are planning a security chain link fence. Staff indicated that a chain link fence is not allowed under the ordinance as screening and that they would need a different kind of fencing as allowed under the ordinance. Mr. VanderSlik said that they are willing to work with Staff on finding the right materials for the fencing.

2. The use will be served adequately by public services and facilities, including, but not limited to, streets, police and fire protection, drainage structures, refuse disposal, water and sewer facilities, and schools.

Public services and facilities appear to be adequate to appropriately serve the proposed use.

3. The use will not involve operations, materials and equipment that will be detrimental, hazardous, or disturbing to any persons, property or the general welfare due to traffic, noise, smoke, fumes, glare, vibration, or odors.

Activities on the property will result in some traffic, noise, and other impacts, primarily including material loading, truck traffic, and related activities. Mr. Kortering asked the applicant to address night-time hours of operation given the proximity to the multifamily housing to the north. Mr. VanderSlik said that snow plowing will happen during the night. Typically, around 20 pickup trucks will leave the facility between 10:00 pm and midnight and will usually be out all night returning between 6:00 – 8:00 am. He stated that there will be a few salt trucks that may return periodically to refill. Mr. VanderMeulen pointed out that the multi-family housing to the north is quite a distance away and doesn't see this being a problem. Mr. VanderSlik also pointed out

that they are along the highway and that there is a constant drone of the traffic on the highway that will help to drown out any noise.

4. The use will be consistent with the intent and purposes of this ordinance and the Holland Charter Township Comprehensive Plan.

Contractor Facilities with outdoor storage are only allowed as special uses in the C-3 zoning district. With Planning Commission approval, the use could be considered consistent with the Zoning Ordinance and the Comprehensive Plan.

5. The use will ensure that the environment shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal and topographic modifications, which result in maximum harmony with adjacent areas.

The property will need to install vegetation; therefore, the project's not-paved areas would be an enhancement to the areas plant diversity.

6. The use will not result in traffic congestion, nor have an adverse impact on roads, nor cause hazards.

This is not a concern.

7. There is need for the proposed use within the Township.

This is what we will decide in the vote.

Mr. VanderMeulen asked if the storage bins located to the west are for the bark and stone or what those are for? Mr. Male answered that yes that is where the bark and stone will be stored. Staff asked why they cannot push those storage areas back into the blacktop millings area to allow for more driving space? Mr. VanderSlik said that this layout works best for them giving them a large enough area on the blacktop millings to park their equipment and leaving them plenty of space for traffic flow. Mr. VanderSlik also explained that the stone and bark areas will be surrounded by walls built of 2' tall bricks stacked 3 high to make a 6' tall wall on 3 sides of each of the storage bays.

Chairman Kortering opened the meeting up for public comments.

There was no one from the public present to speak to this request.

** It was moved by Becker and supported by Rynsburger to close the public hearing. All in favor. Motion carried.

** It was moved by VanderMeulen and supported by Rynsburger to approve this request with the following conditions:

1. Prior to the issuance of any permit, the applicant shall combine the two parcels into a single lot.
2. Garbage container and fuel dispensing/storage areas shall be separated and approved by the Fire Chief;

3. Gate mechanisms and any operational codes shall be approved by the Fire Chief;
4. Prior to the issuance of any permit, Site Plan Approval is obtained indicating the items such as, but not limited to, landscaping, fencing, and lighting comply with ordinance and County approvals have been obtained.
5. Staff to handle site plan review.

A roll call vote was taken. All in favor. Motion carried.

Chairman Kortering opened a public hearing for consideration of a special land use request submitted by Timothy Krueger of Evoqua Water Technologies for outdoor storage associated with an existing manufacturing facility. Said lands are located at 2155 112th Avenue, described more specifically as 70-16-22-200-037.

Present for this request was Mr. Timothy Krueger of Evoqua Water Technologies.

Mr. Krueger said that they are growing very fast and have plans to add a 25,000 square foot storage facility off the back of the current building and a 10,000 square foot addition to the north west corner of the building. He said that due to supply chain issues the construction of these additions has been pushed out.

Mr. Kortering asked if they will still need the outdoor storage after the construction is complete? Mr. Krueger answered that all the material will be stored in the buildings. Mr. Becker asked if we can put a time limit on the special use if granted? Staff stated that a special land use is good for one year to allow construction to proceed and then runs with the land. Staff noted that it would be unusual to have it be for a shorter time than that.

Mr. Krueger said that they plan to install a fence to help block the view to the back of the building.

Mr. VanderMeulen asked why the slow response over the past couple of years? Mr. Krueger said that there have been delays getting approval from corporate. Mr. VanderMeulen said that he has concerns about how this will progress with the problems that they have already had. Mr. Krueger said that they now have all the approvals they need from corporate so they are ready to move forward. Mr. Kortering pointed out that they have been issued 2 citations, with the second resulting in a court proceeding, and a 3rd is written but has not been issued due to the progress being made with the special use application. Mr. Becker asked if they have an estimated completion date? Mr. Krueger said that they plan to start construction in 6 months. Mr. Sharp asked how long they think construction will take after that point? Mr. Becker pointed out that if this is approved and if construction isn't starting for 6 months that only gives them 6 months to complete construction with the one-year time limit on the special use. Mr. Krueger said they just don't know how long construction will take given the current state of supply chain issues. Staff pointed out that as long as substantial progress is being made in construction then the special use approval will hold past the one-year point.

Mr. VanderMeulen said that he feels there are a lot of things missing from the plans like location of the storage, circulation, etc. He feels like he doesn't have a good understanding of what they are proposing. Staff said that this application is a good step forward in getting these issues resolved but would recommend that this request be tabled at this time to allow for some of these issues to be ironed out.

Mr. VanderMeulen said that he doesn't feel it would be a good use of Staff's time to approve this application and then have to work all of these details out with the applicant. He would prefer to have the applicant come back with a more detailed plan that shows better circulation that will work for the Fire Chief, where the storage will be located, fencing and other landscaping buffers, etc.

Mr. Kortering went through the seven (7) General Standards of Approval.

1. The use will be harmonious and appropriate with the existing or intended character and land uses in the general vicinity.

The proposed use could be considered harmonious given the adjacent industrially zoned lands, however, more detail is needed regarding storage locations, heights and screening.

2. The use will be served adequately by public services and facilities, including, but not limited to, streets, police and fire protection, drainage structures, refuse disposal, water and sewer facilities, and schools.

The applicant will need to work with the Director of Public Works and Fire Chief in regards to future work in order to properly plan for water service and hydrants.

3. The use will not involve operations, materials and equipment that will be detrimental, hazardous, or disturbing to any persons, property or the general welfare due to traffic, noise, smoke, fumes, glare, vibration, or odors.

A description of items proposed to be stored outside and the layout for a maintained fire access road are necessary to evaluate this standard.

4. The use will be consistent with the intent and purposes of this ordinance and the Holland Charter Township Comprehensive Plan.

The proposed use would clearly be accessory to an approved manufacturing use which meets the intent of the I-2 General Industrial zoning district by being a "location for the manufacture, compounding, assembling or treatment of articles or materials including the processing of raw materials and heavy manufacturing." Provided proper screening and access can be achieved for the outdoor use, it could be considered consistent with the intent of the zoning ordinance.

The property is also designated to General Industrial in the Comprehensive Plan and Staff believes this proposal could be consistent with the Comprehensive Plan's vision.

5. The use will ensure that the environment shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal and topographic modifications, which result in maximum harmony with adjacent areas.

Additional landscaping should be considered.

6. The use will not result in traffic congestion, nor have an adverse impact on roads, nor cause hazards.

The use should not negatively impact 112th Avenue.

7. There is need for the proposed use within the Township.

There appears to be a need based on the application for outdoor storage.

Mr. Becker pointed out that this is a short-term request so he feels that the Commission can grant them some wiggle room. He also said that he feels they do need more detail before approving but he is willing to be lenient on some of the items because it is a short-term solution.

Chairman Kortering opened the meeting up for public comments.

There was no one from the public present to speak to this request.

** It was moved by Sharp and supported by Rynsburger to close the public hearing. All in favor. Motion carried.

Mr. Kortering asked the Commissioners what they are thinking at this point? Mr. Sharp said that it looks to him like the temporary storage areas are conflicting with the fire lane and feels that they should table the request to allow the applicant time to bring back new drawings showing a good fire lane. Ms. Rynsburger said that she feels Staff's recommendation is clear and that they really need to see more details and therefore she feels they should table the request. Mr. Becker also feels they should table.

** It was moved by Becker and supported by Darrow to table this request to allow the applicant time to address the items from the Staff Report and come back to the Planning Commission within 60 days. A roll call vote was taken. All in favor. Motion carried.

Other Business:

O Ottogan (70-16-35-400-013) – Michael West of Westview Capital, LLC – Preliminary Plat approval consisting of 55 lots (intended for detached single family dwellings). The property lies west of the Knollwood PUD. (Tabled January 4, 2022)

Present to speak to this request was Mr. Tom Larabel of Westview Capital LLC.

Member Darrow excused himself from the meeting.

Mr. Larabel said that they are here today for Tentative Preliminary Plat approval. He said that if they get approval today, they then will go to the 5 entities to get approval from them but they are not able to get approval from them until they get Tentative Preliminary Plat approval from the Commission.

Mr. Larabel stated that they sent a request to Marathon regarding the pipeline on January 5, 2022, and they received a response on January 25, 2022. The response was that Marathon doesn't have a preliminary process and won't be able to give them any more information until they receive preliminary approval. Mr. Larabel said that the only way to tell how deep the pipeline is to take a vacuum truck and survey it, but they will not be able to do that until the ground is completely

thawed early this summer. Mr. Larabel said that they cross pipelines in their developments all the time and understand that the pipeline is not just a road issue but also a sanitary sewer issue. Mr. Kortering asked Mr. Larabel to explain what a vacuum truck is and what it does. Mr. Larabel said it is a big dirt vacuum machine that spray's the ground with water while vacuuming up all of that dirt until it gets down to the pipeline without any potential of disturbing the pipeline with traditional digging equipment. From there they can put the survey equipment right on the line.

Mr. Larabel indicated that they have a meeting scheduled with the Ottawa County Water Resource Commission for Friday. He said that the Road Commission changed one street name and had no preliminary issues with the proposed street re-alignment in the northeast corner of the property that caused them to lose one lot.

Mr. Larabel addressed the lot width to depth ratio and how they are over on the lots in the north east portion of the property due to the easements in that area. He stated that he would prefer not to leave this as open space as it will not be accessible to anyone other than those land owners and then there is the potential for it to become an eye sore because then no one takes care of it. He would prefer to ask for a waiver to allow the extra depth to width ratio for these parcels and have that land be owned by the property owners to take care of the land.

Mr. Larabel next talked about the cul-de-sac along the west side of the property. The Township requires that they keep the road 800' or less. He then stated that the number of homes on this property meets federal regulations for roads by having less than 75 properties along the road. Mr. Larabel also pointed out that this is not actually a dead-end road but rather they put in a hammerhead stub road part way down the road where fire trucks can turn around. He also said that they are proposing roads that go all the way to their property lines in 4 places so that there can be future connectivity. They are not able to directly connect 3 of them at this point because the adjoining parcels do not have roads to connect to yet. Mr. Larabel said that someone has to be first to make the road go all the way to the property line so that the next development can connect to the road that is already there.

Mr. Larabel knows that they are under a 60-day time line and said that they are willing to request an extension. They understand that if the Commission does not vote before the 60-days are up then it automatically goes before the Board for approval or denial. They do not want that to happen as they want to work with the Planning Commission.

Mr. Becker asked about lot 51 and it being unbuildable? Mr. Larabel said that this lot is right next to Knollwood and is actually a bigger lot than the Knollwood lot adjacent to it, however it has a smaller buildable area. Mr. Larabel said they figured out that they could build a 1,600 square foot house on that lot but noted that the access easement is the problem with that lot.

He said that they are working with the church to get rid of the church's easement because they are proposing the installation of a road instead which will give the church access to Ottogan. They have attempted to communicate with the church but the person they need to talk to has been ill. Staff indicated that the current property owner and the church would need to draft and record an easement amendment stating that the easement is no longer valid. Mr. Larabel agreed that this would need to be done and that the attorneys will take care of this paperwork.

Mr. Becker stated that he agrees with the Fire Chief regarding the cul-de-sac, that if the Chief is against it that the Commission should also not allow it.

Mr. VanderMeulen said that normally he sides with the Fire Chief but in this instance, he disagrees with him on this. He feels that this is a good use of this land and a chance like this won't come around again very fast as this is a difficult property with easements, wetlands, a pipeline, etc. Mr. VanderMeulen said that he understands that they need enough volume of homes to make it worthwhile and to come back to build just 10 more homes doesn't make it very feasible. He said they are proposing to extend the road all the way to the north for future connectivity and if it meets National Fire Code and County Road Commission requirements then we should allow it.

Mr. Kortering asked if the R-2 zoning is in line with the Comprehensive Plan? Staff said that yes, it is with a density less than 5 units per acre. The main goal of R-2 zoning in an area designated Low Density is to create open space which will naturally happen here because of the wetlands and easements.

Mr. Sharp asked if they are asking for a waiver for just those lots or will the waiver cover the whole property? Staff stated that the Commission can recommend to the Township Board to grant a waiver for just those lots.

Staff went over the options the Commission has before them. Option 1, motion to recommend approval to the Township Board; Option 2, motion to recommend denial to the Township Board; or Option 3, motion to table and extend the 60-day time frame, then they can come back before the Commission. Staff explained that once it goes before the Township Board, and if it is approved by them, it will then not come back before the Commission until final approval.

Mr. Kortering asked Staff if after hearing everything tonight have they changed their view on recommending either denial or extension of the allowed 60-day review? Staff answered that they have seen other developments that have had pipelines in them have major issues and has caused them to change the plans so much that it was not what was proposed to the Commission in the end. Mr. VanderMeulen stated that he knows that Riley and 112th has been an issue because of needing to move a pipeline and they ended up canceling the development.

Mr. Larabel acknowledged that there could be hiccups that could happen between now and final because of all the issues with this property.

Mr. Larabel said that there is \$50,000-\$75,000 worth of engineering costs that will need to be done on this property and they cannot move forward without Tentative Preliminary approval. He said that this approval stage is good for one year and if they cannot get done by then then they are ok with that. Mr. Larabel said that they are also waiting on the Tentative Preliminary approval before purchasing the property.

Mr. Kortering asked if we table them tonight to wait for more answers will they be able to get more answers in the next month? Mr. Larabel stated that they will not be able to get pipeline answers until summer when the ground thaws and they can use the vac truck.

There was discussion about how this approval process works. It was said that Tentative Preliminary approval would happen at the Planning Commission level, then it goes before the Township Board for Preliminary approval, then it will come back before the Planning Commission and Board for final approval after all engineering is complete and they have worked with all the entities necessary.

Mr. Sharp stated that he feels someone has to go first to get the road to the property line and he is good with approving this as long as the pipeline and the easement with the church all work out in the end.

** It was moved by VanderMeulen and supported by Rynsburger to recommend Tentative Preliminary Plat approval of Westwood to the Township Board with lots 2, 3, 45, 46, 47, 48, and 49 having a depth exceeding 2-1/2 times their width measured at the building line, Peppermint Drive having a cul-de-sac length over 800 feet, and with the following conditions:

1. The eastern 66-foot-wide easement to Immanuel Church of Holland be eliminated;
2. The road and utility crossings of the Marathon pipeline, must be fully constructed;
3. The Ottawa County Drain Commission approve all drain crossings and drain enclosures.

A roll call vote was taken. Yes - 6, No - 0, Abstained - 1. Motion carried.

Township Housing Analysis – Christopher Khorey of McKenna

Based on a recommendation from the Planning Commission on July 6, 2021 that the Township Board “...put a moratorium on individual requests for Amendments to the Comprehensive Plan and for Zoning Map Amendments for multi-family dwellings until the Township has an opportunity to conduct an independent study.” The Board agreed to establish a moratorium on the review, approval, and issuance of Zoning Permits for certain residential developments at their August 5, 2021 meeting.

In conjunction with this decision, Staff released a request for bids in an effort to prepare a market review and analysis of rental housing for the Township, including multi-family, single-family attached, and detached single-family units.

Present to speak to this request was Mr. Chris Khorey of McKenna.

Mr. Khorey presented the Housing Analysis with a draft date of January 13, 2022 to the Commissioners for approval.

The Commissioners had the following questions which Mr. Khorey addressed.

1. What types of housing are we short on?
2. What are the economic differences between long term residents and those just moving in now?
3. Do we need higher end rentals?
4. Are we still going to see growth as the baby boomers near end of life?
5. Do we need to take a look at public transportation and infrastructure for the future?
6. Will we continue to see new rental housing demand go up?
7. How does this affect how the Planning Commission moves forward?

There were no changes made to the study by the Commissioners.

** It was moved by Rynsburger and supported by Darrow to accept the Housing Analysis (Draft Date January 13, 2022) and asked Staff to present it to the Township Board for approval. A roll call vote was taken. All in favor. Motion carried.

The next Planning Commission meeting is scheduled for Tuesday, March 1, 2022 at 6:00 pm.

The meeting adjourned at 8:18 pm.

Respectfully submitted,

Tricia Kiekintveld
Recording Secretary