

**MINUTES  
PARK TOWNSHIP  
PLANNING COMMISSION**

Park Township Hall  
52 152<sup>nd</sup> Street  
Holland, MI 49418

Regular Meeting  
September 12, 2017  
6:30 P.M.

**DRAFT-APPROVED COPY**

**CALL TO ORDER:**

Chair Pfost called to order the regular meeting of the Park Township Planning Commission at 6:30 P.M., held in the Township Hall at the Park Township Office.

**ATTENDANCE:**

Present: Jeff Pfost, Eric DeBoer, Rosemary Ervine, David Kleinjans, Denise Nestel

Absent: Dennis Eade (excused), Tom VanDerKolk (excused)

Staff: Ed de Vries, Community Development Director, Dan Martin, Legal Counsel, Gregory Ransford, Staff Planner

**APPROVAL OF AGENDA:**

Motion by Kleinjans, supported by Ervine, to approve the agenda as presented.

Voice Vote:

Ayes 5, Nays 0. Motion carried.

**APPROVAL OF MINUTES:**

Kleinjans noted one omission on page 4 – VanDerKolk returned to the meeting after his request to be recused for the Benjamin Hope agenda item.

Motion by Ervine, supported by DeBoer, to approve the August 8, 2017 Regular Meeting Minutes as corrected.

Voice Vote:

Ayes 5, Nays 0. Motion carried.

**NEW BUSINESS**

- A. Benjamin's Hope** – PUD amendment to add a greenhouse and office to a craft building, and add a single-family residence for an on-site supervisor.

Pfost noted the previous concerns regarding this application which were expressed by the Planning Commission during the August 8 meeting. He asked that the staff introduce those parts of the application for discussion. We will hold a Public Hearing on this agenda item. If approved, the Planning Commission will then submit a recommendation for approval to the Township Board which meets this Thursday, September 14, 2017.

Ransford provided an updated review of the application that has been continued from the August 8, 2017 meeting. He noted that staff recommended the applicant submit the Preliminary PUD Plan and Final PUD Plan simultaneously. Staff reviewed both submissions and found the only remaining items of concern to include those noted in the Findings and Observation section of his Staff Memo of September 5, 2017.

He said that since this is an existing site it is in favor of the applicant. The recent submission of the topography map from the County is fairly accurate. Also identified on the map is the flood plain located on the property.

The Public Hearing will be for the Preliminary Plan.

Ransford highlighted five points for the Planning Commission to consider:

1. It was recommended the applicant approach the site plan based on the residential and commercial PUD requirements for buildable acreage and maximum density.
2. Regarding the dedicated open space for non-residential use, the common use element is designated on the plan. On page 8 of the Staff Memo the public spaces have been identified.
3. The ordinance says no more than 50% of the dedicated open space may consist of recreational facilities. He noted the applicant has a horse stable and paddock in this open space. Does the Planning Commission intend for this to be included? Given the agricultural character of this part of the property, should this be allowed for the future?

4. The open space maintenance agreement, which is required, will be provided by the applicant as a condition of approval.
5. The applicant is looking at 2021 for building the supervisor's home. He prefers something more definitive. It is open-ended for future fundraising. The Planning Commission may want to address this.
6. The Township Fire Chief has yet to review this application so his approval should be included.

The Planning Commission is to prepare a report with its recommendation to the Township Board regarding this PUD request. Ransford prepared a report for the Planning Commission to submit to the Township Board, although Legal Counsel recommends a more formal report.

Martin advised this is to be done as a separate document because the minutes won't be approved until next month.

The application must meet the 13 Standards of Approval and the two Site Plan Standards from Section 38-103. Both sets of standards are provided in the Staff Memo.

Pfost asked Nestel, as a member of the Township Board, if she could introduce the report to the Township Board. She said she would.

Brent Dykstra, architect for Benjamin's Hope, spoke to the application. He felt there is more definition regarding the open items that needed clarification. He said they anticipate construction will begin in 2018. The building of the supervisor's home will be sooner than the original date of 2021. He also noted that they discovered a utility pole at the site of the proposed supervisor's home which will require some modification. He requested approval for this so they can accommodate the location of the utility pole.

Nestel asked about the open space issue quoting the ordinance that it be used primarily for residents. Is this just for the PUD residents?

Dykstra suggested benches be placed for viewing by non-residents. From a security point of view there would need to be controlled access to that open space area.

Krista Mason, Executive Director, recommended the open space would be limited to the residents.

Nestel asked Ransford if the open space agreement should include ~~this~~the horse paddock area.

Pfost advised to hold discussion on the details until after the Public Hearing.

## **PUBLIC HEARING**

Chair Pfost opened the Public Hearing at 6:47 P.M.

No one spoke to the application.

Chair Pfost closed the Public Hearing at 6:47 P.M.

Board Discussion:

Pfost asked Legal Counsel if the Planning Commission can abstain from making a determination on the open space. If there is a change in the future, could the record reflect that we can address the issue later when we have the details in front of us.

Martin said the Planning Commission can make the finding whether that section of the property is dedicated open space. The Township Board could also address it. What you look at is if there is sufficient dedicated open space. Regardless whether that area is counted as open space there would be sufficient dedicated open space.

Nestel said she doesn't want to set a precedent.

Martin said if the applicant changes plans they will return to the Planning Commission and Township Board, and at that point, these entities will decide if it's dedicated open space.

Kleinjans asked why it is a point of discussion if it is not needed for this action.

Martin said the applicant is trying to preserve the open space for future expansion. The Planning Commission would not be setting a precedent for other applicants. Deferring action is not tying the hands of this applicant for the future.

Ervine was comfortable with this. DeBoer concurred.

Dykstra said the intent is the barn is there and the associated paddock is part of it for the foreseeable future. It is a logical conclusion to include it as agriculturally appropriate. It is likely they won't build in that area.

Pfost asked if the greenhouse is problematic.

Regarding the greenhouse, Ransford said the location is fine and there is nothing to worry about with this structure.

Nestel confirmed this is a second phase situation with the construction and she understands the Township Board can grant an extension.

Ervine asked Mason if she was okay with this and there is no issue.

Mason said she wasn't concerned.

DeBoer asked about the Sheriff's Department review.

Ransford said he didn't think it was an issue.

Nestel asked about the permit fees. Does the Planning Commission recommend this as a condition of approval?

Martin responded that the Board can waive the permit fee since it establishes the fee.

Pfost referred to page 2 of Ransford's memo and the four provisions that are listed. Are these acceptable to the Planning Commission?

Nestel concurred they are acceptable to her. The other members agreed.

Under General Observations, the Planning Commission agreed with the change to 2018 and the updates based on the applicant's most recent submission of information.

Dykstra added startup should be this fall but not later than 2018 for permits, etc. There will be some staggering by a few months for the greenhouse and supervisor's home.

Nestel said it can be extended by the Township Board.

Pfost asked the Planning Commission if it is our intention to accept the Standards for Approval:

Martin said the Planning Commission can adopt these as an entirety – it doesn't have to be read into the record.

Pfost requested a motion for approval of the Preliminary Plan.

Ervin moved, supported by Kleinjans, to approve the Preliminary Plan.

Nestel noted the approval should include the conditions for the construction phase in 2018 and the open space requirement.

Voice Vote:

Ayes 5, Nays 0. Motion carried.

Pfost requested approval for recommendation to the Township Board for the Final Plan.

Nestel moved, supported by DeBoer, to accept for transmission to and approval by the Township Board the Final Plan, with the condition that a maintenance agreement be forthcoming, the construction will begin no later than 2018, and the Fire Chief's review be conducted. The motion includes approval of the Standards for Approval (Section 38-373(9)) and the Site Plan (Section 38-103)

Ransford asked if the Sheriff's Department review should be cancelled.

That was confirmed. This is the only item in "k" of the Standards for Approval that would be cancelled. Fire, water and sewer remain as conditions of service in the PUD.

Pfost asked about the footprint for the residence in the shaded area which meets the setback requirements. This was confirmed to be allowed.

Voice Vote:

Ayes 5, Nays 0. Motion carried.

As clarification, Pfost asked Ransford to work with de Vries to be sure the report is prepared for submission to the Township Board for its meeting on September 14, 2017. He will sign the report as Chair of the Planning Commission.

Pfost thanked Ransford and de Vries for their assistance.

**B. Discussion on Ordinance Amendments**

1. **Special Use** – de Vries provided additional information regarding a Special Use Amendment.

Nestel asked if de Vries or Ransford have any changes in the previous report prepared by the prior Staff Planner.

de Vries said there has been prior discussion on wording and some language changes were recommended.

Nestel asked Martin if the Planning Commission decision is final on special use.

Martin said typically special use comes under the Planning Commission's umbrella.

Pfost asked for a review for October. de Vries said it is possible he and Ransford can prepare a report. Recent questions about special use concerned a rental banquet hall and storage building. Recently a new question is mixed use structure in a commercial building, will we allow for residential use in the same building.

## **2. Lakefront Lot Amendments –**

Nestel asked if this concerns R3, 4 and 5 only. She also asked about the plans for an overlay. de Vries said about a year ago we amended the ordinance to require a setback from the 100 year flood elevation. However, some lots have a seawall with areas behind the seawall having an elevation below the flood map.

Martin said the public has the right to traverse along the beach. Owners can't exclude the public from doing that.

Nestel asked about the definition of the front yard on the lake side.

de Vries said the ordinance defines the front yard as that part of the property which faces the road; the rear yard faces the body of water.

Pfost said there is time to review this at a later date.

## **3. Single-Family Dwelling Amendments –**

de Vries said this ordinance amendment discussion began with minimum roof slope requirements. Additionally, the term, mobile home, is an outdated reference. Manufactured housing is now the preferred term. All single-family dwellings have to comply with this requirement. de Vries said the entire ordinance needs to be updated.

## **PUBLIC COMMENT**

Chair Pfost opened Public Comment at 7:35 P.M.

There was no comment

Chair Pfost closed Public Comment at 7:35 P.M.

## **ANNOUNCEMENTS**

The next meeting will be October 10, 2017.

De Vries said there is one application for the October meeting.

Pfost asked Nestel to summarize the most recent activity of the NHP Overlay for the Macatawa Area.

Nestel said there was a meeting with residents and a facilitator. Now staff is charged with coming up with an overlay. The staff will make recommendations. The rental issue has yet to be addressed.

Pfost said Macatawa is first on the list for study and ultimately we will amend the Master Plan with any overlays that are approved.

**ADJOURNMENT**

Ervine moved, supported by DeBoer, to adjourn the meeting at 7:45 P.M.

Voice Vote:

Ayes 5, Nays 0. Motion carried.

Respectfully submitted,

Judith Hemwall  
Recording Secretary  
September 14, 2017

APPROVED: October 10, 2017