

**MINUTES
PARK TOWNSHIP
PLANNING COMMISSION**

Park Township Hall
52 152nd Street
Holland, MI 49424

Regular Meeting
(via Zoom remote conferencing)
May 13, 2020
6:37 P.M.

CALL TO ORDER:

Chair Pfost called to order the regular meeting of the Park Township Planning Commission at 6:37 P.M., held in via Zoom remote conferencing as permitted by Executive Order 2020-75.

ATTENDANCE:

Present: Dennis Eade, Rosemary Ervine, Diana Garlinghouse, David Kleinjans, Denise Nestel, Jeff Pfost, Terry DeHaan

Staff: Greg Ransford, Planner; Emma Posillico, Zoning Administrator; Dan Martin, Attorney

Pfost reviewed the rules for the Zoom meeting process.

APPROVAL OF AGENDA:

Motion by Ervine, supported by Eade, to approve the agenda as submitted.

Roll Call Vote:

DeHaan, aye; Eade, aye; Ervine, aye; Garlinghouse, aye; Kleinjans, aye; Nestel, aye; Pfost, aye.

Ayes 7, Nays 0. Motion carried.

APPROVAL OF MINUTES:

Kleinjans noted one change on page 4: In the sixth paragraph the last line should read ...”within 40’ from the street right-of-way.”

Ervine noted two grammatical errors and would refer them to the Recording Secretary.

Motion by Eade, supported by Kleinjans, to approve the March 11, 2020 Regular Meeting Minutes as corrected.

Roll Call Vote:

DeHaan, aye; Eade, aye; Ervine, aye; Garlinghouse, aye; Kleinjans, aye; Nestel, aye; Pfof, aye.

Ayes 7, Nays 0. Motion carried.

NEW BUSINESS

A. Land Use Report –

Ransford reminded the Planning Commission that he included the Land Use Report in their meeting packet.

Nestel asked about the remaining NHP scheduling since the COVID-19 requirements have delayed in-person public meetings.

Ransford said Manager Fink was to make calls. Posillico added that she had discussed this with Fink but he wanted to be involved since he had the previous workshop experience held last summer. It has been temporarily delayed but he will be involved in the calls.

Nestel asked about the permit situation regarding the former Coastal Condos site which has been sold. The new owner is using it as a farmers' market site and has a temporary permit for that use. She had visited the market and while there the owner asked if a new permit would be required to allow a pizza truck to sell at the market site. Apparently there is concern about additional traffic by adding a pizza truck. She asked Martin if he had information about this matter.

Posillico replied that the new owner, Ms. Daniels, was issued a three month license for a farm stand. Adding the pizza truck as part of the market sales would require a special use permit. It could be a possibility for the future.

Legal Counsel Martin concurred with Posillico's statement.

OLD BUSINESS

**A. Planned Unit Development – Anchorage Marine
Major Amendment, Preliminary Development Plan – 1825 Ottawa Beach Road**

Ransford provided the background for this item. The Anchorage Marine PUD was originally approved in 1985 which predates the current PUD language in the Park Township Zoning Ordinance. Anchorage Marine seeks Preliminary PUD Development Plan approval for six single-family residential condominium units on the second floor of the existing building, as well as on a new third floor.

The February meeting of the Planning Commission included direction to the applicant regarding the following: 1) density, 2) pocket park pavers, 3) off-season boat storage, 4) consent signatures, 5) open space and maintenance agreement, 6) wheel stops at northwest parking spaces, 7) exterior light fixtures, and 8) Ottawa County Water Resource Commissioner's Office acknowledgement of preliminary plan review.

Staff review believes the above components are satisfied. However, clarification is required prior to final plan review for the following: 1) off-season boat storage – applicant's intent regarding the extent of storage and the relationship to full access by the Fire Department, 2) consent signatures - the consent document of the Anchorage Marine Condominium Association President should include a printed name for clear representation, and 3) open space and maintenance agreement – the document excludes the open space on the north side of the property.

Ransford said the Township Fire Chief has forwarded his approval regarding access as noted in #1.

Jeff Cavanaugh, owner of Anchorage Marine, spoke to this. He said Chief Gamby, Fire Chief for the Township, agreed the access is okay. He deferred to project manager, Tracy Hutchinson, and architect, Andy Baer, for further questions and concerns.

Hutchinson said there was a line drawn on the plan to point out boat storage. It was added to show the route a truck would pick up a dumpster. The space wasn't meant for other boat storage. It was the northwest corner that was in question. The Fire Marshall looked at the layout and said the boats can remain because there is adequate space.

Pfost said Chief Gamby indicated it is normal business for him to be sure apparatus has access.

DeHaan said he was under the assumption trucks have to be able to go around the building. He wondered why the boats can remain where they are.

Hutchinson said a truck can do a "hammerhead" or "Y" turnaround that satisfies access. The access doesn't have to be all around the building.

Pfost said there is supplemental information available from Chief Gamby regarding this matter.

Pfost asked Martin about the second concern – consent signatures.

Martin understood the Township will receive the clarification for the names of the signatures. The names just need to be typed on the document.

Ransford said this will satisfy that requirement.

With regard to the third concern regarding the open space maintenance agreement, Ransford said there are two parts: 1) At present, the open space agreement addresses only the pocket park but not the northern area that is also open space. 2) That portion of the property should be identified by the documents. Once Martin reviews this it will be ready to go.

Kleinjans asked about the curbs on the drive on the west side, item b on page C101. It refers to a gutter that, in his opinion, wouldn't be appropriate for a bike path.

Hutchinson said the area will have a ramp.

Kleinjans referred to the lighting. Will they be slanted back to the garage?

The answer was yes.

Kleinjans also asked about the lights on the balconies. The bulbs are exposed. Andy Baer indicated he would fix this issue.

Ervine asked about the plans for drainage and if there are options about any backup of water.

Hutchinson said they are working with the Ottawa County Water Resources Commission – it's mostly a matter of installing minor infiltration items to take care of any runoff.

Hutchinson added they won't be changing any grading.

Pfost advised we will want to include recommendations of the Water Resources Commission. If the applicant has something from that Commission it should be part of the documents, including all approvals.

Ervine moved, supported by Garlinghouse, to approve the Preliminary Plan for the Anchorage Marine PUD.

Roll Call Vote:

DeHaan, aye; Eade, aye; Ervine, aye; Garlinghouse, aye; Kleinjans, aye; Nestel, aye; Pfost, aye.

Ayes 7, Nays 0. Motion carried.

B. Ottawa Beach NHP – future meeting date for the public hearing

Pfost pointed out that because of the COVID-19 impact the May/June time frame was affected. Additional input will be needed. He hopes to include this at the next public meeting of the Planning Commission.

Nestel commented that the remaining issue was in regard to fire pits. Has ~~then~~ it been resolved?

Ransford said all the language was resolved. We just need to schedule a Public Hearing.

Garlinghouse asked if we could schedule a Public Hearing via Zoom.

Martin said the Governor's Executive Order stated you can hold a meeting electronically. It does not waive the public hearing requirements contained in the Planning Enabling Act, and he wasn't sure whether that Act required the public hearing to be in person. He noted it was not likely that there was such a requirement, but that there was a possibility someone could challenge it.

Garlinghouse asked if he could check on this.

Nestel said the Township Board moved its meeting to May 21 because they thought they would be able to hold a public meeting.

Martin said other communities are holding Zoom public hearings. The City of Holland is discussing it and will be holding a public hearing next week. The Governor's original order expired on May 12. The governor has now extended the Open Meetings Act executive order through June 30 and the stay-at-home order until the end of May. This could be extended. Remote public hearings during meetings could be challenged if the stay-at-home order was lifted. There is nothing in the Planning and Enabling Act requires the Planning Commission to have a public hearing in person.

Pfost said we want public input in the right way. We have until Labor Day to allow public input, especially for the neighbors in the Ottawa Beach community. He encouraged staff to move forward on the other NHP areas in a parallel fashion COVID-19 notwithstanding.

DeHaan supported this approach. We have time to wait and hold a public hearing in an open meeting.

Kleinjans suggested moving forward only as reasonable. No one's safety is involved so we can afford to wait if there are difficulties involved.

Eade said there is nothing controversial now so delaying a public hearing is logical. We can certainly agree to work on the other matters in a parallel situation.

Nestel supported this position and agreed to work on a parallel path in other matters.

Ervine said it would be good to have a public hearing in the summer. Once we get direction from the Governor we should move forward.

DeHaan said we shouldn't wait a year.

Ransford said July 4 is on a Saturday – we need to consider its proximity to your regular July meeting when we schedule the Planning Commission meeting and a public hearing because we

could take advantage of this timing and the amount of residents within Ottawa Beach for the holiday.

C. Election of Officers

Pfost said three commissioners have terms that end this month – all are willing to continue. Pfost said this is his last year as chair. For the election at the next meeting, consider who should be elected as the new chair.

PUBLIC COMMENT

Pfost opened Public Comment at 7:25 P.M.

There was no comment

Pfost closed Public Comment at 7:25 P.M.

ANNOUNCEMENTS

The next Planning Commission meeting date is June 10, 2020.

ADJOURNMENT

Nestel moved, supported by Kleiinjans, to adjourn the Regular Meeting at 7:27 P.M.

Voice Vote:

Ayes 7, Nays 0. Motion carried.

Respectfully submitted,

Judith R. Hemwall
Recording Secretary
May 16, 2020

Approved:
June 10, 2020