

**MINUTES
PARK TOWNSHIP
PLANNING COMMISSION**

Park Township Hall
52 152nd Street
Holland, MI 49424

Regular Meeting
Via Zoom Conferencing
August 12, 2020
6:30 P.M.

CALL TO ORDER:

Chair Pfof called to order the regular meeting of the Park Township Planning Commission at 6:30 P.M., held via Zoom per Executive Order.

ATTENDANCE:

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

Staff: Greg Ransford, Planner, Dan Martin, Legal Counsel, Howard Fink, Manager

Nestel said she had a list of questions regarding the Tree Preservation language. She e-mailed the list to the members of the Planning Commission.

Pfof said we can decide whether we want to address the questions during the Public Comment period, at the point in the agenda for the Tree Preservation Committee, or at a later meeting when we have the Public Hearing.

APPROVAL OF AGENDA:

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

Voice Vote:

Ayes 7, Nays 0. Motion carried.

APPROVAL OF MINUTES:

Motion by Nestel, supported by DeHaan, to approve the August 1, 2020 Special Meeting Minutes as submitted.

Voice Vote:

Ayes 7, Nays 0. Motion carried.

NEW BUSINESS:

There was none

OLD BUSINESS

A. Tree Preservation Language

As follow-up to the July 8, 2020 Planning Commission meeting, the Tree Preservation Committee met twice to re-examine the proposed Tree Preservation language. In addition to the nine most significant revisions listed in the August 5 Staff Memo, two warrant additional explanation. They include the Zoning Ordinance insertion/location within the ordinance, and Street Trees indicating the measurement of 20 feet should begin at the improved surface of the street.

Kleinjans provided an update on the proposed Tree Preservation language and actions by the committee since the last Planning Commission meeting. He appreciated the comprehensive review of the proposed changes provided by Ransford in the Staff Memo. Kleinjans noted the committee deleted clearcutting because definition and management are difficult. At present, clearcutting is not a significant problem for Park Township so the committee felt comfortable removing the language.

Another problem was defining where we want to keep trees on the tree-lined streets. Using the edge of the road and going 20' back into the front of the property was selected as a better choice instead of measuring 40' ~~from~~ into the property line. That seemed excessive and it was cut back significantly.

Pfost concurred with Kleinjans that the summary by Ransford was very helpful to the Planning Commission. The Public Hearing on the language will be held next month at the Planning Commission meeting.

Ransford said the appeals section is new, including provisions for the Zoning Board of Appeals to hear requests for relief on the basis of a list of standards, but they do not necessarily require that they are all met, like a traditional variance request would mandate. The committee decided to put this in the zoning ordinance.

Martin clarified the issue of clearcutting. It was removed from the ordinance with respect to lots outside of a development. In a development with two or more homes the proposed ordinance states that the Township will prohibit clearcutting.

Pfost asked for a motion to direct staff to proceed to a Public Hearing on this topic for the September Planning Commission meeting.

Nestel moved, supported by Ervine, to approve advancing this topic for review at the next meeting.

DeHaan asked for the explanation of determining the minimum size of a tree that cannot be cut down. Why was it determined to be 6” and why the restriction of two homes? Is there a development in the Township with just two homes?

Kleinjans said 6” was decided because there has to be a standard. The committee considered it a reasonable measurement. With regard to the number of houses in a development, the committee decided not to deal with single home owners. He is open to discussion regarding the number.

Pfost suggested deferring this until later for the next meeting if the Planning Commission agreed.

Roll Call Vote:

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

Ayes 7, Nays 0. Motion carried.

Pfost asked Ransford to move forward with the redlined version of the document.

Ransford said he would do so.

B. Master Plan – North Beach Amendment (Ottawa Beach)

Ransford explained along with the Ottawa Beach Overlay Zoning District amendment is the Master Plan language for the North Beach area which coincides with Ottawa Beach. It is brought to the Planning Commission for review before it goes to the Township Board. He thought the language was ready to go forward to the Board. If the Planning Commission agrees, the Township Board will include it on their agenda on Thursday, August 13. This will go out to surrounding municipalities, the County, and other registered parties and it will return to the Planning Commission for eventual public hearing.

Pfost apologized for lack of clarity regarding the procedures in forgetting this matter. It is back to the Planning Commission's attention for formal action by the Township Board.

Pfost requested a motion to advance the language to advance to the Board

Kleinjans moved, supported by Ervine, to advance the language for the North Beach amendment to the Township Board for review and approval.

Kleinjans observed that on the second page, first paragraph regarding adopting an overlay district.

Ransford commented that zoning issues can move faster than the Master Plan. That is the intent that the zoning ordinance language is based on the Master Plan. That's why we have the overlay language.

Roll Call Vote:

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

Ayes 7, Nays 0. Motion carried.

PUBLIC COMMENT

Pfost pointed out that the Park Township Land Use Activity report is included in the packet for review. No action is necessary.

Pfost opened Public Comment at 6:58 P.M.

There was no comment.

Pfost closed Public Comment at 6:58 P.M.

ANNOUNCEMENTS

The next Planning Commission meeting date is September 9, 2020.

The Reserve on Lake Macatawa – Minor Amendment

Pfost explained this amendment determination. Posillico and Ransford provided this overview. Staff reviewed and approved the minor amendment to the PUD. They have informed the Planning Commission what was done. No action is necessary.

Howard Fink wished to comment on an issue that is to come before the Township Board on Thursday evening, August 13, 2020. There will be a discussion on the motor sports businesses

on Ottawa Beach Road and on the north side. The Township Supervisor asked it be put on the agenda regarding the number of parking complaints and general nuisance impact on residents because of the activity of those businesses. Board will hear citizens on this issue. To a lesser extent there is a concern regarding approvals for the business on the south side off Ottawa Beach Road. This is a potential matter for the attention of the Planning Commission. He invited the members of the Planning Commission to listen to the meeting on Zoom.

Garlinghouse asked if motor bikes are allowed on the Township's bike paths.

Kleinjans said he owns a motor bike. The ordinance states they are not allowed on bike paths. Perhaps it is something that should be addressed.

Garlinghouse observed more and more of them are on the roads and paths.

Garlinghouse also noted she has witnessed safety problems with cars not respecting the bike paths. At a pedestrian crossing this is a potential safety hazard. How do we put more teeth in these crosswalks? She has had an experience with a potential accident of a car hitting a child in the crosswalk.

Martin clarified that the Park Township reference is "bicycle path" not a "non-motorized path." He said the Section 28-20 Township Code of Ordinances "Prohibits use of motor vehicles on bicycle paths as well as sidewalks with exceptions. It does permit use of motorized or non-motorized wheelchairs or bicycles, and a front wheel drive power-assisted bicycle having a motor with 1.5 brake force power is permitted."

Section 28-21 states pedestrians have the right-of-way in crosswalks which is State law. The Township has struggled with the Road Commission regarding installation of flashing signals. The driver should yield the right-of-way according to the law.

Fink said there is a series of communications between him and the Ottawa County Road Commission. The Commission has allowed the Township to install a sign in the middle of Ottawa Beach Road by the party store. The Road Commission permitted installation of the sign and they will have to approve it. It will be in the middle of the intersection. Any sign placed in the road is under the jurisdiction of the Road Commission. He suggested send e-mails to the Ottawa County Road Commission Board and copy the Township. Communication to both entities is important. Residents' communications are important for getting things done.

DeHaan asked if there has been any action regarding the Idlewood NHP.

Ransford indicated Staff concluded no language is necessary for Idlewood.

DeHaan asked if there will be anything in an overlay for these NHPs.

Ransford said there were 56 participants from Idlewood in the Township meeting with that community. They want to regulate short term rentals themselves. They prefer the Zoning Board of Appeals process. Staff advised them they would have more assurances if the ordinance indicated some regulation requirements, however, they did not want any additional language drafted. As a result it is Staff's recommendation to not do anything at this time.

With regard to Edgewood, there were only six participants in the discussion with Staff. There were some setback concerns, nonconforming issues, and a dimensional concern. E-mails and a letter have been sent but no one has responded to the Township. Lake Court has similar concerns. Once the language is finalized for Lake Court Staff will reach out to Edgewood again and share the Lake Court language to solicit response so we can finalize the document for this neighborhood.

Regarding Eaglecrest, Ransford said Posillico reached out to them in July, but the homeowners' association president hasn't responded.

Fink said regardless of what is done with Maple Beach, does approval have to go through the Planning Commission to simply change the name reference. The name has to be changed in the Master Plan to Lake Court. He asked if this is considered a technicality or does it have to go through the approval process.

Martin said it is the description of the area and not any regulation being changed as it is still the same area of the Township that is being affected. This is more a scrivener's error and can be changed in house and no formal amendment is necessary for the Master Plan.

Kleinjans asked if front yard parking will be on the next agenda.

Posillico indicated it's a topic to bring to the Planning Commission. They will assemble a package regarding the complaint, where the ordinance is on it, and make suggestions for options. There will be information in next month's packet.

Pfost asked if we had a parking ordinance regarding front yards and could we not exclude overlay districts where parking is allowed.

Martin said special language for parking rules would be possible. They would be specifically addressed for the overlay.

ADJOURNMENT

DeHaan moved, supported by Garlinghouse, to adjourn the Regular Meeting at 7:32 P.M.

Voice Vote:

Ayes 7, Nays 0. Motion carried.

Respectfully submitted,

Judith R. Hemwall
Recording Secretary
August 15, 2020

Approved: September 9, 2020