

PROPOSED MINUTES
LAKETOWN TOWNSHIP
PLANNING COMMISSION
4338 BEELINE ROAD
ALLEGAN COUNTY
HOLLAND, MI 49423
(616) 335-3050

REGULAR MEETING
March 6, 2019

ARTICLE I. CALL TO ORDER

Chair James Lorence called the Planning Commission meeting to order at 7:00 p.m.

MEMBERS PRESENT: James Lorence, Marcia Perry, Linda Howell, Dick Becker
MEMBERS ABSENT: Randy Becksvoot
STAFF PRESENT: Al Meshkin – Township Manager
Ron Bultje – Township Attorney
Diane Ybarra – Recording Secretary

ARTICLE II. APPROVAL OF MINUTES

The Commission reviewed the minutes of the February 6, 2019 meeting. **A motion was made by Howell and seconded by Becker to approve the minutes as corrected. Lorence called for a vote on the motion. UNANIMOUS DECISION – MOTION APPROVED**

ARTICLE III. OLD BUSINESS

A. DARBY PLANNED UNIT DEVELOPMENT REQUEST

Mr. Dick Darby, owner or agent of property located in Section 35 of Laketown Township, that being tax parcels #0311-035-018-20, #0311-035-018-30, #0311-035-021-00 and #0311-035-029-00, requests approval to develop a commercial planned unit development on these parcels. There is no update on this item.

B. BOSGRAAF HOMES P.U.D. REQUEST

Bosgraaf Homes, owner or agent of property located at 4612 66th Street, Holland, MI 49423, that being tax parcel #0311-004-020-20, requests approval of a 10 unit planned unit development on this parcel. There is no update on this item.

ARTICLE IV. NEW BUSINESS

A. PASTOR – BENSON SPECIAL USE REQUEST

Diane Pastor and William Benson, owners or agents of property located at 6243 136th Avenue, Holland, MI, that being tax parcel 0311-035-040-40, are before the residents for a public hearing regarding an amendment to the previously approved special use request, which was granted contingent upon a scheduled public hearing after six months to consider whether the project has complied with the conditions placed on the project.

Lorence explained policy in that the applicant is to speak to the board as is public comment must be addressed to the board. There will be an opportunity during Citizen Comments for further discussion.

Diane Pastor and William Benson of 6243 136th Avenue explained their request was to add to the number of dogs allowed outside. It has been seven months and we have complied with the conditions of the special use amendment.

Lorence opened the public hearing.

Richard Geiger of 6253 136th Avenue said he feels strongly that the public comments fall on deaf ears as based on the minutes he has read from previous meetings, nothing gets turned down. The business has increased traffic; the gate is often open; there are early morning drop offs; cars violate the school bus lights; excessive barking at 5:00am; lights shining on my property and dogs are being boarded. Why are 25 dogs allowed on this property when the ordinance limit is 10 dogs?

A letter of support was received from Debra Minton of 775 Manchester, Saugatuck, MI.

A motion was made by Lorence and seconded by Howell to close the public hearing. Lorence called for a vote on the motion. UNANIMOUS DECISION – MOTION APPROVED

Becker said he would like to look at this for another 3 months when it is nicer outside so he can visit the sight unannounced to see for himself.

Howell agreed with Becker because she has heard a lot of arguments. There is due caution on the planning commission's part to do more homework.

Lorence said he had not heard feedback on the lights before so he would like to see the lights at night before making a decision. He concurs that the situation requires further research.

Following discussion, a motion as made by Becker and seconded by Howell to extend temporary approval of the amended special use for an additional three (3) months for further research and will be reviewed at the June 5, 2019 Planning Commission meeting. Lorence called for a vote on the motion. UNANIMOUS DECISION – MOTION APPROVED

B. PUBLIC HEARING ON ZONING TEXT AMENDMENTS

Lorence explained the amendments are to Section 38-5, regarding definitions of Article I of Chapter 38, addressing Attached Accessory Dwelling Units, Detached Accessory Dwelling Unit, Principal Dwelling Unit, and Home Office. The second amendment is Section 38-493 of Chapter 38 of the Code of Ordinances to address the Prohibition of Marihuana Establishments.

Meshkin explained the language amends the sections generally recognizing home offices as a permitted use in all residences and to further define home offices; also addressing attached and detached accessory dwellings. The second ordinance addresses the prohibition of retail marihuana establishments.

Lorence opened the public hearing. No comments or correspondence.

A motion was made by Perry and seconded by Becker to close the public hearing. Lorence called for a vote on the motion. UNANIMOUS DECISION – MOTION APPROVED

Howell clarified requested an amendment to Sections 4 and 5 to include required access for emergency response vehicles.

Perry expressed concern over not being able to have sales included in the home business as it might relate to an artist’s studio. This pertains to Section 1 (4.). Meshkin said the intent is not to have a storefront situation disturbing the neighborhood. Lorence commented on how this was done in Saugatuck. Bultje suggested taking out the word “any” to understand that sales occur at normal dwellings occasionally. Howell questioned inclusion of art tour events and Bultje said it would not be included but could be considered a special use of a special use. Becker does not see an open house as a home occupation.

Perry asked if the Marihuana ordinance should be reconsidered if the federal government law changes. Perry also questioned the growing of hemp and Bultje said hemp is excluded from this and can be grown as it is a different plant.

Following discussion, **a motion was made by Becker and seconded by Howell to recommend to the Township Board approval of the Marihuana Establishments Zoning Text Amendment dated 12/17/18 and the Accessory Dwelling Units, Home Office and Home Occupation Zoning Text Amendment dated 3/6/19. Lorence called for a vote on the motion. UNANIMOUS DECISION – MOTION APPROVED**

ARTICLE V. CITIZEN COMMENTS

William Benson of 6243 136th Avenue said the lighting had been addressed the first time we came here. We told Geiger that we would address the issues he has with the lights, sent him a letter requesting to meet on his property to understand his concerns and received no response. The lights were actually in place four years prior to the establishment of Camp Saugapup. Diane

Benson confirmed that we are not doing boarding and turn down any requests for it. To address Howell, we are not changing this all of the time, the dogs are much more comfortable when they are outside but during the winter we are in/out more and there is more activity and noise. We have been on this trial since August and have had no legitimate complaints. We do not understand why we have to extend this again when we are in the second year of business. The 5:00am feedings are for our own dogs. There is one client that comes at 6:55am two days a week but that is all. The increase in traffic complaint is not legitimate as there are only two cars present at any given time.

Michelle DenHartigh of 4604 66th Street spoke in opposition of the Cottages at Kelly Creek project. Ten homes are too much density for the area. The neighbors have met with Bosgraaf to express concerns but are still at an impasse as there are requests that he is not willing to compromise on. The setbacks are a concern and all of the homes will be two story homes with small front yards leaving more of a city feel than rural feel which would change the character of the neighborhood. We ask that you deny the proposed request.

Richard Geiger of 6253 136th Avenue suggested having a set of rules and regulations to follow to avoid repeated issues. You cannot quantify opinions.

Howell said the original approval on Camp Saugapup was for 10 dogs outside at one time which has now been increased. There have been several requests for variations to the originally approved plan, which is a concern.

Becker referred to Benson's request to work with Geiger on the lighting concerns and noted that it would be best if neighbors would talk through issues in a civil manner.

ARTICLE VI. ADJOURNMENT

Lorence adjourned the meeting at 7:55p.m.