

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

May 3, 2017

ARTICLE I. CALL TO ORDER

Chairman Bob Slikkers called the Planning Commission meeting to order at 7:00 p.m.

MEMBERS PRESENT: Bob Slikkers, Linda Howell, Randy Becksvoort,
Jim Lorence, David Weishaar
MEMBERS ABSENT: None
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 April 5, 2017 meeting. **A motion was made by Howell and seconded by Lorence to approve the minutes as written. Chairman Slikkers called for a vote on the motion. UNANIMOUS DECISION – MOTION APPROVED**

ARTICLE III. OLD BUSINESS

A. WEST WIND LAKE ESTATES PLANNED UNIT DEVELOPMENT
REQUEST

West Wind Village Development LLC, owner or agent of property located in the northwest ¼ section one of Laketown Township, that being tax parcel #0311-001-021-00, #0311-001-024-00, #0311-001-026-00, #0311-001-030-00 and #0311-001-031-11, requests approval of an 81 lot planned unit development on this property. This development will be known as West Wind Lake Estates.

Kelly Kuiper explained a formal submittal has been provided based on the feedback from the public hearing. Revisions include: site plan set updated with topographic data; new changes to the southeast corner parcel has removed from the P.U.D. and will be considered a standalone R-3 parcel; light poles added at the street entrance; four evergreens added to side line adjacent to

roadway and more landscaping to rear property line; bike path on 147th Avenue relocated away from taper and updated to reflect with the easement; ordinance on ponds confirmed and in compliance; 25 foot no cut on rear property line was added; passing flare on 147th Avenue is shown; wetland delineation included in site plan with the color flags along the creek; storm water and soil borings were submitted with formal documentation forthcoming from the drain commission; accessory structure information included; bike path cleaning issue is actually moot because the water main will need to be installed at a standard offset; preliminary storm water report overview was submitted and the details will be worked out at the engineering phase; Kuiper reviewed preliminary discussions regarding natural drainage, creek and pond capacity noting that future engineering will provide specific details and compliance with drain commission requirements.

Slikkers asked if the creek study includes that 100 year event and Kuiper responded that it would, noting the development would have a separate drain district. Slikkers questioned the topographic report regarding the pond levels and Kuiper responded that continues to be reviewed including water tables and actual soil water capacity.

Slikkers questioned the accessory buildings and Kuiper responded accessory buildings are not allowed on the condo sites but would be on the larger sites in compliance with the underlying ordinance and architecturally similar to the housing. Howell expressed concern regarding the completion and cleaning of the bike path during and post construction of the utilities adding that Copper Leaf bike path is still torn up and she receives complaints from residents. Howell asked how far down on the creek will the test for capacity go and Kuiper said whatever the drain commissioner requires. Howell commented on issues with drains on Ardmore Street and Meshkin advised that is in the city limits. Meshkin asked what the 100-year storm standard was in reference to and Kuiper responded it is for the pond capacity.

Kuiper said our goal for tonight is that the commissioners request Attorney Bultje to draft the report for review and approval at the June meeting.

Slikkers asked commissioners for comments. Lorence stated that he is pleased with the detailed preliminary report from the drain commissioner. Howell stated that her questions of the bike path and water concerns have been addressed.

Jeff Johnson of 6149 147th Avenue stated that his concern regarding his driveway has been addressed.

Scott Chandler, representing the developer said he is open to suggestions regarding the bike path and sees no benefit to drag out construction. Howell said the ordinance states the bike path must be replaced 10 days after construction so we need to define what the construction timing is. Meshkin said the bike path will basically be removed there and our engineers have talked about it but a point in time when the water main is constructed and certain testing after it has been accepted as being good that is when the bike path should be replaced. Lorence asked there will be a construction schedule and Meshkin said the HBPW and township engineers will determine the schedule. Meshkin said it is possible that a preliminary layer of asphalt could be put down.

Howell mentioned it would have to meet the original grant specifications and Meshkin responded that it would probably exceed it. Becksvoort said his concern was with the water issues and was satisfied with the drain commissioner's preliminary report. Weishaar and Lorence had similar concerns and were also satisfied with the report. Slikkers had expressed the same concerns regarding the water and bike path issues both of which had been addressed.

Meshkin stated that he would like the developer to consider extending the water main easement to include a stub between lots 21 and 22 to allow additional connection for Spring Brook Apartments. The current infrastructure allows for only three fire hydrants in the complex. Meshkin said it would alleviate a problem that was created 30 years ago. Kuiper asked if there would be an option for cost sharing. Bultje said that is a pretty normal requirement as it would be to the property line. Becksvoort asked who would pay for it on Spring Brook side and Meshkin said he has been talking to them.

Following discussion, **a motion was made by Howell and seconded by Becksvoort to request Bultje to draft the resolution and report to include tonight's meeting discussion, specifically the water and bike path issues, for review at the June. Chair Slikkers called for a vote on the motion. UNANIMOUS DECISION – MOTION APPROVED.**

B. LAKETOWN CROSSINGS LANDSCAPE PLAN ADJUSTMENT

Slikkers explained this item was previously approved and the request is to amend the approval to allow for a change to the landscaping plan.

Henry Voetberg representing Copper Leaf Development explained the original plan called for mulch in between bushes and the developer would now like to have fewer bushes for aesthetic and maintenance purposes. Slikkers stated the biggest change is along 147th Avenue and Voetberg agreed to honor the residents' wishes if they had concerns.

Slikkers asked the commissioners for their comments. Weishaar had no comments; Becksvoort and Howell appreciated the developer's willingness to listen to the neighbors' concerns. Lorence asked how that would be addressed. Slikkers and Meshkin stated that the concerns would be addressed through the township office who would in turn address it with the developer. Howell suggested making the approval contingent on the initial number of the original plan. Bultje stated the approval should include a plan dated as of today with the amendments. The motion could be to update the report to incorporate the 1/27/16 landscape plan amended with hand dated plan of 5/3/17 with provision to address potential neighbor concerns.

Following discussion, **a motion was made by Howell and seconded by Becksvoort to approve the Laketown Crossings Landscape Adjustment per the plan dated 5/3/17; if the neighbors want the developer to add more shrubs, up to the amount of shrubs in the originally approved landscape plan, the developer agrees to do so. Any disputes between the developer and the neighbors regarding the landscaping for the PUD will be brought to the Planning Commission for resolution. Slikkers called for a vote on the motion. UNANIMOUS DECISION – MOTION APPROVED**

ARTICLE IV. NEW BUSINESS

A. WEISS/TROXEL SITE PLAN REVIEW

Weiss/Troxel owner or agent of property located at 6664 Audubon, Holland, MI, that being tax parcel #0311-380-024-00 requests site plan approval for a single family home on this property. .

Drew Demiester of Troxel Homes explained owners want to tear down the existing home and build a new home. The ZBA approved the location of the new home which will be in the same footprint as existing one.

Becksvoort asked about the grade and Demiester said the drive requires and improved grade due to the structure of the home. Slikkers stated the setbacks have been secured and it is not in a critical dunes area. Demiester said the road commission has approved the driveway.

Slikkers asked the commissioners for comment or concerns and there were none.

Following discussion, **a motion was made by Weishaar and seconded by Becksvoort to approve the Weiss/Troxel site plan for a single family home contingent on it being in compliance with provisions put forth in 38.487 and 38.65 site plan standards, compliance with the application submitted, compliance with all federal, state, county and township laws and ordinances and the written and verbal representation provided at this meeting and in the minutes. Slikkers called for a vote on the motion. UNANIMOUS DECISION – MOTION APPROVED**

B. PASTOR & BENSON SPECIAL USE REQUEST

Diane Pastor and William Benson, owners or agents of property located at 6243 136th Street, that being tax parcel #0311-035-040-40, request special use permit to establish an animal daycare facility on this property.

Pastor and Benson explained they are hoping to open a boutique that would not exceed 17 dogs per day to provide services for local people and those coming in from Chicago. Pastor said they have enough property, a pole barn which would be secured with gating and fences. They have 8 of their own dogs and would take in a maximum of 17 additional dogs.

Chairman Slikkers opened for public hearing.

Andy Eding of 6229 136th Avenue expressed concern of having 25 dogs next door and the noise that would potentially be made. Currently, the Pastor and Benson eight dogs bark and they use an air horn to quiet them down. He feels it is good what they want to do but with the size and dimension of their property, he does not see it as a good fit for the neighborhood and questions what it would do to the value of his property should he decide to sell in the future. They talk about

a full-time employee to help but two people cannot control the noise. If he would have known 10 years ago when he bought his property and built his house that there would be a dog day care center next door, he probably would not have purchased the property. Once one dog starts barking all 25 will start barking, too.

Richard Geiger of 6253 136th Avenue stated that he lives to the west and would like to reiterate Eding's concerns. He said the noise in that parcel is crazy with the eight dogs that are there now. He does not mind the dogs but cannot live with the noise. Geiger asked if this is approved, will it change the zoning and Slikkers responded that it would remain R-1. If this is approved Geiger said he would have businesses to the east, north and west and will be landlocked as the only residential parcel. Geiger said he moved there because he wanted to be out in the country where it is quiet but it won't be if this is approved. He also does not feel the 12 foot setback is adequate. He added that Dog Bay has about 30 dogs per day and the noise is awful.

Lloyd Siebelink of 6238 136th Avenue said he does not feel this business would be a bother to him but is concerned for the consideration of his neighbors.

No correspondence was submitted in regards to the request.

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

Slikkers asked the applicant how the concerns would be alleviated. Pastor responded the hours would be 7:00am – 6:00pm Monday to Friday and possibly week-ends by appointment only and not to maximum. The drop off and pick up times would be controlled. The driveway would be gated at the end to alleviate delivery trucks coming down the drive and disturb the dogs. With regards to birds and deer it is usually early morning and dusk so should not be an issue. The pole barn is 1600 square feet and there will be designated down times providing structure for the dogs. Pastor said there has never been an issue of the dogs charging the fence. Benson said there is a good buffer between both sides of the fence.

Slikkers asked the commissioners for questions or concerns.

Weishaar stated it something that requires careful consideration. Becksvort asked how many of their customers would request overnight stays. Pastor said none but if there was, the dogs would be kept inside of their house at night. A maximum of only two additional dogs could be kept overnight due to the ten dog maximum. Pastor stated they would only accept large dogs so they would not have to separate by size making it as simple as possible. Howell expressed concern that the application is different than what is being discussed now. The report must be very detailed if we move forward with this. Will the dogs be two hours inside and two hours outside or will there be door they can go in and out of from the pole barn to the fenced area. Pastor responded the dogs would be able to go in or out but it would be based on the owner's request. Howell asked if the site plan is final and Pastor said it is negotiable. Howell asked if home occupation would have to be considered and Bultje said no, it would be covered by 38.212 (13). Howell asked if Pastor has inquired with the county if a

kennel license would be necessary. Pastor said it is a daycare not a kennel and Bultje said the township would categorize it as a kennel. The kennel would allow for more than the ten dogs you are allowed by the ordinance. It is the township ordinance and not the opinion of the county that must be considered. Lorence said he is torn as he has a big dog and occasionally goes to daycare where there are large and small dogs, the smaller dogs bark at the big ones. Dog Bay is very strict on the timing of drop off pick up with no exception; if this is approved, it would have to be very strict on that.

Eding stated that he is concerned about the noise and dogs rushing the fence during the day when his family is home. He does not want the noise next to his property.

Robin Geiger of 6253 136th Avenue said the letter she received from the neighbors has different information than what she is hearing tonight. Slikkers explained that if the request is approved, there will be a report with very specific conditions based on the comments made during the public hearing.

Howell asked where you clients will drop off and pick up the dogs. What is the traffic pattern? Pastor said there are three designated areas depending on the traffic which are indicated by the arrows on the submitted plan. Howell asked if they would be willing to add a row of bushes as a dense screen. Benson said does not feel that is necessary because of the thick woods in between.

Slikkers said he is concerned with the noise which is always the concern with dog daycare centers albeit we know there is a need for such a place. A solution to the potential problems for the neighbors has not been heard. Pastor said Dog Bay has closer neighbors when they came for their permit. Were there any special matters they had to address? Slikkers said there were some but cannot remember specifics. Becksvoort said they had to address the driveway and fencing.

Howell asked if Dog Bay dogs were inside more than outside. Meshkin said he recalls they limit the number of dogs allowed outside at one time. Lorence thinks there is more discovery necessary; don't have enough information to vote. It is complex and a lot to consider, personally not comfortable making a decision. Slikkers said if we get the due diligence, what are the conditions that make it feasible? Lorence would like to understand more about Dog Bay and how their business is run. Slikkers asked if Meshkin receives complaints about Dog Bay. Meshkin does not recall any but it is a controlled environment. Slikkers asked Meshkin to send the commissioners a copy of the Dog Bay approval. Meshkin suggested that the applicant review their design further. Meshkin will provide a copy of the Dog Bay approval to the applicant and any resident interested in reviewing the document.

Eding said their property is deep is there an option to push it back so it would not affect anyone like the current plan would. I can appreciate what they want to do but don't want to affect the neighbors.

Following discussion, **a motion was made by Howell and seconded by Lorence to table the request until further research is done and a more detailed, final plan from the applicant can be provided. Slikkers called for a vote on the motion. UNANIMOUS DECISION – MOTION APPROVED**

Geiger asked if the public would be opened after they resubmit a new plan. Slikkers said there would not be another public hearing. Bultje stated public comments are allowed at all open meetings.

Slikkers further explained the process.

Pastor said this is not a source of income but my lifelong passion and want to share my experience, care and understanding. We have special needs dogs and want to provide something beyond just a business.

ARTICLE V. CITIZEN COMMENTS

Dave Robertson of 6162 147th Avenue asked about the flare that is presently on the hill in front of his house. How will that be handled by the developer or the road commission? Slikkers said it is on the revised map. Kuiper said after tonight's approval, this will kick off the engineering phase which will determine what direction the road commission will advise. Kuiper stated that this conversation is pertinent to the next steps so she provided her business card and asked Robertson to contact her for further discussion.

Jeff Johnson of 6149 147th Avenue said he supports the changes to the landscape for the buffer and is fine with the easement for the bike path. He thanked the developer for addressing his concerns in a timely manner. He asked how much of the private ditch will become a county drain and who will be responsible for the upkeep from 147th Avenue to the north. He also expressed concern regarding his front and two side yards being ripped up during construction. He and his wife are concerned about their well water and requests that the developer consider covering the cost of connecting to the municipal utilities if this proposal moves forward.

ARTICLE VI. ADJOURNMENT

A motion was made by Lorence and seconded by Howell to adjourn the meeting at 8:33pm. Chairman Slikkers called for a vote on the motion. UNANIMOUS DECISION – MOTION APPROVED