

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

December 2, 2015

ARTICLE I. CALL TO ORDER

Chairman Bob Cook called the Planning Commission meeting to order at 7:00PM.

MEMBERS PRESENT: Bob Cook, Randy Becksvoort, Linda Howell, Jim Lorence  
MEMBERS ABSENT: Bob Slikkers  
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 November 4, 2015 meeting. **A motion was made by Howell and seconded by Lorence to approve the minutes as submitted. Chairman Cook called for a vote on the motion. UNANIMOUS DECISION – MOTION APPROVED**

ARTICLE III. OLD BUSINESS

A. COPPERLEAF DEVELOPMENT PLANNED UNIT DEVELOPMENT REQUEST

Copperleaf Development, owner or agent of property located at 6401 147<sup>th</sup> Avenue, Holland, MI, that being tax parcel #0311-003-027-20, requests approval to construct a 31 unit condominium at this location.

Chairman Cook apologized for not being at the last meeting. He made reference to the new submittal from the developer and expressed his concern regarding the density stating he felt it was still too many units for that parcel in that location. The two alternate plans shown were at 24 units and the developer is asking for an additional 5 units. He still has an issue with the density and all conditions are based on the density. Cook is not comfortable with 29 units but would be with 24 as is by right in the ordinance. He asked the commissioners for their opinion of the density. Becksvoort said he has concerns about density and understands the neighbors do as well. Howell concurs with Becksvoort understanding Cook's concerns but questions if the Planning Commission would have less

opportunity to pose conditions if the project is not handled as a Planned Unit Development (P.U.D.). Lorence said he hasn't seen a considerable change in density from 31 to 29. At 29 it looks tight but not sure 24 is the right number either. Cook commented on the placement of the entrance road and Lorence stated that he would prefer it be aligned entering from the west side of the property. Cook agreed and Howell added that if aligned with Pine Drive, it could potentially become a 4-way if needed.

Kelly Cavanaugh of Nederveld on behalf of Copperleaf Development spoke to the revised plan addressing the density noting the disadvantages of a 24 unit subdivision were outlined in a previous memo. Cavanaugh suggested that the neighbors would not notice the difference between 29 or 24 units but given the a lesser unit plan, they would notice the absence of the 89 trees that are included in the proposed P.U.D. as they would not be part of the subdivision plan. The P.U.D. allows for much a better plan utilizing the township guidelines, zoning ordinance and infrastructure that was put in place to realize the goals of the master plan. Cavanaugh appreciates the density concerns and asked if the developer requests it remain tabled this evening, would it be necessary to come back to a formal meeting to withdraw. Meshkin responded that a formal meeting would not be necessary. Cavanaugh asked that it be tabled rather than risk being denied.

Cook asked for feedback from the commissioners regarding the request to table and there was no objection. Howell requested that the new information submitted is reviewed noting that she found the elevations and other details very helpful. Becksvoort asked if the P.U.D. request is withdrawn, can they proceed with a 24 unit development by right of the ordinance.

Township Attorney Ron Bultje said there is ordinance providing guidelines for subdivision based on the plat but not a lot of discretion as is with a P.U.D. The State has more statutes that address a platted subdivision. Meshkin asked if a public hearing is required by State law for a subdivision plan as it is not in the township ordinance. Bultje responded it is not required by the State. Cook said he understands, but it must be harmonious with the neighborhood and he does not feel that the proposed development would be. Meshkin said the problem will be with that many driveways on 147<sup>th</sup> Street, it will be a safety concern. Cook called for a halt to public comment.

Howell asked Bultje for clarification of land division on a parcel less than 10 acres. Bultje responded a maximum of 4 divisions per acre on a parcel less than 10 acres. Howell questioned the feasibility of the land divisions of proposed Plan B. Bultje stated the plan would still have to come to Planning Commission for approval but there would be less opportunity to impose conditions.

Howell said she was thankful for the additional details that came in this month and Lorence agreed with clarification of issues raised. Howell asked if the recent submittal answered the Fire Chief's and Den Bleyker responded yes. Becksvoort asked if this whole thing disappears, they could have houses with little to no control by us and could be without any landscaping, trees, etc. Cook responded that is correct. Lorence noted that he sees a great effort on the part of the developer to put more effort into trees, particularly for the benefit on the side of the Bakker property. To Becksvoort's point, if this becomes something less, we would not necessarily have the trees. Cook said it could come back as a subdivision but most come back as P.U.D. Cook understands it is a tradeoff.

Bultje said 9.9 acres in R-2 allows for 3.5 units per acre. Howell asked for clarification of the 8.15 net acres of green space. Cavanaugh responded it is per the Township ordinance to use required open space (not actual open space) to calculate net density allowed.

Howell said if we are going to provide guidance on density, we need to do so. If 29 is not the number what is? Cook said 24 is an approximate number, Becksvort said 24, 25 or 26. Lorence suggested backing into an appropriate number based on the required green space to see what best fits I the area. Bultje stated the ordinance requires 21,750 sf of open space and asked if the numbers Cavanaugh provided exclude the building envelopes. Cavanaugh responded it does exclude the envelopes; each is treated as a separate lot. Bultje stated that by taking out the setbacks the plan has 46,700 sf of open space which is more than twice what the ordinance requires.

Cook asked Cavanaugh if further guidance is needed. Cavanaugh responded no, only to ask that the request be tabled. Lorence asked if Cavanaugh needed clarity on the desired road entry understanding that we would like to look at an entry across from Pine Drive. Meshkin suggested a formal analysis be done to study the safety of a direct line versus offset. He does not agree with aligning the drive with Pine Drive as it could be the same issue as is present on 32<sup>nd</sup> and 64<sup>th</sup> Streets. Having a big offset there is no continuity and it would cause cars to slow down. Howell suggested an option of moving it one lot over between lots 25 and 26. Cavanaugh responded that it was looked at to include a curvature with additional landscaping to best address the concerns but the T entrance provides a much higher end aesthetic. Howell stated it is fine to keep the T but what will be done to address the headlights for the neighbors. Becksvort questioned shifting one lot over may not make a big enough difference.

Following discussion, **a motion was made by Howell and seconded by Lorence to table the item. Cook called for a vote on the motion. UNANIMOUS DECISION – MOTION APPROVED**

## B. ZONING ORDINANCE AMENDMENT REVIEW

Cook tabled this item until the next meeting.

## ARTICLE IV. NEW BUSINESS

### A. NOVAK SPECIAL USE REQUEST

Mr. and Ms. Novak, owner or agent of property located at 6616 146<sup>th</sup> Avenue, Holland, MI, that being tax parcel #0311-009-001-00, request a special use permit to construct an oversize accessory building on this parcel.

Mr. Novak explained that he and his wife would like to tear down the existing house, garage and barn to build a new home and one barn on the property. The three existing buildings are quite old and short in height limiting the ability to remodel. The actual rebuild will be less square footage than the existing structure.

Bob Cook opened for public comment. No comments. **A motion was made by Howell and seconded by Becksvoort to close the public hearing. Cook called for a vote on the motion. UNANIMOUS DECISION – MOTION APPROVED**

Cook asked Commissioners for questions or comments. Becksvoort asked if the current structures would be removed immediately after the new ones are completed. Novak responded yes they would be. Howell asked if Meshkin checked on the height of the barn and he noted that he will verify but believes it meets the maximum allowable 18' height for the size of the building.

Following discussion, **a motion was made by Howell and seconded by Becksvoort to approve the Novak Special Use Request contingent on it being in compliance with provisions put forth in 38.471 and 38.91, compliance with the application submitted, contingent on the removal of all existing structures within one (1) year as noted in the application, with all federal, state, county and township laws and ordinances and the written and verbal representation provided at this meeting and in the minutes. Cook called for a vote on the motion. UNANIMOUS DECISION – MOTION APPROVED**

#### ARTICLE V. CITIZEN COMMENTS

Jack Eggenschwiler of 6395 Blue Jay Lane asked why the residents couldn't work with Cavanaugh on the issue of density reducing the number of units but keep the landscaping. We would like to see 20 units.

Marilyn Swart of 6424 147<sup>th</sup> Avenue stated she lives right across the street from the where the drive is going to come out. There is a right of way between her property and the neighbor. She definitely agrees with Cook that the density should be reduced, she definitely agrees with Cook that the drive aligned with Pine Drive should be investigated noting that the first drawing she saw was laughable. She felt Ms. Cavanaugh was disrespectful when stating that if the developer does not get approval for the density that the landscaping will be greatly reduced.

Tom Harrington of 6471 147<sup>th</sup> Avenue apologized for his previous outburst but stated this is not financial for us, it is our homes. Mr. Harrington then read a letter similar in content to the letter submitted by his legal counsel, Stephen Price of McShane & Bowie. His concerns included density, lack of harmonious character to current neighborhood, the steps taken to rezone by the developer, impact on property values, traffic, potential for rental properties and environmental concern over potential contamination existing on this parcel from fumigation.

Connie Bakker of 4718 64<sup>th</sup> Street thanked the Commissioners for trying to get the number of units reduced. She referred to the letter she and her husband submitted noting the concern for landscaping as the units may be two level overlooking their back yard. If the P.U.D. is not done, she is worried that adequate landscaping would not be included in a subdivision. She and her husband are also concerned about property value and open space which she does not fully understand how it is calculated and executed.

Al Davis of 4753 64<sup>th</sup> Street said he appreciates Mr. Cook addressing the issue of density. He asked what happened to the presence of the developer during citizen comments. Don't they want to hear what the neighbors have to say? Most of our homes are on one acre or slightly less so that means there should not be more than 10 houses on this parcel. He also argued that lining up the intersection makes perfect sense as it is on 32<sup>nd</sup> and 64<sup>th</sup> Streets.

Jim Bakker of 4718 64<sup>th</sup> Street said one thing brought up was the backs of these units all face 147<sup>th</sup> and 64<sup>th</sup> Streets which is very different than what our township looks like now. There is one subdivision that has backs on 64<sup>th</sup> Street but there is a lot of screening. Please consider that.

Lisa Cruz of 4705 Cardinal Drive said thank you for bringing the density issue. We didn't know there could not be an option of condominiums. Doing condominiums is not conducive but when you get 20, 25 or 30 units that doesn't blend in. I hope you understand that we agree with separate homes and don't care about the driveways. It is so much easier to work with individual people and keep the development small and single homes. We would accept single homes rather than big zits on our face we will clusters of yuck everywhere.

Diana Ellshof of 6354 Reserve Way stated that she looked at the Sawgrass Condominium project that the developer referred to and was very disappointed hoping this one would not look like that. She asked that the commissioners not be a pushover for the first developer that comes to Laketown. We want growth but we want it done well.

#### ARTICLE VI. ADJOURNMENT

**A motion was made by Howell and seconded by Becksvoort to adjourn the meeting at 8:00pm. Cook called for a vote on the motion. UNANIMOUS DECISION – MOTION APPROVED**