

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

December 6, 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, Randy Becksvoort, Jim Lorence,
Marcia Perry
MEMBERS ABSENT: Linda Howell
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 1, 2017 meeting. **A motion was made by Becksvoort 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. GUARDIAN BREWING CO. SPECIAL USE REQUEST

Guardian Brewing Company LLC, owners or agents of property located at 3657 63rd Street, Saugatuck, MI, that being tax parcel #0311-035-044-00, requests a special use permit to establish a restaurant, brewery, educational center and lodging on this property.

Slikkers explained that a Resolution and Report was prepared by the Township attorney to include conditions discussed at the November 1, 2017 meeting and in compliance with Section 38.91 of the Code of Ordinances (the “Code”). Becksvoort stated that he spoke with the Fitches and they would like a more defined fence running north and south on the east end to ensure guests do not go onto their property. Lorence concurs that the fence topic needs more clarification. Perry spoke with the Fitches as well and they feel a need for a more obvious

barrier to their property. Item 3.J. of the Report states no new signs shall be erected except as allowed by the Code; however signage shall be added to properly identify parcel boundaries where there is no fencing. Mike Haddock, representing the applicant offered to work directly with Kevin and Ellen Fitch to reach an acceptable solution to properly identify the property lines. Bultje suggests the applicant and the Fitches propose to the Township Manager an agreed upon plan prior to the start of the development which would then be subject to approval by the Township Manager. Kevin Fitch and Haddock agreed.

Following discussion, **a motion was made by Becksvoort and seconded by Perry to approve the Guardian Brewing Company Special Use Request, based on the Resolution and Report prepared by the Township attorney, revised to reflect an agreement between the applicant and neighbor Fitches regarding fencing and the proper method of identification of property lines subject to the Township Manager's approval. Chair Slikkers called for a roll call vote: Lorence – aye; Becksvoort – aye; Slikkers – aye; Perry – aye UNANIMOUS DECISION – MOTION APPROVED**

B. CONSULTANT RFP's

Slikkers reported the item has been rescheduled to January 3, 2018 with an earlier start time of 6:00 p.m. and invited all residents to attend the meeting.

ARTICLE IV. NEW BUSINESS

A. ELDEAN REZONING REQUEST

Roger S. Eldean Trust, owner or agent of property located at 2150 W. 32nd Street, Holland, MI, that being tax parcel #0311-004-006-00, requests a rezoning of this property from R-2 Low Density Residential District to C-2 General Business District.

Wade Eldean explained the request to rezone said parcel from R-2 Residential to C-2 Commercial; he submitted documentation to support his explanation. The request is to expand the business and maintain boating access on the south side as marina; boating access sites are decreasing due to other development. Eldean quoted white paper notes and statements made by national industry experts in the boating industry speaking to the loss of water access for boaters. Holland Sentinel's recent report noted the reduction of slips at Parkside Marina in Park Township. Eldean's is the only operating marina on the south side of Lake Macatawa as many others have closed over the years. Eldean spoke to the economic benefits of having a marina in the community, specifically the number of jobs and state and federal revenue generated by the business. Eldean referred to the plans indicating where the storage building would be, noting the current driveway would be moved but the house would remain as is. Traffic and noise would not be issues; zoning and subsequent boat storage are consistent with the character of the current buildings. Another option would be to split the property from north to south with mixed use on the other side which would ensure a buffer for 66th Street.

Slikkers opened for public comment.

Roger De Kuiper, 4761 66th Street, stated that he is in proximity to the proposed storage building; regarding water access and boat storage, he asked how many boats are owned by residents of the Township. He would like more details about the enhancement of natural resources. If a lot of trees are taken down, it will destroy the ambiance and beauty of that street. Many people use Sanctuary Woods; a lot of runners, bikers and hikers gather at the park, and it is maintained very well by the Township.

Frances Cilella of 6613 147th Street stated the proposed change in zoning is approximately a half mile from her property. The area has been changing a lot in the last 20 years and not for the better. Cilella expressed grave concerns about changing the character of the area for the worse. Sanctuary Woods is well used and loved by many and adding a large facility near it would negatively impact the area.

Tom Shuff of 4706 Forest Ridge stated the Master Plan shows the area to be residential and he asked that the Commissioners adhere to that. There is plenty of commercial property on Blue Star Highway that could be used. He does not support the request.

Marty Hysen of 2120 W. 32nd Street stated that he is directly on the corner across the street. Hysen expressed concern about additional noise, removal of trees and the impact it may have on Sanctuary Woods. He is opposed to the request to rezone.

Bob Lamar of 4612 66th Street commented on people talking about saving the trees now but said it did not seem to be important when Scenic Shores was developed and the impact it had on the dunes. He disagrees with reducing the commercial activity in the Township and believes the Township should grow services for its residents. He said the Master Plan could be amended.

Tom Slikkers, 6578 Partridge Lane, stated that he is across from Sanctuary Woods and does not feel that the rezoning will enhance the area; the area is not planned for commercial. He asked that the Commissioners adhere to the current plan.

Mitra Delaney of 6298 144th Avenue spoke on behalf of herself, husband and Tom Crum of 6295 144th Avenue. She stated they are in opposition of the request to rezone.

Ross Lamar of 145th Avenue stated that he is confused by all of the zoning business. He referred to what Rod Obbink was able to do with the former bank property on 32nd Street and does not understand why the Eldean request is not permitted. He expressed frustration with the Township and declared shame on the Planning Commission.

Michelle DenHartigh of 4604 66th Street spoke in opposition to the request and asked that the Commissioners adhere to the current Master Plan to maintain the natural character of the Township. She stated that increasing the commercial zoning would change the character of the area and it would never be the same.

John Mulder of 4730 64th Street spoke in support of the request. He believes that it is in line with the current land use in the area with plenty of property to add a building. He stated that Park Township would be thrilled to increase services for its residents and does not feel that it is fair of the Commissioners to deny this request. He asks that they not act like robots tied to a Master Plan and seriously consider the rezoning request.

Don Wassink of 6651 Partridge Lane said he is not in favor of the change as this is a residential area and feels it would hurt property values. He questioned how the parcel could be zoned residential to maintain the house on the property and also zoned commercial as requested. If the parcel is rezoned commercial, what other types of businesses could arise in the future. He asked if there is a plan for the building and Bultje advised the request is for the rezoning only and not approval for a site plan or a special use.

Slikkers said we all appreciate the spirit in which these meetings are conducted and hope to continue in that manner.

Lorence said a couple of times tonight, it has been referenced that the Planning Commission is a block. He explained that the Commissioners do not discuss business outside of the meetings and each is an independent decision maker.

John Potts of 6545 144th Avenue commented that the Eldeans are not in Laketown Township and understand that everyone likes this area. He noted that the Eldeans do a great job of keeping things up and he does not want to see them close the marina. He is in favor of doing whatever is necessary to help them maintain a successful business.

Ed Menken of 6341 144th Avenue said he can see both sides of the argument. He suggested a compromise of the Eldeans providing 6-12 slips for Township residents and nice green space areas in return for the rezoning.

Wade Eldean said the Master Plan states residential for the area but it is fluid and can be changed. The change in rezoning would not negatively impact real estate values. The expansion would increase services to the Township residents so there really are no losers here. The water is one of the best assets in the Township and it is important to provide access for its use.

Herb Eldean said he and his wife Pat have lived on the property for 44 years; they had opportunities to relocate several times but really like living by the marina. This would not have a negative impact on the area.

With no further comments from residents, a motion was made by Becksvoord and seconded by Perry to close the public hearing. Slikkers called for a vote on the motion. UNANIMOUS DECISION – MOTION APPROVED

Slikkers asked Commissioners for questions.

Lorence asked if there are trees in the driveway now. Eldean responded that there some but there is a septic tank and drainage field along the driveway. He does not anticipate removing too many trees to relocate the driveway. Lorence stated that he often walks Sanctuary Woods and does not see how a building would block the view from the top of the park. He stated a building would not create any greater disruption to the deer in the area.

Becksvort stated that he has struggled with the request, noting that the Planning Commission is very close to working through the Master Plan. He would like to use that process of redoing the Master Plan for public input on whether or not more commercial zoning is desired.

Perry stated that she visited the site and feels it would have an impact on the park and the neighboring residents. She expressed concern about the increased activity, lighting, hours of operation and impact on wildlife. She feels the current zoning maintains the property balance.

Slikkers explained that there are three factors to consider; compatibility with the surrounding neighborhood, capacity of the infrastructure to support the proposed use; and consistency with the Master Plan. Comments made during the public hearing are carefully considered. He feels this request is in conflict with the current Master Plan. All letters of support (17) and opposition (13), along with all comments of the public hearing are on record. The Planning Commission is scheduled to do a full review of the Master Plan and welcomes all public input during the review. Slikkers stated that he appreciates Eldean's respectful manner in working with the Planning Commission but does not feel the Commission would be acting responsibly if it did not follow the current Master Plan.

Following discussion, **a motion was made by Becksvort and seconded by Perry to recommend to the Township Board that it deny the Eldean Rezoning Request based on the fact that it is not consistent with the current Master Plan; and this is not a good time to consider an amendment to the Master Plan for this request when the Planning Commission is about to consider the entire Master Plan; and even though there is commercial in the area, there is also a significant amount of residential. Slikkers called for a vote on the motion. UNANIMOUS DECISION – MOTION APPROVED**

B. 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.

Dick Darby provided a statement of intent to obtain preliminary site approval for the proposed project. Darby gave a brief history of his purchase and attempted projects over the years, highlighting the most recent Flying J project after which he repurchased the land due to the extreme opposition demonstrated against the project. It is his intent to create a development that will enhance the area and benefit the local residents and tourists. Darby provided an overview of

several improvements he has made to the property at the direction of the Allegan County Road Commission, Michigan Department of Transportation and the Michigan Department of Environmental Quality (“DEQ”) including the planting of Michigan wildflowers on a portion of the site. Darby would like to obtain preliminary approval in order to move forward with bids for the sanitary sewer and water infrastructure for Phases I and II.

Slikkers opened for public comment.

Rick Wiersma spoke on behalf of his mother Patsy Wiersma of 6288 142nd Street and asked what Darby is proposing on the 5 acres south of Phase I.

Darby said it would be a commercial site for a potential restaurant, bank, office building, retail business, and such options. Darby provided a list of potential commercial uses for the project. The project would be upscale with aesthetically pleasing architecture and landscaping.

Shirley Visscher of 6283 136th Street asked if the DDA is still active and would be involved in the project. Meshkin advised that the DDA is dormant so this proposal would be addressed with the Planning Commission. Visscher suggested residents work with Darby to create the best solution for everyone. Visscher questioned the curve on 136th and 63rd Streets and asked how it would be maintained in the winter as it is not done well now. Meshkin said it is a public right-of-way and is maintained by the Road Commission. Visscher questioned the lighting and Darby advised it would follow the conditions of the P.U.D. and be downward lighting. Visscher asked for an explanation of condo and commercial and Darby explained the business owners would be accountable to the conditions of the P.U.D. and businesses would be part of an association with a board of directors. Meshkin added that the site plan review for each individual building in the P.U.D. would come before the Planning Commission. Visscher asked about the water and sewer. Darby responded that he has spent many hours reviewing the infrastructure with Holland Engineering and the preliminary approval is needed to move forward with bids. Visscher mentioned an issue with a pond and Darby explained that it was due to the intense rains in October and is completing the repair work now. Visscher asked for clarification of the off ramps and Darby responded he had reviewed the placement with Allegan County and designed the ramps accordingly.

Grace Bouman of 3672 63rd Street asked what would be on the property behind the Belvedere and how it would be accessed.

Wiersma asked what regulates the size of the lots. Darby said the P.U.D. application has criteria for lot sizes and green space. Phase I will have seven lots and Phase II will have eleven lots.

Darby said behind the Belvedere, there is a proposed road with an emergency exit along the south lot line. Ideally, the parcel would house a hotel or senior retirement facility surrounded with wetlands and a nice buffer.

One letter was received from Dustin and Rebecca Kruiuzenga of 6296 136th Avenue stating that Saugatuck is a beautiful place and asked that it not be changed by the use of bright lights and

also expressed concern for rush hour traffic and preservation of trees.

With no further comments from residents, a motion was made by Becksvort and seconded by Lorence to close the public hearing. Slikkers called for a vote on the motion. UNANIMOUS DECISION – MOTION APPROVED

Slikkers asked Commissioners for questions.

Lorence had no questions.

Becksvort questioned how water and sewer would reach the property, how it gets paid for and how it will tie in with the area utilities. Darby responded that it was part of an agreement when he repurchased the Flying J buy/sell agreement. An agreement was made with Saugatuck/Douglas to tie in to the Kalamazoo Lake Sewer and Water Authority for up to 30,000 gallons of sewer capacity per day. Darby reviewed the drain area and path to the pumping station and direct bore to 64th Street. Saugatuck Township also has a 12” water line to the ravines which will allow for service to the project. Becksvort asked if Darby has done a market study to see if people will buy into this project. Darby responded that he has done research and believes if the project begins with first class buildings, the rest will come to fruition.

Perry asked basic questions about the P.U.D. process to which Meshkin explained that the request for this meeting is the preliminary approval only for the concept of the P.U.D. Darby would return with more details concerning the infrastructure at which time further discussion would occur to determine appropriate conditions to be placed on the P.U.D. to be included in a Resolution and Report by the Planning Commission and a contract approved by the Township Board. Site plan approvals for each business would come before the Planning Commission and be reviewed to ensure compliance with the conditions of the P.U.D. Meshkin reiterated the water/sewer agreement that had been made as part of the repurchase of the buy/sell agreement.

Perry questioned the wetlands on Phase II and Darby stated that he has a letter from the DEQ declaring that they are not regulated wetlands. Slikkers advised that this is not something monitored by the Township but by the DEQ. Bultje reiterated that proper DEQ permits would be a condition of the P.U.D. approval. Darby said he has all permits for Phase I. Perry expressed general concern to maintain the rural nature of the Township and questioned how this would fit in with the desired character adding that there must be a certain amount of balance. Darby said a considerable amount of money has been spent to clean up the whole area trying to set a precedent for a first class project.

Bultje advised Commissioners to review Sections 38.62 and 38.63 to determine an opinion on the preliminary approval of the proposed layout and the conceptual plan.

Perry said she is not comfortable with this after going to the site. Slikkers explained that this is the vision for what Darby plans to have. Perry said she is trying to picture how all of these things would fit in here and expressed concern for sewer capacity. Slikkers said adequate water/sewer capacity and the engineering to support it would be a condition of the P.U.D. Darby

said the study with engineering has already been done for all lots. Perry questioned what happens if this preliminary plan turns out to be something very different than the P.U.D. ultimately proposed? Bultje advised the request is for the preliminary approval for the conceptual site plan, to allow engineering work to be done for the required infrastructure. He stated final P.U.D. approval would require a detailed plan of the development. Meshkin said nothing is by right and this is one initial step in the process. Bultje added that the P.U.D. process provides more control over the design and use than if the parcels would be sold separately.

Following discussion, a motion was made by Lorence and seconded by Becksvoort to grant the Darby Request for a Preliminary Site Plan/P.U.D. Conceptual Plan Approval of Phase I and Phase II based on factors in Sections 38.62 and 38.63, subject to Darby meeting requirements for water/sewer capacity; and subject to compliance with the P.U.D. procedure under the Zoning Ordinance; and ultimate approval by the Township of the P.U.D.

Perry asked if any other conditions should be considered and Bultje responded not at this step. Meshkin advised a resolution and report would be written prior to actual approval of the P.U.D.

Slikkers called for a vote on the motion. UNANIMOUS DECISION – MOTION APPROVED

ARTICLE V. CITIZEN COMMENTS – No comments.

ARTICLE VI. ADJOURNMENT

A motion was made by Becksvoort seconded by Lorence to adjourn the meeting at 9:48 p.m. Chairman Slikkers called for a vote on the motion. UNANIMOUS DECISION – MOTION APPROVED