

**MINUTES OF THE GAINES CHARTER TOWNSHIP PLANNING COMMISSION  
FOR THE REGULAR MEETING HELD ON  
March 25, 2010  
AT THE GAINES CHARTER TOWNSHIP OFFICES  
8555 KALAMAZOO AVENUE SE  
CALEDONIA, MICHIGAN**

I. **CALL TO ORDER AND ROLL CALL.** The meeting was called to order at 7:03 pm by Chair DeWard.

**MEMBERS PRESENT:** Rob DeWard, Ted Essenburg, Connie Giarmo, Tim Haagsma, Lani Thomas, Ronnie Rober.

**MEMBERS ABSENT:** Louis Waayenberg.

**OTHERS PRESENT:** Brian Tingley, Township Planner, Megan Sharp, Assistant Township Planner.

II. **CONSIDERATION OF MEETING AGENDA**

No changes recommended.

III. **CONSIDERATION OF MEETING MINUTES**

**MOTION:** By **HAAGSMA**, supported by **ROBER**, to approve the minutes for the February 25th, 2010, regular meeting.

**YES:** DeWard, Essenberg, Giarmo, Haagsma, Thomas, Rober.

**NO:** None.

**ABSENT:** Waayenberg.

**MOTION CARRIED.**

IV. **INQUIRY OF CONFLICT OF INTEREST:** None.

V. **ADVERTISED PUBLIC HEARINGS:** None.

1. 7:05 – Special Use Request – 6205 Hanna Lake Avenue – Kennel – File No. 100225RG

DeWard found the applicants, Justo and Rhonda Gonzalez, were present, and the requested kennel was not for profit or breeding, but for dogs the applicants had for awhile and brought from Kansas. The applicants left goats and horses back in Kansas, but were under the impression from their realtor they could bring the dogs. A white German Sheppard and a white Pyrenees were rescued dogs, three Chihuahuas were kept indoors, and the remaining eight were Patterdale Terriers, a winter-breed medium-sized dog not common in the United States. In the summer they provide miniature swimming pools in the kennels to keep the Patterdales cool. Some of the dogs were older and did not have very many years left.

Tingley explained that breeding kennels required an additional kennel license from Kent County. This kennel special use was required because they were keeping more than the maximum of three dogs permitted in the RL-10 zoning district.

Ronda Gonzalez added that the dogs were licensed and Kent County Animal Control (KCAC) had been out to check them, and found everything to be in order. No neighbors complained to them about the dogs, or knew there were that many. They have been improving the property since purchasing it about a year ago and have plans to install privacy fencing this spring and summer.

DeWard opened the public hearing at 7:08 p.m.

DJ Verduin, 3169 Boot Lane, was not concerned with the current dogs and did not know they had them, but did not want more. He did not know the Gonzalez's too well, but appreciated how they improved the property. He believed that if the request was not approved, the Planning Commission should allow the Gonzalez's time to find proper homes and families for the dogs.

Vince Verduin, 6185 Wing Ave., never heard the dogs even without cars on the highway. He felt they should keep the ones they have but not be permitted more than thirteen.

Chair DeWard closed the public hearing at 7:15 p.m.

Giarmo mentioned that although the dogs are cared for and winter dogs, M-6 motorists may not know that. She suggested the privacy fence be installed to limit the view of the kennels from M-6 and deter future inquiries.

DeWard added that when he drove by, the kennels were very visible from the highway.

Ronda confirmed that they intend to put privacy fencing to the south and east of the kennels, and that Justo makes bigger houses in the summer to keep the dogs out of the sun.

DeWard found from Planner Tingley that staff's report provided information on past kennel special use requests, but those requests were for breeding and daycare, not personal pets. The location of this property adjacent to M-6 made the property unique and a good location for dog runs and kennels, away from other residences.

The Planning Commission found a privacy fence 6 feet tall would run south from the carport to the south of the pens, along the south property line behind the pens and runs, then north to the tree line, and then back to the rear northwest corner of the house. The applicants planned to install it by October 31<sup>st</sup>, 2010, as staff recommended.

**MOTION:** By **ROBER**, supported by **THOMAS**, to approve the special use request with the following conditions:

1. The applicant must install a 6-foot tall privacy fence from the southeast corner of the carport to the south of the pens, along the south property line behind the pens and runs, then north to the tree line, and then back to the rear northwest corner of the house, by October 31<sup>st</sup>, 2010.
2. All dogs must be licensed as required by Kent County Animal Control.
3. No more than 13 total dogs may be housed, located or kept on the property either indoor or outdoor.
4. No dog breeding, daycare or boarding shall be permitted.

**YES:** DeWard, Essenberg, Giarmo, Haagsma, Thomas, Rober.

**NO:** None.

**ABSENT:** Waayenberg.

**MOTION CARRIED.**

**VI. PUBLIC COMMENT ON NON-AGENDA ITEMS: None.**

Vince Verduin, 6185 Wing Ave., found that he should contact the Sheriff's Department to report trash dumping on his property along M-6, especially if he knows when it is occurring.

**VII. DEVELOPMENT REVIEW AND OTHER MATTERS:**

**1. Ordinance No 10-03 – Reauthorization of Planning Commission**

Tingley reviewed the requirements of the Michigan Planning Enabling Act (MPEA) to reauthorize Planning Commissions. Although not a zoning ordinance, the Planning Commission should review and endorse it prior to Township Board review. He noted Section 9 regarding Master Plan authority, and Section 11 regarding capital improvement programs (CIP) and anticipated future discussion regarding CIP between the Planning Commission and Township Board.

DeWard found that Haagsma was the ex-officio member of the Planning Commission appointed by the Township

Board and could not be chair, and that the MPEA only calls for a chair and secretary. The ex-officio member was counted as one of the seven appointed members. Gaines Charter Township historically had a vice-chair, though it was not required.

Tingley noted that previously a business owner with Township interest could now be a Planning Commissioner. The changes also clarified that ex-officio member's term was as long as the official's Township Board term, and the terms of the other current Planning Commissioners were unaffected by the reauthorization.

DeWard recommended the a phrase "which include the board appointed ex-officio member." be added to Section 2 paragraph 2, and "sent" be added after "being" to Section 11 paragraph 3, of Ordinance No. 10-03.

**MOTION:** By **GIARMO**, supported by **ROBER**, to recommend approval of Ordinance No. 10-03 to the Township Board with the following changes:

1. The a phrase "which include the board appointed ex-officio member." be added to Section 2 paragraph 2
2. The word "sent" be added after "being" to Section 11 paragraph 3.

**YES:** DeWard, Essenberg, Giarmo, Haagsma, Thomas, Rober.

**NO:** None.

**ABSENT:** Waayenberg.

**MOTION CARRIED.**

**VIII. COMMITTEE REPORTS:** None

**1. Parks and Recreation Committee**

**a. Nonmotorized Transportation Plan (NMTP)**

Tingley reported that the NMTP subcommittee and staff had their first meeting this past week to look at priorities and provide staff more direction. The meeting proposed a focus on the northern portion of the township. Staff would also be working on the future NMTP public meetings.

Giarmo believed the Township had come a long way, but that the 68<sup>th</sup> St. and Kalamazoo Ave. intersection and immediate area needed much more work.

DeWard, a subcommittee member, added that there was discussion at the subcommittee meeting of the need for park and staging area connections.

**IX. DISCUSSION:** None.

**X. ADJOURNMENT.**

**MOTION:** By **ROBER**, supported by **HAAGSMA**, to adjourn.

**YES:** DeWard, Essenberg, Giarmo, Haagsma, Thomas, Rober.

**NO:** None.

**ABSENT:** Waayenberg.

**MOTION CARRIED.**

Meeting Adjourned at 8:08 p.m.

**CERTIFICATION**

I hereby certify that the above is a true copy of the minutes from the March 25th, 2010, regular meeting of the Gaines Charter Township Planning Commission held at the time and place mentioned above pursuant to the required statutory procedures.

Respectfully submitted,

\_\_\_\_\_  
Louis Waayenberg, Secretary  
Gaines Charter Township  
Planning Commission

Dated: \_\_\_\_\_, 2010