

**MINUTES OF THE GAINES CHARTER TOWNSHIP PLANNING COMMISSION
FOR THE REGULAR MEETING HELD ON
OCTOBER 27, 2016
AT THE GAINES CHARTER TOWNSHIP OFFICES
8555 KALAMAZOO AVENUE SE CALEDONIA, MICHIGAN 49316**

I. CALL TO ORDER AND ROLL CALL

The meeting was called to order at 7:00 p.m. by Chair DeWard. A quorum was present.

MEMBERS PRESENT: Brad Burns, Robert DeWard, Connie Giarmo, Tim Haagsma, Ronnie Rober, Lani Thomas, Louis Waayenberg

MEMBERS ABSENT:

OTHERS PRESENT: Mark Sisson, Township Planner / Zoning Administrator, Matt McKernan, Assistant Planner

II. CONSIDERATION OF MEETING AGENDA

No Changes

III. CONSIDERATION OF MEETING MINUTES

September 22, 2016 – Regular Meeting Minutes

Motion: By Member Haagsma supported by Member Rober to approve the minutes for the September 22, 2016 Planning Commission Regular Meeting.

Discussion: None

Ayes: Brad Burns, Robert DeWard, Connie Giarmo, Tim Haagsma, Ronnie Rober, Lani Thomas, Louis Waayenberg

Nays: None

Abstain: None

Motion: Passed

IV. INQUIRY OF CONFLICT OF INTEREST

None

V. PUBLIC COMMENT ON NON-AGENDA ITEMS

None

VI. New Business

1. Advertised Public Hearings

a. Special Use Permit for Accessory Building: 6410 College Avenue SE

Special Use Permit Request to allow for construction of a 24' x 32' detached garage with a floor area of 786 square feet, exceeding the maximum square footage (576 SF) allowed by right on this property in a RL-10 District.

Chair DeWard invited the applicant to introduce his request:

Roger Foster, 6410 College Avenue

Requesting a detached garage due to the lack of an attached garage on the property. The proposed size of 24' x 32' (786 SF) will allow for the storage of a boat and a truck. The garage will have gray steel siding with white trim and will be built by Sharp Construction. The 10' x 10' shed shown on the aerial photo in the staff report has been moved elsewhere on the property.

Member Haagsma asked Staff to clarify the Township regulations on accessory buildings. Haagsma wanted to know if this garage would have been allowed by right if the applicant had decided to attach it to the residence. Planner Sisson stated that in this instance the garage would have been approved by right if it had been attached to the home. Haagsma stated that the fact that the building would be allowed by right if it was attached to the building was a good indication that it wouldn't create a nuisance for neighbors. Mr. Foster stated that attaching the garage would be too costly.

Assistant Planner McKernan stated that the builder had informed him that the existing 10' x 10' shed would be removed from the property. This is in fact not the case as it has only been moved. The total floor area for accessory buildings contained in the staff report & public notice does not reflect the additional 100 square feet of the shed. Member Giarmo questioned the legitimacy of the legal notice. Planner Sisson stated that when deciding these types of questions its necessary to take into account whether or not the change in the legal notice could affect the concerns of neighbors and whether or not to attend the hearing or comment. Mr. Foster stated that there had been some indecision on whether or not the shed would remain, but that he would comply with whatever the Township decided. Chair DeWard asked Mr. Foster if he would prefer that the Planning Commission delay a decision on the request until December to allow the request to be noticed correctly or accept removing the existing 100 square foot shed as a condition approval at the current meeting. Mr. Foster stated that he would remove the existing shed as a condition of approval.

Chair DeWard opened and closed the Public Hearing at 7:10 PM.

Motion: By Member Haagsma supported by Member Rober to approve the Special Use Permit for a 768 square foot detached garage in the rear yard of 6410 College Avenue SE subject to the following conditions:

1. That the building is positioned on the site as indicated on submitted site plans.
2. That now or in the future, no exterior yard lights are to be attached to the structure that would cause glare in the rear yards or windows of adjacent lots.
3. That the floor elevation of the building, site grading, and roof drainage be handled with consideration of avoiding excessive drainage on adjacent properties.
4. That the use of the building and the items stored are not to be business related.
5. That the existing 100 square foot shed be removed

Discussion: None
Ayes: Brad Burns, Robert DeWard, Connie Giarmo, Tim Haagsma, Ronnie Rober, Lani Thomas, Louis Waayenberg
Nays: None
Abstain: None
Motion: Passed

VII. UNFINISHED BUSINESS

None

VIII. GENERAL DISCUSSION

1. Eyde Development: Preliminary Discussion - 8460 Kalamazoo Development

Chair DeWard invited Thomas Tooley of Design Concept to give a presentation on the current status of the effort to develop the property located at 8460 Kalamazoo Avenue SE.

Thomas Tooley, Design Concept, speaking on behalf of Eyde Development

Tooley stated that he had been involved with this project for approximately 10 years. Tooley felt that Staff report did a good job of summarizing the development concepts. The idea is to provide a “village center” for Gaines Township. He has been in several meetings recently related to design concepts and the provision of utilities to the site. There has been a lot of interest from multi-family, single-family, and single-level attached residential developers.

They have had several substantive discussions with the Redwood Development group out of Ohio about developing the northeast portion of the site as single-level attached homes. Tooley recommended that Planning Commission members visit the Whitewater Place development north of the Walmart on 28th Street in Cascade Township to see a local example of a Redwood development. These single-level units would be marketed for young singles and empty-nesters. Redwood offers both for sale and rental options for these types of units. Redwood is interested in approximately 25 acres of the 85 acre parcel. Redwood would likely modify the layout of the conceptual site plan that was provided to the Planning Commission members. Redwood would like to redesign the roads to limit the amount of thru-traffic and create a compact community atmosphere.

Tooley stated that there have not been very many contacts at this point with developers who are interested in providing the retail/mixed-use development portion of the site. It is logical to assume that interest in the site for these types of development will increase as it is located approximately 2 miles from both M-6 and US-131.

Tooley stated that they are working on the details of providing utilities to the site. The issues related to providing sewer to the site have mostly been resolved, but there are still many challenges pertaining to bringing public water from the tower on 92nd Street and Eastern Avenue that need to be worked out.

2. Preliminary Discussion- Agricultural Rural Enterprise SPU: 640 92nd Street SE

Peter Graham of 640 92nd Street SE requested to be placed on the general discussion agenda to discuss his upcoming Special Use Permit request to use his property as a wedding and reception venue. Mr. Graham lives on 10 acres on 92nd Street between the cell and water towers on the corner of Eastern Avenue SE. He has used the property for several family weddings and would now like the opportunity to use his existing garden and barn to host commercial weddings as well. The property is his primary residence. He currently uses the rest of the property for garden tours and the occasional selling of Christmas trees.

Planner Sisson explained that the request would be for a Special Use Permit for an Agricultural-Rural Enterprise. Chair DeWard expressed that when this provision was added to the ordinance, it was intended as a means for farmers to derive additional income from their properties. He stated that he lives nearby and could foresee neighbors being cautious about such a use at this location. Planner Sisson informed Mr. Graham that he should submit a site plan that indicated things such as ingress, egress, parking and the location of all uses related to the request. His plans should also include how Mr. Graham intends to manage traffic and noise concerns.

3. Medical Marijuana Update

Planner Sisson informed the Planning Commission that the State of Michigan recently passed a law that clarified some of the issues surrounding medical marijuana. The law explicitly allows for the creation of provisional centers/storefronts for the dispensation of medical marijuana. The law also gives municipalities the right to refuse these types of uses within their jurisdiction. Gaines Township already has an ordinance that forbids the creation of medical marijuana dispensaries. Planner Sisson was making the Commissioners aware of the changes in the law in case they wanted to revisit the issue. No action needs to be taken to continue to prohibit medical marijuana dispensaries within the Township.

Member Giarmo expressed that with all the focus being placed on drunk driving by law enforcement it wouldn't be a good idea to authorize the use of a drug that similarly impairs driving and is harder to detect. Planner Sisson reiterated to the Planning Commission that recreational marijuana was still illegal in Michigan and that the current law only pertained to marijuana for medical purposes. The pertinent question was whether or not there were members of the community that would benefit from having easier access to medical marijuana. Member Haagsma stated that there may be members of the community who would benefit from having easier access to this type of facility and that it might be best to wait for residents to request a change to the ordinance before taking any action on it.

4. Parks & Recreation/Non-Motorized Transportation Plan Survey Results

Planner Sisson informed the Planning Commission that Staff had closed the survey for the Parks & Recreation/Non-Motorized Transportation Plan. Staff is preparing a thorough analysis of the results as part of the updates to these plans. The results seem to be in favor of increased spending in these areas. However, the results might not be entirely representative of the community at large as many of the responses were captured from events at the parks, which might bias the data towards heavy users of the parks. While not a perfect representation of the Township at large, it does give some indication of the direction the Township should be headed for parks and non-motorized transportation spending.

5. Election of Officers- Discussion or Action

Planner Sisson reminded the Planning Commission that November 17 would be Chair DeWard's final meeting as he is the presumed future Township Supervisor. Sisson stated that no action was necessary at this meeting, but thought it was important to discuss how the election of new officers will be handled. Chair DeWard stated that he thought it would be best to have the elections in January as they do every year. Member Giarmo is the Vice-Chair and can chair the December meeting in his absence. The Planning Commission expressed approval for officer elections to transpire in January.

6. November Planning Commission Agenda

Planner Sisson informed the Planning Commission of the items that were scheduled for the November 17 meeting. There will be Site Plan Reviews for the first Switch SuperNAP data center and the Siliconature manufacturing facility on 68th Street. South Christian High School is requesting a Special User Permit/Site Plan Approval for a new high school on Kalamazoo Avenue. Richard Dykhoush will be attempting to rezone his property to PUD once again to allow for the creation of personal storage buildings and duplex condominiums. The November meeting will be a preliminary hearing for the request with a public hearing in December.

IX. ADJOURNMENT

Motion: By Member Thomas supported by Member Giarmo to adjourn the meeting.

Discussion: None

Ayes: Brad Burns, Robert DeWard, Connie Giarmo, Tim Haagsma, Ronnie Rober, Lani Thomas, Louis Waayenberg

Nays: None

Abstain: None

Motion: Passed

Meeting adjourned at 9:00 P.M.

CERTIFICATION

I hereby certify that the above is a true copy of the minutes from the October 27, 2016 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,


Lani Thomas, Secretary
Gaines Charter Township
Planning Commission

Dated: November 17, 2016