

**MINUTES OF THE GAINES CHARTER TOWNSHIP PLANNING COMMISSION  
FOR THE REGULAR MEETING HELD ON  
JUNE 22, 2017  
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 Giarmo. A quorum was present.

**MEMBERS PRESENT:** Brad Burns, Connie Giarmo, Ronnie Rober, Lani Thomas

**MEMBERS ABSENT:** Talimma Billips (with notice), Tim Haagsma (with notice),  
Louis Waayenberg (with notice)

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

**II. CONSIDERATION OF MEETING AGENDA**

None

**III. CONSIDERATION OF MEETING MINUTES**

May 25, 2017 – Regular Meeting Minutes

**Motion:** By Member Rober supported by Member Thomas to approve the minutes for the May 25, 2017 Planning Commission Regular Meeting.

**Discussion:** None

**Ayes:** Burns, Giarmo, Rober, Thomas

**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. Creekside Storage PUD- Advisory Public Hearing (PUD)**

*Request for final site plan approval & an amendment to the Creekside Storage PUD. Amendment pertains to the avoidance of wetlands and the resultant realignment of the private road, layout of the dwellings, and a net reduction of 4 buildings (8 dwelling units) from the previously approved plan. No changes are proposed for the personal storage facility.*

**Steve Witte of Nederveld**

Witte began by introducing the applicant Rich Dykhouse of Creekside LLC, and giving a brief history of the development. Creekside LLC has been working with the MDEQ on wetland delineation following

Township approval of the PUD. The discovery of wetland areas necessitated relocating portions of the private road that accesses the site. Landscaping has been added along the portion of the drive that abuts the property to the east, based on recommendations from the Planning Commission at the May 25 meeting. Creekside has not prepared a full photometric plan at this time, but will work with Staff to ensure that lighting meets Township standards.

Chair Giarmo asked Planner Sisson to comment on the request. Sisson stated that Witte has worked with staff and addressed many of the concerns outlined in the staff report. Several conditions of approval can be removed from the resolution of approval as a result of these efforts. Item 1 related to landscaping and Item 2 (a) related to street lights have now been addressed. The recommendations found in the engineer's report are relatively minor and many have already been addressed by the applicant. Witte agreed that the recommendations were minor and stated that he would continue to work with Township Engineer Jeff Gritter to address them.

Chair Giarmo opened and closed the public hearing at 7:15 PM.

Planner Sisson informed the Planning Commission of an issue that had been raised in the previous week. The developer has begun using Bentree Drive to deliver lumber to the Creekside property. The lumber is being assembled into panels ahead of construction of the personal storage facility. Construction on a property cannot begin without formal zoning approval. Additionally, the prohibition of construction traffic on Bentree Drive was a condition of approval for the PUD.

Rich Dykhouse added that he had indeed had several deliveries of lumber delivered from trucks that accessed the property through Bentree Drive and begun construction of the panels. He had spoken with several of the property owners adjacent to the site on Bentree Drive to request permission to have lumber delivered and to begin to construct the panels adjacent to their homes. Dykhouse would like formal permission from the Planning Commission to continue assembling the panels to ensure that construction is completed before winter.

Planner Sisson informed the Planning Commission that they could decide to authorize this activity, but otherwise the applicant will have to wait until receiving zoning approval to continue. Zoning approval is contingent upon receiving final approval from the Township Engineer, which has not happened at this time. The Planning Commission expressed disapproval of the developer utilizing Bentree Drive for the delivery of construction materials. The Commission also stated that construction of panels on the site should not commence until they receive final plan approval from the Township Engineer.

**Motion:** By Member Thomas supported by Member Rober to approve Resolution No. 17-06-PC, with the changes noted by staff, to amend the Creekside Storage PUD.

**Discussion:** None

**Ayes:** Burns, Giarmo, Rober, Thomas

**Nays:** None

**Abstain:** None

**Motion:** Passed

**b.99 Coleman Street SE- Accessory Building Request (RL-3)**

*Special Use Permit Request to allow for construction of an accessory building with a floor area of 576 square feet, exceeding the maximum square footage (200 SF) allowed by right in the R-3 District.*

**Tim Leys Jr. 99 Coleman Street SE**

Leys is requesting permission to build a garage in the rear yard of his property. Leys plans to remove an existing privacy fence on the front and side of his home prior to construction of the accessory building. He plans to replace the fence once construction is complete. Leys is willing to work with staff to comply with any conditions of approval.

Assistant Planner McKernan gave the Planning Commission an overview of the request. The applicant originally intended to expand an existing attached one-stall garage on his home, but was unable due to setback requirements. The applicant is now requesting permission to construct a 576 square foot accessory building in the rear yard of home. The building will comply with Township setback standards and will be accessed by an extension of his existing driveway. The building will be similar to the detached garage on the adjacent property to the west and will not be used for commercial purposes.

Chair Giarmo opened and closed the public hearing at 7:30 PM.

Member Burns asked for explanation as to whether the neighboring property had received a special use permit for their detached garage. Assistant Planner McKernan explained that homes without attached garages are permitted to construct up to a 576 square foot accessory building by right. Detached garages are a fairly common development pattern in this area. This request would have been granted by right if the applicant's home did not already feature a detached garage.

Chair Giarmo read Ley's the conditions of approval suggested in the staff report and asked if he agreed to comply. Leys answered affirmatively.

**Motion:** By Member Rober supported by Member Thomas to approve the special use permit for a 576 square foot accessory building subject to the following conditions:

1. 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.
2. That the floor elevation of the building, site grading, and roof drainage be handled with consideration of avoiding excessive drainage on adjacent properties.
3. That the use of the building and the items stored are not to be business related.
4. That the building is constructed using materials similar to that of the principle building as indicated by the drawings presented in the application.
5. Should the side and rear yard fence be eliminated, outdoor storage of items next to the accessory building, between the building wall and the west and north property lines is prohibited.
6. That the location of the driveway extension to the accessory building be maintained at least three feet from the west property line.

**Discussion:** None

**Ayes:** Burns, Giarmo, Rober, Thomas

**Nays:** None  
**Abstain:** None  
**Motion:** Passed

**c. 7743 Eastern Avenue SE- Accessory Building Request (RL-10)**

*Special Use Permit Request to allow for construction of an accessory building with a floor area of 896 square feet, exceeding the maximum square footage (443 SF) allowed by right on this property in the RL-10 District.*

**Shane Toering, 7743 Eastern Avenue SE**

Toering is requesting an accessory building for the storage of recreational vehicles and general household items.

Assistant Planner McKernan gave an overview of the request. The applicant has purchased property from an adjacent parcel to construct an accessory building. The Township has approved the property line adjustment between the two properties and forwarded the request to Kent County for final approval. The building will be accessed by an extension of an existing crushed-concrete path on the south side of his garage. The zoning ordinance requires that the color and materials of accessory buildings be complimentary to the primary residential structure. The proposed accessory building will be maroon in color, similar to that of a barn. The applicant is trying to achieve a farm/rural aesthetic which can be said to be a complimentary to the house. There are three properties on similar sized lot near the applicant's home that have accessory buildings that are larger than what the applicant is proposing. These buildings were all approved by special use permit in the 1980s.

Chair Giarmo opened and closed the public hearing at 7:38 PM.

**Motion:** By Member Rober supported by Member Burns to approve the special use permit for an 896 square foot accessory building subject to the following conditions:

1. That a Certificate of Occupancy will not be issued for the structure without documentation that the property line adjustment between 7743 & 7747 Eastern Avenue has been processed by Kent County Property Mapping.
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. Outdoor storage of items next to the accessory building, between the building wall and the west and south property lines is prohibited.
6. That the location of the driveway extension to the accessory building be maintained at least three feet from the south property line.

**Discussion:** None  
**Ayes:** Burns, Giarmo, Rober, Thomas  
**Nays:** None  
**Abstain:** None  
**Motion:** Passed

## 2. Site Plan Review

### a. Hanna Lake Trails-Final Preliminary Plat Review

*Approval of plans for development of a 52 unit (lot) single family platted subdivision utilizing open space preservation provisions of Section 6.4 (B) to allow for reduced minimum lot sizes on approximately 33.2 acres of land.*

#### **Dan Larabel, Allen Edwin Homes**

68<sup>th</sup> Street Development received preliminary site condominium approval in the summer of 2016. In the interim, Allen Edwin homes has taken over as the lead developer on the project. Allen Edwin has opted to change the development from a site condominium to a platted subdivision. This change was driven by the fact that lending institutions prefer working with plats. Allen Edwin has continued to work with the Leisure Creek HOA on developing a buffer between the two properties. We are close to getting approval from the state to begin construction on utilities. A unique feature of this development is the trail/park system. Hanna Lake Trails is going to have a hardscape path to access the trail network. The trails themselves will likely be constructed of crushed-concrete. There will be around 20 different housing floor plans for the development, each with different layout options to ensure there will be a mix of housing types in the area.

Planner Sisson explained to the Planning Commission that the request has two separate elements to consider. The Planning Commission must evaluate the site plan elements for conformity with the Township Zoning Ordinance. The Planning Commission must also evaluate elements of the plan specific to the platting process and make a recommendation to the Township Board.

Chair Giarmo asked Larabel to give an update about the status of MDEQ approval. Larabel stated that Allen Edwin has received a conditional permits from the MDEQ and are expecting a final permit very soon. The development will impact emerging wetlands and Allen Edwin was required to purchase off-site mitigation areas. Allen Edwin has already purchased these sites and is just waiting on the MDEQ to process the paperwork.

Planner Sisson informed the Planning Commission that they would be allowed to recommend final preliminary plat approval to the Township Board without final approval from the MDEQ. Allen Edwin will have to submit a final approval letter from the MDEQ before the Township Board will be able to approve their request. Sisson also explained to the Planning Commission that they can approve the buffer along the western property line as shown on the landscaping plan. If Hanna Lake Trails and the Leisure Creek HOA agree to place additional trees on Leisure Creek property they are permitted to do so, but the Planning Commission can't require it.

Chair Giarmo informed the Planning Commission that Mark Hoogsteen, president of the Leisure Creek HOA had submitted comments about the Hanna Lake Trails plat. Giarmo informed Mark Hoogsteen that while this was not a public hearing, he would be welcome to make a brief statement regarding the Hanna Lake Trails Development.

#### **Mark Hoogsteen, Leisure Creek HOA President**

The Leisure Creek HOA recently met with representatives of Hanna Lake Trails, the MDEQ, and the Plaster Creek Stewards at the site. The Leisure Creek HOA is not overly concerned with the location of the buffer trees. It would be preferable to have all of the trees on the Hanna Lake Trails property, but the HOA wouldn't object to a few being planted on Leisure Creek property if necessary. Leisure Creek is pleased that the site plan indicates that the detention pond being moved 100 feet to the east, and that the swail

has now been moved to the Hanna Lake Trails property. Leisure Creek would like the provision prohibiting construction traffic not using Valley Spring Drive to be enforced. Leisure Creek understands there will be minimal amount of traffic necessary to connect the development to utilities. Leisure Creek will continue to work with Hanna Lake Trails and the Plaster Creek Stewards on improvements to the creek.

**Motion:** By Member Thomas supported by Member Rober to approve the site plan for Hanna Lake Trails and to recommend approval of the Hanna Lake Trails Subdivision as portrayed in the preliminary plat dated 5/18/2017, (and associated landscape plan and building elevation plan) to Gaines Charter Township Board of Trustees with the following conditions:

1. That the applicant comply with all recommendations from the Township Engineer and Fire Chief.
2. That prior to consideration by the township board, all necessary agency approvals as required by Michigan Act 288 of 1967 must be submitted to the township and it must be found that such comments have no significant bearing on the layout of the plat or on the design of required improvements approved by the Planning Commission.

**Discussion:** None

**Ayes:** Burns, Giarmo, Rober, Thomas

**Nays:** None

**Abstain:** None

**Motion:** Passed

## **VII. UNFINISHED BUSINESS**

None

## **VIII. GENERAL DISCUSSION**

### **1. Steelcase Property Discussion**

Township Staff recently met with a developer who was attempting to build industrial storage buildings on the property east of where Siliconature is going in on 68<sup>th</sup> Street. We felt that this wasn't the type of development we were looking for on such an important piece of property. We made contact with The Right Place who agreed with our assessment. We also reached out to Steelcase and opened a dialogue about what types of uses we would like to see there in the future.

### **2. Four Corners Meeting with Switch**

Township Staff has arranged for the Planners of the Four Corners Communities to meet with representatives of Switch to see how we can partner in the future.

### **3. Dutton Stakeholders Meeting**

Justin Buiter of Railtown Brewing Company has organized a meeting with residents and business owners of Dutton to discuss the future of development in the area.

**IX. ADJOURNMENT**

**Motion:** By Member Rober supported by Member Burns to adjourn the meeting.

**Discussion:** None

**Ayes:** Burns, Giarmo, Rober, Thomas

**Nays:** None

**Abstain:** None

**Motion:** Passed

Meeting adjourned at 8:30 PM.

**CERTIFICATION**

I hereby certify that the above is a true copy of the minutes from the June 22, 2017 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,

A handwritten signature in cursive script that reads "Lani Thomas". The signature is written in black ink and is positioned above the printed name.

Lani Thomas, Secretary  
Gaines Charter Township  
Planning Commission

Dated: July 27, 2017