

**MNUTES OF THE GAINES CHARTER TOWNSHIP PLANNING COMMISSION
FOR THE REGULAR MEETING HELD ON
Thursday, April 25, 2019
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 7:04 p.m. by Chair Giarmo. A quorum was present.

MEMBERS PRESENT: Billips, Giarmo, Haagsma, Thomas, Waayenberg

MEMBERS ABSENT: Burns, Rober with notice

OTHERS PRESENT: David Jirousek, AICP, Horizon Community Planning - Planning Consultant
Matt McKernan, Assistant Planner
Jeff Gritter, Vriesman & Korhorn – Engineer
Clifford Bloom, Bloom Sluggett, PC - Attorney
Sandy Wiltzer, Recording Secretary

II. Consideration of Agenda

No Changes

III. Consideration of Meeting Minutes

March 28, 2019 – Regular Meeting Minutes

Motion: By Member Haagsma supported by Member Waayenberg to approve the minutes for the March 28, 2019 Planning Commission Regular Meeting.

Discussion: None

Ayes: Billips, Giarmo, Haagsma, Thomas, Waayenberg

Nays: None

Abstain: None

Decision: Passed

IV. Inquiry of Conflict of Interest

None

V. Public Comment on Non-Agenda Items

None

VI. New Business

1. Advertised Public Hearings:

a. Pine Rest Rustic Market, 389 68th Street SE (O-S)

Special Use Permit request to allow for a 50' x 20' Tent to be located on the property for a "Tent Sale" for a period of 4 months: July 9 to October 31.

Chair Giarmo invited Carrie VanDenBrink from Pine Rest Rustic Market to introduce the request for a Special Use Permit.

Ms. VanDenBrink stated they are again requesting approval for a 50' x 20' tent, located in the parking lot, to be used as additional space for seasonal items for the 4 months of July through October.

Chair Giarmo asked for comments from Staff. Assistant Planner McKernan confirmed Ms. VanDenBrink's comments and stated the Planning Commission has approved this request since 2015 and there have been no issues.

Planning Commission members did not have further questions and there was no further discussion.

Chair Giarmo opened the public hearing at 7:05 PM. No one was present to comment and the public hearing was closed at 7:05 PM.

Motion: By Member Haagsma supported by Member Waayenberg to approve the Special Use Permit request to allow for a 50' x 20' tent to be located on the property for a "Tent Sale" for a period of 4 months: July 9 to October 31 with the following requirements:

1. The Special Use Permit is granted on a temporary basis effective for the period of July 9 through October 31, 2019.
2. The tent must be situated on the site as materially represented and not exceed the dimensions of 20' x 50'.
3. No signage.
4. No additional out door display of goods and materials occur unless authorized by the Planning Commission.

Discussion: None

Ayes: Billips, Giarmo, Haagsma, Thomas, Waayenberg

Nays: None

Abstain: None

Decision: Passed

b. Hideaway Open Space Development, 3250 100th Street (A-B)

Review of plans for a 34 lot single-family residential development on approximately 113 acres of land. Development will utilize rural open space preservation provisions of Chapter 22.

Chair Giarmo invited Jarid Halverson, P.E. - Halverson Engineering LLC, 4268 Division LLC to introduce the Hideaway Open Space Development request.

This is a revision to the preliminary plan presented at the March 28, 2019 Planning Commission meeting for a 34 lot, single family residential development located at Hanna Lake Avenue and 100th Street. This is common open space. The developers wish to promote the natural assets of the parcel and will attempt to preserve it throughout development. He commented neighbors are favorable to the concept.

A staff work session was held April 12, 2019 that included the Township Supervisor, Township Engineer, Township Planning Department, the applicant's consultant for community septic systems, and representatives of the Kent County Health Department. The work session provided an improved understanding of direction for the proposal. There were two parts to the meeting:

- 1.) Focus on the community septic system, collection systems, force mains to a collection point (after being treated) and then pumped to a drain field. Discussed the regulatory approach from the State of Michigan. Discussed what permits are needed and how the community septic system is administered over time. The community septic systems is being proposed because of the variable soil types on the property. Only two fields have 6' to 7' of clay and heavy clay is present on other areas of the proposed site.
- 2.) Drive entrances, buffers, lot sizes and a second entrance.

Mr. Halverson would like to address concerns raised at the last meeting. The buffer has been extended 100' on both the north and south sides. The single drive proposed into the community has been moved 50' to the north which should reduce or eliminate the problem of headlights shining into the home located across the street. Headlights will now shine into a field located between two homes.

Halverson is proposing an entrance with a sign and creating a buffer next to Lot 34 & Lot 1 landscaped with spruce or pine trees providing 200' of natural buffer which will also enhance the development. The road length is 3,900' which the Fire Chief does not approve. The road is too long for a single point of access and too difficult in which to turn around emergency vehicles. Halverson has suggested a second entrance between lots 22 & 23 as a proposed fire lane. The second road would have a 40' easement and would be 16' wide with a privacy or access gate.

Halverson spoke with John Strunk of the Kent County Road Commission Traffic and Safety Department and relayed his comments. *Strunk is not in favor of an entrance off of 100th Street stating Average Daily Traffic (ADT) of 5,000 cars per day where ADT on Hanna Lake Ave is 700 cars per day. From the County's perspective, Strunk understands the Township's desire for a second entrance but finds that a single access point would be acceptable as well. If the Planning Commission approves an emergency access instead of a second entrance, Strunk requested the gates should not swing into the right-of-way (ROW).*

Halverson said the side effects of the proposed changes will increase buffers and will reduce average lot sizes to .7 acre. On the positive side, that results in more common areas - close to 50 acres or 45% of the development.

The market the developers are seeking are larger homes on large lots.

Halverson did not feel the intent of the trail network was shown at the last meeting. The proposed plan shows a solid 6' wide designated wood chip path between lots creating a natural rustic feel. It is a defined path and wide enough to allow maintenance vehicles to pass through. Trails can be accessed from the back of each lot which will be intertwined. Paths will be cleared and brush hogged, ongoing maintenance will be done by the home owners association (HOA). Trails will take foot traffic off the street leaving the feeling of large interconnected estates.

For open space preservation, the developers would like the wooded areas on lots 10, 11, 12, 13 & 1, 2 to be preserved. Halverson showed 4 panoramic pictures of the intersection of lots 11 & 12 to hi-light what they want to preserve including a hedge row on the front of lot 10. The contours and rolling hills will allow walk-out basements. It is not a priority to maintain natural scruff, nature will take over. Lot 13 shows a meandering creek.

Halverson explained that there were concerns in the staff report of whether the requirement that *25% of the preserved open space consist of secondary conservation areas had been met*. The confusion comes from whether the area demarcated as farmland could actually be farmed. That plan is to have someone farm the larger contiguous areas in the center of the site. Halverson then demonstrated how the development met the 25% requirement with secondary woodlands and would not even need to be farmed to comply. The developers have indicated they have already had interest in the property from multiple people on of whom has hobby horses which will need feed. Halverson says the HOA can generate income if 20-25 acres of tillable land is farmed. It can be used for profit if they find someone to till it. If the tracks are added together, 75% to 76% will be used as secondary. They are willing to shave off spaces on lots to create more farmable land.

Chair Giarmo asked for Staff Comments.

Assistant Planner McKernan had asked Halverson to speak to changes made to the plan from the previous meeting. McKernan explained that the revised plan included mowed walking paths and woodchip connections. McKernan stated the Township still advocates for a paved shoulder on a single side of the private road for better connections. Township Staff and the Fire Chief are advocating for a second entrance. The final review should have detailed language regarding maintenance and accessibility. McKernan also acknowledged the meeting to discuss the community septic system.

Chair Giarmo opened the public hearing at 7:35 p.m.

Roger Wagerin, 10383 Hanna Lake Ave – owns the home across the street from the entrance drive to the development. Septic system will be a future problem and the Township will be on the hook. The relocation of the driveway will reduce concern about vehicle headlights, but Wagerin believes it will still be an issue.

Larry Hilton, 2151 Whispergrove, Lake Odessa - owns property to the south at 10656 Hanna Lake Ave. Requesting a substantial line fence be built and maintained by HOA. He stated there is more traffic on Hanna Lake Ave and the intersection is a traffic hazard. There has been an accident with a fatality. Hanna Lake and 108th will be affected.

Ron Vander Pol, 10195 Hanna Lake Ave - owns property to the left of the Mast ranch.

If there is a fire lane he would like to see flexibility in where it is located. Future plans for the property may be affected by headlights of vehicles leaving the development.

Chair Giarmo closed the public hearing at 7:38 p.m.

The meeting was open for discussion between Planning Commission Members

Member Haagsma – had questions pertaining to the approval process. Assistant Planner McKernan explained that open space component is approved by the Planning Commission and is then forwarded to the Township Board for approval of the site condominium.

Member Waayenberg – Stated that the plans may meet some of the technical requirements of the ordinance, but he has concerns. Smaller lot sizes clustered together creates more workable land. These lot sizes are larger as the developers are looking for a specific market. Two spots are viable to farm for horse hay. It would have been nicer if it had been laid out differently with smaller lot sizes creating a larger farming area. Paths running through can be pushed to the side. Walking paths are interrupting farmable area. Some people may not like that farming is taking place. Discouraging that trees have been harvested. Major removal has taken place and there is not much left. One can easily see through them. He again stated, smaller lots clustered together to create larger areas for framing.

Chair Giarmo – The area where paths are located could be relocated to provide more area for farming. The gate, snow removal and overall maintenance of an emergency access road are concerns. How will ongoing maintenance be handled to ensure it is being completed? Will the HOA be responsible? Planner McKernan stated maintenance would be included in the Master Deed. Halverson said the emergency access would not be paved.

Member Haagsma – This is an open discussion on community septic system. Can maintenance for the system be included in the Master Deed to protect the Township in the future? He has heard horror stories in other jurisdictions and is asking how the Township can protect itself. Engineer Gritter stated there are no other community septic systems in our community, but we know individual septic systems work great. DEQ had a policy that the local government has to support community systems but it was overturned and the DEQ has changed its position. The HOA has to have an approach for long term maintenance. Community can say yes or no. If all else fails, the State of Michigan will step in for long term operational maintenance. The HOA has to budget for the financial requirements to run the system. Each lot has a septic field, with their own pumps. Electricity and pump replacement needs to be part of their planning. Either the Township or the State will have to step in and be the guarantor. Overall Maintenance is the responsibility of the HOA, this is problematic because it can sometimes be difficult to even get HOAs to maintain private roads. Haagsma is concerned the community septic may have the same issue. Cannot approve or deny if the Township turns down as the State will step in.

Attorney Bloom: Engineer Gritter provided a good summary if the Planning Commission recommends approval and the Township Board approves this request. The Township should ask for a letter from the new **Department of Environment, Great Lakes and Energy (EGLE)**, formerly known as the DEQ, to guarantee the State will step in. Verbiage might be true and if their system fails and a special assessment is required, people will be unhappy. The new Department of EGLE makes it crystal clear that the Township does not need to step in. Township can refuse to be a guarantor, Attorney Bloom said to obtain a letter looking for the threshold question to be answered. The Township does not have to guarantee. Engineer Gritter has a written policy and Attorney Bloom would like to review with the concern of a failure in 10-15 years where a \$10 million problem occurs and a caveat is found. Look for letter stating the Township is not responsible and same wording should appear in the Master Deed. Developer could get a bond, but it would be large and expensive. Developers are required to fund a 2 year escrow account, and then it would move to a 5 year account that would need to be maintained by the HOA.

Bloom continued with the Emergency access issue stating it is not preferred as shown. Residents on either side are likely to take them over making them susceptible to change. If only an emergency access road is approved, it

should be stated if the HOA does not maintain that the Township can step in, have it cleared with the cost being borne by the HOA.

Engineer Gritter also stated that a second record for emergency access is necessary and should be required. The single road into the development is long for emergency vehicles to travel.

Engineer Gritter commented community septic systems do work and have been used in other places. However, there are ramifications to be aware of. Residents will be in Gaines Township and expect the same level of commitment given to everyone who owns property in the Township.

Chair Giarmo would like to further discuss if the Township does not guarantee coverage that it would fall to the State of Michigan. Stated her concerns exist in three areas:

1. Second access drive for emergency vehicles.
2. Discuss movement of trails to allow for better farming opportunities.
3. Review of documents to negate Township liability in event of a failure in the community septic system.

Chair Giarmo stated she would like to table the discussion of the preliminary review pending further research and discussion. Halverson stated the developers feel they have responded to concerns expressed by the Planning Commission and they now have enough information for the Planning Commission to make a decision. The trails could be shifted making more farming space, the site is focused on Common Open Space use not agricultural, and concerns over the secondary road access have been addressed. Chair Giarmo deferred to Attorney Bloom who reinforced the need for further discussion by the Planning Commission and written verification from the Department of EGLE.

Motion: By Member Waayenberg supported by Member Thomas to postpone a decision on the request to approve the plan for Hideaway residential development.

Discussion: None

Ayes: Billips, Giarmo, Thomas, Waayenberg

Nays: Haagsma

Abstain: None

Decision: Passed to table until the May, 2019 meeting.

c. Stoneco, 1856 100th Street (A-B)

Request to rezone 43 acres at the southeast corner of Kalamazoo Avenue and 100th Street from A-B to PUD-MR for the purpose of expanding Stoneco's mineral removal operation.

Stoneco

Chair Giarmo set the parameters for the public hearing to limit comments to three minutes and for those speaking to try not to repeat comments already made. She asked the speaker to state their name, address and relationship to the request. At this time, Chair Giarmo also acknowledged letters received by: Esther Heethuis, Steve and Cindy DeCook, Jenny Ike, Katie Mars, and Tim Bradshaw. Chair Giarmo asked Township Planning Consultant David Jirousek to summarize and review issues raised by the public.

Consultant Jirousek provided background on the project and the process involved in the mining operation. Stoneco's current site is 75 acres and located at 1856 100th Street. Approximately half of the property of 43 acres is a lease area zoned A-B, Agricultural/Agri-Business. The PUD is PUD-MR, Mineral Removal. This is a 6

stage project and represents approximately 6 years of work. The proposed next phase will involve excavating down to approximately 30 or 40' below the existing grade. Excavation of materials is the next step which is stripping overburden to remove the top layer exposing sand and rock. It is the most intensive of the operations and lasts 4 - 6 weeks, usually once during the year. Excavated materials are conveyed to the existing Stoneco site located at 908 100th Street to the west by a series of conveyor belts located under Kalamazoo and Pease Ave. No formal processing will take place on the proposed site. However, there will be some "pre-crushing" of larger rocks to reduce the size of material traveling on the conveyor. The PUD Process is a flexible, collaborative zoning tool used in the planning process. It allows for a case by case analysis and consideration of unique conditions. It is a three step process; 1.) Planning Commission review of the Rezoning Preliminary Plan, 2.) Public Hearing of the Plan and 3.) A Final Mineral Removal Plan. Tonight is the second public hearing. Following the Planning Commissions completion of their review, the request will be forwarded to the Township Board. The Township Board meeting will hold another public hearing. Jirousek indicated all materials for the final mineral removal have been submitted for concurrent review.

Due to concerns expressed at the March, 2019 Board Meeting, a site visit to Stoneco was made. Members from the Township visited during active mining activities which included excavating, overburden stripping and conveyor operation. Decibel readings were recorded at various points. The average sound levels were in the low 60 decibel range, which is the equivalent of normal human conversation. The decibel level dropped to the low 50's when standing at the bottom of the berms on Kalamazoo Ave and would spike to around 65 decibels when cars passed. The loudest decibel reading (75 decibels) was obtained when staff stood 40 feet from overburden stripping.

Stoneco's overall intent is to reduce the general impact of the activity taking place. Berms will block the view into the mining activity and also aid in reducing noise. Setbacks are double State and Township requirements. Stripping has the most impact in creating dust and will be mitigated by performing most of it during winter months. A water truck is available if dust becomes a problem at other times during the year. There will be a minimal increase in traffic. The existing Stoneco site is just down the street. Conveyors rather than trucks are used to haul material out. In conclusion, Consultant Jirousek suggested holding the public hearing and holding it open until the following month to allow time for neighbors to obtain an engineer to evaluate the request.

Chair Giarmo invited Tony Halloran, Operations Manager at Stoneco to speak.

Mr. Halloran - Stoneco is regulated by the Michigan Department of Environmental Quality (DEQ). Stoneco is required to stay below or at set measurements. Stripping is desired to be done during winter months. If it is not able to do so, a water truck is available to mitigate dust. Trucks do not move product. Material travels on conveyors back to 908 100th Street. Mr. Halloran indicated access to the site is limited but does occur. A water and separate service truck comes through 3-4 times a day, and a loader at the start and end of the day.

Attorney Bloom asked to comment on procedural issues. He noted Staff had visited the current site as a group and not as individuals. If there are future visits of the Township Board and / or Planning Commission members, visits are to be posted as a public meeting. At the March 11, 2019 meeting of the Township Board, Bloom *"advised the Board and the audience that there must be compelling, proven detriment to the environment or surrounding properties for mining operations to be denied."* Referencing Michigan's "Very Serious Consequences" test. The initial burden of the test is on the applicant to show the valuable resources to be mined. Once this has been proven, the burden shifts to those opposed to prove that very serious consequences will occur. In order for the Township to deny the rezoning request, those serious consequences must be proven.

Staff has setup a public file as this is an evolving, fluid matter where material is being received daily. All materials are available for viewing by the public. Bloom indicated it was highly unlikely to make a decision at this meeting of the Planning Commission. Opposing neighbors are hiring their own experts and they are not

able to be ready by tonight's meeting date. Attorney Bloom suggests that the public hearing be held open until the following meeting.

Chair Giarmo opened the public hearing at 8:14 PM.

Jim McGannon, 18643 N Fruitport Rd, Spring Lake. Board Member of "No More Sidelines" a non-profit organization that uses the Anema farm. McGannon stated he had attended the March 11, 2019 meeting of the Township Board. He referenced a letter that he read at the Township Board meeting. No More Sidelines support kids that already have two strikes against them; torn families, handicapped, etc.

James Greydanus, 534 Clinton Ave, Grand Haven. Greydanus identified himself as a retired expert witness in economic damages accredited in both Federal and State courts and also accredited in the National Association of Sediment Valuation Analyst (NACVA). Concerned about irreparable damages that will be done. Friesian horses are as valuable as a luxury vehicle and he expressed a concern over their extinction. The mining could present economic damages to a farm who has over 1 million in capital invested. The farm is a treasure, an invaluable resource. The mining operation could destroy a pristine area. How much more consideration is to be given to resources, or those without resources, weakest among us, to a lifestyle. Noise level is destructive to the animals. He is asking the Planning Commission to think carefully of what is sacrificed for gravel.

Doretta Anema, 10388 Kalamazoo Ave SE. Owns property to the south of proposed site. Ms. Anema is opposing the rezoning. She provided a brief review of her reasons for living in this location, information about her business and reasons to deny the rezoning request. She stated the following: She is not angry with Mr. Barnaby who owns a neighboring property (*writers note: the owner of the land to be leased for the proposed mining operation*). The community is growing and this farm is not the first piece of land she has owned. Her property is located on the far edge of Gaines Township, not on a busy road when purchased and not on a gravel pit. Paid \$100,000 in taxes, has spent over 1 million developing the property which included improving wet lands and reseeded grass that was animal friendly. She felt this has been good for the community and her neighbors. Ms. Anema owns the red barn on Kalamazoo Ave that was shifting and near collapse which she has restored. She has lived in the current location for 16 years and has used the property in two different ways; breeding and as a classroom.

Horses are expensive and require an environment that is safe and stress free for them. What they eat and breathe affects their health. All horses have sensitive lungs and respiratory issues. A Friesian horse is pregnant for 11 months. A foal is worth \$11 – 12,000. Sand colic is difficult to treat. A visit from the veterinarian is \$50 to get them on site, and usually results in a \$1,000 bill. Vet services at MSU can be \$4,000 and a mare is more. Dust is everywhere on hay she uses to feed her animals. If unable to use, feeding cost is increased. She uses the site as a classroom for animal husbandry, equine studies, poetry and drama. She networks with educators at area colleges and schools. She works with schools, adopted groups, YMCA, and the No More Sidelines organization. . Gravel pit will have an adverse effect. She has many visitors with Down syndrome, respiratory issues, sensory disorders, and trauma. Horses are uniquely therapeutic. Horses are prey animals and have a tendency to flee from sound. This can be deadly if someone on horses when loud sounds happen.

Horses and machinery do not go well together. Horses need to see the cause of noises. The berms will not allow the horses to see and understand. Arena is high visibility for safety reasons. Will not allow her kids to ride and she will not ride herself as a single mother responsible for 5 kids. Gravel pit will destroy what she has spent 16 years to build. There are other concerns, she has highlighted the serious ones. Cannot afford any of the things the gravel pit will cause her to change and / or eliminate. Gravel pit will make it difficult for her to keep her farm and difficult for her to sell to another horse person.

Kristi Garner 6718 Adaridge Dr. SE, Ada. Trainer for Doretta Anema. Ms. Garner is an equine professional of 22 years. She stated anytime a person is with horses, they should be considered dangerous and all external elements should be taken into consideration; temperature, weather, sounds, etc. Horses spook easily. She is concerned sudden noises from equipment being used will spook the horses which then increases the danger to the rider and/or those nearby. Ms. Garner lives in/near Cannonsburg where there are many gravel pits. She feels the mining operation located so close will completely change to the Anema farm and may cause damage to her horses, her life, and all visitors, and users, etc.

Lizzie Anema - 10388 Kalamazoo Ave SE. Daughter. Lived her whole life on the farm. Horse involved, trains, rides, teaches. Horses can become dangerous if spooked. Berms / decibel does not matter.

Zoe DeHaan 9638 S Division Ave SE, Byron Center. Client. Member of a variety of equestrian teams. Horses are important to her; she used pictures showing her activity with horses on her graduation announcement post card. Has been with Lizzie and Mrs. Anema for a long time. Zoe is an assistant coach for a junior team of 5th to 8th grade students. Important to know that horses spook easily and can be traumatized by loud noises and inability to see the source of the noise.

Jennifer Ike, 10392 Kalamazoo Ave SE. Property abuts on the east side of the Anema property. Ms. Ike is asking the Planning Commission to not recommend rezoning. Ms. Ike has requested her father, **Stanley Bosscher of 10473 Whispering Waters Lane in Caledonia Township**, to aid in defining consequences for her property if the rezoning is approved. Mr. Bosscher stated his daughter's and his concerns are focused on legal not emotional issues. He referenced an environmental impact paper of 2 pages in length which he stated he would make available. Of the five criteria listed in the staff report only one is needed for the Planning Commission to deny the restructuring.

Mr. Bosscher also questioned what impact the proposal presented by Township Trustee Cathy VanderStel, 10034 Kalamazoo Ave at the March, 28, 2019 meeting to relocate her historic home would have on the decision to approve or deny Stoneco's rezoning request. Chair Giarmo stated the decision on Ms. VanderStel's home was between her and Stoneco and not part of the Township's decision. The home is located at the intersection of Kalamazoo Ave and 100th Street. Chair Giarmo stated she was not aware of progress to date and regardless, one decision is not dependent on the other.

Mr. Bosscher asked about the relationship of NRM (Natural Resources Management, LLC) who prepared an Environmental Impact Statement (EIS) and Stoneco. Bosscher stated that he believed that the two companies might be related because Stoneco came up in search results when researching the NRM. Kenneth Vermeulen, legal representative for Stoneco explained that Stoneco had sold property to NRM at one point and this was likely why they came up in a search result.

(Writers note: Mr. Bosscher's Environmental Impact Statement dated April 20, 2019 and his prepared remarks for the April 25 PC Meeting are on file with the Township and available for review)

Janet Tenelshof, 10300 Kalamazoo Ave SE is the first home south of the proposed Stoneco site. Ms. Tenelshof has lived in that location for 22 years and is opposed to the rezoning. Their youngest son has severe allergies. She will be submitting a letter from their family physician by May 13th stating the dust will be detrimental to him.

Meaghan Minkus, 4735 Chalet Ln SW, Wyoming. Equestrian and publisher. Horses are prey/flight animals. When they become frightened they run. Berms are good for humans, not for animals as they cannot see what caused sudden noises. Dust created from the mining operation is detrimental to a horse's lungs. They breathe through their noses, not their mouths. Dust is a respiratory threat. Ms. Minkus is an editor at Discover House and their

organization uses the Anema farm as a writers retreat. Authors and writers come and experience the beauty of Gaines Township.

Nicholas Gumina, Associate Attorney at Eardley Law Offices PC, 8 E Bridge Street NE – Suite B, Rockford. Mr. Gumina is currently working on behalf of Ms. Anema. Mr. Gumina has requested additional time to prepare a rebuttal to the rezoning request. A civil engineer was selected this past week. It took some time to find an engineer due to conflicts. The standard is serious and significant. Ms. Anema's property is unique as it is her home as well as her horse farm. The gravel pit could impact the health and welfare of her family and all users of the farm. Mr. Gumina pointed out that Kathy VanderStel, Township Trustee and resident south of the current mining area stated she could not open her windows at times during the summer months because of sand dust. Her comments had been recorded in Planning Commission Meeting minutes. Mr. Gumina is requesting additional time for the civil engineer to prepare a report. Attorney Bloom asked when the report is anticipated to be completed and Mr. Gumina stated that as the engineer had just been retained, they are looking within the next month of May, 2019. They have requested a written report as well as bringing in an expert. Chair Giarmo provided the date of the next Planning Commission meeting which will take place on May 23, 2019.

James Greydanus, 534 Clinton Ave, Grand Haven asked to speak one more time and stated it takes a long time to prepare information to determine economic cost impact and that it becomes expensive for both sides. Decision to rezone or not should be easy to determine from a cost position of forward movement.

Jami Dunbar, 621 E Sunset Dr., Muskegon, friend of Anema farm. Ms. Dunbar recently moved to Muskegon from Wyoming, MI. Stated the farm is a sanctuary and is a gem in the community.

Lynn Gorski, 10390 Kalamazoo Ave SE, Property abuts on the east side of the Anema property. Ms. Gorski has a small 1 horse farm. The horse is a rescue, not expensive but priceless to her owners. The Gorski's love where they live and plan to retire there. Had they known a gravel pit would be located nearby, they would not have purchased their house.

Bethany Den Boer, 504 Worcester Dr. NE, Grand Rapids. As their home is near downtown Grand Rapids, there is not a lot of Ag in their immediate area. Ms. Den Boer's children attend an Animal Husbandry class at the Anema farm. She feels that the farm ties communities together. Ms. Den Boer was a former attorney in Virginia and worked for the Department of Labor trying cases related to lung diseases resulting from the mining industry. Dust has a long term effect on lungs for kids, adults and animals. She is specifically concerned on the kids using the farm whom already have disabilities.

Chair Giarmo asked for a motion to suspend the public hearing at 9:17 PM

Motion: By Member Waayenberg, supported by Member Thomas to suspend the public hearing for the request to rezone acres at the southeast corner of Kalamazoo Avenue and 100th Street from A-B to PUD-MR until May 23, 2019 to allow adjacent property owners to obtain an engineer to review the proposal.

Discussion: None

Ayes: Billips, Giarmo, Haagsma, Thomas, Waayenberg

Nays: None

Abstain: None

Decision: Passed to suspend

VII. Unfinished Business

None

VIII. General Discussion

1. Four Corners Transportation Plan Update

Four Corners Transportation Plan

Chair Giarmo asked Consultant Jirousek to provide an updated on the Four Corners Transportation Plan.

The Four Corners reference the area where The City of Kentwood, Cascade Township, Gaines Township and Caledonia Township come together at 60th Street and Patterson Avenue. The intent is to promote improvements along M-37 and to coordinate the review of major development proposals. The Plan *“has typically been funded by the private sector. The current update proposal is focused on improving multi-modal transportation with a focus on safety and convenient travel options for pedestrians and bicyclists in the area.”*

Plan Goals are:

1. Manage growth to foster development that is well integrated with transportation infrastructure.
2. Establish a multimodal transportation system that provides safe and efficient options for all types of travelers.
3. Promote connectivity between new and existing developments.
4. Provide a quality connected non-motorized transportation network.
5. Mitigate/eliminate traffic fatalities and injuries through improvements to the transportation system.

Chair Giarmo asked where the money would come from to meet Plan Goals. Member Haagsma said that the Grand Valley Metro Council may be a source as this is a transportation alternative. However, organizations seeking funding for potential are far greater than the funds likely available. There is not enough money to go around. The Paul Henry Trail will extend into Dutton. Member Haagsma said perhaps some of that can be done when a facility is resurfaced and a request of the Kent County Road Commission to help out may be feasible. They may or may not have funds, but would look at a request. From a Township perspective, he does not think this is how the Township wants to spend their money as we have other needs that are greater. The Four Corners Plan can and should be considered.

Consultant Jirousek stated it would/ could fall into ongoing work for the Master Plan and to work with the Kent County Road Commission to implement in infrastructure improvements.

IX. Adjournment

Motion: By Member Haagsma supported by Member Thomas to adjourn the meeting at 9:45 p.m.

Discussion: None

Ayes: Billips, Giarmo, Haagsma, Thomas, Waayenberg

Nays: None

Abstain: None

Decision: Passed

CERTIFICATION

I hereby certify that the above is a true copy of the minutes from the April 25, 2019 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: May 23, 2019