

JAMESTOWN CHARTER TOWNSHIP
PLANNING COMMISSION

REGULAR MEETING
NOVEMBER 19, 2013
7:00PM

**UNAPPROVED
MINUTES**

CALL TO ORDER -

Vice-Chairperson Webster called the meeting to order at 7:00 pm.

ROLL CALL -

Dykstra, Keppel, Webster, Woltjer, and Tacoma were present.
Larabel was absent with notice.

INVOCATION -

James Keppel gave the invocation.

APPROVAL OF THE OCTOBER 15, 2013 MINUTES -

Dykstra moved and Tacoma supported the motion that the October 15, 2013 minutes be approved with changes – replacing the word “Chairperson” with “Planner” under the heading of New Business, in regards to Ransford and, under the heading of Correspondence, the Board of Trustees being referenced rather than the Planning Commission.

MOTION CARRIED – UNANIMOUSLY.

APPROVAL OF NOVEMBER 19, 2013 AGENDA -

Dykstra moved and Keppel supported the motion that the November 19, 2013 agenda be approved.

MOTION CARRIED – UNANIMOUSLY.

CITIZEN COMMENTS REGARDING NON-AGENDA ITEMS -

None.

NEW BUSINESS -

Webster explained that Ryan Richards, of 4160 40th Avenue, had submitted a Special Use Application to locate an accessory building closer to the front property line than the face of the single-family dwelling. She then called for a motion to open the Public Hearing.

Tacoma moved and Dykstra supported the motion to open the Public Hearing.

MOTION CARRIED – UNANIMOUSLY.

Planner Ransford briefly outlined Mr. Richards' reasons for wanting permission to build an out-building closer to the front property line than the face of the single-family dwelling – steep slope of land, large pond on property, etc.

Tacoma observed that he had visited the property at 4160 40th Avenue and felt that the accessory building could be back at least ten (10) feet from where it was proposed.

Keppel stated that he had seen the property, as well. He then asked if the stakes he had seen represented where the proposed building would be.

Ransford replied that the stakes did indeed approximate the location of the proposed accessory building.

Keppel asked what the owner's reasons for applying for a Special Use Permit were.

Ransford commented that Mr. Richards was willing to push back the proposed location but that being in front of the single family dwelling was his preferred location for the accessory building.

Keppel asked if the building was to be used for storage.

Ransford replied in the affirmative.

Dykstra inquired if there had been any correspondence regarding this request.

Ransford explained that there was no correspondence but that they had received several complaints.

Webster asked if there were any questions or comments from the public.

Allen Berends, of 4175 40th Avenue, a neighbor directly across the street, asserted that he and his wife had lived there for twenty-seven (27) years. He explained that he felt this request should be denied because he did not believe there was any hardship involved in placing the proposed building behind the face of the single-family dwelling. Mr. Berends mentioned that there had been heavy equipment involved for six (6) weeks this past summer in enlarging the pond located on the property, that there were often loud parties taking place on weekdays with dirt bikes racing, explosions, and illegal fireworks, and that there were old sinks, old water heaters, etc. sitting in plain view. He also stated that Mr. Ryan Richards seemed uncaring of the effect these activities had on the neighbors.

Marilyn Utter, of 4102 40th, commented that she had frequently heard shooting, motorcycles, and illegal fireworks until 2:00 in the morning, and that she was very concerned that the proposed building would be used for similar activities.

Cindy Berends, of 4175 40th, stated that they had tried reasoning with Mr. Richards, and that they did not have a problem with parties on the weekends, but that these activities occurred any day of the week. She mentioned her cell phone number being given out and pizzas being ordered to their home, as well.

Webster asked for any further concerns or suggestions.

Cindy Berends suggested that the proposed accessory building be placed all the way back on the property.

Brandon Avink, of 4122 40th Avenue, pointed out his concern that this building would be a party structure and cause nothing but further problems. He felt it was the last thing the neighborhood needed, that they did not want to look at it or see it, and they had heard the proposed building may even be two-stories high.

Deputy Sarah Flick, of the Ottawa County Sheriff Department, asserted that she knows the situation, that she has worked with the Board on updating the fireworks ordinance, and tried to address the issue of firearms on the property. She strongly urged the neighbors to call 911 whenever they heard gunshots, fireworks, or other explosions. She remarked that she had been called out to the property only once, but that she would go out as often as necessary, if the neighbors called 911. She explained that they could remain anonymous, but that the complaints must be documented, and that calling 911 would give the necessary documentation. Deputy Flick then turned to the board and pointed out that she had been actively working on this problem and would be happy to answer any questions.

Webster asked Deputy Flick if she felt another barn would increase the neighborhood problems, concerned that if the new out-building were to be placed closer to the road, the road would become part of the parties.

Keppel asked Planner Ransford if he had checked the property to the north.

Ransford replied that he had, and the property to the north could not be used.

Dykstra stated that the Planning Commission had approved hundreds of these Special Use Applications, and that the Commission could not deny the owner what is his right, just because he is misusing what he currently has.

Allen Berends remarked that he felt there could not be any hardship involved for the owner in turning

down this request. He mentioned again the extensive pond that had been dug this past summer. Deputy Flick remarked that there had been complaints regarding the large machinery and bulldozers used in extending the pond, and that Mr. Richards had had no permit.

Dykstra commented that the pond was a D.E.Q. (Department of Environmental Quality) issue.

Allen Berends stated it was curious that the owner of the property in question, Ryan Richards, was not present at this meeting.

Tacoma observed that Mr. Richards' lack of presence said something.

Cindy Berends reflected that she was sorry for her neighbors, Brandon and Jessica Avink, having built a new house so close to this concern and having to deal with the late night noise.

Ron Koroleski, of 2967 8th Avenue, told the Commissioners that if he were in their shoes, because Mr. Richards did not attend the meeting, he did not deserve to have his Special Use Request approved.

Webster asked for further questions or comments. There were none.

Tacoma moved and Keppel supported the motion to close the Public Hearing.

MOTION CARRIED – UNANIMOUSLY.

Dykstra suggested a motion to deny the request.

Webster stated that she felt the stated use of the building had been too vague and obscure.

Commissioners discussed the wording of the proposed motion.

Dykstra moved and Keppel supported the motion that Ryan Richards', of 4160 40th Avenue, request for a Special Use Application be denied because the proposed use for the building was vague and obscure, and it was possible, without hardship, to have the building farther back than the face of the single-family dwelling.

MOTION CARRIED - UNANIMOUSLY.

SPECIAL USE AND MAP AMMENDMENT APPLICATION -

Mark Pater – 70-18-09-200-012, 70-18-09-200-034, and 70-18-09-200-033.

Webster summarized Mark Pater's Conditional Map Amendment Application and Special Use Request.

Dykstra moved and Keppel supported the motion to open the Public Hearing.

MOTION CARRIED – UNANIMOUSLY.

Jack Barr, representing Mark Pater, explained the plan with an illustration, and elaborated on the reasons for the need of a Special Use Permit.

Webster asked Ransford for comments.

Ransford replied that he had nothing else to add besides the memo he had already submitted to the Commissioners, except to mention the elevation plans being submitted.

Ron Koroleski asked if the storage in the proposed buildings was to be for Mark Pater's own equipment.

Mark Pater, of 3700 24th Avenue SW, replied that the storage was for the use of others – for their campers, boats, etc.

Mr. Koroleski asked who the office building was for.

Mark Pater replied that it was to be for an equipment storage business, the office to be run by someone else.

Tacoma inquired how each building was to be used.

Mr. Pater replied that Building A was for personal use, Building B for another's use, and the remaining buildings were for the storage of campers, boats, etc.

Dykstra inquired if the Paters were living there now.

Mr. Pater replied that they were not.

Ron Koroleski asked if there was another property in Jamestown Charter Township that had ever been conditionally zoned like this, or if this was the first time.

The Commissioners affirmed that it was the first time.

Ransford observed that there are other B/I zonings, but that this was the first conditional rezoning. Ron Koroleski expressed concern about the school across the street, and wondered if a business was right for that area, and if the increased traffic caused by a business would be problematic for the elementary school across the street.

Webster asked Mr. Pater about the time frame for the completion of the proposed business.

Mark Pater approximated four years.

Tacoma inquired if the business would take up the entire property.

Mr. Pater replied in the negative.

Tacoma then asked if the barn was coming down and the storage buildings were going up in its place.

Mr. Pater asserted that, yes, the barn and several other buildings, including the greenhouse, were coming down.

Tacoma noted that it blew his mind that there would be a house and all these other buildings on the same property.

Ransford noted that there would be a risk condition, like any other property.

Tacoma requested information on the number of vehicles involved in this proposed business, and the increase in traffic.

Mark Pater remarked that there would be two busy times – early in the morning, and again at six or seven p.m.

Webster mentioned the need to use uniform building materials.

Ransford explained the requirement of a one-hundred-fifty (150) foot setback for residential properties, mentioning that this is standard in Jamestown Charter Township.

Tacoma inquired if the concrete bunker was to stay.

Mark Pater explained that it would come down someday.

Webster asked for further questions or comments. There were none.

Dykstra moved and Keppel supported the motion to close the Public Hearing.

MOTION CARRIED – UNANIMOUSLY.

Webster opened the discussion for the Commissioners.

Woltjer remarked on the possible need for a closed session to discuss the Pater property request further.

Ransford asserted that the Commission would need to have legal counsel present at a closed session.

Woltjer moved and Tacoma supported the motion that the Commission table this issue until next month, in a closed session.

MOTION CARRIED – 3 FOR, 2 ABSTAINED.

SITE PLAN – SITE CONDOMINIUM PRELIMINARY PLAT – GREENTREE 2 -

Dan Larabel summarized the need for approval of the Preliminary Plan Review for Greentree 2, which will connect existing portions of Jamesridge Drive, located south of Greenly Street. He stated their biggest hurdle was connecting with sanitary sewer, and that they were working with Hudsonville Schools on a proposed easement.

Ransford commented on the Site Review Board's involvement.

Webster asked for the Commissioners' comments.

The consensus of the Commissioners was that this request was cut and dried.

Webster expressed her excitement for the future growth of Jamestown Charter Township. She then asked Commissioners for any further questions.

Woltjer reiterated that this request was very straightforward.

Ransford pointed out that all that was needed was for the Resolution already supplied to the Commissioners to be filled out.

Dykstra moved and Keppel supported the motion that the Resolution be filled out, as submitted by Planner Ransford.

MOTION CARRIED – UNANIMOUSLY.

OLD BUSINESS -

None.

EXTENDED PUBLIC COMMENTS REGARDING AGENDA ITEMS ONLY -

Ron Koroleski expressed his approval of the Planning Commission's handling of Ryan Richards' Special Use Request. He remarked that he wanted to applaud the Commissioners for their obvious concern for the Township.

CORRESPONDENCE -

None.

PLANNING COMMISSION MEMBER COMMENT -

Commissioners discussed possibilities of changing meeting times to be more in sync with Jamestown Township Board. No conclusion was reached after light discussion.

Ransford brought out the need to be thinking about their annual report for the Board.

Keppel requested information regarding the Master Plan.

Ransford asserted that he had been assisting the Board with the Master Plan.

ADJOURNMENT -

Tacoma moved and Dykstra supported the motion to adjourn at 8:30pm.

MOTION CARRIED – UNANIMOUSLY.

MINUTES SUBMITTED BY -

Sandy VanAntwerp