

JAMESTOWN CHARTER TOWNSHIP  
PLANNING COMMISSION

REGULAR MEETING MINUTES  
AUGUST 19, 2014  
7:00 PM

**UNAPPROVED  
MINUTES**

CALL TO ORDER-

Chairperson Larabel called the meeting to order at 7:00pm.

ROLL CALL -

Keppel, Larabel, Woltjer, Smith, and Tacoma were present, as well as Planner Ransford.  
Dykstra and Webster were absent with notice.

INVOCATION -

Jim Keppel gave the invocation.

APPROVAL OF THE JULY 15, 2014 REGULAR MEETING MINUTES -

Commissioner Smith made the motion and was supported by Keppel to approve the July 15, 2014 Planning Commission Meeting Minutes.

**MOTION CARRIED - UNANIMOUSLY.**

APPROVAL OF THE AGENDA -

Commissioner Woltjer made the motion and was supported by Tacoma to approve the evening's agenda.

**MOTION CARRIED - UNANIMOUSLY.**

GENERAL CITIZEN COMMENTS REGARDING NON-AGENDA ITEMS -

Ron Koroleski, of 2967 8<sup>th</sup> Avenue, asked Commissioners what was involved in appointing a new Township Planner.

Chairperson Larabel replied that he was not sure what the process was, but believed it involved the Township Supervisor, the Township Board, and perhaps a joint committee of some sort.

Mr. Koroleski stated his interest was because he understood that our current Planner, Greg Ransford, may leave at some point, in order to fill a full-time position.

Larabel affirmed his belief that the Planning Commission was not involved in appointing the Township Planner.

Michael Emaus, of 3479 8<sup>th</sup> Avenue, remarked on the Jamestown Township Board Meeting of the previous evening and the passion that had been expressed by many residents concerning the proposed changes of Section 3.5A of the Jamestown Charter Township Zoning Ordinance, the Keeping of Animals. He mentioned that their family of five had moved to Jamestown Township with the thought of keeping chickens, and noted, according to his understanding, research had proven healthier eggs required having a rooster present. Mr. Emaus understood this issue had been passed back and forth between the Board and the Planning Commission. He then concluded that the present proposed wording may be over-reach. He felt it did not make sense for the Board and Planning Commission to restrict roosters, since the State of Michigan and the city of Detroit allow them, by law.

Commissioner Tacoma, who also is a member of the Board, explained that there were three

issues being addressed: the size and type of the poultry, the location of barns, and concern regarding neighbors. He observed that the language, at present, was confusing in Section 3.5A and the Board, as well as the Planning Commission, were motivated simply by the desire to bring clarity to this section, as well as to benefit and to protect the Township residents, and not to make the ordinance overly restrictive.

Commissioner Keppel asked about children involved in 4-H.

Mr. Larabel asserted that this would all be discussed in detail at the next Planning Commission Meeting.

Pat Deemter, of 3596 16<sup>th</sup> Avenue, expressed her understanding that there had never been a complaint in the Township regarding roosters, and had been told the issue had been brought up because someone had simply asked if they could keep chickens. She concluded that it may be best to just go with the State of Michigan's ruling.

Mr. Tacoma reiterated that the wording of the ordinance was not clear, and this was the only reason the Planning Commissioners had been asked to change it.

#### NEW BUSINESS -

\*Site Plan Review – ESPEC North America, Incorporated – 4141 Central Parkway – Proposed addition of approximately 43,900 square feet-

Planner Ransford opined that the application was well put together and was clearly spelled out in two phases, mentioning the Site Plan Committee had recommended that there be a landscape waiver until 2016, as well as a bike path waiver.

Becky Page, representing Driesenga & Associates of Holland, briefly overviewed the two phases and addressed questions regarding permits, the position of the ravine, time frame, and the option to purchase additional property.

The consensus of the Commissioners was that ESPEC North America, Inc. had presented an excellent and thorough Site Plan Review Application.

Larabel requested a motion.

Smith made the motion and was supported by Woltjer that the Site Plan Review Application by ESPEC North America, Inc. be approved, including a bike path waiver, as well as a landscape waiver through 2016, specifically spelled out in the Landscape Waiver Request.

**MOTION CARRIED – UNANIMOUSLY.**

#### \* Public Hearings -

Smith made the motion and was supported by Tacoma to open the Public Hearing.

**MOTION CARRIED – UNANIMOUSLY.**

#### \*Zoning Text Change Amendment Ordinance -

##### -Section 2.51 – Home Occupations -

Planner Ransford explained this simply provided for an accessory building for Home Occupations.

Terry Morris, of 3145 Quincey, asserted that, as a deer hunter, he was concerned this proposed change would curtail the places he could legally hunt, since the law states there is to be no hunting any closer than three hundred yards from any public dwelling.

Commissioner Smith explained that this ordinance was for home occupations (home businesses), such as fixing lawn mowers or cutting up deer, and did not affect a resident's freedom to hunt, since it does not pertain to a public dwelling, but only to home businesses.

Chairperson Larabel requested a motion.

Tacoma made a motion and was supported by Keppel that the proposed wording for Section 2.51 – Home Occupations – be recommended to the Township Board.



**MOTION CARRIED – UNANIMOUSLY.**

-Section 3.2I – Accessory Buildings, Structures and Uses, Detached Residential Accessory Buildings Not Classified As Garages, Limitations -

Ransford summarized the wording in this section, explaining that it allowed for larger accessory buildings, enabling applicants to go directly to the Zoning Board of Appeals, skipping the Planning Commission.

Pat Deemter inquired about the allowed size of a proposed accessory building.

Ransford clarified that if the applicant desires to exceed the recommended size, this wording relieves the Planning Commission, and so the application goes straight to the Zoning Board of Appeals (Z.B.A.).

Ron Koroleski asked for help in understanding the size of proposed accessory buildings allowed and how this was determined.

Larabel remarked it was proportionate to the size of the lot.

Smith expressed his belief that recommended size was 2 1/2% of the total acreage and two accessory buildings were allowed.

There were no further questions.

Smith made the motion, supported by Woltjer to recommend to the Board the proposed changes in wording for Section 3.2I.

**MOTION CARRIED – UNANIMOUSLY.**

-Section 3.4 - Home Occupation -

Ransford outlined the proposed changes in this section by stating that although there were a number of changes, the primary one was in the area of the use of medical marihuana, and that the only regulation allowed was in regards to the caregiver.

Chairperson Larabel asserted that the Planning Commission had worked diligently over the past months, explaining that the wording did not state the Commission's position on the use of medical marihuana, but only how the Township should navigate legally alongside this Michigan law. Mr. Larabel concluded that this wording had been carefully compared to similar townships, and the Commission had simply taken it from there.

As there were no comments from Jamestown residents or other Commissioners, Woltjer made the motion, seconded by Tacoma that the proposed wording for Section 3.4 – Home Occupation – be recommended to the Board.

**MOTION CARRIED – UNANIMOUSLY.**

Section 3.24 – Bicycle Paths (Also Non-motorized Pathways) -

There were no comments by Township residents or Commissioners.

Keppel moved and was seconded by Smith that the proposed wording for Section 3.24 – Bicycle Paths – be recommended to the Board.

**MOTION CARRIED - UNANIMOUSLY.**

Section 17.1D – Site Plan Review, Review Procedure and Authorization -

Larabel pointed out the fact that there had only been two small changes in the wording.

Woltjer expressed his concern pertaining to the wording of Section 17.1D 1a. He reflected that down the road there could be some confusion arising from this proposed language.

Both Smith and Tacoma agreed that this section needed clarification, noting that it was unclear how many people were to serve on the Site Plan Review Committee. This was the consensus of the rest of the Commissioners, as well.

Discussion ensued regarding the preferred language.

Smith made the motion, seconded by Keppel that the proposed wording of Section 17.1D be recommended to the Board, with the wording of sub-section 1.a., (the first two sentences) being changed to read as: The Committee shall consist of four persons, two appointed from time to time by the Planning Commission Chairperson. The committee also shall consist of the Township Zoning Administrator or the Township Planner and the Township Engineer.

**MOTION CARRIED – UNANIMOUSLY.**

Section 19.16C - Bicycle Paths -

Commissioner Woltjer expressed concern pertaining to number 5. and number 6. under Section 19.16C – Bicycle Paths. He explained that he felt the wording may be ambiguous.

Discussion followed to determine the best use of language for this section including: ratio of cost, fair market value, and the Township attorney's opinion of the wording used.

Consensus of the Commissioners was since part of the Planning Commission's responsibilities include fact finding, numbers 5. and 6. under Section 19.16C should remain as stated. It was asserted that the more information the Commissioners have, the better.

Larabel asked for a motion.

Smith made the motion, supported by Keppel that the proposed wording of Section 19.16C - Bicycle Paths - be recommended to the Board, as is.

**MOTION CARRIED – WITH FOUR AYES AND ONE NAY.**

OLD BUSINESS -

\*Mineral and Soil Removal Ordinance and Section 3.9 – Outdoor Ponds and Farm Manure Lagoons -

Ransford summarized the changes and reasons for them.

Mr.Larabel asked Commissioners for questions.

Tacoma affirmed that the changes made sense, good common sense.

Larabel asked Planner Ransford to draft the final wording and schedule a Public Hearing, requesting a motion.

Tacoma made the motion, supported by Smith, for Planner Ransford to prepare the final language for the Mineral and Soil Removal Ordinance and Section 3.9 – Outdoor Ponds and Farm manure Lagoons, and also to schedule a Public Hearing.

**MOTION CARRIED - UNANIMOUSLY.**

\*Master Plan – Schedule Public Hearing, Optional Open House -

Chairperson Larabel asked Ransford to explain the pros and cons of an Open House versus a Public Hearing only.

Planner Ransford observed that the purpose of having an Open House before the Public Hearing was to answer as many questions as possible, before the actual Public Hearing, in the event a large crowd was expected.

Larabel opined that this issue was unlikely to draw a large crowd. He then asked for a copy of the full, completed Master Plan, believing he had only various pieces that had been worked on, at different times, over the last months.

Ransford agreed and reflected that the purpose of the revision was to simplify and re-organize the Master Plan, and to make it more user-friendly.

Smith requested a copy of the full Master Plan, as well, since the work on it was done before he became a member of the Planning Commission.

Mr. Ransford agreed to get complete copies of the Master Plan to every Commissioner. Larabel concluded that there was no need to rush scheduling the Public Hearing,

observing the importance of making sure all Commissioners had ample time to review it, in its entirety. Mr. Larabel also mentioned that there is a draft of the proposed Master Plan on the Township's website.

EXTENDED PUBLIC COMMENTS REGARDING AGENDA ITEMS ONLY -

Ron Koroleski asked to know who served on the Site Plan Review Committee.

Mr. Smith replied that it is Mr. Larabel and himself that serve on that Committee.

CORRESPONDENCE -

None.

PLANNING COMMISSION MEMBER COMMENT -

Mr. Tacoma mentioned that the whole purpose of the Planning Commission in proposing the language of Section 3.5A – the Keeping of Animals - was to prevent problems for neighbors of those who would own roosters, stating how aggressive and noisy they can potentially be.

Commissioners briefly discussed this section and the zoning concerns.

Tacoma concluded that the proposed language had obviously not been worded correctly, and must be re-worked.

ADJOURNMENT -

Mr. Woltjer made the motion, supported by Mr. Keppel that the meeting be adjourned.

**MOTION CARRIED - UNANIMOUSLY.**

Time: 8:05PM.

MINUTES SUBMITTED BY -

Sandy VanAntwerp