

JAMESTOWN CHARTER TOWNSHIP  
PLANNING COMMISSION

REGULAR MEETING  
FEBRUARY 18, 2014  
MINUTES  
7:00 PM

UNAPPROVED  
MINUTES

CALL TO ORDER –

Meeting was called to order at 7:00 pm by Chairperson Larabel.

ROLL CALL -

Dykstra, Keppel, Webster, Larabel, Woltjer, Smith, and Tacoma were present.  
Also present: Planner Ransford.

INVOCATION – Dean Smith gave the invocation.

APPROVAL OF THE JANUARY 21, 2014 MINUTES -

Motion made by Dykstra and supported by Webster that the January 21, 2014 minutes be approved, with the following changes: Page 1: under New Business/ Mark Pater -changing the last number “-033” to “-032” (although on the January Agenda sent out by Ransford it was noted as “-033”), and, on the next line, rezone property changing from “B-1” to “B-I”. Also, on Page 2, ninth paragraph, taking out “Keppel” and connecting that portion with the paragraph above. These concerns were pointed out by Woltjer, as well as the previous paragraph.

**MOTION CARRIED – UNANIMOUSLY.**

APPROVAL OF FEBRUARY 18, 2014 AGENDA -

Motion made by Webster and supported by Keppel that the February 18, 2014 Agenda be approved.

**MOTION CARRIED – UNANIMOUSLY.**

GENERAL CITIZEN COMMENTS REGARDING NON-AGENDA ITEMS -

Ron Koroleski, of 2967 8<sup>th</sup> Avenue, stated his opinion that it is very important that the negative aspects to a proposed rezoning, or similar decision, are always considered along with the positive aspects.

NEW BUSINESS -

**\*PUBLIC HEARINGS/SPECIAL HEARINGS -**

- Richard Hoekstra – 3528 16<sup>th</sup> Avenue, Parcel 70-18-11-300-041 – Seeking to locate an accessory building closer to the front property line than the face of the single-family dwelling, Section 3.2 JCTZO.

Planner Ransford summarized this Special Use Request, concluding with his belief that the site plan submitted was fairly accurate.

Applicant Richard Hoekstra explained that the plan does affect his closest neighbor, Pat Deemter, and that they had discussed her concerns that morning along with possible compromises. He asserted that he did not want this to become a problem between them and assured the Commissioners of his willingness to work on an acceptable solution.

Larabel asked for a motion to open the Public Hearing.

Motion made by Dykstra and supported by Keppel to open the Public Hearing.

**MOTION CARRIED – UNANIMOUSLY.**

Jon Deemter, of 2391 36<sup>th</sup> Street, Allegan, speaking on behalf of his mother, Pat Deemter, reiterated that they had spoken to Richard Hoekstra about her concerns. Mr. Deemter expressed their desire to see an exact plan, noting that she did not want to look at a pole barn all day.

Ron Koroleski observed that this is what is needed – people working together on positives and negatives. He suggested asking the applicant to plant some trees.

Pat Deemter, of 3596 16<sup>th</sup> Avenue, affirmed that she and her neighbor, Rich Hoekstra, had a good meeting that morning regarding this mutual concern. She stated that the proposed pole barn was hard to visualize because of the snow, that she would like the building to be set back as far as possible, that she wanted to make it as easy as possible for her neighbor, as well, and that she is the neighbor most directly affected by the proposed pole barn. Mrs. Deemter also mentioned that other neighbors were not excited about this plan, citing the Reansmas, of 1609 Greenly Street, and the Moores, of 1544 Greenly Street.

Keppel asked about the purpose for this pole barn.

Rich Hoekstra explained that it was for storage and cattle, as he has a daughter involved in 4-H. Mr. Hoekstra then re-expressed his strong desire to make his neighbor happy and mentioned his plan to plant trees.

Jon Deemter suggested waiting for more snow to melt so that the proposed building could be more easily visualized.

Webster asked Mr. Hoekstra when he was planning on building.

Mr. Hoekstra replied that he did not plan on starting until April or May.

Pat Deemter said that if there were stakes placed outlining the site, it would help her visualize how it would affect her.

Larabel asserted that he had pulled the aerial plans for the property and suggested that the barn be built as close to the house as possible.

Rich Hoekstra pointed out that this is what he would prefer, as this would be less of a walk from his house to the proposed barn. He mentioned the many things he had considered, including his main concerns of not killing the drain field, that nothing go over the geo-thermal lines, driveway costs, etc.

Larabel affirmed the need for more information and more detail. He also mentioned the importance of taking elevations into consideration.

Mr. Hoekstra agreed, stating the last thing he wanted was an ugly pole barn, as it would adversely affect his own property value, as well as that of his neighbors'.

Motion made by Keppel and supported by Smith that the Public Hearing be closed.

**MOTION CARRIED – UNANIMOUSLY.**

Discussion ensued and a consensus was reached by the Commissioners that more information was needed, as well as a more detailed plan from Mr. Rich Hoeskstra.

Motion made by Dykstra and supported by Keppel that the Special Use Request by Richard Hoekstra be tabled until more detailed information is provided.

**MOTION CARRIED – UNANIMOUSLY.**

Planner Ransford, when asked, expressed the need to have as detailed information as possible on elevations, site plan, and landscaping, and that he would need to have this by February 27, 2014.



-Perry Street Partners, LLC – 0 Perry Street, Parcel Number 70-18-11-100-026, seeking to construct a 28-acre pond/lake, Section 3.9 JCTZO.

Ransford summarized Perry Street Partners, LLC/Perry Street Sand Mine's Special Use Application and Gravel Extraction (Soil Moving Permit) Application and briefly went over the historical background, including the 2007 issuance of a Special Use Permit and Mineral and Topsoil Removal License, the current Zoning Ordinance that was effective starting 2008, and Perry Street Partners, LLC's application to amend their permit in 2010 to allow crushing on site, which was granted by the Township. Mr. Ransford also mentioned the review letter provided by the Township Engineer and previously submitted to the Commissioners, containing important points for the Commissioners to consider.

Rob Berends, of Exxel Engineering, presented the proposed plan using a large map of the site and showing that the property description had been changed from the one mailed to the Commissioners, in order to tighten up the mineral mining description.

At this point, Dykstra made a motion and Webster supported the motion that the Public Hearing be opened.

**MOTION CARRIED – UNANIMOUSLY.**

Ron Koroleski asked about the amount of acreage the proposed pond/lake represented.

Rob Berends asserted that the pond/ lake was to be 28 acres.

Robert VandenBerg, of 3735 Adams, expressed his concern about the increase in truck traffic, mentioning the he had lived on his property for 38 years, which is located about ½ mile from the site, and that trucks had already affected the road nearby adversely with potholes.

At this time, Woltjer made a motion, supported by Tacoma to close the Public Hearing.

**MOTION CARRIED – UNANIMOUSLY.**

Careful discussion ensued, with the Commissioners seeking information and clarification regarding: wells, future property ownership, previous neighborhood complaints involving truck traffic and dust, the water table, access for emergency vehicles, restoration and stockpiling of topsoil, the Michigan Department of Environmental Quality's involvement, concern regarding possible future public access and residential areas, contours of berm grades, the sweeper and water truck on premise, the terms of the bond, length of time involved in mining the sand, the intended market, the role of the Board of Trustees, as well as fees and royalties.

At this point, Chairperson Larabel asked Planner Ransford to propose a conditional motion, taking into consideration the consensus of the Planning Commission's concerns.

Ransford proposed a motion with possible conditions.

With consideration of all issues previously discussed, the motion was made by Tacoma and supported by Dykstra to recommend approval of the Special Use Application and Gravel Extraction (Soil Moving Permit) Application by Perry Street Partners, LLC for the primary purpose of constructing a 28 acre lake on the property, with the following conditions:

- \*Maintenance of 4" (four inch) topsoil restoration
- \*Maintenance of a water truck and sweeper
- \*Material to be mined including only sand, gravel, clay, and excess topsoil
- \*Permission of crushing on site
- \*Requirement of \$160,000 bond for maintenance and repair
- \*Renewable letter of credit for \$16,000/acre for disturbed, excavated, or unclaimed land
- \*The developer's annual report of the number of cubic yards with payment of tipping fee
- \*Sufficient fencing

**MOTION CARRIED – UNANIMOUSLY.**

**\*Proposed Zoning Ordinance Text Amendment -**

Ransford briefly outlined the reasons for the proposed revision to Section 13.2 – Permitted Uses of the B/I Business and Industrial Zoning District of the Jamestown Charter Township's Zoning Ordinance - the desirability to close a loophole and the ambiguousness of the present wording and to ensure the required setback applies to both commercial and industrial uses.

Commissioners discussed appropriate setback requirements, parking lots, variances, etc.

Motion made by Dean Smith and supported by Dykstra to send the proposed Zoning Ordinance Text Amendment to Public Hearing when properly prepared.

**MOTION CARRIED – UNANIMOUSLY.**

**OLD BUSINESS -**

None.

**EXTENDED PUBLIC COMMENTS REGARDING AGENDA ITEMS ONLY -**

Robert VandenBerg inquired about regulations concerning the size of a legal pond.

Larabel responded that a legal pond is 5 acres and assured Mr. VandenBerg that the Michigan Department of Environmental Quality (DEQ) would make sure there were no issues. He asserted that the DEQ are experts and that if they give approval to Perry Street Partners, LLC for the 28 acre pond/lake, everything should be fine.

Mr. VandenBerg asked about regulations concerning berm size.

Mr. Larabel explained that the DEQ would take care of that, as well.

Commissioner Dykstra noted that anytime the word “water” is used, the DEQ will be directly involved.

**CORRESPONDENCE -**

None.

**PLANNING COMMISSION MEMBER COMMENT -**

Keppel mentioned the Truck Stop “L.O.V.E.” approaching the city of Holland.

Dykstra expressed his pleasure at welcoming Dean Smith to Jamestown Charter Township's Planning Commission.

**ADJOURNMENT -**

Motion made by Smith and supported by Woltjer that the meeting be adjourned.

Time was 8:45 pm.

**MOTION CARRIED – UNANIMOUSLY.**

**MINUTES SUBMITTED BY -**

Sandy VanAntwerp