

JAMESTOWN CHARTER TOWNSHIP  
PLANNING COMMISSION  
REGULAR MEETING MINUTES  
March 16, 2021 at 7:00 p.m. remotely via zoom

**CALL TO ORDER:** Chairman Smith called the meeting to order at 7:00 p.m.

**ROLL CALL:** Commissioners Jeff Dykstra, Dave Kronemeyer, Diane Pater, Dean Smith, Tim Tacoma, Randy Zomerlei and Planner Greg Ransford were present remotely via Zoom. Commissioner Kevin Gilliam was absent with notice.

**INVOCATION:** Commissioner Smith opened with the invocation.

**APPROVAL OF MINUTES:** A motion was made by Commissioner Tacoma, supported by Commissioner Dykstra to approve the minutes of the February 16, 2021 Planning Commission Meeting. Motion carried unanimously.

**APPROVAL OF AGENDA:** A motion was made by Commissioner Dykstra, supported by Commissioner Zomerlei to approve the agenda. Motion carried unanimously.

**GENERAL COMMENTS REGARDING NON-AGENDA ITEMS:** None.

**NEW BUSINESS:**

- **PUBLIC HEARING** for a Special Use application from Stephanie Nagelkirk to construct a new accessory building to replace the existing accessory building in the front yard of the property located at 4014 12<sup>th</sup> Avenue SW, parcel number 70-18-02-400-026. The property is located on the east side of 12<sup>th</sup> Avenue and the north side of Quincy Street within the R-1 Residential Zoning District.

**A motion was made by Dykstra, supported by Kronemeyer to open the Public Hearing at 7:02 p.m.** Motion carried unanimously.

There was no public comment.

**A motion was made by Dykstra, supported by Kronemeyer to close the Public Hearing at 7:03 p.m.** Motion carried unanimously.

Chairman Smith noted that according to the Planner's memorandum, the application meets the setback requirements of the Jamestown Charter Township Zoning Ordinance and is for personal use. Also noted was that the accessory building is replacing an existing barn. It was determined that the existing trees are sufficient, and that no additional screening requirements would be necessary.

A motion was made by Commissioner Dykstra, supported by Commissioner Pater to approve the Special Use permit for an accessory building in the front yard for the property located at 4014 12<sup>th</sup> Ave. SW., parcel number 70-18-02-400-026. Motion carried unanimously.

- **SITE PLANS**

- Site plan review for Rolling Meadows Final Preliminary Plan for Phase 5 and Phase 6 of the Rolling Meadows Estates Planned Development, located on parcel number 70-18-03-100-033 on the east side of 22<sup>nd</sup> Avenue, north of Quincy Street. Chairman Smith stated that according to the Planner's memorandum, the only issue is the proposed street trees, and that Planner Ransford indicated the proposed street trees appear to be compliant with the provisions of the Jamestown Charter Township Subdivision Ordinance. Dan Larabel was present on behalf of Allen Edwin Homes, and he stated that there have been no changes to the site plan other than the addition of street trees.

A motion was made by Commissioner Kronemeyer, supported by Commissioner Zomerlei to recommend to the Township Board approval of Phase 5 and Phase 6 of the Rolling Meadows Estates Planned Development per the Final Preliminary Plan. Motion carried unanimously.

- Site plan review for Jamestown Shores Final Site Condominium Plan and Private Road application. The property is located on the south side of Perry Street between 40<sup>th</sup> Avenue and 36<sup>th</sup> Avenue, parcel number 70-18-29-100-030.

Seventeen (17) single-family residential site condominium lots, along with nine (9) individual residential lots, and the construction of two (2) private roads within the Agricultural Rural Residential District (AR) and the R-1 Residential District (R-1) are proposed to be established. Todd Stuve from Exxel Engineering and the applicant DJ Vandeslik were present to answer questions regarding the project.

Chairman Smith noted that there were changes on the septic plan that could affect the site plan, and that it appeared some of the individual lots on the preliminary plan did not perc.

Stuve explained that what was approved under the preliminary plan were 24 units in a site condominium, as well as a common area with a community septic system. He stated that the Township strongly suggested that the community septic system be eliminated, and that each lot have an on-site septic and drain field. They were able to accomplish that through a combination of land divisions and site condominium units. Letters on the plan refer to land divisions, which did not meet the soil standards for site condominiums. The applicant later clarified that the lettered parcels would be a more traditional land division, as the rules would be less stringent regarding septic systems than those for site condominium lots, which are subject to state as well as local rules. As a result of eliminating the community septic system, that area now includes additional parcels shown as units 15 and 16. He stated that everything else in essence is the same, except that some of the units have switched to parcels. Also noted was that three parcels along 40<sup>th</sup> Ave. that were not part of the original site condominium plan have been identified as land divisions and are under contract to be sold to adjacent property owners.

Commission members expressed concerns regarding the lots at the end of the two cul-de-sacs that share a driveway and whether there would be a traffic connection between the two cul-de-sacs, whether the shared driveway for parcels 15 and 16 meets the ordinance requirement that a parcel have 200' of road frontage and whether a private driveway could be considered a private road, the numerous, major unresolved issues noted in the Township Planner and Township Engineer memorandums and oversight of compliance with these issues, the steepness of the side slopes, the possibility of simultaneously completing the mining operation and starting the construction of the roads within the development., the status of required permits from EGLE and the Ottawa County Road Commission and the December 2020 breach issue.

Stuve explained that the drives off the ends of the two cul-de-sacs are shared driveways that do not connect the cul-de-sacs for vehicular traffic; that there is only a pathway for pedestrian traffic. There is also a shared driveway added for lots 15 and 16.

There was discussion with Planner Ransford regarding the review of the shared driveways on the plan and the requirement for 200' of road frontage for parcels 15 and 16, which have no road frontage, and whether the hammerhead at the end of that shared driveway could be extended to provide more road frontage if necessary. Ransford stated that the Township Zoning administrator had reviewed the shared drives on the plan and approved them, but Ransford will consult with him again regarding this issue. He further explained that the shared driveways for the parcels at the end of the cul-de-sacs meet the requirements of the ordinance as they are within the easement and have the required frontage along the easement.

Stuve confirmed that the area on the east side of the lake is unbuildable due to the steepness of the slopes. There was discussion by the Commissioners regarding the feasibility of addressing work on the side slope issue in conjunction with the roadwork, and whether it is advisable to allow roadwork to commence before the side slopes are taken care of. Vandeslik commented that they can't go into the side slopes now as it is not possible to establish vegetation to stabilize the hills at this time of year. He also stated that the mining company will be finishing up in the next month, and the mining dredge will be removed from the pond. At that point they will be starting to build and construct the roads, and it is necessary that building the roads and addressing the side slopes be done in conjunction with each other. The performance bond on the mining permit was also discussed, and Ransford stated that they could also recommend to the Township Board that a financial surety be required for this project outside the mining surety. Stuve emphasized that the condition of the slopes is a condition of the Lakeshore Sands mining permit, and that they cannot close out the mine without finishing that work, and they plan on doing that this spring and summer.

Stuve informed the Commissioners that the only permit required from EGLE for the lake is already in place with the mining permit. The mine also has a soil erosion permit, and they have submitted an application to expand that permit for the roads. He also stated that the Ottawa County Road Commission has approved the drives and the permits are submitted and they are just waiting for some of the agencies to complete the paperwork.

Vandeslik commented that they have soil engineers looking at soil stabilization to address issues identified by the Township Planner and Engineers, especially as they don't want stabilization problems when someone is building a home. This is separate from the breach issue in December, which was an operational error that occurred while moving a slurry of sand and water to a large basin by Perry street to the north of the property. He stated that the pond will never give way.

A motion was made by Commissioner Kronemeyer, supported by Commissioner Zomerlei to recommend to the Township Board approval of Jamestown Shores Final Site Condominium Plan and Private Road application with the following conditions:

1. That lots 5, 6, 13, G, 15 and 16 meet township criteria for road frontage in the AR zoning district.
2. That no building permits be issued until all conditions from all entities are resolved and the mining permit has been closed.
3. That the contents of the Vriesman and Korhorn letter and the contents of the Fresh Coast Planning memorandum dated March 03, 2021 be met.

Motion carried unanimously.

**OLD BUSINESS:** None.

**EXTENDED PUBLIC COMMENTS REGARDING AGENA ITEMS ONLY:** David Brower, 1202 40<sup>th</sup> Ave., related his concerns regarding the Jamestown Shores project, especially as regards the December 2020 breach that occurred due to an operational mining error. He was informed that it was not a structural issue, and that the conditions of the Township engineers must be met by the applicant that would address water retention, as well as requirements of the County Water Resource Commissioner.

**CORRESPONDENCE:** None. Planner Ransford informed the Commissioners that a Planned Development Site Plan review for Trilogy Health Services, LLC, a Site Plan review for the Perry Street mine expansion, and a Special Land Use application from Culver's would be on the April 20, 2021 agenda. There is a possibility that Culver's might request an earlier Special Planning Commission meeting.

**PLANNING COMMISSION MEMBER COMMENT:** None.

**ADJOURN:** A motion was made by Commissioner Dykstra, supported by Commissioner Pater to adjourn the meeting at 8:07 p.m. Motion carried unanimously.

Respectfully submitted by,

Maureen Carmody, Recording Secretary  
Planning Commission

Minutes approved on

\_\_\_\_\_ by \_\_\_\_\_ (chair)