

JAMESTOWN CHARTER TOWNSHIP  
PLANNING COMMISSION MEETING MINUTES  
October 19, 2021, at 7:00 p.m.  
Jamestown Charter Township Hall, 2380 Riley St., Hudsonville MI 49426

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

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

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

**APPROVAL OF MINUTES:** A motion was made by Commissioner Dykstra, supported by Commissioner Tacoma to approve the minutes of the September 21, 2021, Planning Commission Meeting. Motion carried unanimously.

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

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

**NEW BUSINESS:**

- **Public Hearing for a Zoning Map Amendment application** from Philip and Kara Douthett to rezone the 2.7 acres of 2730 Angling Road, parcel number 70-18-03-400-046 from the Agricultural Rural Residential (AR) Zoning District to the Residential (R-1) Zoning District. The property currently has a single-family dwelling and an accessory building. The parcel contains approximately 510 feet of road frontage on Angling Road and approximately 570 feet of road frontage on Quincy Street.

**A motion was made by Commissioner Gilliam, supported by Commissioner Tacoma to open the Public Hearing at 7:01 p.m.** Motion carried unanimously.

Philip and Kara Douthett were present to state their request. They are applying for a zoning map amendment in order to split the property into two parcels for the purpose of building a new house and using the existing house as a short-term rental. When they split the property, the existing barn will be included on the parcel with the new house. This will be allowed by the Township Assessor and Zoning Administrator as long as they build the house within the first year.

Ron Denniston, 4034 Friesian Dr., asked which side of Angling Road would be rezoned. Upon being informed that the property is on the east side of Angling Road, he had no further questions.

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

There was discussion regarding whether public water and/or sewer is available for the property and the suitability of the clay soil to sustain septic systems on two adjacent parcels of less than two acres each. The applicants stated that they will be connecting the new house to public water, but the existing house will continue to utilize a well. Public sewer is not available for the property, and each parcel will be served by its own septic system. They stated that they have received approval from the Ottawa County Health Department for septic systems on each parcel, but the existing septic system with the existing house needs to be brought up to code as it currently is non-compliant. It was also noted by Chairman Smith that the property is adjacent to an existing residential zoning district and is large enough to be split.

The applicants were informed by Chairman Smith, with confirmation from Planner Ransford, that short-term rentals are considered by default a commercial use by the State of Michigan Supreme Court, and as such are not

allowed by permitted or special use in the R-1 zoning district unless the community has identified short-term rentals as a permitted or special use in the Residential Zoning District.

**A motion was made by Commissioner Tacoma, supported by Commissioner Dykstra** to recommend that the Township Board adopt the Zoning Map Amendment Ordinance to rezone the property located at 2730 Angling Road, parcel number 70-18-03-400-046, from AR to R-1 with the condition that the Ottawa County Health Department grants permits for two septic systems. Motion carried unanimously.

Chairman Smith stated that the applicants should submit a copy of the septic permits to the Township office before the next Township Board Meeting.

#### **OLD BUSINESS:**

- Zoning Text Amendments
- Subdivision Text Amendments

There was continued discussion of zoning text amendments and subdivision text amendments regarding performance guarantees only. Zoning text amendments concerning public water will be discussed at a later meeting as the six-month moratorium is still in place. Chairman Smith read the proposed language for performance guarantees for Section 17.1K: “that the Planning Commission shall recommend to the Township Board an irrevocable letter of credit or cash in an amount equal to the estimated cost of road, lighting, utility, sidewalk, landscaping, drainage, and other required improvements associated with the project. The estimated cost of improvements shall be determined by the applicant. Such performance guarantee shall be deposited with the Township Clerk at the time of the issuance of the permit authorizing the activity or project to ensure faithful completion of the improvements indicated with the approved site plan. If not, the performance guarantee shall be forfeited. The Township shall rebate a proportional share of cash deposits only when requested by the depositor, based on the percent of improvements completed, as attested to by the depositor and verified by the Zoning Administrator. In cases where the provisions of this Section have not been met, the amount of the aforementioned performance guarantee shall be used by the Township to complete the required improvements and the balance, if any, shall be returned to the applicant.”

He stated that a performance guarantee would be required by the township only for those portions of a project that are not covered by performance guarantees required by other entities.

The Planning Commission determined that the proposed language should be changed to include “and that the applicant’s estimate will be reviewed by the township’s engineer for approval before the performance guarantee is deposited with the Township Clerk.”

Commissioner Tacoma asked who is the governing entity to review and determine that a project is satisfactorily completed according to the approved site plan, and Planner Ransford replied that the Zoning Administrator would be the primary person to physically review the project for compliance with township requirements, but that Planner Ransford is often asked to also review the project for completion.

Chairman Smith listed the sections of the ordinance discussed regarding financial guarantees:

- Zoning Text Amendments:
  - Section 3.11
  - Section 3.26B
  - Section 3.33O
  - Section 15.6H
  - Section 17.1K
  - Section 19.12
  - Section 23.7D
  - Section 26.5N
  - Section 27.6F
  - Section 28.7
- Subdivision Text Amendments
  - Section 5.4(2)
  - Section 5.4(3)

**A Motion was made by Commissioner Tacoma, supported by Commissioner Dykstra** to recommend that the Township Board adopt the Zoning Text Amendment Ordinance regarding financial guarantees for the sections listed above, with the revised verbiage for Section 17.1K-Site Plan Review Performance Guarantee to include “The estimated cost of improvements shall be determined by the applicant and that the applicant’s estimate will be reviewed by the township’s engineer for approval before the performance guarantee is deposited with the Township Clerk.” Motion carried unanimously.

**EXTENDED PUBLIC COMMENTS REGARDING AGENDA ITEMS ONLY:** Ron Koroleski, 2967 8<sup>th</sup> Ave, commented on the amount of farmland lost each year to development and stated that he approves the moratorium on private drives without public water.

**CORRESPONDENCE:** None. Planner Ransford stated that the only agenda item for November is a courtesy review for an addition to Forest Grove Elementary School. There was discussion regarding dates for meetings in November and December.

**PLANNING COMMISSION MEMBER COMMENT:** None.

**ADJOURN:** A motion was made by Commissioner Dykstra , supported by Commissioner Gilliam to adjourn the meeting at 7:39 p.m. Motion carried unanimously.

Respectfully submitted by,

Maureen Carmody, Recording Secretary  
Planning Commission

Minutes approved on

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