

**ZEELAND CHARTER TOWNSHIP
PLANNING COMMISSION MEETING MINUTES
NOVEMBER 10, 2020**

The Planning Commission of Zeeland Charter Township met in the Township Hall at 7pm on November 10, 2020. Members present: Ron Brink, Don Steenwyk, Steve Nelson, Dennis Russcher, Karen Kreuze, Bruce Knoper, Robert Brower and Tim Miedema. Absent: Dick Geerlings Also attending: Janis Johnson, Main Street Planning

Chairman Knoper called the meeting to order. Motion made and supported to approve the October 13, 2020 minutes. **Motion Carried.**

Old Business

1. **SPECIAL USE** – Todd Stuve, from Exxel Engineering and OCRC Attorney, Randy Williams returned to review the request from the Ottawa County Road Commission for a special use permit for soil removal from Parcel #70-17-29-100-010. Last month the PC sent all documents to the Township attorney, Ron Bultje to review. The PC has received a response and recommendation from Mr. Bultje.

Motion made by Russcher, supported by Miedema to un table the special use permit. **Motion carried.**

Chairman Knoper read a portion of the memo from Attorney Ron Bultje and asked specific questions to the OCRC that were outlined in the memo, regarding Section 16.03 and 16.06 of the Zeeland Township Zoning Ordinance. Responses are below:

- Storage areas are shown on the site plan provided by the OCRC.
- Ponding is also addressed
- Truck size – unknown at this time because the contractor has not been selected
- Site rehabilitation – PC determined vegetation is not necessary due to the low level of the excavation site.
- Machinery to be stored by the stockpiles
- Performance bond will be submitted, amount to be determined with the Zoning Administrator.
- Project to be completed by 2030.

No public commented was taken.

Motion made by Knoper, seconded by Miedema to grant the excavation special use requested by the Ottawa County Road Commission. **Motion carried** with a roll call vote. Ayes: Knoper, Brower, Kreuze, Brink, Steenwyk, and Nelson; Nays: None; Absent: Geerlings

The Planning Commission notes the preferred status granted to excavation operations per Section 205 of the Michigan Zoning Enabling Act. The Planning Commission finds that the record

established before the Planning Commission does not establish very serious consequences based on the standards of Section 205. The record does not establish that the excavation will unreasonably interfere with existing land uses in the vicinity; or will have an unreasonably negative effect on relevant property values; or will be unreasonably dangerous for pedestrian or vehicular traffic in the relevant areas. The high public interest in having a public agency complete the excavation process began years ago and converting the property to a public use further justifies the granting of the special use.

The Planning Commission finds that the standards of Section 16.03 and Section 16.06J are satisfied. (1) The excavation will be harmonious with the character of adjacent property and the surrounding area because the excavation is temporary. (2) The excavation will not change the essential character of the surrounding area because the excavation is temporary. (3) Because of the safeguards proposed by the Planning Commission for this excavation, the excavation will not be hazardous or detrimental to persons or property. (4) The excavation will not place excessive demands on public services and facilities, because none are needed except for roads. (5) The excavation is consistent with the Master Plan because it is temporary, and the eventual final use is consistent. (6) Compliance with the site plan review standards will be a condition of approval.

The Planning Commission establishes the following conditions upon the approval of the excavation as a special use.

- (1) The Road Commission must comply with all of its written application materials, unless revised by this approval. Later material received from the Road Commission shall control over earlier material.
- (2) The excavation must be operated in compliance with all federal, state, county, and Township laws and ordinances, including without limit the terms of a soil erosion and sedimentation control permit; compliance with all applicable safeguards for threatened or endangered species; and compliance with all other requirements of EGLE.
- (3) The Road Commission must submit, subject to Planning Commission approval: (a) documentation concerning any mineral processing and storage areas, and any areas used for ponding; (b) the size of trucks to be used in the excavation; (c) the location of any machinery to be stored on site; (d) a performance bond; and (e) required personal injury and property damage insurance.
- (4) The excavation shall be completed by 2030, and the property will be left at that time in a condition ready to be developed in accordance with the site rehabilitation plan submitted by the Road Commission.

New Business

2. **PUBLIC HEARING** – Re-zoning of parcel #70-17-09-300-022 from Commercial to Agricultural, owned by Robert Hyma. Homeowner spoke about the inability to sell the property because it is a residential home in a Commercial zone. Potential buyers are not able to get a loan. Master plan does call for Commercial zoning, but at this point the house is on the property for the

foreseeable future. Chairman Knoper noted that the PC has approved similar situational rezonings in the township.

Chairman Knoper opened the public hearing.

No public comment

Motion made by Krueze, supported by Nelson to close the public hearing.

Motion made by Russcher, supported by Krueze to recommend rezoning parcel #70-17-09-300-022 from Commercial to Ag. **Motion carried** with a roll call vote. Ayes: Knoper, Brower, Krueze, Brink, Steenwyk, and Nelson. Nays: None; Absent: Geerlings.

3. PUBLIC HEARING – Re-zoning parcel #70-17-15-400-047 & 70-17-15-400-061 from Ag to “RPUD” Residential Planned Unit Development. Application by Aukeman Development.

Todd Stuive from Excel Engineering and Bill Aukeman from Aukeman Development presented a twenty-two condominium development site plan (4 detached and 18 duplex units), as well as a building elevation sketch.

Chairman Knoper opened the public hearing.

Public comment from one neighbor who lives across the street and opposes the development of the farmland to condos. Resident moved to this area for the rural feel and views, not condominiums.

Motion made by Russcher, supported by Brower to close public hearing.

Motion by Miedema, supported by Krueze to recommend re-zoning of parcel #'s 70-17-15-400-047 & 70-17-15-400-061 from Ag to RPUD. **Motion carried** by roll call vote. Ayes: Knoper, Brower, Krueze, Brink, Steenwyk and Nelson. Nays: None; Absent: Geerlings.

4. Zoning Ordinance sign revisions, presented by Janis Johnson, Main Street Planning

The PC reviewed revisions to Chap. 12 & 15 of the township zoning sign ordinances. Review to be completed at next month's meeting.

Moved by Russcher, supported, and carried to adjourn. Meeting adjourned at 9:05 pm.

Katy Steenwyk, Recording Secretary

Karen Kreuze, Secretary