

THORNAPPLE TOWNSHIP PLANNING COMMISSION

Regular Meeting, Monday June 27, 2022

1. Call to Order:

- a. The meeting was called to order by Chairperson Tom Kilgore at 7:01 p.m. at Thornapple Township located at 200 E. Main St. Middleville, MI 49333.
- b. Present: Elaine Denton, Elizabeth Hansson, Linda Gasper, Tom Kilgore, Sandra Rairigh, and Craig Wandrie. Bryan Finkbeiner was absent. Also Present: Catherine Getty, Amy Brown, Todd Boerman, Brandyn Deckinga, Susan Porter, Beth and Tim Howe, Robert Klinge, Ross DeMaagd, Jim & Lauri Gummo, Mart Wenger, Karen Nicholson, Abby & Brett Zander, and Beverly & James Veeneman.

2. Approval of Agenda:

MOTION by Gasper, **SUPPORT** by Rairigh to approve the agenda as printed. **MOTION CARRIED** with 6 yes voice votes.

3. Approval of Minutes:

MOTION by Rairigh, **SUPPORT** by Wandrie to approve the May 23, 2022, meeting minutes. **MOTION CARRIED** with 6 yes voice votes.

4. Citizen Comments: None.

5. Public Hearings:

- a. Proposed Private Road to serve ten, Reflection Pond Drive, Parcel # 08-14-030-014-00
 - i. Staff – Getty explained that the parent parcel was 69 acres, and the applicant Brandyn Deckinga, was requesting approval of a private road permit that would service 10 parcels. The entrance would be at the northeast corner of the property. Todd Boerman found the private road design meets the township’s standards. Also, the applicant’s design will direct stormwater from the street and most homesites to the proposed road ditch and existing ponds. The design includes culverts to be located at each home’s driveway. Boerman stated that if the road gets paved in the future, it would need two courses of 1.5” thick asphalt. In response to residents’ concerns, Getty stated that she had spoken with Brad Lambert from the Barry County Road Commission about the increase in traffic. Lambert replied that the road would be able to handle increased traffic without issue. Getty encouraged them to present their concerns to the Barry County Road Commission who could address their concerns about the Jackson Road conditions. Getty also stated that any concerns about people trespassing should be addressed directly by the sheriff’s department.

ii. Applicant Presentation – Brandyn Deckinga stated that he would like approval to put in a private gravel road to serve 10 parcels and has worked with the Barry County Road Commission on the entry point from the private road onto Jackson Road. The BCRC has said this was the only allowable location due to the line of sight and speed limit on Jackson Road. There are approximately 30 acres of woods on the parent parcel that would not be removed. There would need to be some grading to make the land buildable as well as the removal of a few trees at the intersection of the private road and Jackson Road.

iii. Staff and Site Plan Committee Review – The Site Plan Committee’s recommendation was given in the commissioners’ meeting packet and states the following: The Site Plan Committee recommends approval of the Preliminary Private Road Permit #71, Reflection Pond, serving 10 new parcels with the following conditions:

1. Todd Boerman’s approval of stormwater calculations and driveway culverts sizes.
2. If the applicant proposes to extend an easement through lot 5 to the property to the south to serve a future phase of the development, there must be language added to the private road maintenance agreement to add future lot owners as participants to the cost of maintenance of the private road.
3. If the applicant intends to pave the road, two courses of 1.5” thick asphalt is required. The township recommends the gravel be 22A rather than the current proposed 23A if the road is paved.

iv. Public Hearing -

1. OPEN: 7:10 pm
2. CLOSE: 7:40 pm

- a. James & Beverly Veeneman (3051 Kenyon Ln.) – He expressed concern that the through road was already planned and that the township was not being transparent to that effect. Also, she was concerned about the future neighbors not keeping on their own property or keeping an unsightly yard and how the township would address those issues. They did not support the development of the property for several reasons. They were also concerned about the increased traffic on Jackson Road.
- b. Marty Wenger (3247 Bender Rd.) – He stated that the Wenger Trust owned the property to the south of the parent parcel and that at this time there was no plan to develop that area or allow a road to cross it. He also stated that he had farmed the parent parcel being developed previously for hay and that due to the rocky soil it was not very good for farming. He was glad to see the parcel not being turned into a gravel pit.

- c. Beth & Tim Howe (11990 Jackson Rd.) – She asked how close to their property line would the road entrance be located. She also expressed concern about an increase in traffic and wash-outs on their road. Also, she was concerned about the number of trees removed near the entrance.
- d. Other neighbors present also expressed concern about the dangers from increased traffic on the road and how the road would be maintained.
- v. Commission questions and deliberations – Gasper stated that she has grave concerns about the increased traffic, dangers to those entering Jackson Rd; and people driving too fast. She stated that wash-outs in the Spring season make the road almost impassible in places and especially where the private road will intersect Jackson. Denton stated that she is listening to the concerns, but wonders what responsibilities the road commission has to deal with the wash outs. Rairigh also wondered if the road commission could be called to come out to see the conditions in the Spring and work to resolve the issue.

MOTION by Denton, **SUPPORT** by Wandrie to approve the Preliminary Private Road Permit #71, Reflection Pond Drive, Parcel #08-14-030-014-00 to serve 10 new parcels with the conditions outlined in a memo from Catherine Getty dated June 21, 2022 and included in the board packet.

Roll Call Vote: Finkbeiner- Absent, Denton- Yes, Gasper-No, Hansson-Yes, Kilgore- Yes, Rairigh-Yes, Wandrie-Yes. **MOTION CARRIED** with 5 yes votes, 1 no vote and 1 absent.

b. Proposed Zoning Ordinance Amendment – Self Storage Facilities

- i. Staff introduction – Getty stated the Ordinance Committee met on April 21st to discuss possible amendments to allow self-storage facilities in the General Commercial District. They reviewed similar ordinances in other townships and presented a recommendation to the Planning Commission during the May 23rd meeting. The proposed changes are included in the board packet.
- ii. Public Hearing – No comments.
 - 1. OPEN: 8:03 pm
 - 2. CLOSE: 8:03 pm
- iii. Commission questions and deliberations – None.

MOTION by Rairigh, **SUPPORT** by Gasper to approve the proposed Zoning Ordinance Amendment to allow self-storage facilities by Special Use in the Township’s General Commercial Zoning District as outlined in a memo from Catherine Getty dated June 21, 2022 and included in the commissioner’s meeting packet.

Roll Call Vote: Finkbeiner- Absent, Denton- Yes, Gasper-Yes, Hansson-Yes, Kilgore- Yes, Rairigh-Yes, Wandrie-Yes. **MOTION CARRIED** with 6 yes votes, 0 no votes and 1 absent.

6. Unfinished Business: None.

7. Committee Reports:

- a. Ordinance Committee [Kilgore, Finkbeiner, Rairigh, Gasper (alt)]
 - i. Outdoor wood burner amendment consideration – Kilgore stated that the committee had met to review the ordinances and the committee recommends there be no changes to the outdoor wood burner ordinances.
- b. Site Plan Committee [Finkbeiner, Denton, Wandrie, Hansson(alt)] – Reviewed the private road permit and recommends it be approved.
- c. Joint Planning Committee [Rairigh, Gasper, Denton, Kilgore (alt), Getty(staff)] – None.

8. Administrator’s Report:

- a. Greenhouse and Retail Store Special Use – status report. Getty explained that Special Use Permit # 152/ Site Plan #115, greenhouse, or Nursey Retail Store – Kristine Selleck was approved by the Planning Commission at the March 28, 2022 meeting with specifically stated conditions. Getty explained that those conditions had not been met and yet the business has continued to operate. Getty included copies of the notifications sent to the applicant dated April 18 and May 31. Getty requested the Planning Commission offer guidance on the course of action. Gasper asked if the owner had been in contact regarding the issue. Denton asked if any actions toward compliance had occurred. Rairigh asked how many days it had been since they opened for business. Gasper and Hansson asked if it could be that it is difficult to get contractors to come do the work. Hansson asked if the Spring season and plantings was part of the reason for delay.

MOTION by Kilgore, **SUPPORT** by Gasper to require the applicant to pull the required permits within the next 14 days, complete the requirements within 30 days, and call for inspection in order to retain Special Use Permit # 152. Should the applicant not obtain the permits within 14 days or complete the requirements within 30 days following receipt of permits, Thornapple Township will require the business to stop operations until such time as the originally recommended conditions outlined in Special Use Permit #152 are met. The Planning Commission would need to reapprove the Special Use Permit for the business to begin operations again.

Roll Call Vote: Finkbeiner- Absent, Denton- Yes, Gasper-Yes, Hansson-Yes, Kilgore- Yes, Rairigh-Yes, Wandrie-Yes. **MOTION CARRIED** with 6 yes votes, 0 no votes and 1 absent.

- b. Zoning Report – Included in the packet. No comments or questions.
- c. Code Enforcement Report – Included in the packet. Denton commented that she felt the issue on Loop Rd. had not been resolved. Getty stated she would look into it further.

9. Citizen Comments: Robert Klinge asked why there is an ordinance about the direction a door swings. Kilgore explained that building codes are required by the State of Michigan for safety

reasons. For example, if there were a fire in a building the public would be able to exit quickly if the door swings out.

10. Commissioner Comments: None

11. Adjournment:

- a. **MOTION** by Gasper, **SUPPORT** by Wandrie to adjourn the meeting at 8:27 pm. **MOTION CARRIED** with 6 yes voice votes.

Sandra Rairigh, Secretary

Amy Brown, Recording Secretary

Approved _____