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**SPRING LAKE TOWNSHIP
PLANNING COMMISSION MINUTES
MAY 18, 2016 – REGULAR MEETING**

PRESENT: Jack Ketchum, Greg Latsch, Ron Lindquist, Dennis Masson, Crystal Morgan,
Russ Tiles
ABSENT: David Rumpel
PARTICIPANTS: Lukas Hill, Township Community Development Director
Ron Bultje, Township Attorney

A. Call to Order

Masson called the meeting to order at 7:00pm.

B. Approval of Agenda

Latsch made a motion, support by Lindquist, to approve the agenda as presented. The motion passed unanimously.

C. Approval of Minutes

Lindquist made a motion, support by Latsch, to adopt the April 20, 2016 Planning Commission meeting minutes as presented. The motion passed unanimously.

D. Public Comments

A time for public comment was provided. No comments were offered.

E. Laker Meadow – Request for Final Approval

Matt Purvis, P.I.G. LLC and Jim Milanowski, Milanowski & Englert, presented the plans for a six-unit site condominium development. They addressed items of concern that were raised at the last meeting. They will be working with the Ottawa County Road Commission to address road drainage issues. They have added a sidewalk to the plans.

Hill stated that in further discussion with the Township Attorney, Leonard Rd. is considered a primary roadway and the Planning Commission is therefore allowed to waive the requirement for a sidewalk.

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Milanowski stated that the developer would like to request no sidewalks at this time. Also, they are concerned about paying the full sewer frontage charge when they are required to install their own sewer laterals. The applicant was informed that this is not a Planning Commission matter.

In reviewing the draft Report, it was noted that the letter from Kevin Kieft, Prein & Newhof, referenced a future sewer connection to the parcel to the south of this development. As those lots have been split into 5-acre lots and the houses are being built with septic systems, there is no current need for a sewer connection. Also, if a connection is needed in the future, it would be brought along 148th Ave., rather than through the Laker Meadow lots. The Commissioners directed the Township Attorney to adjust the Report to indicate that the bullet point in the Kieft letter pertaining to the future sewer service to the parcel to the south was excluded from the requirements.

The Commissioners discussed the sidewalk requirement. Latsch stated that the lots were not being made any safer if the sidewalk was there but did not connect to either of the cross streets (144th Ave or 148th Ave). Commissioners directed the Township Attorney to adjust the Report to indicate that a sidewalk is not required at this time, but that the developer will need to execute a Special Assessment Agreement with the Township indicating that if there is a sidewalk assessment along Leonard Rd. the sidewalk in Laker Meadow will be installed.

Ketchum asked if the covenants were being developed and how landscaping and wetland protection would be handled. Purvis stated that covenants were being developed, and landscaping would be required. The wetlands will be marked, and the covenants will include restrictions on the activities in the wetlands. Every building plan for the lots has to be reviewed and approved before construction can begin.

Motion by Lindquist, support by Ketchum, to adopt the Resolution as presented and to adopt the Report as revised, specifically addressing items 2f, 6h, 6j and 6q. With a roll call vote, the motion passed unanimously.

F. Spring Ridge PUD – Public Hearing

Masson asked if the site plan included the 20% open space that is required in a PUD. Hill stated that there is no requirement for what the open space is, so protected wetlands count toward open space. The site plan does meet the 20% requirement.

Rick Pulaski from Nederveld presented the PUD plan. They are proposing 50 lots with two entrances off of Van Wagoner Rd. All roads in the development will be private roads. The wetland impact has been reduced from previous plans, and mainly consists of three road crossings within the development.

The public hearing was opened at 8:20pm.

Jim Brye, 16757 Bridlepath, was concerned about where the water was going to go. Pulaski stated that there is a high point in lots 33-37. Everything north of that point will go into the neighborhood stormwater system. Everything south of that point will follow the natural drainage.

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Chad Wahlberg, 16751 Bridlepath, stated that he was concerned about drainage. All the water is ending up in a drain that isn't functioning. He wondered if the new homes are going to be part of the Drain District and what is being done for wetland mitigation.

Rick Homan, Township Board of Trustees member, stated that he was at the Drain Commission meeting. He stated that nothing is currently being done, but a project is being planned.

Joanne Koratich, 16789 Bridlepath, expressed concern about lot sizes. The lots in the adjoining subdivisions are closer to one acre. Pulaski stated that the lots were about one-third of an acre. The PUD was designed by balancing the area around the site with the Master Plan requirements of three to five units per acre. Because the lots have water and sewer service, they can be smaller.

Josh Troast, 16763 Bridlepath, presented a letter that residents sent to the MDEQ with concerns about drainage. The lot size is also a concern.

Bryan Koratich, 16789 Bridlepath, asked about drainage approvals and the decision process.

Hill read a letter from Albert and Marva Said, 16727 Van Wagoner, who would like the approval process to wait until the Bridlepath drainage district study is done. They are concerned about drainage.

Kevin Poulin, 16399 Hardwood Ln, is concerned about drainage. If construction is started before the drainage is worked, the drainage from his pond could be disrupted and his property could be flooded.

Motion by Lindquist, support by Latsch, to close the public comment at 8:38pm. The motion passed unanimously.

Masson asked the applicant to address wetland mitigation. Pulaski stated that a permit from MDEQ can be acquired to allow a wetland crossing to reach the upland portion. They will fill three areas for crossings and will be creating new wetlands to replace the disturbed wetlands at a 1.5:1 ratio. Therefore, since they are impacting approximately 22,000 square feet of wetland, they will construct approximately 33,000 square feet of new wetlands. Mat McGregor, Wagoner LLC environmental consultant, stated that the MDEQ and the Army Corps of Engineers have requirements for creating new wetlands. Material will be cut out of an area until the area is wet. Specific wetland plants will be added and the site will be monitored for five years. The permits that were granted were for the previous subdivision plan. Therefore, a revision will be needed. They expect to receive the permit because the PUD plan has less wetland disturbance than the previous plan did.

Hill stated that the lot size was acceptable, as the underlying R2 district allows for a 12,000 square foot minimum lot when there is water and sewer service.

Drainage will need approval from the Ottawa County Water Resources Commission. The Township stormwater ordinance requires best practices for stormwater management and the plan will need to be reviewed. The Township ordinance requires the water leaving the site after development to be the same as it was before the development in volume, quality and flow rate.

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Latsch stated that a hydraulic study will be done looking at the flow before and after development.

Hill stated that the detailed design would be done after the preliminary approval, when the developer is further along in the process.

Hill stated that staff is looking to the Planning Commission to help determine if the development qualifies as a PUD.

Ketchum stated that the PUD ordinance requires useful open space. He suggested considering a bench and trail in the park at the west end. He also asked if there was any community involvement prior to this meeting. McGregor stated that there was a public meeting for the previous plan held by the MDEQ. The same drainage issues were discussed at that meeting.

Tiles stated that the PUD ordinance requires innovative use of space and he would prefer some open space be included in Phase 1. Dale Kracker, developer, stated that he plans to build the development as one phase, but that the Phase 1 and Phase 2 designations are left from the previous design.

Tiles asked if there will be access to the 168th Ave bike path. Kracker stated that there will not be, as there is a big elevation change and a wetland area. Tiles asked if the bike path along Van Wagoner would connect to the path on West Spring Lake Rd. Kracker stated that there was no plan at this time.

Tiles stated that there is a disconnect between the PUD ordinance and what the community wants in the area. The community wants less density than the ordinance encourages. Hill stated that the PUD is a flexible tool, and not having a high density is not disqualifying, as there can be other factors that make the PUD acceptable.

The Commissioners reviewed the Hill memo from May 10, specifically item 5 pertaining to this area being the headwater for Smiths Bayou. Hill stated that an environmental study could be warranted. Commissioners directed Hill to determine if the environmental report submitted by the applicant at 4pm on May 18 was sufficient to meet this requirement.

Commissioners discussed whether the plans meet the PUD requirements. Consensus was that the plan does meet the PUD requirements.

Motion by Masson, support by Lindquist, to direct the Township Attorney to prepare a draft resolution and report for the next meeting. The motion passed unanimously.

Commissioners directed Hill to schedule a special meeting before the next regular meeting for Commissioners to tour the site with the developer.

G. Vehicle Rentals

Currently vehicle rentals are not specifically permitted under the Zoning Ordinance. The Commissioners found that vehicle rentals are similar to vehicle sales, and that the use would not be detrimental to the Township. They also found that tool and equipment rental would not be detrimental to the Township. The Commissioners directed Hill to have a text amendment prepared for the next meeting related to vehicle rentals and equipment rentals as a Special Land Use.

H. Section 306 I 5 – Waterfront Accessory Buildings

The Planning Commission had forwarded a Zoning Text Amendment to the Township Board of Trustees related to Waterfront Accessory Buildings. The Township Board returned the amendment to the Planning Commission for additional review of the language in Section 306 I 5 to make the review criteria less ambiguous and more objective. Commissioners discussed possible changes, including adding criteria to Section 306 F clarifying when an authorization could be requested. The Commissioners directed Hill and the Township Attorney to prepare a draft for review at the next meeting.

I. Commissioner Comments

1. Township Board: The Township will be doing a major rehabilitation of the bike paths.
2. Zoning Board of Appeals: The Schmidt authorization was tabled as the board members felt the requested accessory building was too large.
3. Community Development Director: No report.

N. Adjournment

Latsch moved to adjourn the meeting at 10:02pm. Masson seconded the motion, which passed unanimously.

Respectfully submitted,

Jack Ketchum, Secretary
Planning Commission