Minutes of a Regular Meeting of the  
Spring Lake Township Board of Trustees  
October 12, 2020

Pursuant to Executive Order No. 2020 – 154, the Township of Spring Lake conducted its business via conference call to mitigate the spread of COVID-19. Members of the public were encouraged to dial in to this meeting. Members of the public were not required to register or otherwise provide information to attend.

1. Call to Order/Roll Call of the Board
Supervisor Nash called the meeting to order at 7:00pm.
Present: John Nash, Ron Lindquist, Catherine Pavick, Jerry Rabideau, Rachel Terpstra
Absent: Carolyn Boersma, Jim Koster
Participants: Gordon Gallagher, Township Manager, Ron Bultje, Township Attorney

2. Invocation and Pledge
Supervisor Nash opened the meeting with a spiritual reading and the pledge of allegiance.

3. Public Comment
Public comment was opened at 7:02pm and closed at 7:07pm. Two comments were offered.

4. Approval of Agenda
   Motion by Lindquist, seconded by Pavick to approve the agenda as presented. The motion carried unanimously.

5. Approval of the Consent Agenda
   Motion by Lindquist, seconded by Pavick to approve the Consent Agenda. With a roll call vote, the motion carried unanimously.

6. Legacy Point PUD Amendment Request
   Terpstra abstained from this item because her firm represents one or more people involved.

   The developer of Legacy Point is requesting an amendment to the PUD approval from 1999 that restricts the use of Unit 11 (also known as Lot 19) until sewer is installed. The Planning Commission submitted a Resolution and Report to the Board recommending denial of the PUD amendment.

   Supervisor Nash opened the public hearing at 7:24pm.

   John Martin, who owns 11 acres east of Legacy Point, stated that in 1996 the Township proposed the installation of a sewer on Fruitport Road. Legacy Point was designed based on the promise of Township sewer being available. Since sewer is not available, this lot should be allowed to be developed with a septic system.

   Randy Crow, 18779 N Fruitport Road, stated he had Westshore Engineering look at the water coming off Lot 19. It was discovered that the water retention system was not installed. The proposed septic system for Unit 11 is not a standard system, but is a raised system that is prone to failure. He asked the Board to solve
the water problem first to protect his and his son’s land, and to require that the designed retention system be installed.

Nic Moreno, representing Carol Brocci, 18831 Legacy Point Dr, commended the thoroughness of the Planning Commission report. He noted that the required stormwater system was not installed. He submitted a report from David Schultz noting that the septic approval has been rescinded and that the juxtaposition of stormwater storage/infiltration and subsurface sewage disposal is almost certain to degrade the performance of both systems. He requested that the Board take the report into consideration.

Kim Hammond, 18843 Legacy Point Dr, representing 11 households, stated that she sent a letter to the Board. She noted concerns with the lack of the required stormwater retention system. She opposes development on the site until sewer is available, as the intent of the condition is still a concern.

**Motion** by Lindquist, seconded by Rabideau to close the public hearing at 7:33pm. The motion carried unanimously.

The Board discussed the PUD amendment request.

**Motion** by Rabideau, seconded by Lindquist, to adopt the Planning Commission Resolution and Report dated 08-05-2020, and to direct Township staff to pursue completion of the original PUD as approved and to report to the Planning Commission regarding the completion of the original PUD. With a roll call vote, the motion carried unanimously.

7. Gatehouses at Wildwood Springs PUD Amendment Request

The developer of Wildwood Springs is requesting an amendment to the original PUD approval to allow construction of 17 single family site condominium units instead of the approved commercial units. The Planning Commission submitted a Resolution and Report recommending approval of the request.

Supervisor Nash opened the public hearing at 7:53pm. There were no comments.

**Motion** by Lindquist, seconded by Terpstra to close the public hearing at 7:54pm. The motion carried unanimously.

The Board discussed the PUD amendment request.

**Motion** by Lindquist, seconded by Terpstra to adopt the Resolution and Report from the Planning Commission and to approve the PUD Amendment. With a roll call vote, the motion carried unanimously.

8. Designated Assessor Resolution

The State of Michigan is requiring a designated assessor in the event the local assessor fails to meet State requirements. Ottawa County is proposing to provide designated assessor assistance if necessary.

**Motion** by Pavick, seconded by Lindquist to approve the Interlocal Agreement for Ottawa County to Approve the Designated Assessor for the Period January 1, 2021 through December 31, 2026, as presented. With a roll call vote, the motion carried unanimously.
Motion by Rabideau, seconded by Terpstra to approve Proposal #6104 from JB Landscape Services, Inc/Get-R-Cut for $6,150 for oak tree removal and oak wilt remediation. With a roll call vote, the motion carried unanimously.

10. Consumers Energy Resolution – Streetlight at Kelly Street and Timber Run
This will be on the November Board agenda.

11. Short Term Rental Ordinance Amendment
Motion by Lindquist, seconded by Pavick to approve the Short Term Rental Code of Ordinances Amendment Ordinance, Draft Date 10/07/2020 as presented. With a roll call vote, the motion carried unanimously.

12. Public Participation Plan
This will be on the November Board agenda.

13. Revocation of Real and Personal Property IFTE on 14921 Cleveland
Motion by Lindquist, seconded by Pavick to direct the Township Attorney to prepare a resolution revoking the IFTE on 14921 Cleveland. With a roll call vote, the motion carried unanimously.

14. Board & Committee Reports
A time for information sharing was granted to each Board member and the Manager.

15. Adjourn
The meeting adjourned at 8:52pm.

Respectfully submitted,

Margaret Shay
Township Deputy Clerk