SPRING LAKE TOWNSHIP
PLANNING COMMISSION MINUTES
APRIL 19, 2023 – REGULAR MEETING

PRESENT: Kelly Clark, Harry Dyck, Jack Ketchum, Greg Latsch, Jerry Rabideau, Sarah Somers
ABSENT: Russ Tiles
PARTICIPANTS: Lukas Hill, Township Community Development Director
Ron Bultje, Township Attorney

A meeting of the Spring Lake Township Planning Commission was held at Barber School, 102 W Exchange St, Spring Lake MI 49456.

A. Call to Order
Latsch called the meeting to order at 7:00pm.

B. Approval of Agenda
Ketchum made a motion, support by Somers to approve the agenda as presented. The motion was approved unanimously.

C. Approval of Minutes
Latsch made a motion, support by Ketchum to adopt the Planning Commission March 15, 2023 regular meeting minutes as presented. The motion was approved unanimously.

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

E. Midwest V – Site Plan Review
Joe Westerbeke, Eng Engineering, and Peter Oleszczuk, Midwest V, presented the request for a 10,640 square foot store with 26 parking spaces at the northwest corner of M104 and 148th Ave. The property consists of two parcels, which will be combined, and is zoned MU Commercial. The northern portion of the parcel contains a wetland and stream, and is not usable for building. A retention basin for stormwater is provided on the west side of the property. The driveway will be located off 148th Ave. and the store will face to the southwest. The loading area and dumpster area are on the north part of the property. A sidewalk along M104 has been included as required. The wetland buffer has been noted. Submissions have been made to Ottawa County Water Resources and Ottawa County Road Commission for necessary permits. They are waiting for comments from Spring Lake Public Works on the water and sewer locations, and from MDOT for right-of-way items. They are working with MDOT to upgrade the crosswalks.

The applicant will add additional trees in the right-of-way as allowed by MDOT and OCRC. They tried to maintain as many trees as possible, but are removing 107 trees, and it is not possible to replace them at a 1:1 ratio. Putting the wetland in a conservation easement is possible. The proposed greenbelt is four to five feet wide, to keep the construction as far south as possible.
There is concern about not being allowed to remove trees during the nesting season from April 1 to August 1. That will greatly impact the construction schedule.

The proposed vinyl siding is consistent with the townhomes across the street and other buildings in the area. Oleszczuk stated that there is a used car lot to the west, and the townhomes across the street. The proposed store elevation provides a lot of glass and a broken-up roofline. The proposed vinyl siding is in a neutral color. There will be shakes at the peaks and stone around the building. He believes the store will look good with the landscaping added.

Ketchum asked how the building fit with the architectural standards. Hill stated that the Commission can offer some flexibility. The style of the siding is acceptable, but the material does not meet the requirements of the ordinance. The Planning Commission can make the decision about acceptability.

Rabideau stated that the Township’s long-term goal is for all properties along M104 to meet the architectural standards, as redevelopment occurs. Latsch said he believes the architectural standards were well thought through, and the Corridor Improvement Authority is holding themselves to the standards.

Rabideau asked if the stone continues around the building. Oleszczuk stated that it continues around the entire building, with some taller columns.

Rabideau asked if there is a dumpster enclosure. Westerbeke stated that the plans were updated to indicate the dumpster enclosure would be stone.

Rabideau asked about materials that sit outside of the building, and how that will be handled. Oleszczuk stated that the store has a larger footprint, so there is more room for indoor storage. Also, Dollar General is working to improve their distribution so there is less need for outdoor storage.

Rabideau asked about the projected customer traffic and the number of parking spaces. He also asked if there is sufficient room for snow stacking. Oleszczuk stated that they project 15 to 20 customers per hour, with 26 parking spaces. With the retention basin and the configuration of the parking lot, there is no concern about snow stacking.

Rabideau asked about curbing. Westerbeke stated that a valley gutter is proposed along the west side of the west parking spaces. A concrete curb is proposed along the east side of the spaces.

Clark asked what the loading zone will look like. Oleszczuk stated that semi traffic will be once per week. The loading area is a flat portion of the lot with double doors on the north side of the building, not a truck dock. The area is out of the drive aisle so it will not impact traffic flow. Westerbeke stated there is a wooden barrier and landscaping on the north side so that the area looks nicer.

Somers asked if the current left turn lane from M104 to 148th Ave is sufficient for expected traffic. Westerbeke stated they have submitted applications to OCRC and MDOT, who will determine if additional road work is needed.
Ketchum asked how far the entrance would be from the corner. Westerbeke stated the left turn lane on 148th Ave has been extended by OCRC. They are working with OCRC to determine the exact location of the entrance. Hill noted that with the location of the wetlands the drive cannot be pushed too far north.

Dyck asked Hill for clarification on the nesting season restriction. Hill stated that birds are nesting between April 1 and August 1 and it is better not to remove trees during that time. After August 1 nesting will be complete, and birds will find new nesting areas the next year. There is no ordinance requirement as to timing, but since the applicant is not replacing all the trees they are cutting it could be added as a condition of approval. Other possible conditions include a conservation easement and more plantings around the foundation.

Oleszczuk stated they were concerned about the restriction on the timing of tree removal. They have no issues with the conservation easement. They would still like to use the vinyl siding, but could possibly reduce the amount used. The peaks are where the most vinyl is used, and they would like to work with the Planning Commission to figure out a material.

Ketchum asked how long it would be until the applicant could start clearing the property. Hill stated they still needed a cross access agreement, county permits, MDOT permits, and approvals from DPW and other utilities. Ketchum asked if July 1 would be acceptable for allowing logging. Oleszczuk stated that July 1 is agreeable.

Oleszczuk stated they would look into replacing the vinyl siding. They would like to include some vinyl and additional materials which meet the standards.

Oleszczuk stated that the greenbelt size was chosen to put the cross access on the property line to line up with the access on the Lakeside Auto property. They could agree to move it back. However, he noted that there is quite a bit of right-of-way between the road and the parking lot.

Hill stated the applicant is proposing to cede some property to MDOT for an expanded right-of-way. This will move the building closer to the property line to meet the build-to requirement. The ceded area also has utility easements and would be under MDOT control. Westerbeke stated they would move the building to the south, but there is a Consumers Energy easement in the way and they cannot build in that area.

Rabideau asked about outdoor storage. Oleszczuk stated storage would be either inside the building or in the dumpster area. Hill stated the only outside sales requested are propane and ice near the front door, and there would be no other outside sales or storage allowed.

Commissioners reviewed the Hill memo dated April 11, 2023. They discussed the conditions of approval with the applicant.

Motion by Ketchum, support by Clark, to approve the site plan and supplemental information dated 04-06-23 for a limited retail facility as presented as it is compliant with Sections 326 and 413, and Articles 6, 7, 10, 12, 13 and 16 of the Zoning Ordinance with the following conditions:
1. The applicant shall obtain an Ottawa County Storm Water Permit and record a storm water maintenance agreement with the Ottawa County Register of Deeds in accordance with the Township Storm Water Ordinance prior to issuance of any zoning or building permits. Certificate of Occupancy is contingent upon completion and final approval of the stormwater system as approved by the Ottawa County Water Resources Department. This also requires as-built plans.

2. Lighting shall comply with the Zoning Ordinance (dark sky requirements).

3. Any utilities shall be reviewed and approved by Spring Lake Township and EGLE, as necessary.

4. Obtain required permits from the Ottawa County Road Commission and MDOT prior to building permit issuance.

5. The sidewalk location shall be approved by MDOT, connect to the new facility, and the intersection be fully improved for access to all four corners. The sidewalk shall extend to the west lot line.

6. An orange construction fence shall be placed around the construction zone limits to ensure preservation of saved trees as per the approved landscape plan.

7. A stop sign at 148th Ave at the exit of the property shall be provided, as well as turning lanes.

8. Foundation planting are to be irrigated, and consist of a variety of plants including shrubs or bushes with some that are green year-around as approved by staff.

9. Clearing of the site shall not occur during primary nesting season, which is between April 1st and July 1st.

10. The cross-access agreement shall be reviewed and approved by the Township Attorney and recorded prior to building permit issuance.

11. The site shall remain otherwise compliant with all federal, state and local laws.

12. The applicant shall comply with all written and verbal representations.

13. As approved by Township staff, more trees shall be added to the along the west edge of the parking lot and in the 148th Ave ROW.

14. The wetland and wetland setback shall be placed in a conservation easement in lieu of meeting the tree replacement requirements.

15. New renderings will be provided of the building, replacing the vinyl siding, for Planning Commission review at the May, 2023 regular meeting.

16. The 10-foot greenbelt shall be added to the south edge of the parking lot and cross access lane.

17. Outside sales are limited to propane and ice. The only outdoor storage allowed is in the dumpster enclosure.

A roll call vote was taken. The motion was approved unanimously.

F. **Rezoning Consideration – 250 Acres from AG and RR to R2**

Hill discussed the rezoning process and the history of the zoning districts in the previous Master Plan and the current Master Plan. After a sewer study, the area bounded by 168th Ave, West Spring Lake Rd, Van Wagoner St and Hickory St was divided into RR Rural Residential and R2 Medium Density Residential zones, based on sewer availability. The Poel Farms properties under discussion for rezoning in March are in the area Master Planned for the R2 zone. Hill noted that the current discussion is related only to rezoning. There is no development plan under consideration.
Hill noted that he has been discussing possible housing developments with Dennis Furton, Superintendent of Spring Lake Public Schools. Furton stated that he does not believe that the additional housing will cause overcrowding in the schools.

Bultje noted that it is not appropriate to consider a development plan at this stage. Any plan submitted will go through the Planned Unit Development process, which will include public hearings at both the Planning Commission and Board of Trustees.

Mike McGraw, Eastbrook Homes, noted the blueberry farm was much less profitable for the Poel family, so the family made a decision to try to sell the property for a residential development. The property has public water and public sanitary sewer. It is also surrounded by residential development. He noted that the detail for the development of the Poel property would come later in the PUD and site plan review process. He said that the target is two to three units per acre, which is certainly not the maximum density. Ultimately, there would be about 225 units, but that would be over 10 to 20 years. He noted that additional housing is sorely needed in the area.

Hill stated that 21 emails were received for this topic, and all emails were forwarded to the Planning Commission members. All emails were opposed to the rezoning. Reasons for opposing the rezoning included the high water table, loss of land for agriculture, infrastructure concerns, property value decreases and decreased green space.

The public hearing was opened at 8:38pm.

Megan Belanger 16288 West Willow, stated she was representing herself and the residents of 31 houses in West Willow. All are opposed to the rezoning to R2. They would accept a rural residential zoning.

Stan Sterk, formerly of 17493 Shinnecock and now residing at 16844 Landing Dr, stated that before 2008 builders were constructing 16,000 houses in Michigan. Now they are building significantly fewer, and there is a need for more housing.

Nicole Larabel, stated that the public notice was unclear, and emails were not being forwarded to the Planning Commission.

Anthony Petix, 16448 Van Wagoner, is concerned about density across the street from his house. The density will not match the R2 that was built in his area.

Molly Rajski, 18110 168th Ave, handed out illustrations of Hathaway Lakes, another Eastbrook Homes development, showing the assessed values and property sizes. She also handed out an illustration of the area being considered for rezoning. People in adjacent areas are concerned about assessed values and resale values.

Lorelei, who stated she is 15 years old and attends Spring Lake High School, is concerned that these houses will overfill the schools, leading to a decrease in quality.
Bob Whipkey, 18193 W Spring Lake Rd, is concerned about the water table, the property values, and the traffic.

Ulrich Kuester, 16398 Van Wagoner, stated Commissioners need to consider what is right for the community. While there is a need for housing, this isn’t the right place for it.

Kacey LaPres, 16325 W Willow, stated that no one in her neighborhood wants this rezoning. They want to preserve the land for agriculture.

Sam Tracy, 16277 W Willow, stated that all the houses in their neighborhood required a lot of fill and their back yards are currently wet. He is concerned about where the water from the blueberry fields will go. He noted that Fruitport Township is building apartments.

Motion by Latsch, support by Ketchum, to continue the public hearing to the regular May meeting of the Planning Commission, to be re-noticed for a location to be determined. A roll call vote was taken. The motion was approved unanimously.

G. Zoning Ordinance Text Amendment Considerations

Hill presented possible updates for the R4 zoning district. Based on staff discussions, high density developments could occur in a few different districts, so the requirements would be better in the general provisions section of the Zoning Ordinance, where they could apply to any high density development. The inclusion of architectural standards was discussed. Latsch stated he would like consideration of including a bus stop shelter as a requirement.

The public hearing was opened at 9:27pm.

Bob Shay, 18555 Zuni Dr, asked if the provisions would apply to all multi-family projects, or only those of a certain size. He believes that requiring balconies is an overreach and only the fire code requirements are necessary. He agrees with the standards for the building façades. He would like Commissioners to consider solar panels in parking lots and inclusion of charging stations.

Molly Rajski, 18110 168th Ave, stated she worked on the Peerless Flats development in Grand Haven, and the units without balconies sat empty. She supports adding the architectural standards, and wondered if there are requirements for a clubhouse.

Motion by Ketchum, support by Somers, to close the public hearing at 9:33pm. The motion was approved unanimously.

Motion by Latsch, support by Ketchum, to direct the Township attorney to prepare the ordinance language for review at the next meeting. The motion was approved unanimously.

H. Commissioner Comments

1. Township Board: Jerry Rabideau has been named the Township Supervisor, replacing John Nash, who retired. Therefore, this was his last Planning Commission meeting. The Board has revisited their list of financial institutions and all institutions
on the list are sound. New software has been ordered for the office. Russ Tiles and Greg Latsch were reappointed to the Planning Commission.

2. **ZBA:** The March meeting had one application, where they are asking for an accessory building authorization for less than 100 square feet over the size allowed by right. The application was approved.

3. **Community Development Director:** Hill stated that the Planning Commission was looking to make Master Plan changes in the Fruitport Rd/Apple/148th Ave area. However, it would make more sense to allow multi-family housing in the Neighborhood Commercial zone as a Special Land Use, similar to the Mixed Use Commercial zone. The bike path concern for 152nd Ave has been brought to the Recreation Committee and the Board. The projected cost of the bike path in the area of concern is $650,000. The Board is looking into ways to fund this construction.

**J. Adjournment**

Somers moved to adjourn the meeting at 9:44pm. Latsch seconded the motion, which was approved unanimously.

Respectfully submitted,

Jack Ketchum, Secretary
Planning Commission