

ALLENDALE TOWNSHIP
PLANNING COMMISSION
January 19, 2009

Members Present: Guzicki, TerHorst, Knoper, Smit, Rozema, Obetts

Members Absent: Rediske

Staff Present: Brummel

1. Meeting called to order at 7:32PM.
2. Approve the December 15, 2008 minutes. Motion to approve minutes made by Obetts. Support by Guzicki.
Motion carried 6-0.

Distribute the January 7, 2009 minutes.

Election of 2009 officers. Motion made by Knoper to appoint Kim Obetts as the new Chairperson. Supported by Smit.
Motion carried 6-0.

Motion made by Guzicki to appoint Jerry TerHorst as Vice Chair. Supported by Obetts.
Motion carried 6-0.

Motion made by Obetts to appoint Tim Smit Secretary. Supported by TerHorst.
Motion carried 6-0.

3. Public Hearings: None
4. Site Plan Review: None
5. New Business:

A. Township Board correspondence- Ken Knoper

Knoper informs the commission that the Township Board has discussed the moratorium on sub-divisions without public water. They would like to see an ordinance that will require public water, and see public sewer for any subdivision being built in Allendale. The board believes we don't have enough money to pay to put the water line and/or sewer line all the way out into the agricultural areas, and then only 1-2 properties in the sub-division hook up.

Within the water district, it is required to hook up already, so it is pretty much shutting down any subdivision in the agricultural areas. No one really wants to force people to hook up if they don't want to. We have looked at this before, and the people in the Ag District said don't take away my land by not allowing subdivisions. This is basically a different way of saying no subdivisions in ag because there's no sewer. The township is eating a lot of cost by having to put water and sewer out to the areas where wells have gone dry, and septic systems have failed.

Guzicki wonders if the idea is to create an overlay district, or will this cover the entire township?

Knoper responds that this will cover the entire township.

TerHorst states that a moratorium has an expiration, does the board want an ordinance put in place?

Knoper states that the previous moratorium has run out, the board would like the planning commission to create an ordinance requiring public water and maybe sewer to all subdivision, plat and condominium developments.

Brummel wonders if they would like to do it with all the zoned areas.

Knoper states that they are looking at mostly enforcing it with plats and condos which can be as little as 10 acres. Metes and bounds wouldn't be covered because it's not a plat.

Guzicki asks if there are any other municipalities in Ottawa County that has this sort of thing that we can look at the language and go over it and see what we should do.

Brummel states that we already have ordinances in place for plats and condominiums, so it would be an amendment to each of them. Some townships require public utilities for all plats. This may be difficult because we are taking a right away that the property owner currently has. There are 3 ways to develop a piece of land: plat, condominium, and Metes-n-bounds splits. If public water or sewer is required to be put in, it may not be economical to develop. The AG zoning ordinance allows 1 home per acre, if you take 20% off for a private street, there would be approximately 31 homes in a 40 acre property. If it's 50K per lot, you're looking at \$1,550,000. If we take the same plan and allow only 7 homes on metes and bound split property that is only \$350,000, there is a significant difference which I believe warrants more discussion.

Guzicki wonders if that is what some other areas have done; required sewer and water in the outlying areas.

Brummel states that we need to be careful when we look at what other municipalities have done, because not all municipalities have as much sandy soil

as we do. From 56th west in the township is pretty much all sand. We have had some problems with water wells and did an extensive study and found that there are two areas that we have had significant problems with the water supply (off Warner and 68th Avenue and Pierce and 92nd Avenue). A study was done about 2 years ago and found that the aquifer is so dense; the re-charge time is very long. Some people's wells have run dry, there's just not fast enough recharge. A lot of the people were still sprinkling their lawn even though their neighbor's well was dry. There may be a significant tax loss if the board takes this approach. I don't know of a development where there an ongoing problem with septic systems.

Knoper states that Walcott's subdivision off 68th has had some problems with their septic systems. The normal life of a septic system in Ottawa County is 3.2 years. Allendale usually runs from 8-10 years, some in Allendale even last 25 years. There is a 12 in water main on each side of Lake Michigan Drive and goes out off 60th, 68th, and a tap at the college. There is a plan to move out from LMD as the township grows.

Brummel broke down the taxable value of the difference between what is allowed now, and what may happen if this gets approved. A 40 acre 31 lot development with a home and lot valued at \$250,000 = \$7,750,000, 50% of that is \$3,875,000 of State Equalized Value. What the Board is asking for gets approved and results in a 7 lot development, it would only be \$875,000 of State Equalized Value, and a taxable difference is 3 million dollars just in 1 40 acre development.

Knoper states that when the township put water in Highland Trails and Rusk Farms, the cost of that is now eating the township up because there have been very few people who have actually hooked up. There have been a few who have had wells fail and hooked up, but as soon as there are a few less wells being used, there is enough water to supply the rest of the subdivision. It was a 3MIL project, and \$20,000 has come back in trunkage fees. The township is currently paying bonds on the \$3MIL.

Brummel states that the developments were installed and the wells dried up before the water study was done. If the study was available prior to the developments public water could have been required as part of the development approval. The study could be applied to new developments in the future.

Guzicki states that if a septic system fails, then the homeowner is required to hook up at that time. So it's not like the township owes that money in perpetuity, the money should be re-cooped at some point, just not in the immediate.

Brummel states that you it may be difficult to extend water and sewer to the outlying areas in the future because the density might not support the cost. The

density in the outlying areas might not be there to support the economics of extending public water and sewer.

Knoper states that there would be a lot of wasted land in Allendale Township that could not be used.

Guzicki wonders if there has been any cost analysis done.

Knoper reiterates that the township just can't afford to pay for the bonds.

Obetts states that just because can't pay for the bond, doesn't mean this is what needs to be done- have we looked at other avenues?

Knoper states that what they have looked at is that once someone says I've got a problem with water, should we run some out to you? Everyone else that suddenly thinks they have a problem with water, they're going to think the township has to run water out to them too.

Obetts states that we would not be doing the right thing for the community we would be tying their hands. Every person that has been paying taxes on these properties, we would be tying their hands. It is essentially saying that there would be a huge reduction of residential buildings in the outlying areas of Allendale Township until the sewer and water area is extended which may be never.

Knoper states that he believes that Allendale will continue growing and the sewer and water area will fill-up.

Guzicki wonders if he thinks that will artificially inflate the price of those properties because that's the only place that we've got empty residential lots where you can build.

Knoper says that we've had that before, when the township said student housing can only be in this area. That's why you see duplex developments outside the high-density student housing.

Brummel states that if you have a property owner who has 31 lots at \$50K per lot it equals \$1,550,000. If the owner only gets 7 lots he only gets \$350,000. There's a difference of \$1, 200,000. When the township is asked by the development to run water out to these troubled areas, it's to the benefit of all in the development. Possibly we should have required everyone to hook up, to help with the costs.

Knoper states that if we did that, it would be too expensive to put a subdivision in the agricultural areas.

Brummel states that maybe we should look at the policy that the people are not forced to hook up to the city water when it is run out to a troubled location.

TerHorst states that the board should talk to a well-drillers and see if the well installations could be improved in the beginning.

Brummel states that if we would have known the 2 problem areas in the township before the development were built, we could have worked with the developer to put in public water and require them to use it. Now that we have the study, we know where the problems are. The study shows that we could have problems in these areas, but it does not predict that we will have problems in all other areas. There are some areas where there is a water quality issue softeners are needed. We as a township do not regulate the well, the Ottawa County Health Department does that, and they do not regulate whether there is or isn't adequate water, they require test wells, and draw their conclusion if there's adequate water to sustain the development or not.

TerHorst wonders if we can figure out something to do about the lawn-watering which uses more water continuously over a longer time and creates the problem.

Brummel believes that the board needs to investigate how much impact water main costs. This may not be Planning Commission work- it is probably Township Board work, the board needs to decide.

B. Full Circle, Bazzani Building Co.- Phil Brummel

Brummel presented the Bazzani Full Circle Development. The property is zoned R-4 which allows 3 unrelated persons in a dwelling unit. This project was presented as an eight unit townhouse development with an occupancy of 24 persons. Brummel believes the assumption was three persons per unit but in fact they constructed them with a couple 2 bedroom and a couple 4 bedroom and now occupied the 4 bedroom units with 4 unrelated persons. By doing so they have exceeded the letter of the ordinance but the total occupancy of unrelated is still 24 so they may not have violated the intent of the ordinance. It was decided that Bazzani has two choices. First choice would be a group housing special use with variances from the ZBA from certain group housing regulations found in the zoning ordinances. Second choice is to request a zoning text amendment.

Knoper wonders if the ordinance text is amended, will we have trouble later with other units.

Brummel states that with R-4, if we average the number for the whole development, nothing else will change. He can come in and request an amendment to the Special Use. There is nothing in the minutes about them saying that they were going to have all 3 bedroom units, and no one other than Guzicki can remember them saying that they will have 3 people per unit. They are currently in violation of the ordinance, and I don't believe either we or they knew they were until after the fact.

Brummel states that he will give them the 2 options, and they can decide.

C. Workshop Summary

The commission is confused on why we had a presentation on Form-based codes.

Knoper states that he believes the Supervisor wants to help the builder come in and get the process going faster. It's not that he necessarily wants the Form Based Code; he just wants a system in place that will help everything go more smoothly.

Brummel states that we have development regulations in the Zoning Ordinances, we are very detailed and pretty much have it spelled out for the developer. They want to try and opt-out of the zoning regulations what make anyone believe they won't want to opt out of the form based code regulations.

Knoper states that the supervisor would like to see some way that the developers don't have to come back 4-5 times to get things passed. He invited Rick Pulaski to come and talk about what would make things easier than debating about everything.

Knoper states that he explained that they already have the developers drive by the properties that the Planning Commission members think it should look like. They just have to go out and do it- it's not just pictures on paper.

Brummel states that he met with a developer from N. Carolina who is looking at land, is on the border of Mixed-Use and University Village. They don't have any Mixed-Use and doesn't have the village feel. They may not want to do either of those things, and if we had a Form-Based Code, I would show them what it would have to look like, but they may not want to do that either. It would be months of kicking and screaming. They build the same buildings all over the country, and they need to try and fit into the Townships University Village Mixed Use Design.

Knoper states that we are also looking to get the plans in 2weeks before the meeting. That way the designer knows when they need to have it in.

We get people complaining all the time about how long it takes the township to get these things done. This requirement will delay action even more.

Smit questions if developers want the PUD because it has a lot more wiggle room and they can change things.

Brummel states that we have used the PUD and if the people want to make the process go through fast, they need to abide by our ordinances, and we will pass the plans.

Knoper states that it is not really an issue of the Supervisor wanting a Form Based Code, just a way to make the process not take so long.

- D. Discussion on Poster, Billboards and Banners and LED message signs. Where to go from here? Report from the sign committee.

The Board should give us an idea of what they are looking for. We worked with the business owners to find out what people want.

Knoper states that he would like to get a copy of what the sign committee came up with so he can give it to the Board, and they can go from there.

- E. Planning Commission membership hiring procedure.

The hiring policy is not an appointment policy; it is a recommendation from the Planning Commission to the Supervisor. It has been in place for the past many years. The commission is not sure if the current leadership will continue with the recommendation procedure or not. A response from the Township Board is needed asked of the Township Board

Motion made by TerHorst to forward this on to the Township Board to adopt this procedure. The policy could be amended in Step 4 to replace Township Staff member with Township Board member, having the right to vote. Support by Guzicki. Motion passed 6-0.

- 6. Old Business:

Brummel submits articles about Wyoming with Mixed-Use, and Meijer suing over the value of an old obsolete building. The proto-type buildings do not create sustainable value; the first day of their construction is the first day of their death. Old proto type McDonalds and Burger Kings are good examples.

- 7. Public concerns and comments concerning items not on the agenda.

Faith Kirksta was at the Township Board meeting and understands that the State has an order of how to appoint people. She wonders if the township will abide by those rules.

Brummel states that this procedure does not appoint the member. There is a committee put in place to recommend someone to the Supervisor, and the Supervisor chooses who to appoint. They always have, and always will abide by the state rules.

Morren states that what he got from the Township Board meeting was that Knoper was not going to go over the sewer, just the water issue.

Knoper states that he was supposed to talk about the water, and bring up the sewer.

8. Meeting adjourned at 9:04 PM.

The next meeting is on Wednesday, January 28, 2009 at 7:30 PM.