ALLENDALE CHARTER TOWNSHIP
PLANNING COMMISSION MEETING
November 4, 2019
7:00 p.m.
Allendale Township Public Meeting Room

1. Meeting called to order

2. Roll Call:

   Present: Westerling, Adams, Zuniga, Longcore, Zeinstra
   Absent: Schut, (one vacant seat)
   Staff present: Planner Ransford

3. Received for Information:

   A copy of a letter from a member of the public regarding Allendale Place.

4. Motion by Zeinstra to approve the October 21, 2019 Planning Commission Minutes. Seconded by Westerling. Approved 5-0.

5. Motion by Longcore to approve the November 4, 2019 Agenda. Seconded by Zeinstra. Approved 5-0.

6. Public Comments for non-public hearing items:

   A member of the public said she could not hear the commissioners. Chairperson Longcore said he could not turn up the microphones.

7. Public Hearings:

   A. JMM Developers Mining Application – 12084 46th Avenue

      Kelly Kuiper from Nederveld was present on behalf of the applicant. Ms. Kuiper recapped the information for the public and stated that the applicant amended all of the documents to represent a 5-year mining period. The bond for the road commission was addressed by their prior work. There were minor adjustments for the setback distances of adjacent properties.

      Planner Ransford told the public that the applicant has applied for 5 years of mining through a Special Use Permit. The Planning Commission previously concluded that impact studies were not necessary, fencing was in compliance, and the truck entry and landscaping was satisfactory. JMM Developers are proposing to create 3 lots after the mining is finalized.

      Chairperson Longcore opened the public comment period.

      Ken Rosema of 4384 Bliss St. stated that he was concerned over dust control. He felt that dust already rolls across the ground all the way to 40th Ave. He was also concerned over the depth of the pond and the impact this may have on his well. He stated that his neighbors have also expressed concern over their wells and the possibility that they may dry up. Additionally, he was concerned over erosion and if there would be a berm on the property to the east. He does like the three proposed lots that will be created after the mining is finalized.

      David Esther of 4500 Bliss St. said that he lives directly north of the proposed pond. He was concerned over the pond and wondered how this will affect sump pumps and water levels in his basement. He expressed that he likes the proposed plan, but would like to see a berm on the backside of the property.
Chairperson Longcore closed the public comment section due to no further comments.

Ms. Kuiper addressed the comments from the public. She stated that 25 feet is the maximum cut depth for the pond. The proposed plan includes erosion control, will be submitted to the Ottawa County Water Resources Commissioner, and is designed per Allendale Charter Township specifications and Ottawa County specifications. A fence around the site will protect adjacent properties, a berm will be constructed, and dust will be controlled on an as needed basis.

In regards to the water levels, Ms. Kuiper stated that the pond would capture its water in a deep level and does not dewater adjacent properties. The pond will not affect wells on surrounding properties and the ground water level will not fluctuate.

Chairperson Longcore stated that at the last Planning Commission meeting, it was asked if a berm could be installed for the neighbors to the north of the pond. The applicant would be willing to put in a berm or trees for a barrier. Commissioner Adams asked Ms. Kuiper that the water in the pond is not pulled from the neighbor’s wells. Ms. Kuiper said that the wells are pulled from an aquifer, not the ground water.

Chairperson Longcore asked about dust control. Planner Ransford said that the applicant will water the area as necessary, as noted on the plans, and will respond if the township receives any complaints.

Motion by Zeinstra to approve the resolution with all the information stated therein in addition to adding a berm along the north neighbor’s property line on the plan. Seconded by Adams. Approved 5-0.

8. Site Plan Review: None

9. Old Business:
   A. Allendale Meadows Planned Unit Development Major Amendment – Parking lot replacement and expansion, Peppino’s

   Clement Audu was present on behalf of the applicant. He stated that the owner of Peppino’s would like to leave the existing parking lot the same except resurfacing the lot. They would like to postpone changes to the existing parking lot. The owner is concerned over losing parking spaces.

   Mr. Ransford stated that there is language in the PUD provisions that allow for reduction of requirements in regards to curbing. Mr. Adams verified that the applicant wishes to resurface the existing parking lot, and he felt that curbing would be a nice improvement to the parking lot and create a cohesive look when the future parking lot is created. Mr. Zeinstra would prefer to see curbing on the existing parking lot, but would not require it in this proposed change. Both Mr. Zuniga and Mr. Longcore agreed with Mr. Zeinstra’s statement, but Mr. Longcore still feels that the entire lot needs to be redone.

   The Planning Commission agreed that when the applicant updates the new lot, it will have to be curbed. They discussed the islands, landscaping, and possibility of the owner losing parking spaces. Mr. Ransford said that the Planning Commission has the authority to request changes to the lot that they see fit because the PUD has been opened. Mr. Longcore felt that because the PUD has been opened, they should ask for the site to be changed, including taking the sidewalk out. This will create more space for parking spaces. Mr. Audu expressed concern over the power lines that are under the sidewalk and the tree roots that are near the power lines.

   Mr. Ransford said that this was brought to the Planning Commission prior to the final plan review in order to correct or modify plans. Mr. Longcore said to the applicant that the Planning Commission has given them all of the guidance that they can give at the moment, and Mr. Zeinstra felt it is much better to have a strip of parking along the north side of the parking lot.

10. New Business:
    A. Hidden Shores Annual Mining Review
Planner Ransford is representing on behalf of the applicant even though the applicant was supposed to appear. Separately, the applicant has applied to amend Phase 3 of their development, so if questions are raised for the applicant regarding the mining report, they can be answered during that amendment process. An annual performance report is required; however, Hidden Shores was not asked in the past for this submission. They are challenging this requirement in regards to future reports. The applicant will return to the Planning Commission if required by the Planning Commission.

The Commission discussed that they developed this process in order to give a timeframe to mining operations. The Planning Commission was unsure what would happen if the application is closed but Hidden Shores West decides they want to continue mining in the future. The mined sand has been removed from the site, and if Hidden Shores West would like to claim that they are done with their removal, the engineer should go to the site and check on these claims. The Commission felt that the applicant can decide if they would like to close the application as long as the consequences are understood. Prior to this process, the site, including vegetation, will need to be restored. Township staff will contact the applicant regarding their appearance at a future Planning Commission meeting.

B. Fox Meadows Site Condominium Amendment Request

Ed DeYoung was present on behalf of the applicant. He explained the proposed site, their plan to defer the sidewalk, a proposed crosswalk, and changes to landscaping. In lieu of street trees, it is proposed to plant trees in the yard of the lots closer to the owner’s homes.

Mr. Longcore asked the applicant about a member of the public who is very upset over the proposed development. Mr. DeYoung has spoken to this person and addressed many of his issues.

Mr. Zeinstra questioned why there is a need to build the sidewalk within a couple of years. Mr. Ransford said that there is concern that if the money is in escrow for a certain amount of time, it may be used elsewhere, and that the township attorney said the funds need to be used for this property pathway. The Commission discussed the potential deferment of funds, the legality of leaving the funds in escrow, and using the funds for a sidewalk along Pierce Street.

Motion by Zeinstra to delete the sidewalk on the west side of Fox Den up to the proposed crosswalks at the mailboxes, and to accept the trees in the front yards in lieu of the street trees. Seconded by Zuniga.

Approved 5-0.

Mr. Ransford was directed by the Commission to contact the township engineer about using the Pierce Street easement and what the challenges are in terms of topography. Mr. Zeinstra asked if this development is a site condominium. Mr. DeYoung stated that it there is one association, but a combination of site condominium and metes and bounds splits. The potential to give this association the money rather than the township was discussed. Township staff will speak with Bob Sullivan, Allendale Charter Township attorney about deferring these funds.

11. Public Comments:

Chairperson Longcore opened the public comment period. He closed the public comment period due to no comments.

12. Township Board Reports:

Mr. Zeinstra said that there was a public reading of a PUD. They have finalized the budget and just need to have a public hearing.

13. Commissioner and Staff Comments:

Chairperson Longcore asked Planner Ransford for an update on Allendale Place. Mr. Ransford said that staff checked the Trader’s Creek file and they did not have any documentation that would allow for the two
roads to be connected. Trader’s Creek offered a solution in the form of a gate or signs to deter crossing between the two developments, which was deemed unacceptable to the Chairperson based on the condition of the Commission, as well as the Fire Department, and additional staff. Their counsel has drafted a document that both developments would need to sign in relation to connecting the roads. Township attorney Bob Sullivan will review this document. Mr. Ransford is unsure what percentage of the property owners will need to approve this document in order to connect the roads. The Allendale Charter Township Fire Department does not like the idea of a gate between the two roads. There is neither type of documentation nor backup for this stubbed road. The Planning Commission discussed the previous buildings on the property and surrounding properties.

The Allendale Place applicants needed to prove that Constant Drive of Trader’s Creek was intended to connect to a future development. The Planning Commission put conditions on their approval of Allendale Place so they either need to revise their plans or come up with a solution.

Both Planner Ransford and Commissioner Zeinstra will be on vacation at the first December meeting.

14. Chairperson Longcore adjourned at 8:29pm.

**Next meeting November 18, 2019 at 7:00 p.m.**