

**ALLENDALE CHARTER TOWNSHIP  
PLANNING COMMISSION MEETING**

*March 1, 2021*

*7:00 p.m.*

*Via Zoom Software*

1. Meeting called to order
2. Roll Call  
Present: Westerling, Adams, Zuniga, Schut, Kelley, Zeinstra, Longcore  
Staff Present: Greg Ransford  
Other Guests Present: Miles Ulberg, Jack Barr, Matt DeYoung, Kelli McGovern, Lora Richmond, Bob Sullivan, Josh Vruggink
3. Received for information: Several emails were received referencing mining operations on 46<sup>th</sup> Avenue and Bliss Street relative to JMM Development agenda discussion.
4. Motion by Schut to approve the February 15, 2021 meeting minutes. Seconded by Kelley.  
**Approval 7-0**
5. Motion by Longcore to approve the March 1, 2021 Planning Commission Agenda as presented. Seconded by Zeinstra. **Approval 7-0**
6. Public Comments for *non-public hearing items*:  
*Chairperson Longcore opened the public comment section for non-public hearing items. Kelli McGovern facilitated the public comments beginning with the callers, proceeding to participants using the web or app. Callers and participants were recognized, but no comments were made. Chairperson Longcore closed the public comment section.*
7. Public Hearings: no public hearings were scheduled.
8. Site Plan Review:
  - a. JMM Developers Mining Application  
Planner Ransford briefed the Commission that JMM Developers had received approval in the fall of 2019 for a mining operation of 280,000 cubic yards. They are requesting to expand their excavation to approximately 774,00 cubic yards resulting in a body of water with a surface area of about 18 ½ acres. Their intent was to complete the project in eight years. Current mining permits expire after five years, but certain review standards could allow a one-time five-year extension, covering the eight-year time frame. He noted that the Commission would first review this before scheduling a public hearing where comments could be received for the proposed site plan.

Chairperson Longcore announced that Bob Sullivan, Counsel for Allendale Township was present to clarify and answer any legal questions. Mr. Jack Barr, Mr. Miles Ulberg, and Mr. Matt DeYoung with JMM Developers were also present. Mr. Barr explained their proposal to expand their operation and to make the present pond larger. He noted with the initial smaller pond size the original permit was sufficient, but that expansion would now require an EGLE permit and a hydrogeological study to be conducted. He also clarified that the current project was not proposing de-watering, so surrounding wells would not be affected.

Chairperson Longcore noted the Commission had received several complaints about road conditions on 46<sup>th</sup> Avenue and Bliss Street, as well as neighborhood complaints about the mining operation. Mr. Barr commented he was not aware of any complaints received. Mr. DeYoung stated he had indirectly heard about some complaints, and the roads had been smoothed as feasibly possible given the freezing and thawing weather conditions. He noted complaints received regarding Bliss Street were unrelated to the JMM mining operation but affirmed they would do their best to work with the Road Commission, possibly reinforcing the roads if necessary. Chairperson Longcore thanked them for their cooperation and asked if there were any other comments.

Mr. Zeinstra asked if any consideration had been given to creating a vegetative berm behind the neighborhood. Mr. DeYoung explained that had been the initial plan, but there were conflicting statements from the neighbors. It was suggested by Mr. Zeinstra that a temporary berm to block construction noise might be advisable but was not overly concerned so long as JMM Developers were willing to work with the neighbors and notify them when a public hearing was scheduled. Chairperson Longcore concurred.

Mr. Schut described his recent observations of the rough road condition with Mr. Josh Vruggink, part of the excavation team, discussing recent heavy traffic leading to the road conditions and his desire to attend to the road. Mr. Schut felt a solution was needed to avoid this in the future. In relation to the permit, he offered the option of completing the work in approval phases of three years, and Mr. DeYoung explained they were on target complete their project in four years but had factored in a market slowdown as well. He felt if the project time frame was unacceptable, they might modify the plan and add a private drive on the south. If the market were to collapse, they would change course to 10-12 acres with a road on the south headed east and add lots. He added the goal was to complete the project within a five-year time frame for the EGLE permit.

Planner Ransford responded to Chairperson Longcore's clarification of issuing five-year permits with the right to renewal stating the only extension was the option of a five-year period.

Based on additional comments relating to the pond shape from the Commissioners, Mr. Barr agreed to create and present a new drawing of the pond before the public hearing.

Mr. Kelley asked about potential berms, and Mr. DeYoung reiterated there were conflicting requests with one resident requesting a berm and another not wanting one. Surrounding areas were industrial, so the consensus was to leave the area open but gently sloped.

Mr. Sullivan suggested voluntarily working with the entities as well as checking to see if the zoning ordinance had been violated, allowing for enforcement with that language potentially being added to the resolution.

Mr. DeYoung agreed to be proactive and to maintain the road without the need for legal enforcement and requested to be notified of any complaints. He also agreed with Mr.

Zeinstra's suggestions to work with the Road Commission finding a solution to rebuilding and reinforcing the road.

Chairperson Longcore asked Mr. Sullivan whether they should wait for the EGLE permit or base the renewal on conditions. Mr. Sullivan felt either way would be satisfactory. Mr. Barr explained the process to obtain an EGLE permit could take several weeks to months. Mr. DeYoung added that by spring or early summer the applicant might need a determination by the Commission depending on how things progress over the next several weeks.

The consensus of the Commission was getting preliminary approval would be accepted. Mr. Westerling noted he wanted to be sure there would not be any issues between the two mining operations and the road conditions. Mr. DeYoung assured him that would not be the case.

Chairperson Longcore questioned Mr. Sullivan if language could be added to grant a temporary permit.

Planner Ransford was confident they could draft a resolution for the public hearing.

Chairperson Longcore asked Commissioners if the suggested 50 feet of crushed concrete to maintain the road was sufficient. The consensus was any amount needed to maintain the roads would be appropriate. Fencing around the site and deferring the site around 46<sup>th</sup> avenue was addressed, and the Commissioners agreed to both points. The Commissioners also agreed to renew the permit, and reiterated a plan was needed for road maintenance. Mr. DeYoung again agreed to contact the Road Commission and create an action plan for standard maintenance before the public hearing.

The Commission agreed with modifications to plans discussed and confirmed with Planner Ransford that a public hearing should be scheduled following updated plans and a submission of a plan for road maintenance from the applicant. Mr. Schut also asked Planner Ransford to confirm that zoning would inspect the site checking on proper signage and road conditions, to which Planner Ransford confirmed he would do so.

Chairperson Longcore again thanked JMM Developers for their cooperation.

9. Old Business:

a. Work Program – Tree Preservation Language

Planner Ransford summarized for the public an ordinance adopted by Park Township in Ottawa County, and the Commission was reviewing second draft revisions on five points made in the last meeting to the language for Allendale Township.

The Commissioners deferred to Mr. Sullivan regarding the language and explained that while he understood the intent behind flexible language, he felt it might create extra work for the Commission due to reviewing and making the decisions for applicants. Ultimately, he felt the choice could be left to the Commission.

The Commissioners discussed the proposed language and how to incorporate flexibility within the language and deferred to Mr. Sullivan to address “practical vs. possible.” He did not see distinction, but rather preference. Planner Ransford added that if the Commission chose flexibility in the language, it would be likely applicants would seek exceptions in various situations.

Mr. Zeinstra recommended consistent language of reforestation, clear cutting, and tree canopy by creating a standard percentage for any type of project. The Commission agreed that would be a good solution and that 25% tree canopy coverage would be a good starting point after reviewing previous plans as a reference point.

Additional discussion involved the health analysis language with Planner Ransford confirming the language could be streamlined. Under site plan approval and landscaping, the consensus of the Commission was to ensure that site plans were somehow identified with the certification of a qualified professional.

Planner Ransford agreed to prepare revisions to the language for the Commission to review based on the comments provided.

b. Section 24.06H – Standards for Approval of Waste Disposal Facilities

Planner Ransford recapped the previous discussion for the bollards to be filled completely with concrete and for the ability of someone with outdoor storage to utilize the area essentially with the same type of screening installing a dumpster and the general approach area to be defined with bollards.

Mr. Zeinstra commented that he had communicated with a local garbage service. They had explained to Mr. Zeinstra they felt the 10’ width was too small with the hinges inside and asked to increase the measurement to 11’. They also suggested that gates be 6” ground clearance and whether dumpster lids needed to be required if already in enclosures.

Mr. Schut agreed with most points but felt the 10’ was sufficient. He also addressed his suggested revisions including moving language involving slats in fencing being moved to the applicable section; also, allowing a small opening to be allowed without needing to open a gate. He recommended removing language requiring steel bump posts in front of the enclosure and suggested that the interior bump posts should be 1’ from the interior wall and should be a minimum of 3’ apart rather than 3’ on center. He also recommended that truck access way should also be present for the storage areas that contain dumpsters to prevent trucks from having to back into a roadway.

The Commissioners discussed the various measurements and wording and agreed the gates should hang on the 6” posts, protecting the front wall. They consented to add language that clarified that hinges should be on the outside of the gates to ensure the width was a true 10’ unobstructed with a 2’ clearance around each dumpster, 1’ on either side.

Planner Ransford agreed to prepare revisions to the language for the Commission to review based on comments provided.

c. Section 24.06 J. - Standards of Approval on Building Appearance.

Mr. Ransford explained the Planning Commission had made a note in months past to this work program about the maximum of 40% glass for a commercial building, a current provision in the zoning ordinance. Commissioners had decided to change the language to a minimum of 10% for commercial buildings and including the provision that the use of Spandrel glass or similar material was acceptable, rather than requiring a genuine window.

Mr. Schut questioned whether 10% glass toward residential district was necessary. Mr. Zeinstra agreed. Chairperson Longcore cited examples of business butting up to residential, and not necessarily needing 10% glass on the backside. Further discussion involved concerns of parking being limited and the intent of trying to utilize parking in the back behind the building, thus deciding what amount of glass would be necessary.

Planner Ransford agreed to prepare revisions to the language for the Commission to review based on comments provided.

10. Second Public Comment

*Chairperson Longcore opened the public comment section for non-public hearing items. Kelli McGovern facilitated the public comments beginning with the callers, proceeding to participants using the web or app. Callers and participants were recognized, but no comments were made. Chairperson Longcore closed the public comment section.*

11. Township Board Reports

Mr. Zeinstra reported at the last meeting a presentation had been made by the Statue Committee for the Garden of Honor with updates to solutions and approval for five additional meetings. A PUD Public Hearing was held for Hidden Shores West.

12. Commissioner and Staff Comments:

No comments were made.

13. Chairperson Longcore adjourned at 8:53 p.m.

**Next meeting Monday, March 15, 2021 at 7:00 p.m.**

*Planning Commission Minutes respectfully submitted by Lora Richmond*