

# Allendale Charter Township Planning Commission Meeting

March 2, 2020

7:00 p.m.

*Allendale Township Public Meeting Room*

1. Meeting called to order.
2. Roll Call:  
  
Present: Westerling, Adams, Longcore, Schut, Kelley  
Absent: Zeinstra and Zuniga  
Staff present: Greg Ransford
3. Received for Information: An email from the township attorney regarding the text amendments section of the agenda.
4. Motion by Schut to approve the February 17, 2020 Planning Commission minutes with amendments. Seconded by Adams. **Approval 5-0.**
5. Motion by Longcore to approve the March 2, 2020 Planning Commission agenda as presented. Seconded by Kelley. **Approval 5-0.**
6. Public Comments for *non-public hearing items*  
  
*Chairperson Longcore opened and closed the public comments period due to no public comments.*
7. Public Hearings: None
8. Site Plan Review: None
9. Old Business:

## A. Subdivision Ordinance Amendments

Planner Ransford, when asked to introduce this portion of the agenda, deferred to the information provided by Chad recapping the ongoing revisions of the Subdivision Ordinance. Mr. Longcore described one of the provided documents: a list of approximately 82 parcels over 20 acres, many already in the development stage. The issue needing to be addressed was the necessity of requiring each parcel to connect to public water. Mr. Longcore maintained that developments within a certain distance must connect to public water.

Mr. Adams and Mr. Longcore, in response to a question by Mr. Schut, understood the map represented all 20-acre parcels within a thousand foot area of the water main. Mr. Schut and Mr. Longcore both presented a concern that several parcels outside the map would have trouble adding a private road and connecting to public water if required.

Mr. Ransford recollected from notes made in November 2019 that the Planning Commission requested language asserting that property owners wishing to split their parcels needed to install a private road and connect to the water main. The distance a parcel needed to be from the main for this requirement to apply, however, was never finalized.

The Commission, based on a concern posed by Mr. Schut, explored how high-density developments may adversely impact the aquifer. Mr. Schut proposed that the Commission should encourage properties, especially those in high density developments, to connect to public water whenever possible should this requirement not cause undue hardship on the development.

Mr. Longcore and Mr. Schut deliberated over density levels associated with private drives and shared driveways. They considered ways the Township can regulate parcel splits and impose the burden of expense put on property owners to route water to properties far from a water main, especially those properties with large frontage.

The Commission concluded that a development averaging a lot area of less than four acres, if creating a private road, would not need to connect to public water; however, a property four acres or more would need to meet this requirement. Additionally, properties within one thousand feet of a water main would need to connect regardless.

Ransford will draft changes to the section for the Commission to review at a future date.

## 10. New Business:

### A. Text Amendments

Mr. Ransford presented three proposed Text Amendments to revise the language of the ordinances listed below: Section 3.14, which would require site condominiums to build sidewalks even when using private roads, as current language only mentions the requirement for public roads; Section 23.08, which concerns the clarification of language when classifying mining operations as opposed to other means of moving soil; and Section 29.01, which addresses factors for rezoning requests. Mr. Ransford explained that the issues with the current sections involve consistency and unnecessary repetition.

- Section 3.14 – Condominium Project Approval

Mr. Longcore asked if the Commission would need to give easements for sidewalks if the area in question was a private development. Mr. Ransford wanted to defer that question to the Commission: would the maintenance of the sidewalks be the responsibility of the development lot owners, or would the sidewalks become part of the overall public network and therefore be the township's responsibility?

Mr. Schut put forth that a private development should be responsible for building and maintaining sidewalks, which falls within their responsibility to adhere to the ordinance. The Commission agreed on this point, with Mr.

Longcore adding that the township already requires developments to have maintenance agreements for private roads, water, sewage, and so forth.

- Section 23.08 – Removal of Topsoil, Sand, Gravel, or Other Minerals

The primary sentence in this Section discussed by the Commission was the following language: “The excavation, removal, or processing of mineral material including peat, earth, gravel, sand, clay, top soil, stone or other soils or materials, including overburden, or storage or transporting of such items on or from a mining site, or the reclamation of the site after removal or excavation of such items.” Mr. Longcore suggested removing the term “excavation,” observing that the term may also refer to digging dirt in one’s property in a manner not covered under a mining definition. Mr. Longcore also wanted to address whether or not moving soil to create a body of water would be considered mining.

Mr. Schut, after agreeing with Mr. Longcore’s point on the term “excavation,” questioned the meaning of “overburden” as it pertains to mining. Mr. Ransford used Google Search to confirm that the term referred to topsoil found above valuable material.

Mr. Kelley then brought the Commission back to a discussion on removing the term “excavation” from the section. Mr. Schut explained that the intent of the ordinance was to address issues of projects selling soil or processing soil for minerals sold off-site, as opposed to situations where topsoil is moved during construction projects. He suggested that this section should address situations where soil is being sold and transported off-site, which therefore would be subject to mining ordinances.

The Commission agreed that in addition to taking out the term “excavation,” they should stop the entire sentence at “overburden” to avoid redundancy, as the description following are implied when stating “removing or processing.”

Mr. Ransford will draft changes to the section for the Commission to review at a future date.

- Section 29.01 – Procedure for Changes

The Commission discussed modifications for a list of eight Rezoning Evaluation Factors proposed to be located within Section 29.01. The fifth factor in particular drew concerns: “Will there be any community impacts which should be considered, such as increased traffic, or others which might create a need for additional services or improvements?”

Mr. Schut argued that the answer to this question in almost all cases would be positive. Mr. Longcore countered that the purpose of the question was to assess the extent of impact, not necessarily whether or not there will be impact, and that the language should be edited to clarify that intent. Mr. Kelley also

acknowledged a potential vagueness in the question and asked if the Commission should develop the factors to fit a box or be open for interpretation.

Mr. Schut and Mr. Longcore deliberated over how the eight factor's language would help them make decisions per the Master Plan. This discussion prompted Mr. Ransford to chime in, explaining that many municipalities do not have such specific requirements within their zoning considerations and is, in fact, not required. Instead, many municipalities, if they do not have a list at all, simply use the planning practice of the Three C's for guidance, listed below:

- 1) Is the request consistent with the Master Plan?
- 2) Is the property capable of supporting the uses allowed?
- 3) Are the uses allowed compatible with the surrounding uses, zoning districts, etc?

Mr. Ransford remarked that Mr. Schut seemed concerned with allowing excessive rigidity in the authority to rezone properties because the Township must look at more than just the Master Plan for its decisions. Mr. Ransford posited that using the Three C's, or otherwise language that emphasized consistent decision making, would permit flexibility in making decisions while ultimately abiding by the Master Plan. If the Commission is not consistent, he added, then they will have a difficulty denying similar future requests that were allowed for a different applicant.

Mr. Longcore expressed partiality to the Three C's and asked the Commission if they would prefer language deferring to such a method rather than the eight questions in the current amendment. Mr. Adam's suggested the Three C's could act as a prelude to the eight questions, which he favored to force decision makers to think through critical components of rezoning. Mr. Schut also liked the prelude idea but was not yet convinced of the necessity of the current eight questions, as he preferred to avoid rigid checklists.

Mr. Ransford was directed to write revised language including the Three C's as a prelude to the eight factors and to revise the factors as statements rather than questions, for the Commission to revisit at a later date.

## B. Master Plan

Mr. Ransford established that the conversation regarding Master Plan revisions today would primarily focus on the agricultural chapter based on a discussion from a month ago to include wildlife corridors and more. He explained that, typically, the Master Plan's goals are to use core items that, when Land Use applications are submitted, applicants are encouraged to compare their proposals with the Master Plan to ensure conformity. Mr. Ransford asked the Commission to review whether or not the language should be stronger.

- Residential Chapter

Mr. Ransford's inquiry in the Residential Chapter revisions of the Master Plan pertained to how R1, R2, and R3 districts ought to have utility connections and that properties should not be rezoned unless they are within the area of utilities or had access to utilities. He asked whether the language should contain strong language that makes clear to applicants that connecting to utilities will be required due to the demand higher density zones have on utilities.

Mr. Longcore agreed that if a property is going to be rezoned to a higher density, the Township would want the property to use public water and sanitary to ensure utility demands are met.

The Commission approved the current revisions to the chapter.

- Town Center Discussion

When introducing the discussion for a potential Town Center, Mr. Ransford explained that language has not been drafted in the Master Plan for a Town Center to wait for Commissioner comments.

Mr. Longcore elaborated that the Town Center, which largely had positive feedback from the public, would be a manufactured downtown area similar to 8th Street in Holland, with apartments above, shops below, and exemptions for right of ways. The key problem, Mr. Longcore admitted, was that Holland had one individual capable of financially vitalizing the 8th Street area to make it attractive for businesses and visitors. The issue, then, is of practicality: is the Commission confident a developer would be willing to buy the 30 acres of land on the corner of 60<sup>th</sup> and Lake Michigan Drive and turn it into the Town Center?

Mr. Schut reiterated that to have a Town Center, the Township would need to manage infrastructure and acquire a developer willing to fund the project. Mr. Ransford suggested drafting language into the Master Plan anyway to include a Town Center if the opportunity arose, but Westerling asserted that the Township does not have the infrastructure for such a project regardless.

Ultimately, the Planning Commission agreed to pull out Town Center language entirely. Mr. Longcore noted that this would not necessarily prevent the implementation of a Town Center should a developer proposed to create one, which addressed Mr. Adams' concern about removing language. Mr. Ransford explained that in such an instance, the Commission can turn it into a PUD.

## 11. Public Comments

*Chairperson Longcore opened and closed the public comments period due to no public comments.*

## 12. Township Board Reports: None

## 13. Commissioner and Staff Comments

Mr. Ransford, on behalf of Eastbrook Homes, presented to the Commission an image of a preliminary layout for a development proposed for behind the Metro Health near 60th

Avenue. Eastbrook Homes is requesting a meeting with the Commission to discuss the possibility of using the area for a development. The Commission recalled the public being unsatisfied with the rezoning of those lots to R3, but agreed to let Eastbrook meet with the Commission conceptually regarding the project.

14. Chairperson Longcore adjourned at 9:39 p.m.

**Next meeting March 16, 2020 at 7:00 p.m.**