



*Meeting called by:* Chairperson, Ellen Moore @ 7:30 PM

*Members present:* Babcock, Gunnell, Moore, Myers, Sawade, Sevey, Tilburt

*Others present:* Attorney –Van Allsburg; Zoning Administrator –Gross

*Pledge of Allegiance:*

*Approval of Minutes:* Motion to accept April minutes as written by Sevey, second by Gunnell, all Ayes, Carried.

*Approval of Agenda:* With no objections Agenda stands as written.

Public Comment -Matters not the Subject of Public Hearing: *Moore:* Due to large attendance, comment re: Ashton Meadows would be acceptable even though there is no public hearing.

*Agenda Item 1:* Ashton Meadows OSP Review – Proposal by Nederveld engineer Dick Pulaski, representing Sable Developing, Inc.

- Requesting approval of site plan for Ashton Meadows OSP at 1951 & 2191 19 Mile, Cedar Springs, MI, ~~existing~~ **consisting** of 114 lots on 152 acres. Pulaski gave history of a previous submission to the Planning Commission for this development in 2004/2005 and noted that they've met the state criteria as well as the township's own ordinance. Pulaski mentioned legal proceedings currently in place and Sable's plan to continue in the courts to move project forward. Maps were presented to explain changes since 2005 including topography, road layout changes for public roads instead of private – not wider at 30'; indicated density of 1.3/acre is in line with other area development, i.e. Deer Run, Trent Ridge. Pulaski introduced possible alternative plans such as a "parallel plan," (121 lots w/117 acceptable by the KCHD,) and an Open Space Preservation Planned Urban Development with 142 lots, however are asking for current 114 lots tonight. After review with KCRC, it was determined that 19 mile can handle the extra traffic. They have approval and will continue to meet any of their standards. They've also been reviewed by the KCHD who agreed soils are acceptable. Pulaski/Sable have met with township engineer, Kevin Gritters, and believe they are in agreement. Other amenities mentioned were: generous buffers and sidewalks.

*Moore:* Called for public question/comment. \*A.J. Anielski – asked for further explanation re: density – much more than 2 acre lots in Serenity Valley; and what are minimum lot sizes here? (*Moore*) They have to show it's 1 acre lots and meet standards.... \*\*Thomas Kaastra – Re: ordinance 19-2-Z passed last March – how does this affect them? Was told minimum was 2 acres? Is this correct? (*VanAllsburg*) Reminder: Ordinance isn't in effect yet due to upcoming referendum vote in August, however a "legal existing lot" wouldn't be affected. \*\*\*Paul Bleimiller: When was property purchased? Why wasn't this done in 2004? Isn't this the first subdivision of this size in area? Traffic?? (*Moore*) Plan was approved in 2004 but after 1 year of no action is null & void; ordinances have changed since; KCRC have approved 19 mile for extra traffic. \*\*\*\*Al Mosher comment: extra traffic on 19 mile as well as Algoma, Pine Island, Division, etc., will double; Sable is trying to get as many houses as possible. ?? re: entrances – reviewed maps. \*\*\*\*\*Dawn Brinks: concerns about more traffic, wants to walk comfortably; moved here for rural environment. \*\*\*\*\*Patrick Sweeney: Re: current litigation – litigation is not a goal, it is a means to a goal; this property is going to be developed on way or another; this is where development is happening and not where the rural area is; they've selected it intentionally. \*\*\*\*\*Vicky Babcock comment – resents being told citizens have no say in township; traffic will get worse; Planning Commission does what's best for community; is against proposal; concerned for environment; resolution was stopped and up for vote...tell PC what you want. \*\*\*\*\*Shannon Thomas asked to view planned entrances. \*\*Kaastra – re: roads – KCRC approval is one thing, those who travel on 19 mile another, is hilly and dangerous now; resents comment, "going to happen one way or another." \*\*\*\*\*Sweeney: suggested clarification that municipalities in this state cannot prohibit development. \*\*\*\*\*Nancy Kaastra: ?When would this begin? What is value of proposed homes? (*Pulaski*) Begin a.s.a.p., value in \$225,000.00 – \$230,000.00 range; would do maybe 15 – 20 homes/yr. \*\*\*\*\*Julie Vandenakker (sp?) – re: PFAS – Have they been tested because that land has had human waste fertilizer – tankers are there. (*Pulaski*) The KCHD did a multitude of test – is approved. \*\*\*\*Mosher comment - ??value isn't about \$180,000.00; this is all about money.

\*\*\*\*\*John Bitely: Homes are \$230,000.00 - \$235,000.00. \*\*\*Bleimiller comment – due to most people being commuters suspects traffic jams on Algoma morning and evening; will require a light; doesn't think road can support this. \*\*\*\*\*Vandenakker - ?Years ago fencing was discussed fencing to keep inhabitants from trespassing. (Moore) No fence planned at this time.

Moore: Called for additional comment; \*\*Kasstra – thanked Planning Commission for hard work. Public Comment session closed.

Discussion: (Moore) Underlying factor – how many houses could they put in/lots could be developed – they have to meet certain things. Which lots ~~id HD~~ did the Health Dept. eliminate? (Myers) Concern: Road Commission – building through wetlands; are you mucking out? There will be a settlement issue later. Did HD get updated plan? Tested for PFAS specifically. (Babcock) Are “approvals” written or concept only? Has this been tested for PFAS?

Response: (Pulaski) Lots out = 83, 65, 41, 16, must be 117 total not 116; KCRC approval letter, 3/29/2019. Had KCHD there last May, is suitable for septic; they will do environmental assessment then do “test” wells; will go thru a gammet of testing and require stringent lab testing.

Discussion: Questions on setbacks – plan shows rear of 35' instead of required 50'. (Tilburt) questions on detention/retention ponds – designated regulated wetlands; Utilities allowances – should eliminate another lot; Lot 121 doesn't meet minimum footage; Lot 84 doesn't meet width requirement. (Van Allsburg) New road would be considered front (sec. 3.28) width of lot would be less than required amount; remembers difficulty with acceleration/deceleration lanes in 2004.

Conclusion: Underlying plan isn't meeting: setbacks on all lots; no taking out for retention/detention ponds; not showing buildable spaces; septic and drain fields are not shown; not showing designation of what KCHD has or has not done, some lots not meeting minimum width.

Decision: Moore: Called for a motion to approve or not. Motion by Sevey to deny the application for site plan approval

based on draft resolution with deficiencies in existing <sup>zoning</sup> plan and in site plan as listed in discussion, including unsurety that all lots make 100' lot width requirement, rear yard setbacks show 35', not the required 50' near right-of-way; 50' of open space which cannot be developed but is required isn't shown; septics are not marked; and these deficiencies prevent us from knowing the accurate number of permitted lots. Second by Myers: Comment by Tilburt: Note that we're not saying we're against the development, we're saying the information before us is not accurate.

Roll Call Vote:	Gunnell = yes	Tilburt = yes	Sevey = yes	Sawade = yes
	Babcock = yes	Myers = yes	Moore = yes	

All Ayes – motion carried.

Unfinished Business: N/A

Open Discussion for Issues not on the Agenda:

1. Correspondence received: Therapy Shoppe/Narnia Shoppe application for addition distributed.
2. Planning Commission Members: N/A

Report of Township Board Representative Gunnell: Believes Township Board is in approval of tonight's decision.

Report of Board of Appeals Representative Tilburt: N/A

Report of Planning Consultant: N/A

Report of Zoning Administrator Gross: Clarification on Therapy Shoppe – a distribution business that wants to expand at current location for more warehouse space. Concerns are: building will no longer be a “residence,” - now will need a retention plan; plan extends into rear setbacks; will be a PC decision. Re: Storage Time – letter stating out of compliance items and forthcoming citations if not address very soon. Re: Premier Towing – have cleaned up a lot but still may need citing; may force back to PC. Re: CS Pallet – pallets have been moved - difficulty due to owner unavailable from serious car accident and now addressing foreman; will need to return to PC.

Moore called for anything further to discuss: N/A

Moore: Called for motion to adjourn: Motion by Sawade, second – Gunnell; All ayes – motion carried.

Next Scheduled Meeting: Wednesday, July 24, 2019

- \*A.J. Anielski – 1590 Serenity Valley, Cedar Springs, MI 49319
- \*\*Thomas Kaastra – 1850 19 Mile Rd., Cedar Springs, MI 49319
- \*\*\*Paul Bleimiller - 17891 Simmons Ave., Sand Lake, MI 49343
- \*\*\*\*Al Mosher – 1810 19 Mile., Cedar Springs, MI 49319
- \*\*\*\*\*Dawn Brinks - 1810 19 Mile., Cedar Springs, MI 49319
- \*\*\*\*\*Patrick Sweeney – Atty – Rhoades, McKee, PC – 55 Campau Ave., NW, #300, Grand Rapids, MI
- \*\*\*\*\*Vicky Babcock – 2711 18 Mile Rd., Cedar Springs, MI 49319
- \*\*\*\*\*Shannon Thomas – 2213 19 Mile Rd., Cedar Springs, MI 49319
- \*\*\*\*\*Nancy Kaastra - 1850 19 Mile Rd., Cedar Springs, MI 49319
- \*\*\*\*\*Julie Vandenakker – N/A
- \*\*\*\*\*John Bitely – Sable Developing – 11575 Edgerton Ave., NE., Rockford, MI 49341

*Approved with clarifications  
to be indicated in July minutes.*

*Phil Sess*      *vice chair*      Secretary

*7/24/2019*      Date

