

## MINUTES

Cascade Charter Township Planning Commission

Monday, April 17, 2006

7:00 p.m.

**ARTICLE 1.** Chairman Goldberg called the meeting to order at 7:00 p.m.  
Members Present: Goldberg, Koessel, Lewis, Logue, McDonald, Richards, Robinson.  
Members Absent: MacAllister (excused), Postma (excused).  
Others Present: Planning Director Peterson, Planner Deem, Admin. Assistant Hern and Members of the Public.

**ARTICLE 2.** Chairman Goldberg led the Pledge of Allegiance to the Flag.

**ARTICLE 3.** Chairman Goldberg requested motion for approval of the April 17<sup>th</sup> agenda.

**Member Robinson motioned for approval of the agenda, supported by Member McDonald. All in favor with none opposed, the motion carried.**

**ARTICLE 4.** Chairman Goldberg requested motion for approval of the April 3, 2006 Planning Commission Meeting Minutes.

**Member Lewis motioned for approval of the minutes as presented, supported by Member Richards. April 3, 2006 Minutes approved as submitted. All in favor with none opposed, the motion carried.**

**ARTICLE 5.** **Case #06-2800: Jan Hollander**  
*(PUBLIC HEARING)*

The Applicant is requesting a Type I Special Use Permit to construct a 48' x 48' accessory building.

Planner Deem said the Applicant is requesting a Type 1 Special Use Permit to build a forty-eight foot (48') by forty-eight foot (48'), approximately 2,304-square foot accessory building at 8320 Grand River Drive. An accessory building is allowed to be 832-square feet by Township's standards without a special use permit.

The property is zoned ARC and the building is located on a parcel that is 2.16 acres. A parcel this size is allowed one (1) accessory building.

The proposed location of the accessory building is forty-feet (40) from the rear yard and twenty-six feet (26) from the side yard. The

proposed height of the building is fourteen (14) feet to the midpoint.

Planner Deem noted there is an existing accessory building currently located on the property that will be removed on completion of the proposed building. In the past, the Planning Commission has required a bond to cover the expenses for removing the accessory building. Staff recommends this be applied to this case as well.

As per the Township's Ordinance, the building will not be involved, directly or indirectly with any business, trade, occupation or profession and any lighting on the building will be downcast.

Planner Deem provided the Findings of Fact and said the building's intended use is for storage. The building will be placed in the side yard and will have till exterior siding, also known as T-III.

The existing home is 1,822-square feet with a 528-square foot attached garage. The neighboring lots have single-family homes with a few accessory buildings in the area. The Planning Commission previously approved a 1,200 square foot accessory building on the neighboring parcel.

Planner Deem also said the accessory building will not affect the light and air circulation of the adjoining properties. It is being placed far enough from the property line to be away from the surrounding homes. The proposed location will be approximately 275-feet from the neighbor to the west and 250-feet from the neighbor to the east.

Planner Deem also noted that the building will not affect the views of the adjoining buildings and there will be no new curb cut to access this building.

Staff recommends that the Planning Commission approve the Special Use request for the construction of the accessory building with the following condition that a bond be provided for the removal of the existing accessory building.

Chairman Goldberg opened the meeting for questions from the Commission of Staff.

Member Koessel asked which plans is the Commission approving, there seems to be the Applicant's first choice and second choice?

Planner Deem noted the second choice is the Applicant's actual request.

Member McDonald asked what the intended use is of the building, it is larger as the Applicant's home. Planner Deem noted the Applicant would store additional vehicles and other items within the building. Member Lewis questioned how an accessory building twice the size of a home would not affect the air and light on neighboring properties. It seems the Commission may have reached a point where they need to consider a point of stopping accessory building approvals of this size; it is twice the size of the Applicant's home. Planner Deem clarified that the accessory building is actually five hundred (500) square feet larger than the Applicant's home. Planning Director Peterson also noted that Cascade Township does not have a maximum size limit, and our standards are written so you can make a decision on a case-by-case basis providing more flexibility. Chairman Goldberg noted that he understands Staff's point and the Commission needs to consider the three (3) factors involved for consideration of approval: the house size, lot size and zoning of the parcel; in conjunction with the proposed building size to see if they work.

Member McDonald asked what till siding is and Planner Deem noted it is really T-III that looks like wood.

Applicant Jan Hollander, 8320 Grand River Drive, noted the new siding looks like wood and there is no attached garage to the house. He also noted the old accessory building will be removed from the parcel.

Member Robinson asked the Applicant his intended use of the building and Applicant Hollander responded that he has four (4) vehicles that will be stored in there along with other storage needs, his personal wood-working shop and a trailer. He also noted he would access the building off of the current driveway.

Chairman Goldberg asked the Applicant if he will install utilities in the accessory building and the Applicant said he would only install electric, no heat nor plumbing.

**Member Robinson motioned to open the Public Hearing, supported by Member McDonald. All in favor with none opposed. The Public Hearing was opened.**

Chairman Goldberg invited members of the public to address the Commission. Being no public members requested to speak to the Commission, Chairman Goldberg asked Staff if any letters or

phone calls were received regarding this case. Planner Deem stated they have not received any letters or phone calls.

**Member Koessel motioned to close the Public Hearing, supported by Member McDonald. All in favor with none opposed. The Public Hearing was closed.**

Chairman Goldberg asked Applicant Hollander if he has spoken with his neighbors regarding the accessory building. Applicant Hollander noted he has spoken with the neighbors and they have not expressed any negative comments or concerns and added that the new building will actually provide privacy from one (1) of his neighbors who recently moved their patio.

**Member Lewis motioned for approval of the Type I Special Use Permit to construct a 48' x 48' accessory building with the condition that the building would not be involved, directly or indirectly with any business, trade, occupation or profession. Member McDonald supported the motion with the condition. All in favor with none opposed. Motion carried.**

#### **ARTICLE 6.**

**Case #06-2791: Kraft Street Partners/Mark Harmsen  
(PUBLIC HEARING)**

Preliminary Plan Review for a PUD amendment/addition to the Kraft St. Partners P.U.D. (#8 of 2005).

The Applicant is requesting Preliminary Plan Review in order to add approximately .92 acres (40,000 square feet) to the Kraft St. Partners Planned Unit Development. This area was anticipated that it might be included in the Kraft St. P.U.D., however, in order to ensure that all the neighbors and especially the Chatwick Hills/Chatham Woods condo residents were notified we required that any new phase be processed as a formal amendment to the P.U.D.

The property being added is actually the home of a small insurance office. The insurance office would then be removed and be housed in the new retail center. The new retail center would be approximately 27,000 square-feet and is planned as a multi-tenant building. There is a dentist that has already been expressing interest as a tenant and the insurance office as another tenant. The retail center is allowed under the B-2 Zoning District Ordinance.

With the addition of this phase, it would also include the connection to Kraft Avenue with the service drive as well as the connection to Gordon Food Service. This would complete the

service drive from Kraft to Charlevoix Drive. Planning Director Peterson noted the drive shown on the plans is the preferred location of the drive and will line up with the Meijer drive across from Kraft Ave.

Planning Director Peterson said he has spoken with the architect for Mr. Betten and they should have the revised drawings for review this week, for re-establishing the service drive behind his property. Once the plans are approved, Mr. Betten will be re-installing the service drive as required in their P.U.D. approval.

Although the residential use is not immediately adjacent to the entire portion of this project, Staff has tried to pay special attention to this boundary to ensure adequate screening/buffer is installed. A landscaped berm will be installed along the north property line adjacent to the residential use.

Planning Director Peterson showed the Applicant's lighting plan and location of the dumpsters. The lighting plan meets Township standards and the dumpsters have been located to limit the conflict with the residual land use to the northeast.

Planning Director Peterson said the Township Engineer has reviewed the detention plans and his comments have been distributed to the Commission; there is nothing out of the ordinary regarding his comments. The detention pond would be located to the east of the proposed shopping center. He also said the Township Fire Department has reviewed and approved the plans and included normal comments and requests included within the current plan.

The proposed signage is consistent with the approved P.U.D. Ordinance.

The Kent Country Road Commission (KCRC) has said that they will approve the curb cut on Kraft where it is shown on the site plan and the Applicant will need to obtain a Drive-way Permit.

The building is shown with a setback of 95-feet from Kraft Avenue. The setback in the B-2 Zone is 100-feet. Planning Director Peterson said the Commission discussed this issue when the plan was introduced and the Commission does have the flexibility to reduce this setback if they believe it provides a better design. Staff believes that this reduction of five (5) feet is reasonable since it moves the site building, parking, lighting and dumpsters further away from the residential use and also provides

for more space for the stormwater system around the north side of the building. Other surrounding/existing buildings are closer to Kraft and this building is further back on the site than those.

Planning Director Peterson distributed elevations plans to the public members saying the Applicant has proposed a set of elevations for the new building. The Township does not have any special standards for building elevations in this area and believes this building would fit with the other buildings in the area.

Staff has discussed with the Applicant the idea of providing a sidewalk system coming in from Kraft Avenue. The plans include a seven (7) foot wide sidewalk along Kraft Avenue plus a five (5) foot wide sidewalk going into the project. This is consistent with what the Township has had done on other sites. Staff would like to see the sidewalk continue further east to provide a good connection to the Tanaz site. It appears, right now, that the sidewalk just ends at the Tanaz property line. Staff would suggest either continuing east or turning north and connect through the landscape island. Staff and the Applicant prefer continuing the sidewalk north in Phase II as it provides an easy connection and Staff will discuss the timing with the Applicant.

Planning Director Peterson said Staff believes this project meets the requirements for rezoning to P.U.D. since the property is already zoned and Master Planned commercial and the use is consistent with those designations. The Plan also includes the appropriate buffers to the residential properties to the north and provides for the access drive connections to Kraft to be continued.

Staff recommends approval of the plan with the following conditions:

- 1) Approval of the final stormwater plans by the Township Engineer.
- 2) Revise the sidewalk to connect it with the Tanaz site in a more pedestrian friendly way. This could include extending it east to line up with the walk at Tanaz or extending it north through Phase II to get to the sidewalk in the landscape island.
- 3) Apply for and receive a Soil Erosion Control Permit prior to the site work; this has already been done.
- 4) Compliance with the Fire Department report.

Planning Director Peterson further noted that if the Commission approves the plan, the development would come back to the Commission with the language to amend the current P.U.D. Ordinance for a recommendation to the Township Board.

Chairman Goldberg opened the meeting for the Commission's questions for Staff.

Member McDonald asked if the lighting meets Township standards and if the Planning Commission should be more sensitive to the Chadwick residents? Planning Director Peterson said that has already been the case by limiting the light pole height to 20 feet, instead of 35 feet, and they are not using any poles around the back of the site.

Member Lewis asked for clarification of his remembering if the original approved P.U.D. included the signage along 28<sup>th</sup> Street for this project and if a condition could be added noting the signage allowed for the project. Applicant Harmson acknowledged that phase 3 would not have any signage on 28<sup>th</sup> St. Planning Director Peterson said the language would be included within the P.U.D. text.

Chairman Goldberg noted that the Engineer's letter dated April 14<sup>th</sup> regarding the storm sewer, erosion control and the eight (8) points listed within the letter and asked if the Applicant is familiar with the content of the Engineer's letter and no concerns with his comments. Planning Director Peterson said he has already followed through on a couple of the items listed and Staff will ensure the Engineer's comments are addressed.

Applicant Mark Harmsen, Kraft Street Partners, clarified that the signage for Phase I of the project has been approved and will consist of three (3) businesses that have a 28<sup>th</sup> Street address. This phase of the project for is for an address of 2700 Kraft Avenue and the signage will be located on Kraft.

Applicant Harmsen also noted that he has discussed the sidewalk extension with Staff and said that Tanza owns part of the sidewalk easement and the developer does not have control over that portion of the sidewalk. They prefer to run the sidewalk North in Phase II since they do own this property.

Member Koessel asked if the Applicant is comfortable with the letter received from the Township's Engineer and the Applicant said he just saw the letter today and faxed the information to the project's engineer for his review concerning any issues. He has not heard from his engineer regarding any issues. Chairman Goldberg noted that any motion of approval for the P.U.D. would

include adherence to the Engineer's comments; Applicant Harmsen agreed to adhere to the Engineer's comments.

Member McDonald noted the lighting on the back of the building and its height and if this would affect the condo residents. Applicant Harmsen said they have added additional distance from the building to the asphalt regarding the light posts to help keep the lighting on the site and not the residential homes. Chairman Goldberg also pointed out to Member McDonald the differences between the light posts and the ones he is currently questioning, those in question are mounted to the building with downcast lighting.

**Member Robinson motioned to open the Public Hearing, supported by Member Richards. All in favor with none opposed. The Public Hearing was opened.**

Kathleen Stall, 2642 Knightsbridge and member of the Chatwick Condo Association, said the members of the association are in general agreement of the plan and the developer has been good to work with. The association does have a couple of concerns regarding the project. One of their concerns is with the retention pond since residents have had ground water issues in the past. If they understand the proposal of the new retention pond correctly, this will help alleviate future ground water run-off into their homes. The association's other concern is the increase in traffic on Kraft Avenue along with the pedestrian traffic that may try to cross Kraft from this site to Meijer. The association believes this project will increase pedestrian traffic and cars travel quickly down Kraft Avenue and it will be a matter of time before someone is hurt trying to cross Kraft Avenue. The association acknowledges that this is a Road Commission issue but wondered if the Township Staff can communicate this concern to the county for their consideration. Planning Director Peterson acknowledged that when the sidewalks along 28<sup>th</sup> St are completed a crosswalk on 28<sup>th</sup> St will be provided.

**Member Robinson, with support from Member Lewis, motioned to close the Public Hearing. All in favor with none opposed. The Public Hearing was closed.**

**Member Robinson motioned for approval of the Preliminary Plan Review for a P.U.D. amendment/addition to the Kraft St. Partners P.U.D. (#8 of 2005) based on the four (4) items listed by Staff and added:**

**5) No signage for phase III on 28<sup>th</sup> Street.**



**6) The Applicant must comply with comments from the Township Engineer.**

**Member Koessel asked to add one (1) condition regarding the sidewalk and Member Robinson added:**

**7) The sidewalk extension will proceed North in Phase II.**

**Member Lewis supported the motion with the seven (7) conditions. All in favor with none opposed. Motion carried.**

**ARTICLE 7.**

**Case #06-2790: John Halland**

*(PUBLIC HEARING)*

The Applicant is requesting rezoning to P.U.D., Planned Unit Development, in order to develop a twenty-eight (28) unit single-family home project.

Planner Deem said the Applicant is requesting Basic Plan Review for a proposed Planned Unit Development rezoning of 59.13 acres to allow the development a total of 28-units for single-family homes. This parcel is directly south of the Anderson Woods P.U.D. and would connect directly to the adjacent subdivision. He also reviewed the location on the map and the previous Phase I of the project.

The property is currently zoned ARC and R-1 and is identified in the Master Plan as suitable for the Township's Rural Residential category. The recommended unit per acre is .5 units per acre and the proposed plan shows .47 units per acre.

Planner Deem also said the Subdivision Ordinance requirements for a parcel in the ARC and the R-1 Zoning classification are included within the Commission's packets. There are no projects in the Capital Improvement Plan that are associated with a project at this location. Test Plan calculations have been provided by the Developer showing how this property can be developed while meeting the Township Subdivision Ordinance and Land Division Ordinance requirements for density. These calculations are also included within the Staff report.

The Proposed Plan provides 33.8% of developable acreage as open space; this percentage does not include wetlands or road right-of-way. The design of the Proposed Plan fits within the neighborhood characteristics. The location of open space connects with the existing open space in Anderson Woods. The majority of the open space is located in the center of the project and lines up with the open space in the rear of the existing Anderson Woods P.U.D. The

open space provided at the front of the property also lines up with the existing open space in the existing Anderson Woods P.U.D.

Planner Deem further stated that the Applicant would like to use some of the open space for a soccer field and details have been provided for the fields. The soccer field is proposed to be located on the south side of Kirkwood Trail between lots thirty-one (31) and twenty-two (22). Playground space and tennis/basketball courts have been identified in the open space between lots eighteen (18) and nineteen (19). The Applicant has not provided information regarding when the soccer field and tennis court will be installed. Should the Planning Commission grant approval for this project, the installation date should be included within the P.U.D.

The Applicant has also mentioned the possibility of placing a gate at the entrance of the project. The Applicant has identified pillars for a future gate on the site plan. This would have to be approved by the Fire Department.

Water and Sewer will not serve the project and the Kent County Health Department will need to approve the septic and wells.

The Applicant will also have to enter into a Storm Water Maintenance Agreement similar to that of Phase I, Anderson Woods.

Planner Deem stated there are wetlands on the property. An application to the DEQ has been submitted and final review is expected to occur in late May.

Private roads will access the site and there is one (1) entrance off of Buttrick Avenue named Kirkwood Trail and this project connects to South Gracemore Court at the end of the existing cul-de-sac. KCRC has reviewed and approved the drive location on Buttrick Avenue. A connection to Anderson Woods is included on the site plan. The Planning Commission previously discussed a possible connection to the north property along the west end of the proposed project during basic plan review. The proposed plan does not indicate any easement in this area for connection to the north property. If the Planning Commission should approve this plan, the easement should be indicated on the site plan and noted in the P.U.D. Ordinance.

Staff suggests that streetlights should not be required for this subdivision. This would fit within the characteristics of the

neighborhood and neighbors have requested that no streetlights be added to this project.

The Fire Department has reviewed the plans and their comments are included within the report. The Fire Department has granted preliminary approval on the condition that the Applicant provides the road grades for Kirkwood Trail.

The names of the streets have been approved by the Fire Department and the KCRC.

The Township Engineer has reviewed the plans and his comments are included. The letter provided identifies a number of items they would like to see indicated on the site plan. The Township Engineer feels that the plan provided will meet Township requirements when these items are addressed and the Applicant has spoken with the engineer and feels these requests are doable.

Planner Deem also said the neighbors have been working with the developer and noted the letter received from the neighbors addressing their concerns. The letter was distributed to the Planning Commission prior to the meeting.

Planner Deem noted the P.U.D. Use Regulations by saying the granting of the P.U.D. rezoning will allow this site to develop while preserving the existing wetlands and providing 33.8% of the developable land as open space. A test plan shows the possibility to create a subdivision with the same number of lots without excluding wetlands and only providing approximately twenty-five (25) percent open space.

The proposed project is consistent with the Subdivision Ordinance and will not result in a material increase in the need for public services; city water or sewer will not serve the project.

The area has been identified as Low Density Residential by the Master Plan. This recommends a density of 0.5 units per acre and the proposed project shows a density of 0.47 units per acre.

Planner Deem also said the project will not create an unreasonable negative economic impact on the surrounding properties. This project is a proposed 28-unit single-family home subdivision and similar to existing homes in the area.

This project will provide more usable land as open space than the provided test plan. This project will also be preserving the existing

wetlands by not making them part of the proposed single-family home lots and the proposed open space connects to existing open space in the Phase I of Anderson Woods.

Planner Deem said the next Finding of Fact is the proposed development shall be under single ownership or control such that there is a single person or entity having responsibility for completing the project in conformity with the Township's Ordinance. This provision shall not prohibit a transfer of ownership or control, upon due notice to the Township's Planning Director and this development is currently under one (1) ownership.

Staff recommends that the Planning Commission recommend approval to the Township Board for the P.U.D. rezoning to allow a 28-unit single-family home subdivision at 5375 Buttrick Ave. as shown on the site plan dated March 24, 2006 with the following amendments:

- 1) The Township Engineer's comments will have to be addressed on the site plan.
- 2) Easement to the property to the North will have to be identified.
- 3) The road grade for Kirkwood Trail will have to be indicated on the site plan.

The Planning Commission should also direct Staff to write a new P.U.D. Ordinance for this project to be reviewed by the Planning Commission before a public hearing date at the Township Board is set.

Chairman Goldberg opened the meeting for Commission's questions of Staff.

Member McDonald referred to the Staff's Analysis and item "F" regarding the 33.8% of developable acreage being open space, does this percentage include the wetlands? Planner Deem clarified that the wetlands are not counted as part of the open space. The percentage of open space is determined by the total amount of developable land. Member McDonald noted that the Applicant is still waiting to hear from the DEQ and Planner Deem said that is correct. Member McDonald clarified for the public attendees that the swimming pool, soccer field and other amenities are included within the open space.

Member McDonald also referred to page four (4) of Staff's report and the "development is under one (1) ownership" and noted the

letter received has a different corporation listed, this is under one (1) ownership, correct? Planner Deem confirmed the sole owner is John Halland of Halland Homes.

Chairman Goldberg invited the Applicant to approach the Commission.

Applicant, John Halland, clarified for the Commissioners that the wetlands on the property have been flagged and the DEQ is expected to confirm the wetlands within the next couple of weeks.

He has also spoken with homeowner, Mark Gilbert, regarding a ten (10) foot easement for the future houses and Mr. Gilbert does not have any problems with the easement.

Applicant Halland also noted a ten foot buffer along a part of the road to help shield headlights from traffic into the homes and will be adding six (6) blue spruce trees on the corner to help buffer the home. He also noted on the site plan he could also provide a fifteen (15) foot "no tree cut" zone on Lot 32, keeping the existing trees.

Applicant Halland asked when the Planning Commission would need to know the phases of the project and Planner Deem indicated they would need to know soon to incorporate the information into the P.U.D. amendment. Applicant Halland also asked if he was under a project building time constraint once the amendment is approved. Planner Deem clarified that the building permits would trigger the time to complete phases of the project. Applicant Halland noted there are two (2) houses on the property and an old barn that will be removed but that removal would not trigger the time he has and Planner Deem noted the building permits would.

Member Robinson noted the Applicant may make this a gated community in the future and asked if consideration has been given to the traffic flow turning into the community. He would hate to see cars waiting to turn into the property or backing up as residents key into the community. Applicant Halland said they have been asked to keep the gate eighty (80) feet back from the road.

Member McDonald questioned the jump from Lot 39 to make the road to Lot 40 and if destroying any of the wetlands there. Applicant Halland said he needs to obtain two (2) permits, one being the road permit and the other from DEQ for a Wetland Crossing Permit. The crossing permit will allow for a 6' x 9' foot

road to cross the wetlands and the asphalt for the main road will miss the other wetlands.

He also noted that he will not be installing streetlights and would like each house to have their own exterior lighting.

**Member Lewis, supported by Member Robinson, moved to open the Public Hearing. All in favor with none opposed, the Public Hearing was opened.**

Karen Parent, 7400 Trillium Woods, noted she is a member of the Historical Society and it is sad to hear that the old red barn will be removed and would have been nice to have saved the building. She noted her question regarding the open space has been answered but questioned where the road water runoff will be going? Applicant Halland said there would be catch basins installed in the road and will discharge into the river after treatment. He explained there would be filters that will pre-treat the runoff prior to it going into the river.

Jeff Belmonte, 5399 Buttrick Ave SE, said he discovered last week the new plans submitted on this project. Some of the neighborhood has met last Friday and the project seems to be moving rather quickly from their standpoint. He said their concerns lie with the existing wetlands and water flow. He also said the neighbors are concerned over the view of the roads and subdivision, they bought their houses and property to be removed from subdivisions and this will bring more people into the area. The area is also served by a couple of wells for water and there is concern by existing neighbors that this many homes may deplete their water source.

Carl Taplin, 5405 Buttrick Ave. SE, noted the location of his four (4) acre lot in relation to the wells on the site plan. He lived in Lake Orion prior to this residence and experienced a well drying up and becoming contaminated. The residents are looking for assurance they will have water and not the possible expense of having to connect to public water and sewer because this project could run the wells dry.

Mr. Belmonte also noted their concern over the current condos in the Township and not being sold and now the Township is considering more condos. He further supported the fact that this project seems to be moving rather quickly in its development and is concerned with the hill erosion his house sits on. He also said he is looking for consistencies in land use; the soccer field is not

consistent with the current land use as he hunts there. He is also looking for a guarantee they will continue to have well water.

Tom Stevens, 5401 Buttrick Ave. SE, noted his concern over the R-1 Zoning designation and the wetlands and questions the way the lots will be developed.

He also noted that the south properties may have trouble perking and asked if each lot would be perked and tested for water availability. Planner Deem noted each lot would be perked.

Mr. Stevens expressed his concern with the rural residential classification and the density of this population if the condos are built. He is not opposed to having neighbors but questions if this subdivision is appropriate for the area.

Peter Renucci, 7106 Gladys SE, noted his home's location on the site plan and stated his well is one hundred seventy-five (175) feet deep. He also asked why this project is being referred to as Phase II when Phase I hasn't been started. Planner Deem noted that the Anderson Woods project is Phase I and Chairman Goldberg further explained that connectivity between Anderson Woods and this project also define the projects as Phase I and Phase II.

Mr. Renucci also pointed out the location of the wells near the property and the current homes serviced by these wells and questioned if the developer plans to install a community well to preserve the current water supply? Planner Deem noted the Applicant has submitted his application to the County Health Department and is waiting to hear their recommendations concerning water.

Greg Miller, 5415 Buttrick Ave SE, said he has already had a contractor out to his home two (2) times in the past three (3) years regarding his well and water supply is a concern of his as well. He asked that the project be slowed down and those involved do their due diligence in the development of this project. He also noted the traffic flow and the main thoroughfare being Buttrick and that is only a two-lane road. He also noted there is a ten (10) foot high tressell over Buttrick Avenue and questioned if the road would support additional development.

Eric Bauer, 5407 Buttrick Ave SE noted that Mr. Belmonte's home would be greatly affected by the new development. Mr. Bauer noted he just purchased his property and is concerned with the

development one-acre lots to what is currently near the property, homes on four (4) to six (6) acre lots.

Chairman Goldberg asked Staff if any letters or phone calls were received regarding the project. Planner Deem said the Township received a phone call from Mr. Alkema regarding his concern to street lighting for the development and amenities. Planner Deem said he has also spoken with Mark Gilbert regarding the project. Mr. Gilbert is not enthused about or against the development and there was some good soil for water found.

Planner Deem noted that the application to Kent County was submitted on March 27<sup>th</sup> and the Township should be hearing from them soon. Public notices were sent out to neighbors and placed in the newspapers within the required time.

**Member McDonald motioned to close the Public Hearing and Member Robinson supported the motion. All in favor with none opposed, the motion was carried and the Public Hearing closed.**

Applicant Halland showed the test well on the site plan and said it has been tested and the water supply is there. He noted the residents would probably have to use a water softener, as the water is hard but the well tested favorably. He also said the Health Department will also pull the well logs on the surrounding homes and assess the water supply and pressure.

Member Koessel asked what the Applicant plans to do with the area that has standing murky water on it and the Applicant said the area will remain and they will dredge some of it out to clean it up.

Member Robinson expressed his concerns over the water situation and asked what the developer's fallback plan is; would the wells have to be dug deeper? Applicant Halland said that is up to the Health Department, currently the water is running at forty (40) gallons per minute and that is acceptable. Planning Director Peterson noted the report from the Health Department will be forthcoming soon and will be reviewed.

Chairman Goldberg asked if the area labeled as "area four pond" and "area three pond" if those would be built and Applicant Halland said they will not be built.

Member McDonald appreciated the citizen's comments and noted that Mr. Stevens presented an interesting point regarding density of





the site. He noted that if the Planning Commission is approving the project and connecting roads, a rural subdivision would be created and questioned if this is in conflict with Rural Residential Zoning. Planner Deem noted on the Township map where the Rural Residential Zoning is located and the property's location when the Master Plan was done.

Member Koessel said the property can support the lots but is twenty-eight the right number of lots for this development and suggested waiting to hear the report from the Health Department prior to approval.

Member McDonald agreed with Member Koessel in waiting to hear from the Health Department for their comments. He also asked if Staff could add some of the conditions discussed this evening that are not listed within the Staff reports (i.e. 15-foot No Tree Cut, etc.) as mentioned this evening.

Applicant Halland said the Health Department is waiting for an approved site plan before they can proceed any further. Chairman Goldberg suggested the Applicant submit to the Health Department the plan that has been submitted to the Planning Commission, it should be acceptable to them.

Planner Deem read the Desired Uses and Density of the Rural Residential land use from the Master Plan noting that conservation clusters that result in the preservation of significant open lands and overall densities of .5 units per acre are projects encouraged in this area.

Chairman Goldberg summarized there are three (3) areas of concern regarding this project:

- 1) Population density
- 2) Water supply
- 3) Wetlands in relation to the road.

**Member Koessel motioned to table the request for rezoning to P.U.D. in order to develop a 28-unit single-family home project until comments are received from the Health Department, supported by Member McDonald adding that Staff is to look at other conditions regarding the project as discussed tonight. All in favor with none opposed. Motion carried. Case #06-2790: John Halland tabled until information received from Health Department.**

**ARTICLE 8.**

**Case #05-2768: West Michigan Hindu Temple**

The Applicants are seeking an amendment to their site plan to construct a Hindu Temple.

Planner Deem began by saying the Applicants received a Type II Special Use Permit from the township Board in December, 2005 to allow a Hindu Temple at 4870 Whitneyville Ave. The Applicants are looking to amend their site plan do to building codes and religious requirements.

The building floor plans have changed from a two-story building to a one-story building. The proposed location of the building meets the setback requirements.

The Applicants have increased the number of parking spaces and have provided the appropriate amount of landscaping within the parking area. These changes do not affect the Type II Special Use Permit requirements.

Planner Deem also said the Applicants are proposing a 152-seat Hindu Temple located on acres of land in the R-1 Zoning District. This is a use allowed by a Type II Special Use Permit.

The conditions of this project are not changing and the Site Plan requirements are:

1. Parking: 1 parking space per four (4) seats in the Temple is required. The Temple is proposing 152 seats, this would require thirty-eight (38) parking spaces and the Applicants have provided fifty-six (56) parking spaces.
2. Landscaping: The added landscaping within the parking area and the existing trees being saved meet the requirements for landscaping.
3. Building Info: The building will be 9,704 square feet.
4. Setbacks: The front yard setback is 100-feet and the plan meets this requirement. The side yard setback is 50-feet and the proposed building will be approximately 85-feet from the side yard. The rear setback is also 50-feet and the building meets this requirement.
5. Minimum Lot Size: The minimum lot size for a 200-seat Temple would be two (2) acres. The minimum lot size for a Temple with more than 200 seats would be 300-feet. This lot has 521-feet of frontage and would allow for a future expansion to the Temple.

Staff recommends the Planning Commission approve the site plan amendment.

Chairman Goldberg asked if the materials for the building would remain the same and Applicant Jiten Shah confirmed they would.

Applicant Shah noted that due to cost and religious beliefs, the basement will not work out as planned and the building will be on one (1) level.

Member Robinson asked how much the footprint of the building has changed and Applicant Shah said it has doubled now that it is on one (1) floor. Planner Deem showed the Commission the new plans for a one-story temple versus the previous request for two-stories.

**Member McDonald motioned for approval to amend the site plan to construct a Hindu Temple at 4870 Whitneyville Avenue, supported by Member Lewis. All in favor with none opposed. Motion carried.**

**ARTICLE 9. Any Other Business**

Chairman Goldberg opened the meeting for other business and Member McDonald asked if the Southeast corner of Kraft and 36<sup>th</sup> Street is its own P.U.D. Planning Director Peterson said it is.

**ARTICLE 10. Adjournment**

**Member Robinson supported by Member McDonald moved to adjourn. The motion carried and the meeting was adjourned at 9:54 p.m.**

Respectfully submitted,

Claude Robinson, Secretary

Lisa Hern, Recording Secretary