

**Dorr Township Planning Commission  
March 15, 2005 Minutes**

1. Chairman Robert Wagner called the meeting to order at 7:30 P.M.
2. The Pledge of Allegiance was recited.
3. Roll Call--Members Present: Larry Dolegowski, Norm Fifelski, Gordon Lieffers, Doug Montgomery, Karen Slater, and Robert Wagner. Members Absent: None. Members Tardy: Deb Prenatt.
4. The Minutes of the February 15, 2005 meeting were presented. A motion was made by Gordon Lieffers and supported by Norm Fifelski to approve the minutes as presented. All Aye. Motion carried.

5. Changes or Additions to the Agenda  
None

6. At 7:30 P.M. the Public Hearing to consider the request of Doug and Marcia Halloran to rezone from the Agricultural zoning district to the B-1 Residential zoning district was held. Ron VanSingel of Nederveld's & Associates presented. 48 attended. Discussion: The property to the east and the property to the west have already been rezoned to residential. The proposed zoning change would result in blending this property in with the surrounding land.

The Public Comment Section was closed at 7:36 P.M.

A motion was made by Doug Montgomery and supported by Larry Dolegowski that the request by Doug and Marcia Halloran for approval to rezone the property described as The East ½ of the East ½ of the East ½ of the Southwest ¼ Section 14, T4N, R12W, Except the South 500 feet thereof. Tax Parcel #0305-014-007-00 from the Agricultural zoning district to the B-1 Residential zoning district be approved for recommendation to the Allegan County Planning Commission and the Dorr Township Board for approval as it has been demonstrated that the project conforms to the Township Master Plan and is consistent with the decisions made on the adjoining properties.

Roll Call vote: Dolegowski-Yes, Fifelski-Yes, Lieffers-Yes, Montgomery-Yes, Slater-Yes, and Wagner-Yes. Members Absent: None. Prenatt-not present. Motion carried.

7. At 7:40 P.M. the Public Hearing to consider the request of Henry & Sharon Bultsma to rezone from the Agricultural zoning district to the I-Industrial zoning district was held. Henry Bultsma presented. 50 attended. Discussion: The barns on the property are currently used for storage for an electrical business. Mr. Bultsma wants to expand the size of the current building and add an office at this site. An office is not allowed in the Agricultural Zone district. Mr. Bultsma explained that 15 acres of the property was "stripped" and is not viable farmland. Kent County

has purchased the property next to his with plans to possibly expand the landfill on both sides of the property under discussion.

The discussion centered on the timing of the request. At this time there are no public utilities serving the property and the street is gravel with no immediate plans for paving it and the current Master Plan has the land slated for Agricultural Zone, and the date for the Kent County landfill expansion is unknown and not guaranteed. The consensus of the Board was that they understood Mr. Bultsma's reasoning for his use of the property, however other businesses allowed in the Industrial zone could make a negative impact on the community once the land is rezoned to Industrial.

Township Attorney McKown explained that it would have to be determined whether the current "non-conforming use" (agricultural barns used for non-agricultural use) is lawful or not-meaning the use was in place prior to the land being zoned Agricultural. If the non-conforming use is considered lawful, the Petitioner can apply for a Special Use Permit to expand up to 50%. The question then remains whether adding an office and parking constitutes an "expansion" under the rules for non-conforming use.

Mr. Bultsma can apply for an Industrial PUD or ask to have only a portion of the land rezoned to Industrial.

Tim Johnson reviewed the Main Street Planning report dated 3/15/05.

The Public Comment Section was closed at 7:55 P.M.

A motion was made by Norm Fifelski and supported by Doug Montgomery that the request of Henry & Sharon Bultsma to rezone the property (described as That part of the West ½ of the Northeast ¼ of Section 1, T4N, R12W lying West of US-131 and also the North ¾ of the North ½ of the Northwest ¼ of said Section 1, Except Penn Central Railroad right of way; also Except that part of the North 568 feet of the South 1667 feet of the East 1089 feet of the Northwest ¼ of said Section lying West of Penn Central right of way, also Except Highway US-131; also commencing at the Northwest corner of Section 1, thence East along the North Line of said section 926.92 feet, thence South 00 degrees 2' 25" west 946.25 feet parallel with the West section line, thence North 89 degrees 10' West 925.92 feet to the West line of said section, thence North along the West line of said section 939.86 feet to the place of beginning; Also Except commencing at the Northwest corner of said Section thence East on the North Section line 926.45 feet to the place of beginning thence South 941.61 feet, thence East 200 feet, thence North 944.60 feet to the North line of said section, thence West along the North line of said section 200 feet to the place of beginning) from the Agricultural zoning district to the I-Industrial zoning district be denied for recommendation to the Allegan County Planning Commission and the Dorr Township Board for approval as it has been demonstrated that the project does not conform with the Master Plan and is premature for the township.

Roll Call vote: Dolegowski-Yes, Fifelski-Yes, Lieffers-Yes, Montgomery-Yes, Slater-Yes, and Wagner-No. Members Absent: None. Prenatt-Abstained due to arriving late and not participating in the entire hearing. Motion carried.

8. At 8:15 P.M. the Public Hearing to consider the request of the Ghost Riders Motorcycle Club and Richard J. Walter for issuance of a special use permit which would allow the applicant non-profit corporation to hold gatherings at the property located at 2248 144<sup>th</sup> Avenue was held. 57 attended.

Discussion: Township Attorney Steve McKown and the Township Planner Tim Johnson explained that before the Board can vote on whether or not to approve or deny a special use permit the Board must determine whether the request meets Section 14.08 (i) (j) of the Dorr Township Ordinance meaning is the Ghost Riders' club the same as park, playground, nature preserve, or similar recreational facility which are allowed in the Agricultural Zone or are the Ghost Riders a "club" which is not allowed in the Agricultural Zone and thus a Special Use permit cannot be granted. Clubs are not allowed in the Agricultural Zone however they are allowed in Commercial Zone district. Other organizations such as the Moose have built their facilities in the Commercial Zone.

Frederick Jensen said the Ghost Rider's are more like the 4-H and that they already have a structure that they have been using for 5 years to hold meetings and social gatherings.

Mr. Jensen stated the Ghost Riders place no impact on the environment.

Richard Walters stated the club has been in existence for more than 30-years, hold their meetings on private property, and have a constitutional right to assembly.

Kevin Haan stated there have been no significant problems with the Ghost Riders.

O. Burch stated other Ghost Riders groups hold their meetings in Agricultural Zone districts in other Townships.

A motion was made by Gordon Lieffers and supported by Norm Fifelski that the request by the Ghost Riders Motorcycle Club and Richard J. Walter for a special use permit be denied because the Ghost Riders Club facilities does not meet the provisions of Section 14.08 (i) (j) of the Dorr Township Zoning Ordinance as the Ghost Riders' Club facilities are not a park, playground, nature preserve or similar recreational facility.

Roll Call vote: Dolegowski-No, Fifelski-Yes, Lieffers-Yes, Montgomery-No, Prenatt-Yes, Slater-Yes, and Wagner-No. Members Absent: None. Motion carried.

The Ghost Riders may apply for a zoning change for the property from the Agricultural district to the Commercial District which does allow clubs.

The Ghost Riders may appeal this decision in Circuit Court.

The Ghost Riders can request the Ordinance be amended to allow clubs in the Agricultural Zone.

9. Old Business:

- a. Allegan County Planning Commission request re: David & Minnie Roberts Trust

Ron VanSingel of Nederveld's Associates reviewed the project as presented at the January 25, 2005 meeting in response to the request by the Allegan County Planning Commission that the project be "reconsidered." The Minutes from the Allegan County Planning Commission meeting stated that Mr. VanDorp, Dorr Township Trustee, said the Dorr Township Board members felt this project should be denied because the township had passed a resolution that limited residential development on unpaved roads.

Township Supervisor Don Kaczanowski reported that Mr. VanDorp, Township Trustee, did not represent the Dorr Township Board when he attended the Allegan County Planning Commission meeting. Mr. Kaczanowski provided a copy of the Resolution which stated that land in the without adequate frontage on paved roads would not be rezoned to A, B-1 or B-2 Residential Zoning Districts. The Project under discussion is in the RA zone district.

A motion was made by Doug Montgomery and supported by Larry Dolegowski to reaffirm the motion made on 1/25/05 for this project.

Roll Call vote: Dolegowski-Yes, Fifelski-Yes, Lieffers-Yes, Montgomery-Yes, Prenatt-Yes, Slater-Yes, and Wagner-Yes. Members Absent: None. Motion carried.

10. New Business:

- a. Brad Myers-informal presentation on developing Tammy and Tim VanHaitsma's property located north of Dorr on 18<sup>th</sup> Street.

Three versions of a proposed plat on the VanHaitsma's property were reviewed. All 3 versions exceeded the lot limit for plats with one egress. A discussion ensued as to the rationale the RA zone district for this property.

11. Public Comments

Amanda Jansen and Adrian Potter voiced concerns regarding the Ghost Riders' Club. Dawn Thurkettle voiced her support of the Ghost Riders' Club.

Bruce Weber asked for a letter stating that he would be allowed to operate a sand mine on property owned by his wife's family because he had been told by the Township office that there was no mining ordinance in Dorr Township.

Harry Smit stated he had been "pushing for" a mining ordinance for 5 years to avoid problems faced by neighboring townships.

12. Commissioner Comments

The current Ordinance states that mining is allowed only in the Industrial district, however all the mines in Dorr Township that are in operation are on land that is currently zoned Agricultural. The Ordinance needs to be reviewed and amended to reflect current practice. The rationale given for adding a mining ordinance was to ensure reclamation of the land and to protect area roads from damage due to heavy equipment and truck traffic. Tim Johnson stated that a mining ordinance could read that existing operations prior to adoption of the ordinance could be allowed to function as they do now, or the new

ordinance could require that all existing and future mining operations must adhere to the ordinance.

13. A Motion was made by Larry Dolegowski and Supported by Deb Prenatt to adjourn. All Aye. The meeting was adjourned at 9:46 P.M.

The next scheduled regular Planning Commission meeting is April 19, 2005.

Respectfully Submitted,

*Karen Ann Slater*

Karen Ann Slater  
Secretary