

Dorr Township Planning Commission
August 21, 2007 Minutes

1. Chairman Robert Wagner called the meeting to order at 7:00 P.M.
2. The Pledge of Allegiance was recited.
3. Roll Call--Members Present: Larry Dolegowski, Norm Fifelski, Gordon Lieffers, Doug Montgomery, Joycelin Denstone, Karen Slater, Robert Wagner, Tim Johnson Township Planner and Steve McKown Township Attorney. Members Absent: None.
4. The Minutes of the July 17, 2007 meeting were presented. A motion was made by Gordon Lieffers and supported by Joycelin Denstone to approve the minutes as presented. All Aye. Motion carried.
5. Changes or Additions to the Agenda
None.
6. Public Comments
None.
7. At 7:00 P.M. the Public Hearing to consider the request of Bultsma to rezone parcel number 0305-001-010-00 from the Agricultural Zoning District to the Industrial Zoning District resumed.

Hank Bultsma and Steve Laurent presented. 19 attended.

Discussion:

The properties to the north and east of the property in question are zoned Industrial and the property to the south is Master Planned for Industrial Zone.

The requested change met the Master Plan for Industrial Zone.

The current business intends to expand on the site to include office space and loading docks.

Letters from 3 neighbors which indicated they had no objection to the zoning change request were presented.

Per the Grand Rapids Business Journal 7/30/07 the South Kent Landfill calculated it would be "23-25 years" before current facilities are full.

The applicant's intended use would place no additional burdens on public utilities as it would continue to have a private well and septic system.

The Site Plan approval process would ensure Police and Fire Department approvals for the changes were obtained.

The Public Comment Section was closed at 7:11 P.M.

Norm Fifelski questioned Kent County's plans to close 108th Ave.
Hank Bultsma stated the applicant was "not against paving" 108th Ave.

A motion was made by Gordon Lieffers and supported by Norm Fifelski that the request by Hank Bultsma to rezone parcel number 0305-001-010-00 from the Agricultural Zoning District to the Industrial 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 with the Township Master Plan intended Industrial use.

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

8. Site Condo-Continuation of Godley Investments:

Mr. Gary Godley-application for a private road and site condominium development on the south side of 143rd Avenue, approximately one-quarter east of 18th Street in Section 15.

Tom Larabel of Pathfinder Engineers and Gary Godley presented.
Discussion:

A letter from the Fire Chief dated 11/20/06 stated a street with an 18 foot roadway with 3' gravel shoulders and a cul-de-sac with a 40' radius was acceptable as long as there was no impediment from overhead trees or wires.

Pat Knowlton questioned whether the proposed homes would be owner occupied or rental units. The Applicant stated his intent was to sell the lots to other builders or to build private homes for owner occupancy. Tim Johnson stated there was no regulation that allowed the Township control over whether property owners lease their houses to others.

David Crowe questioned whether the Applicant intended to build garages and if he was aware of the current building code which required footings.

The Applicant presented plat restrictions which stated the houses with a 20' x 20' garage would be 30' x 60' (1,800 sq. ft.).

The Applicant stated he intended to abide by the current building codes and that the dwellings were single family residential homes.

Lorraine Boyce questioned yards and landscaping. The Applicant stated he would install yards and landscaping but could not be responsible for future owners' upkeep of the yards.

The school bus pick-up site was reviewed.

Larry Dolegowski asked if the Applicant would install a 4' chain link fence along the east property line to prevent trespass on neighboring property. The Applicant declined.

Matt Bultsma questioned the type of material that would be used for sidewalk construction. 5' wide concrete walks are required along 143rd Ave.

A motion was made by Gordon Lieffers and supported by Joycelin Denstone that the request by Gary Godley for approval of the site plan for a private road and site condominium development on the south side of 143rd Avenue, approximately one-quarter east of 18th Street in Section 15 be approved for recommendation of approval by the Dorr Township Board as it has been demonstrated that the project conforms with Chapter XIV-B of the Dorr Township Ordinance.

Approval is subject to the following conditions:

Addition to the plan of sidewalks along 143rd Avenue;

The private road right-of-way would be located one-foot from the west lot line;

And change the name of the street from "Drive" to "Street" or "Road."

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

A short recess was taken.

9. Site Plan-Dick's Market

Chris Venklassen and Dave Hendershot of Roosien & Associates presented.

Discussion:

A site plan dated July 31, 2007 for a grocery store which would contain a relocated Dick's Market along with several smaller attached retail stores was reviewed. The proposed site is zoned E-Commercial except for the rear (north) 65 feet which is zoned F-Agricultural. The request to rezone this rear portion to the Commercial category at a future Planning Commission is on the September Planning Commission meeting agenda.

The project will be served by public water and sanitary sewer.

1. The layout of the location of the building and parking lot areas were reviewed. The Applicant explained that customer parking at the rear of the store was not in the best interest of safety as the loading docks were located at the rear of the store and large truck traffic posed a hazard to customers. The Applicant noted that funneling

customers into the store through a main entrance also provided for increased security and for marketing measures generally used by retail establishments.

2. The project plans for wetlands, swales and other natural drainage ways to be preserved in their natural state insofar as practical. The current natural features at the rear of the project property provide a buffer to the neighboring properties.
3. The Applicant met with the DEQ and expressed confidence that permits will be granted as the rear “wet land” area was man-made for control of surface water when the Hillcrest Mall property was developed and the front “wet land” area was a result of a depression that developed after Hillcrest Mall renovated this site.
4. A letter from the Township Fire Chief dated 8/21/07 stated he reviewed the plan and indicated concerns regarding planned hydrant locations. The Applicant agreed to modify the plan to meet the Fire Chief’s recommendations.
5. The sidewalk along 142nd Avenue and pedestrian walkways were discussed. The Applicant agreed to sidewalk along 142nd Avenue but declined to add walkways along the outer edges of the parking lot.
6. Section 4.41 of the Zoning Ordinance requires 17 trees and 17 shrubs be planted along the street frontage. The plan shows 15 trees and 17 shrubs. The Applicant will modify the plan to meet the Ordinance. The parking lot as designed is located at a 3-4% incline lower than 142nd Avenue which (along with the access road along the front of the property) will prevent exposure of the fronts of parked cars facing 142nd Avenue and provide a better screen of the parking area and a more pleasing view from the roadway.
7. The addition of landscape islands and canopy trees was discussed. The Applicant declined to modify the plan stating suggested modifications would block passers-by’s view of the store with negative consequences to retail establishments.
8. The Applicant agreed to stripe and sign pedestrian crossing areas on pavement along the front of the building to improve customers’ safety.
9. The natural greenbelt along the northeast corner (rear 65 feet) as this abuts land zoned B1 was considered adequate for a buffer zone. The Applicant agreed to modify the site plan to show this as a B1 Zone.
10. The lanes for the driveways should have directional pavement striping. Also, stop signs should be placed at the driveways for vehicles traveling along the front access drive to stop for vehicles entering from 142nd Avenue.
11. Access roads were discussed. The Applicant agreed to add additional connections along both the east and west lot lines when neighboring properties are developed.

12. The off premise sign at the east entrance is not permitted by the sign regulations and will be removed from the plan.
13. The eastern driveway is off the site. The Applicant will obtain permission from the land owner for this driveway and the site plan should note that it will also serve the adjacent site when it develops.
14. The plan shows a future addition next to the grocery store addition and a possible future drive through to serve the smaller retail store on the west side of the grocery store. Approval of the grocery store does not extend to the future addition and drive through use. A new site plan will need to be submitted when the future addition and drive through are ready to be constructed.

A motion was made by Joycelin Denstone and supported by Doug Montgomery that the request by A. J. Venkassen for approval of the site plan dated 7/31/07 for a grocery store which would contain a relocated Dick's Market along with several smaller attached retail stores located at illustrated on the plan be approved as it has been demonstrated that the project conforms with Chapter XIV-A of the Dorr Township Ordinance.

Approval is subject to the following conditions:

1. The north 65 feet be rezoned to Commercial by the Township Board.
2. Wetland fill permits are obtained from the DEQ.
3. The plan is amended to indicate the location of fire hydrants to meet the approval of the Fire Department.
4. The plan amended to include sidewalks along 142nd Avenue.
5. The plan amended to include crosswalks striped across the frontage road from the sidewalk to the parking lot.
6. The landscaping plan amended to meet the Ordinance.
7. The plan amended to include additional striping to mark pedestrian crossing areas.
8. The plan amended to include directional striping and stop signs at driveways.
9. The plan amended to remove the off premise sign and the east entrance.
10. The applicant obtains proper permission from the land owner for the eastern drive which is located off-site.
11. Public easements granted to Dorr Township for any sidewalks located outside of the road right-of-way.

Approval of this site plan does not extend to any future additions.

Roll Call vote: Dolegowski-Yes, Lieffers-Yes, Montgomery-Yes, Denstone -Yes, Slater-Yes, Wagner-Yes. Fifelski-abstained due to the potential of perceived conflict of interest. Members Absent: None. Motion carried.

10. Old Business:

- a. Doug Montgomery-proposal for Dorr Township to actively lobby AT&T to include Dorr at the onset of U-Verse:
No report presented.
- b. Tim Johnson-draft of revisions to the Private Road Ordinance:
Tabled to the next regular meeting.
- c. Tim Johnson-legality of a neighboring county's right to take property in Allegan County under public domain:
State Law does not allow local municipalities to regulate the location of landfills. Landfills are not subject of local zoning but are regulated under the Solid Waste Management Act.
- d. The Township Attorney-a moratorium on approval of construction of new private roads in the Township until the Private Road Ordinance is amended to increase the width of the paved surface and of the radius of the cul-de-sacs.

Steve McKown stated that although courts do allow moratoriums in some situations, the Township Board rather than the Planning Commission must submit the application. Moratoriums were granted for a specific reason regarding matters such as public safety or an unintended gap in an Ordinance. Moratoriums are granted for specific rather than extended periods of time to accomplish the tasks intended.

Steve McKown suggested the Planning Commission obtain opinions from experts to justify changes in the Ordinance which require higher standards than those of the Road Commission.

The Planning Commission may propose an amendment to the Ordinance and a Public Hearing is required.

11. New Business:

- a. Election of officers

A motion was made by Karen Slater and supported by Gordon Lieffers to nominate Robert Wagner as Chairperson. No other nominations.

A motion was made by Robert Wagner and supported by Larry Dolegowski to nominate Doug Montgomery as Vice Chairperson. No other nominations.

A motion was made by Joycelin Denstone and supported by Norm Fifelski to nominate Karen Slater as Secretary. No other nominations.

Chairperson Wagner called for a vote to elect the nominees.
All Aye. Motion carried.

12. Commissioner Comments

Robert Wagner will contact the owners of the Greenhouse regarding their failure to appear before the Planning Commission prior to the current season of business.

Norm Fifelski questioned the financial impact on the Township due to loss of revenue from property taxes on homes and/or businesses due to landfill expansion. Larry Dolegowski explained how "Tippage-fees" off-set the loss in tax revenue.

Norm Fifelski reported on the DDA's work with the Road Commissioner regarding plans for parking and revision of streets and sidewalks in the downtown area.

Educational opportunities are available-contact the Township Office if interested in attending.

Gaines Township sent a Notice of Intent to Prepare the Master Plan.

13. A Motion was made by Joycelin Denstone and Supported by Gordon Lieffers to adjourn. All Aye. The meeting was adjourned at 9:05 P.M.

The next scheduled regular Planning Commission meeting is September 18, 2007.

Respectfully Submitted,

Karen Ann Slater

Karen Ann Slater
Secretary