

Port Sheldon Township Planning Commission
October 25, 2017

Petroelje called the meeting to order at 6:04 p.m.

Due to the absence of the chair and vice-chair, Petroelje reminded commissioners that a chair for the meeting must be nominated. **Motion by Timmer to elect Van Ginhoven chair for this meeting, supported by Monhollon and carried.**

PRESENT: Monhollon, Petroelje, Stump, Timmer, Van Ginhoven

ABSENT: DeLeeuw, Van Malsen

STAFF PRESENT: Davis, Moore

Motion by Petroelje to approve the minutes of the September 27, 2017 meeting, supported by Timmer and carried.

PUBLIC HEARINGS:

1. Application from DC Land LLC for a Planned Unit Development on parcels 70-11-01-100-005 and 70-11-01-100-017 to develop a residential subdivision, "Ventura Shores." Van Ginhoven opened the public hearing. Petroelje read the public hearing procedure. The applicants' engineer, Kelly Kuipers of Nederveld gave an overview of the project and summarized the applicants' previous request for sand mining that did not fit with the township master plan and was denied. This PUD request includes a smaller pond than the previous request, placed closer to U.S. 31 as a buffer, greenspace was added, density of homes increased, with a public road that connects Stanton Street to Fillmore Street, extending the water/sewer from Stanton to Fillmore. As far as the sand removal Kuipers anticipates that one fourth of the sand extracted will remain on site for fill for the roads etc. Remaining sand will be sold. Van Ginhoven questioned if a smaller pond was possible. Kuipers responded that the pond as proposed was needed to provide a buffer from Commercial area along U.S. 31. Kuipers expressed concern about Moore's memo, which indicated that because the property was rezoned to R-1 sand cannot be removed from the site, even as a PUD.

Curt Shull asked about the size of homes that will be built and if the rolling hills of the current site will be preserved. The applicant's builder, Bauman Building replied that the home sizes will be 1400 to 2200 sq. feet.

Doug Dykstra said that the project appears to be primarily a sand mine and is concerned with blowing sand and if the roads can support the traffic from additional homes in the area.

Alan Bard had questions about where the proposed connection the street to the Tradewinds is proposed, and if the road in Tradewinds would be repaired.

Tim De Witte asked about the time line for the sand mining and how long has his property, currently zoned AG, been designated for Commercial in the Master Plan. Moore responded that it has been Master Planned for Commercial use for at least 15 years, maybe longer.

Kuipers responded that they want to do the pond in 2 stages to minimize disruption. Fillmore Street will be the haul route, they want to get homes up and minimize the sand disruption, with the timeline for each phase to be 2-3 years. Traffic will increase but the township was planning development in this area, most cars will likely go toward US 31. Kuipers indicated that the street connecting this project to Tradewinds would be repaired sufficient to make the street connection, but other roads in Tradewinds would not be repaired as a

part of this project. The Ottawa County Road Commission would perform roadwork outside of the proposed development.

Moore summarized his memo explaining the difference in the existing developments: the Corners, Tradewinds and Arborwood have ponds, all the sand was kept on site. The plan for Ventura Shores would remove most of the sand from the site. Moore said that PUD allows the township board to authorize different uses, but felt that because Section 19.04 does not allow for sand mining, then sand mining would not be permitted if it leaves the site. The Ordinance does allow mining as part of a development if the material stays on the property. Moore then reviewed the General Standards for PUD review and approval. Moore reviewed regulations and conditions for PUDs as outlined in Section 19.03.

- a) The use shall be compatible with adjacent land use, the natural environment, and the capacities of affected public services and facilities, and that such use is consistent with the public health, safety and welfare of the residents of Port Sheldon Township and the benefits of the development shall not be achievable under any single zoning classification.

Commissioners agreed that this item was met.

- b) The use shall be consistent with the Port Sheldon Township Master Plan and the Future Land Use Map.

Moore noted that this area was in the “medium density residential” future land use designation which also called for multi-family, but also that it was surrounded by commercial and low-density residential designations. The plan states that where two or more future land use designations adjoin, either may be appropriate. Commissioners felt that this standard was satisfied as the density was satisfactory and connections to adjacent streets were adequate

- c) The use and development shall be warranted by the design and additional amenities made possible with and incorporated by the development proposal.

Moore questioned to the usability of the open space around the pond and if the pond could be considered as open space. Commissioners noted that in past applications the ponds have been similar. Commissioners asked the applicant to look at additional open space options.

- d) The development shall consolidate and maximize usable open space.

A with item c above, Commissioners asked the applicant to look at additional open space options.

- e) Landscaping shall be provided to insure that proposed uses will be adequately buffered from one another and from surrounding public and private property and to create a pleasant pedestrian scale outdoor environment.

Commissioners noted that landscaping for individual residences lots was not regulated. Commissioners noted that this has not yet been addressed.

- f) Vehicular and pedestrian circulation, allowing safe, convenient, non-congested and well-defined circulation within and access to the development shall be provided.

Sidewalks were not shown on the plan. Commissioners noted that other developments in the area do not have sidewalks, though a non-motorized trail easement along Stanton could be required.

Davis stated that his opinion on removing sand from the site is a little different. Davis said the ordinance is unclear on whether or not a special use under section 4.23A could be issued within this zone district to permit the removal of sand as proposed.

Van Ginhoven closed the public hearing.

Petroelje asked Kuipers about including more houses and a smaller pond in the project. Kuipers responded that they are trying to meet the PUD density and a target market. Kuipers also said that the commercial sand mining is needed to help pay for the required utilities, and to shrink the pond and include more houses

wouldn't be financially viable. Petroelje asked how wide the pond is; Kuiper said it is about 400 feet by 900 feet. Petroelje is concerned about green space, how much area around pond; possibly more trees could be planted on the west side of the pond to buffer noise and visibility from commercial properties and US 31. Applicants said they are willing to look at it.

Van Ginhoven asked how much sand will be removed and how long will it take to remove it. Kuipers responded about 400,000 yards will be removed; they will have a stock pile area; they think they will have a demand for the sand, no dewatering planned. They don't know how long it will take. Van Ginhoven said he estimates about 4 years. Kuipers said it is class 2 sand. The excavator for the project stated there is a need for sand. Van Ginhoven said he would like to see more green space vs sand removal. Kuipers stated that the timeline is 2- 3 years per phase depending on the market. Van Ginhoven remarked that it is as much a sand mine as it is a residential development. Kuiper said that each phase would be timed so the home construction and mining would coincide.

Davis and Petroelje want to review the wording of Section 19.04 with township legal counsel to be sure if sand removal can be allowed if they decide to approve. The commission likes the plan but we need to deal with the language of the ordinance and make sure it's clear.

Petroelje summarized the issues to address: if mining can be allowed, preserve larger strip along Stanton, more space, better definition of open spaces, performance bond, and protection of adjacent landowners. Petroelje wanted to see more access to open space.

Van Ginhoven asked if performance bonds would be needed. Moore suggested that it be handled later in the process when they are looking at the site plan and special land use applications for the plat and mining operation, if permitted. Van Ginhoven asked about traffic counts. Moore provided some traffic count numbers for as close as available to the project area. Moore said that counts were not very high so traffic is likely to be reasonable. The O.C. Road Commission may require one as well if they feel it is necessary.

Motion by Petroelje to table this request until the December 6, 2017 meeting, supported by Timmer and carried.

ZONING ADMINISTRATOR UPDATES:

Davis updated the commission on Sandy Point Beach House; they were supposed to return to the commission in October about site plan changes. There are issues with ingress, egress, and accessibility.

Van Ginhoven adjourned the meeting at 7:24 p.m.

Lori Stump, Secretary