

Port Sheldon Township Planning Commission  
December 6, 2017

Van Malsen called the meeting to order at 6:00 p.m.

PRESENT: Van Malsen, DeLeeuw, Monhollon, Petroelje, Stump (arrived at 6:22pm due to ZBA meeting), Timmer, Van Ginhoven

ABSENT: None

STAFF PRESENT: Davis, Moore

**Motion by Van Ginhoven to approve the minutes of the October 25, 2017 meeting, supported by Timmer and carried.**

**PUBLIC COMMENTS:** None

**OLD BUSINESS:**

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." Moore summarized the application and the events of the previous meeting. There was a question regarding whether or not a mining operation with material hauled off site could be permitted in a PUD. Davis extensively researched the topic after the last meeting and provided a written determination that mining is permissible in the proposed PUD. Moore noted that with that question answered, the Commission could recommend approval of the PUD if they wanted and if they felt it satisfied the standards of the Zoning Ordinance.

Jack Barr of Nederveld presented a site plan that had been revised based on commissioner comments from the previous meeting. He said that 56 trees were added to the site plan along the south and west property line and a non-motorized trail easement was added along Stanton Street as requested, and submitted a proposed timeline for the project. Van Ginhoven asked how the project phasing would work. Barr answered that phase 1 would be the south half and that they would finish it completely with a temporary cul-de-sac and would want about 50% of the lots sold before moving on to phase 2. Moore stated that phase 1 of the project should be able to stand on its own so they would need to finish the pond and grade it as shown on the plan before moving on to the second phase. Barr said they want to start phase 1 in 2018. DeLeeuw asked about dust control. Barr responded that they have an operation in Allendale Township that is monitored closely by the County through the Soil Erosion and Sedimentation Control permit that limits stockpile heights to 20 feet. Barr further said that during the summer if there was a dry spell they would "irrigate" the sand pile to prevent blowing and drifting of sand. Van Malsen allowed for limited public comment since some neighbors were in attendance with questions.

Kenny Stewart of 9335 Windward asked about noise and if the road connection to Tradewinds was necessary. Moore said that road commission will require the street connection into Tradewinds and Van Malsen directed Barr to answer the other questions at the end of the public comments.

Doug Dykstra of 6345 Windward was concerned about blowing sand and how the applicant will control it. He asked how much of phase 1 has to be finished before they move on to phase 2.

Barr responded by stating that they would want about 50% of the lots sold before moving on to phase 2. He also stated that the road would be higher than the lake to help with sand. He admitted there will be noise but the excavation area is 500 feet from the neighborhood so he felt it would be minimal. Van Malsen added that the Planning Commission can establish hours of operation to help keep noise down in morning and evening hours when most people are home. The applicant's excavator, Kevin Sal stated the can construct a berm to help keep blowing sand and noise down.

Moore provided the commissioners with a findings of fact that recommends approval. He reviewed it with the commissioners. Commissioners discussed hours. Moore had proposed 7am-6pm in the written findings of fact. Van Ginhoven suggested M-F 8-5 and Saturday mornings. Brad Vanderzwaag of DC Land LLC (applicant) stated that 8 am was too late, and most construction workers start much earlier. Vanderzwaag also stated that he felt that they should be able to haul sand out while building the road at the same time in order to speed up the process and minimize disturbance to neighbors in phase 1.

Doug Dysktra stated that he thought 8 am was reasonable for a starting time, and said his biggest concern is blowing sand.

Monhollon thought the Planning Commission should be consistent with previous applications when setting hours of operation.

The applicant's excavator Sal asked if they could start on the phase 2 pond before they started the residential component for phase 2. Moore responded that they would need special land use approval for phase 2, so it was possible. Van Malsen added that the Planning Commission could evaluate the request and decide at that time, but they didn't have to permit it. Petroelje added that they want to make sure the homes get built as proposed and would want them to coincide.

DeLeeuw stated that he felt he should abstain from voting since the builders were recently new customers of his. Other Commissioners concurred. Van Malsen felt the application satisfied the Master Plan but wants to protect the quality of life for the neighbors. Van Ginhoven thought the applicants have done a good job of responding to the Township's needs but also empathizes with neighbors. Petroelje concurred, but felt overall it is a good project.

Vanderzwaag stated they want to be good neighbors too and they want to get houses built as soon as possible to protect the residents in the Tradewinds.

Moore asked the Commissioners if they want to allow the applicant to haul sand out while building the road at the same time in order to speed up the process and minimize disturbance to neighbors in phase 1. Commissioners agreed. Commissioners agreed to wait to decide hours of operation until the next meeting. Moore also asked the applicant if the homes were going to be a plat or a site condo. Barr responded that they have not decided yet but will do so soon.

Moore summarized changes to the findings of fact, which were (1) allowing sand to be hauled out while improvements are constructed in phase 1 (condition 6a), (2) state that hours of operation would be set at the next meeting (condition 6b) and that if the County imposes a higher standard regarding stockpile height, that the higher standard would control (condition 6f). Commissioners agreed to those changes.

**Motion by Monhollon to approve the preliminary Planned Unit Development request by DC Sand, LLC for ‘Ventura Shores,’ a proposed residential development located on parcels 70-11-01-100-005 and 70-11-01-100-017, and to recommend approval of the proposed preliminary Planned Unit Development to the Township Board, based on the findings of fact provided (see attached) to the board with changes discussed, supported by Van Ginhoven and carried 6-0 (DeLeeuw abstained).**

**Motion by Petroelje to set a public hearing for phase 1 of the mining operation and the tentative preliminary plat for phase 1 (if necessary) for the January 24, 2018 meeting, supported by Timmer and carried.**

**ZONING ADMINISTRATOR UPDATES:**

Davis stated he is continuing to work with Sandy Point Beach House on getting some updated information.

Van Malsen adjourned the meeting at 7:04 p.m.

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Lori Stump, Secretary