

PROPOSED MINUTES
LAKETOWN TOWNSHIP
PLANNING COMMISSION
4338 BEELINE ROAD
ALLEGAN COUNTY
HOLLAND, MI 49423
(616) 335-3050

REGULAR MEETING
January 2, 2019

ARTICLE I. CALL TO ORDER

Chair James Lorence called the Planning Commission meeting to order at 7:00 p.m.

MEMBERS PRESENT: James Lorence, Randy Becksvoort, Marcia Perry,
Dick Becker, Linda Howell

MEMBERS ABSENT: None

STAFF PRESENT: Al Meshkin – Township Manager
Ron Bultje – Township Attorney
Diane Ybarra – Recording Secretary

ARTICLE II. APPROVAL OF MINUTES

The Commission reviewed the minutes of the regular November 7 and special master plan workshop November 26, 2018 meetings. **A motion was made by Howell and seconded by Becksvoort to approve the minutes as corrected. Lorence called for a vote on the motion. UNANIMOUS DECISION – MOTION APPROVED**

ARTICLE III. OLD BUSINESS

A. DARBY PLANNED UNIT DEVELOPMENT REQUEST

Mr. Dick Darby, owner or agent of property located in Section 35 of Laketown Township, that being tax parcels #0311-035-018-20, #0311-035-018-30, #0311-035-021-00 and #0311-035-029-00, requests approval to develop a commercial planned unit development on these parcels.

There is no update on this item.

ARTICLE IV. NEW BUSINESS

A. BECKSFORD REZONING REQUEST

Leon Becksford, owner or agent of property located at 62nd Street and 146th Avenue, Holland, MI, that being tax parcel 0311-012-030-12, request a rezoning of the land described below from AG Agricultural District to R-1 Rural Estate District. Said lands are described as being in the Township of Laketown, Allegan County, Michigan, described as follows: COMMNECING AT THE NORTHWEST CORNER OF SECTION 12 THEN EAST ALONG NORTH SECTION LINE 660'THEN SOUTH 02 DEGREES 00'00" EAST 1331.71" THEN NORTH 89 DEGREES 45'39" W 660.02' THEN NORTH 02 DEGREES 00'00" WEST 1330.95' ALONG WEST SECTION LINE TO THE POINT OF BEGINNING SECTION 12 T4N R16W.

Lori Becksford represented the family and explained the proposed sale of 20 acres into five 4-acre parcels.

Lorence opened for public hearing.

Todd Johnson of 6185 146th Street asked what the plans are and expressed concern regarding the water table. His property is very wet with standing water and this development will make it more of a problem adding that the five foot culvert will not be able to handle it. What will you do with the water?

Meshkin reported that no correspondence was received.

A motion was made by Howell and seconded by Becksvoort to close the public hearing. Lorence called for a vote on the motion. UNANIMOUS DECISION – MOTION APPROVED

Marcia Perry stated that she has no questions but does acknowledge the issue of drainage must be addressed. Meshkin said the drainage would be a bigger issue if it were an R-2 subdivision zoning. The number of splits would not likely create an issue. There is a drainage that runs under 146th Avenue and it will add to that drainage but the amount is unknown. Adding lawn area may improve the situation with the addition of the five homes.

Randy Becksvoort commented that he knows the corner floods there and he questioned if it is clay which is impervious, by adding driveways, will that change the condition?

Dick Becker asked where Johnson is located and he explained that he is on the northeast corner.

Howell asked Meshkin if there was a washout of a culvert in that area. Meshkin said the bridge was taken out by a car and the culvert on 146th Avenue was not replaced recently. Howell asked if the Allegan County Drain Commissioner will be involved and Meshkin said it is not a county drain so Allegan would not be involved. Meshkin said the road was recently repaved and it would be unlikely that pavement would have been done over a bad culvert.

Becksford said the perk tests were done and approved.

Howell reviewed the criteria for rezoning that must be considered. The property is currently master planned for R-2 so this request would be less density than the master plan.

Lorence commented on the water issue concern that was raised by Johnson. Howell said if the perk test was done and approved, from that perspective, the health department approved for the septic system.

Becksvoort commented on the function of the culvert and Meshkin said the culvert will drive the water downstream.

Bultje noted the standards, consistency with the master plan; compatibility with surrounding uses and capability of the infrastructure, which is in question. With a development, the drain commissioner will review and make sure the flow off the site is not increased but with a lot by lot development, that will not be the case; the lot by lot development may exacerbate the situation. Meshkin said it is not a county drain but a farmer's ditch. Bultje asked if the ditch could be cleaned to improve the function.

Howell asked if the current property is tiled and Becksford said that it is. Howell said if the tile is removed, it may reduce the flow of the water to the ditch and culvert. Becksvoort questioned how much the drainage will be affected based on the building. Becksford said the surrounding areas have been developed with similar terrain without any issues.

Following discussion, a motion was made by Becksvoort and seconded by Howell to recommend approval to the Township Board for the Becksford Rezoning Request for above said parcel from AG Agriculture to R-1 Rural Estate District. The recommendation to approve the rezoning is based upon the fact that the proposed rezoning is consistent with the master plan; it is compatible with the land uses in the area; and it is within the capability of the existing infrastructure serving the area. Lorence called for a roll call vote on the motion.

**Perry – Aye
Becksvoort – Aye
Howell – Aye
Becker – Aye
Lorence – Aye**

UNANIMOUS DECISION – MOTION APPROVED

B. ZONING TEXT AMENDMENT DISCUSSION

Lorence said the topics for discussion are additional dwelling with a primary dwelling and home business opportunities.

Meshkin said this is to discuss and determine if it should be raised to the public hearing level in

the future. Meshkin provided definitions and asked Bultje for comment. Bultje said that a number of municipalities are reviewing the additional options for accessory dwellings and home offices. This is a way to document what is acceptable use. The definitions as stated are a good starting point for discussion.

Perry read the definitions for the benefit of the audience regarding Accessory Dwelling Unit, Attached; Accessory Dwelling Unit, Detached; Principal Dwelling Unit. Meshkin asked Bultje to address the factor of owner occupying the principal dwelling. Bultje said the idea is not to have transient occupants of either principal or accessory dwelling. Meshkin said it is likely to be the case in some of the situations. Bultje said if there are transient occupants, it would be a short-term rental. Perry asked if it could be phrased that the principal dwelling occupant be legally accountable.

Howell questioned how to address the situation when the owner occupation dissolves, will it run with the land? Meshkin asked if a deed restriction can be held against the property. Bultje said it can be done with a deed restriction or recorded with the deed. Howell said the accessory detached is stated in the back but should the location be taken out of it. Bultje said it could be addressed in the same manner as all accessory buildings. Meshkin said the term, “normally” provides flexibility. Howell said the ownership issue should be better defined. If someone builds out in the existing, that it be in compliance with all building and safety codes. Bultje said with any special land uses, it must comply with all local, state and federal codes.

Becksvoort asked if there will be different standards for each of these per zoning areas and/or P.U.D. or will it be based on square foot conditions. Becksvoort mentioned the concern for the rural feel of the township that many residents have mentioned on so many occasions. Bultje said the setbacks would likely be greater than those for basic accessory buildings. Commissioners expressed concern that accessory dwellings exceed the principal dwelling in size. Meshkin said it would depend on the location, percentages and setbacks required.

Howell feels the documentation provided is a good start. Meshkin said that current rental requirements are also under review. Perry mentioned that “tiny homes” should be considered as well. Meshkin said the current requirement is a dwelling must be 1,000 sf and Bultje said it should be addressed in the zoning text changes. Meshkin suggested noting a maximum size of an accessory dwelling unit. Becksvoort asked if we should put restrictions of the dwelling be stick built to avoid having mobile homes. Perry proposed alternative building materials proponent to the ordinance. Meshkin said it may not be compatible and Howell added it would have to be compatible with surrounding properties.

Lorence reviewed the documentation regarding the Home Occupation language being proposed. He asked for clarification on the potential for a single employee being on-site. Meshkin said it is for Home Occupation versus Home Office language. Home Office will not have other employees on-site in any capacity. Lorence said the maximum of one non-resident employee working on the premises is a concern. Meshkin commented that some may have multiple employees staging the business assignments on site. Lorence said his concern would be the potential traffic of additional on-site employees. Meshkin said it could be variable and seasonal. Perry asked how the ordinance

would be enforced and Meshkin said it would be enforced by the neighbors. It would be enforceable and addressed under affirmative relief. Meshkin said it would also be clearly documented.

Lorence concluded this is a work in process.

C. ELECTION OF OFFICERS

A motion was made by Howell and seconded by Becker to maintain the current slate of officers. Lorence called for a vote on the motion. **UNANIMOUS DECISION – MOTION APPROVED**

ARTICLE V. CITIZEN COMMENTS – No comments.

Jim Lorence announced that he will be leaving residency in Laketown Township within the next 3-6 months and will have to eventually resign from his seat on the board.

Meshkin said recreational marijuana will be on the next Township Board agenda and it is anticipated that no sales will be permitted in the township. Meshkin added that the zoning ordinance should also be reviewed to address the matter.

ARTICLE VI. ADJOURNMENT

A motion was made by Becksvoort and seconded by Becker to adjourn the meeting at 8:16 p.m. Lorence called for a vote on the motion. UNANIMOUS DECISION – MOTION APPROVED