



Planning Commission November 14, 2023, Minutes

The meeting was called to order by Chairman Post at 7:01 p.m. followed by the pledge.

Roll Call – Gillett, Hoffman, Herron, and Post present. Makuski's absence was excused.

Hoffman motioned to approve the agenda as presented. Gillett supported the motion. All members voted yes; motion carried.

Gillett motioned to approve the minutes from September 11, 2023, as presented. Herron supported the motion. All members voted yes; motion carried.

1. Pam O'Dell – 10750 Bailey

- a. Tricia Anderson explained the memo from Williams & Works.
 - Concerned with land splits being approved before a road is designed or built. W&W interpretation of township's ordinances is that the road needs to be designed and approved before land splits.
 - Recommends that disagreements with interpretation of ordinances go to the Zoning Board of Appeals.
 - In order for W&W to do a thorough review of the design of the road, the following are needed: dimensions such as cleared width and cleared height, statements of compliance with actual standards as adopted by MDOT, geometry, speeds, compliance with maximum grades, erosion protections, the design where it meets up with Bailey Dr, with the Kent County Road Commission weighing in and issue a permit for that, drainage calculations to make sure that there was adequate run off from the road itself, and wetland protection with EGLE.
 - The Planning Commission has a set of standards outlined in 202.004 – including maximum grade, intersection design, private road easement, and the maintenance agreement, which must have specific statements included. Updates were made to the maintenance agreement that afternoon. W&W recommends significant revisions based on implied processes.
 - The applicant has indicated that they do not intend to develop parcels 2-5, but so far have not seen any mention of deed restrictions.
- b. Chairman Post pointed out that the purpose of coming to the planning commission is that with the opinion of township engineer and lawyer, there is an agreement that there needs to be a private road plan in place before the splits are approved. The new

- owners of the splits (the new parcels), need to know that if there is to be any building, then the road needs to be put in place. When there is an approved private road plan in place, then the splits will be approved. Was surprised the applicant's engineer did not address simple concerns such as Kent County Road openings, road widths and such.
- c. Pete Gustafson, on behalf of the applicant, Pam O'Dell, presented the road designs from Feenstra and the road maintenance agreement. It was suggested there is a great deal of judgement and discretion involved in the Planning Commission on what is required to have a site plan that is acceptable under the circumstances presented.
 - d. Trisha from W&W pointed out that the Planning Commission does not have discretion to pick and choose from the ordinance standards for a private road. The Planning Commission must uphold the ordinance. Again, recommends that all interpretation issues go to the Zoning Board of Appeals.
 - e. Planning Commission discussed -
 - Was expecting to see full profile, grades, up and down, topo, etc. Wasn't expecting sketch. Statement in previous meeting about Feenstra coming up with road plan – was referring to topos, cross sections, and a private road plan. Can understand W&W was not able to review with no plans.
 - Understand applicant doesn't want to spend the money in engineering when road won't be built for a while.
 - Concern is what happens if road can't be built in easement.
 - What has been submitted is not a basic road plan. It is not enough information to get approval on the private road. The township attorney, planner, and zoning administrator agree there needs to be an approved private road before the splits can be approved. PC needs an actual plan from Feenstra that shows the road and the contours, shows the grades, regarding drainage easement, there are high and low areas, some kind of culverts or grading may be needed to get drainage to the pond. Also needs to show the opening to the Kent County Road, proper widths of the road and how it will traverse the property. Tabling until plans including the above are submitted and reviewed by Williams & Works, the township engineers.

2. **1876 & 2050 Fallasburg Park Dr – Pre-Conference Review –**

- a. The purpose of a pre-conference review is for the applicant to get feedback from the Planning Commission.
- b. Adam Veenstra made the presentation for Feenstra & Associates Engineering. They are desiring to do the splits as a PUD in order to reduce lot width to 210' from 300'. There is no open area as applicant is trying to stay with 3 acre lots.
- c. Trisha Anderson from Williams & Works gave the engineer review. The property is in the rural-ag zoning district. The standard for PUD approval is for the applicant to show recognizable benefit to residents.
- d. The Planning Commission would like to see more open space, not just one big open space, but rather, show creativity in design to benefit the future residents. The Planning Commission does not want to see cookie cutter designs.
- e. **Public Comment** – Bruce Doll, Fallasburg Park Drive, spoke to applicant, requesting that the large barn be preserved or donated so that it could be persevered. The Fallasburg Historical Society would be interested in preserving the barn. Bruce brought

a picture that he took of the farm at sunrise. The photo was used by the Smith family for Betty's funeral card.

3. **Zoning Board of Appeals – Variance Criteria Ordinance Review** – Pete Gustafson presented changes and updates he would like to see to the ordinances affecting the Zoning Board of Appeals to keep up with legal changes. Trisha from Williams & Works offered advice to keep ordinances clear and concise. Chairman Post instructed the Planning Commission to study the changes and be ready for discussion at the next meeting. When the Planning Commission agrees on any changes, then a public hearing will be scheduled.

Adjourn – Hoffman motioned to adjourn. Gillett supported the motion. All members voted yes; motion carried; meeting adjourned at 9:04.

Next meeting December 11, 2023

DRAFT