

**MUSKEGON CHARTER TOWNSHIP  
PLANNING COMMISSION MINUTES  
PC-06-01  
January 11, 2016**

**CALL TO ORDER**

Chairperson Nolan called the meeting to order at 7:00 PM.

**ROLL**

Present: Borushko, Bouwman, Nolan, Wood, Singerling, Hower

Absent:

Excused: Frein

Also Present: Planning, Zoning and Development Director Lorraine Grabinski, Supervisor David Kieft Jr., Recording Secretary Robyn McKenna and twenty-nine (29) guests.

**APPROVAL OF AGENDA**

**Motioned Singerling, supported Hower to approve the agenda with moving (F) New Business No. 4 to (F) New Business No. 1 and removing "Love Inc." from (G) Other No. 1.**

**Motion carried.**

**APPROVAL OF MINUTES**

**Motioned Singerling, supported Bouwman to approve the minutes of December 14, 2015 as presented.**

**Motion carried.**

**COMMUNICATIONS**

**Township Board Minutes December 7, 2015 and December 21, 2015**

**Zephyr clean-up**

**MSU Land Use Case**

**Informational Page from Attorney Hughes**

**Information only, no action taken.**

**OLD BUSINESS**

**Sign Ordinance**

An ordinance comparison of prohibited signs was provided to the Commission in their packet.

**Motioned Singerling, supported Bouwman to discuss at the next meeting.**

**Motion carried.**

**NEW BUSINESS**

**ZC16-01 – Vacant Lot 10-10, Holton Rd.  
Redstone Development**

The Public Hearing was opened at 7:05 PM. The applicant is Redstone Development; the property address is vacant lot 61-10-004-200-0010-10 Holton Rd. Notice of the Public Hearing was published in the Muskegon Chronicle on December 27, 2015. Thirty-seven (37) notices were mailed to property owners on December 23, 2015 with seven (7) telephone calls – Against and one (1) letter received – Against

Sam Rice – P.O. Box 431 – Fremont, MI – Mr. Rice is co-owner of the property and advised this property has been vacant for several years. Their plan would have the lowest impact on the area. Phase I of their plan would be a 30,000 sq. ft. medical building and there are plans for additional Phases in the future. The plan does include a tree buffer line adjacent to the residential area.

Commissioner Hower advised he is strongly opposed to the zone change request. He provided the board with a petition; which 89% of the area residents signed opposing the zone change request. (Article #1) He discussed safety issues, traffic issues. The Master Plan advisory committee held lengthy discussions regarding the R-1 Low Density Residential Zone for this area. If the property is changed to C-1 any permitted use would be allowed and with a special use it would allow gas stations, car washes, automobile towing/storage and auto repair shops Residents who have recently purchased homes; that back up to this property, were told that it was zoned R-1 and would not be happy to find out that their home suddenly became adjacent to commercial property.

Sam Rice – Mr. Rice addressed Mr. Hower's concern regarding safety and traffic – it is a proposed medical building – open Monday thru Friday – it is a low impact office with professional uses. They have met with state officials regarding a stop light – could be a possibility. We can't make the property work with residential, so there is no other way to use this property. The commercial is the best use and best for the Township.

Allison DeVriendt – 2045 Queens Ct. – She has concerns with lighting and traffic. This is the fourth time she has been at a meeting for a zone change request for this property. Her home abuts up to this lot and she has a pool – if changed she will need to put up a 10' fence. Wants it to stay R-1 – this is a nice neighborhood.

Jeanette Nichols – 1883 Queens Ct. – She lived on Apple Avenue before moving to this neighborhood. We know what is like to live by commercial. Wants it to stay R-1.

Bari Honick – 2057 Queens Ct. – She lives behind Taco Bell and Northside Heating & Cooling and it is very noisy when they empty the trash containers in the morning. She contacted the trash company and asked if they could change the pick-up time to 7:00 AM and they told her "No". She had trees behind her home and she now has a fence. She asked for an 8' high fence and she received 6'.

Susan Botticher – 1931 Queens Ct. – She has a 4-season porch on the back of her house – they spent money for a nice view – not a back of a building.

Lisa Haan – 1847 Kings Ct. – They moved from Grand Haven to this neighborhood. They have a corner lot and they do not want to lose the trees. There are plenty of medical buildings. Who decides what kind of buffer?

Greg VanBoxel – 6130 W. 56<sup>th</sup> St. Fremont, MI – Mr. VanBoxel advised when he purchased the property in 2006 - the Master Plan showed commercial. If anyone has questions regarding his work – they can check his credentials. He advised that he felt Mr. Hower’s comments were out of line and could influence this board and the board members at the next meeting; which Mr. Hower invited everyone to attend. He does not feel safety is an issue – not sure of crime rate from a medical building. If they develop residential they will have to clear cut the property to bring in water/sewer. Feasibility is not there for residential. If the residents do not want the property developed – then they need to purchase it. They use the property for leaf disposal and walking their dogs. We respect the adjacent housing and we are willing to meet on site and show the proposed buffer and location of building.

Pat Sikkenga – 2021 Queens Ct. – She questioned if a traffic study had been done on M120? The Developer has a monetary value – ours is a neighborhood value.

Bernie Harrell – 1839 Queens Ct. – He questioned if this property connects with Carter’s property. He was shown the location on a map.

Tim DeVriendt – 2045 Queens Ct. – Mr. DeVriendt advised he appreciated the comments. He advised they do not want the development and they do not believe anything the developer says.

Scott Felcoskie – 1810 Kings Ct. – He advised they moved here four (4) years ago and he does not want anything there; stay the way it is.

Larry Doran – 7499 N. Oceana Dr. Hart, MI – Mr. Doran advised his wife has worked at a medical office for twenty (20) years and has never had a problem. It is a professional office. The view for the neighborhood has been great – but it is someone else’s property. If we have to clear cut it – think about the noise. The proposed plan is the best possible use. We are very sensitive to family, safety and lighting. Speculation of crime and some other things are out of our control. Visualize the property being a flat piece.

Walt Bischoff – 1871 Queens Ct. – The property was zoned single family when they bought it. Who better to speak than the people who know the neighborhood.

Brock Berson – 1960 Queens Ct. – The property was bought with the R-1 Zoning. On the west side of the highway – the houses are right up to the fence.

Susan Botticher – Prior to 2003 the residents did try to purchase the property; made an offer and they laughed at us.

Commissioner Hower presented three (3) letters from residents opposing the zone change. (Articles #2, #3, #4)

Mr. VanBoxel questioned what Commissioner Hower's role was and if it was fair for him to speak opposed as a board member. Chairman Nolan advised the board discussed it prior to the meeting and Mr. Hower does not have any financial interest and therefore it is ok for him to speak.

**Motioned Singerling, supported Wood to close the Public Hearing at 7:59 PM.**

**Motion carried.**

Commissioner Bouwman stated looking at the layout and what is being proposed is the best use of the property. It would preserve the integrity of the property. Homes placed on the property will not be very marketable. The problem is the Master Plan shows residential.

Commissioner Borushko stated the key issue is the Master Plan. The Planning Commission can only recommend to the Township Board and they will make the final decision.

Ms. Grabinski advised that the Ordinance requires a site plan before any clear cut can be done.

**Motioned Hower, supported Borushko to recommend to deny the Zone Change Request for Vacant Lot 61-10-004-200-0010-10 Holton Rd. to the Township Board.**

**Motion carried.**

**SPR16-01 – 1948 Whitehall Rd.  
Additional Storage Units**

Craig Haag – 1948 Whitehall Rd. advised the plan shows to remove the residential house and build additional storage units. Currently there are four (4) buildings with seventy-four (74) storage rooms. The plan is to add sixty (60) additional. He would like to break up the existing buildings into smaller units for snow removal and fire access. The new building will be metal with a silver roof and cream walls. A fire hydrant is included in the plan. Ms. Grabinski advised the plan meets all setback requirements, but has not been approved by the Fire Inspector.

**Motioned Bouwman, supported Hower to approve the site plan as presented contingent on Fire Inspector approval and working with staff on the size of the buildings.**

**Motion carried.**

**SU16-01 – 1437 Holton Rd.**  
**Existing business request for car dealership**

Special Use Hearing opened at 8:16 PM. The Special Use Hearing was published in the Muskegon Chronicle on December 27, 2015. Twenty-one (21) notices were mailed to property owners on December 23, 2015. There was one (1) response – inquiry only. Ms. Grabinski advised Brian Blaski was unable to attend the meeting due to a family emergency. Ms. Grabinski summarized Mr. Blaski's request. The Commission decided they need additional information.

**Motioned Wood, supported Hower to close the Special Use Hearing at 8:20 PM**

**Motion carried.**

**Motioned Singerling, supported Wood to table until meeting on February 8, 2016.**

**Motion carried.**

**SPR16-02 – 1437 Holton Rd.**  
**Auto Dealer License**

Due to the absence of Brian Blaski the Commission decided to table until next meeting.

**Motioned Hower, supported Bouwman to table until meeting on February 8, 2016.**

**Motion carried.**

**OTHER**

**2735 Apple – Land Use Inquiry**

Ms. Grabinski advised she was contacted by Dan McKinnon about the possibility of using the rear of their property for bee hives to sell honey, and the profits would be donated to Christian Charities. Discussion was held regarding if this would be classified as food production and if it would be Agricultural use. Staff will get a legal opinion.

**2015 Annual Report**

Commission thanked Ms. Grabinski for her work and noted what a valuable employee she is.

**PUBLIC COMMENT**

Opened at 8:30 PM

Commissioner Borushko had concerns about the vacant lot being clear cut and possibly a letter from Staff sent to the property owner regarding ordinance requirements.

**NEXT MEETING**

The next scheduled meeting for the Planning Commission is on February 8, 2016 at 7:00 PM in the Board Room at Town Hall.

**ADJOURNMENT**

**Motioned Hower, supported Bouwman to adjourn at 8:35 PM.**

**Motion Carried.**

Respectfully submitted,

*Sandi Frein*  
*Recording Secretary*