

**MUSKEGON CHARTER TOWNSHIP
PLANNING COMMISSION MINUTES
PC-22-13
December 12, 2022**

CALL TO ORDER

Chairperson Bouwman called the meeting to order at 6:00 p.m.

Present: Hower, Singerling, Hughes, VandenBosch, Bouwman,

Excused: Borushko, Frein

Absent:

Also Present: Recording Secretary Andria Muskovin, Planner Werschem and 1 guests.

Approval of Agenda

Motioned by Singerling supported by Hower to approve the Agenda for the December 12, 2022 Planning Commission meeting.

Ayes: Hower, Singerling, VandenBosch, Bouwman,

Nays: None

Motion carried.

Approval of Minutes

Motioned by Singerling supported by Hower to approve the minutes from November 14 , 2022 Regular Meeting

Ayes: Hower, Singerling, VandenBosch, Bouwman

Nays: None

Motion carried.

Communications

November 7, 2022 and November 21, 2022 Board Minutes Reviewed

**Staff Report acknowledged
New General Commercial Zoning District –**

Planner Werschem stated that he would like feedback from the PC to determine what would require special use permits or regular permits if they went with a new General Commercial Zoning District in certain areas.

Chairman Bouwman stated that he would like to revisit the parking lot ordinance, and he recommends the new General Commercial Zoning District move forward to consideration as an agenda item.

Ayes: Hower, Singerling, VandenBosch, Bouwman,

Nays: None

Unfinished Business –

New Business –

1. PC 22-30 Flag Lot Public Hearing

**Name: Dennis Hackney
Address: 1277 Walker
PP#: 61-10-026-100-0011-00
Zoning: Single Family Residential (R1)**

**Purpose: Allow a flag lot to be created as part of a
land division.**

Public Hearing opened at 6:02 p.m.

Mr. Hackney desires to do a land division of his 9.24 acre parcel, for a family member to build a house, resulting in one of the parcels being a flag lot. The public hearing notice was posted on November 27, 2022 and mailed to all residents within 300 feet. No Responses.

Motion by Singerling second by Hower to close the public hearing at 6:07PM.

Section 58-12 (d)

No lot or parcel of land shall be divided, altered or reduced by sale, gift, or other disposition so that frontage along public or private road is less than minimums required by this chapter, except:

The planning commission may under special use permit allow a parcel division creating a flag lot if all of the following conditions are met.

- (1) The access drive (flag pole) must directly abut, or empty onto, a public road.

PC determines that the access drive (flag pole) directly abuts, or empty onto, a public road.

- (2) The new parcel accessed by the access drive must meet minimum lot requirements for this chapter. In evaluating the shape and square footage, the area within the access drive (flag pole) shall not be included.

PC determines that the new parcel accessed by the access drive meets minimum lot requirements for this chapter.

- (3) When the new parcel accessed by the access drive is greater than four times the minimum lot requirements for the zoning district that the parent parcel is situated in, the access drive must be at least 66 feet in width at its narrowest point when measured at right angles to the linear boundaries of said drive.

When the new parcel accessed by the access drive is equal to or less than four times the minimum lot requirements for the zoning district that the parent parcel is situated in, the access drive must be at least 33 feet in width at its narrowest point when measured at right angles to the linear boundaries of said drive.

The planning commission, at its discretion, may address other circumstances as may be requested with the restriction that the access drive will never be less than 33 feet in width at its narrowest point when measured at right angles to the linear boundaries of said drive, but may require the access drive to be more than 66 feet in width at its narrowest point when measured at right angles to the linear boundaries of said drive.

PC determines that this requirement is met since the access drive (flag pole) maintains 66 foot of width for its entire length.

- (4) No two access drives (flag poles) may share a common boundary.

PC determines that there is not a second access drives (flag poles) sharing a common boundary.

Motion by Singerling second by VandenBosch to recommend approval to the Township Board a special use permit request for a flag lot on parcel 61-10-026-100-0011-00 having met the standards of Section 58-12 (d) of the Muskegon Township Code of Ordinances.

Compliance with all federal, state, county and local rules, regulations and ordinances.

Ayes: Hower, Singerling, VandenBosch, Bouwman,

Nays: None

Motion carried.

2. PC 22-31 Special Use Public Hearing

**Name: Grand Rapids Gravel
Address: 1780 S Sheridan
PP#: 61-10-026-300-0025-00
Zoning: Industrial Park (IP)**

Purpose: Allowance for 3 weeks annually for concrete crushing.

Public Hearing opened at 6:08 p.m.

Grand Rapids Gravel will be stockpiling old concrete upon the Industrial property. They are requesting authorization to bring in a concrete crusher for up to three weeks a year and crush the old concrete into usable aggregate. Special use permit requested to authorize the crushing Monday-Friday between 9 a.m. and 5 p.m. Discussion on time of year, and they would be willing to do when they are able to get the equipment brought in for this process. Discussion on dust prevention and control of noise was brought up. Board can revoke Special Use Permit if there are complaints or it can be brought back to make changes.

Motion by Singerling second by Hower to close the public hearing at 6:18 pm.

Sec. 58-57. - General standards for making determinations.

The planning commission and township board shall, upon separate occasions, review the particular facts and circumstances of each proposal in terms of the following standards and shall find adequate evidence showing that the proposed use:

- (1) Will be harmonious with and in accordance with the general objectives or with any specific objectives of the general plan or current adoption.

PC determines that this is a common industrial use upon a property zoned Industrial Park (IP) and in accordance with the general objectives or with any specific objectives of the general plan or current adoption.

- (2) Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will not change the essential character of the same area.

PC determines that this is designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will not change the essential character of the same area. This harmonies with the current use of the property and an Industrial Park.

- (3) Will not be hazardous or disturbing to existing or future neighboring uses.

PC determines this will not be hazardous or disturbing to existing or future neighboring uses. It may create some noise in the area which is why it is requested to be limited to not more than three weeks a year, must be done Monday through Friday and only between the hours of 9am and 5pm. They also have located this as central to the property as possible to negate any negative impacts to the surrounding area.

- (4) Will be a substantial improvement to property in the immediate vicinity and to the township as a whole.

PC determines the allowable use in an Industrial zone and will have a positive impact on the business and add an additional service to the community.

- (5) Will be served adequately by essential public facilities and services; such as highways, streets, police and fire protection, drainage structures, refuse disposal, or schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately for such services.

Essential public services and facilities shall be able to be provided under the proposed use. This plan has been reviewed and approved by the Fire Inspector as well.

- (6) Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the township.

PC determines that no additional requirements at public cost for public facilities and services anticipated.

- (7) Will not involve uses, activities, processes, materials, and equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

PC determines that the use will not involve uses, activities, processes, materials, and equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors beyond what could be expected from an industrial use and the applicants have placed self-imposed limitations to significantly limit potential impacts.

- (8) Will be consistent with the intent and purposes of this chapter.

PC determines an industrial use in an industrial zone is consistent with the intent and purposes of this chapter

Motion to recommend to the Muskegon Township Board approval of a Special Use Permit for concrete crushing at 1780 S. Sheridan, parcel 61-10-0026-300-0001-20 having meet the standards of Section 58-432 (c)(3) of the Muskegon Charter Township Code of Ordinances with the following conditions:

1. The activity of crushing concrete is limited to three consecutive weeks per calendar year.
2. The activity of crushing concrete must be operated Monday through Friday.
3. The activity of crushing concrete must be operated between the hours of 9am and 5 pm.
4. Compliance with all Federal, State, County and local rules, regulations and ordinances.

**Ayes: Hower, Singerling, VandenBosch, Bouwman,
Nays: None**

Motion carried.

3. PC 22-32 Site Plan Amendment

Name: Grand Rapids Gravel
Address: 1780 S Sheridan
PP#: 61-10-026-300-0025-00
Zoning: Industrial Park (IP)

Purpose: Amend Site Plan.

Grand Rapids Gravel along with the storage of old concrete and the crushing of concrete as outlined in the previous special use permit has made some modifications to its outdoor aggregate storage areas and desires to add a small water recycling addition to its facility. Over the years there have been small changes to the site and the Township wishes to have a current updated site plan on file along with the modifications proposed.

ARTICLE VIII. - SITE PLAN REVIEW

Sec. 58-486. - Standards for approval.

- (a) The intent of the planning commission is to minimize any adverse impacts that a proposed site plan may have on the neighboring properties, the neighborhood in general and its character, and the community as a whole.
- (b) Each site plan shall conform to all applicable provisions of this chapter and the following standards:
 - (1) All elements of the site plan shall be designed to take into account the site's topography, the size and type of the lot, the character of adjoining property and the type and size of buildings. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this chapter.

PC determines all elements of the site plan are designed to take into account the site's topography, the size and type of the lot, the character of adjoining property and the type and size of buildings. The site is to be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this chapter.
 - (2) The landscape shall be preserved in its natural state, insofar as practical, by removing only those areas of vegetation or making those alterations to the topography which are reasonably necessary to develop the site in accordance with the requirements of this chapter. Landscaping shall be preserved and/or provided to ensure that proposed uses will be adequately buffered from one another and from surrounding public and private property.

PC determines the landscape is being preserved in so far as practical.

(3) Stormwater and erosion protection.

- a. Appropriate measures shall be taken to ensure that removal of surface waters will not adversely affect neighboring properties, the public stormwater drainage system, or nearby bodies of water.

PC determines that the proposed stormwater system retains all stormwater onsite and is adequate.

- b. Provisions shall be made to accommodate stormwater, prevent erosion and the formation of dust.

PC determines that provisions have been made to accommodate stormwater, prevent erosion and the formation of dust..

- c. The use of detention/retention ponds may be required.

PC determines the detention / retention are required and already in place.

- d. Surface water on all paved areas shall be collected at locations so that it will not obstruct the flow of vehicular or pedestrian traffic or create standing water that may interfere with this traffic.

PC determines that surface water on all paved areas are being collected at existing locations so that it will not obstruct the flow of vehicular or pedestrian traffic or create standing water that may interfere with this traffic.

- e. Areas of natural drainage such as swales, wetlands, ponds, or swamps shall be protected and preserved insofar as practical in their natural state to provide areas for natural habitat, preserve drainage patterns and maintain the natural characteristics of the land.

PC determines that no swales, wetlands, ponds, or swamps exist so this requirement does not apply.

- f. Catch basins or other protective measures may be required to contain oil filters or traps to prevent contaminants from being discharged to the natural drainage system. Other provisions may be required to contain runoff or spillage from areas where hazardous materials are stored, or proposed to be stored.

PC determines that adequate measures will be required by the state, county and local permits to assure proper collection of any waste material.

- g. Compliance with the requirements of [section 58-487](#) shall also be demonstrated.

PC determines the requirements of section 58-487 are demonstrated.

- (4) The site plan shall provide reasonable, visual and sound privacy for all dwelling units located therein. Fences, walks, barriers and landscaping shall be used, as appropriate, for the protection and enhancement of property and for the privacy of its occupants.

PC determines that no dwelling units are proposed so this standard does not apply.

- (5) Every structure or dwelling unit shall have access to a public street, unless otherwise provided in an approved PUD.

PC determines that the structures do currently have access to public streets.

- (6) A pedestrian circulation system which is insulated as completely as reasonably possible from the vehicular circulation system shall be provided.

PC determines the pedestrian circulation system provided is adequate.

- (7) Safe, convenient, uncongested, and well-defined vehicular and pedestrian circulation within the site shall be provided. Drives, streets and other elements shall be designed to promote safe and efficient traffic operations within the site and at its access points.

PC determines that safe, convenient, uncongested, and well-defined vehicular and pedestrian circulation within the site is existing and adequate.

- (8) The arrangement of public or common ways for vehicular and pedestrian circulation shall be connected to existing or planned streets and pedestrian or bicycle pathways in the area.

PC determines that the arrangement of existing public or common ways for vehicular and pedestrian circulation is connected to existing or planned streets and pedestrian or bicycle pathways in the area.

- (9) All streets shall be developed in accordance with [chapter 42](#), subdivisions and the county road commission specifications.

PC determines that no streets are required so this section does not apply.

- (10) All buildings or groups of buildings shall be arranged so as to permit necessary emergency vehicle access as required by the fire and police departments.

PC determines that all buildings or groups of buildings are arranged so as to permit necessary emergency vehicle access as required by the fire and police departments. Fire department has approved the layout.

- (11) The site shall be adequately served by water supply and sewage collection and/or treatment.

Municipal water and sewer already in use on this parcel.

- (12) All loading or unloading areas and outside storage areas, including refuse storage stations, shall be screened from view of the street and/or adjacent properties by a vertical screen consisting of structural or plant materials.

PC determines that all loading or unloading areas and outside storage areas, including refuse storage stations, are centralized on the property and is adequately screened from public view..

- (13) Exterior lighting shall be arranged so that it is deflected away from adjacent properties and so that it does not impede the vision of traffic along adjacent streets.

PC determines that no light trespass will occur from this development.

- (14) Site plans shall conform to all applicable requirements of state and federal statutes and approval must be conditioned on the applicant receiving necessary state and federal permits before final site plan approval or an occupancy permit is granted.

Motion by Hower second by VandenBosch to approve the Site Plan Amendment for 1780 S Sheridan, parcel 61-10-026-300-0025-00 having met the standards of Section 58-487 of the Muskegon Charter Township Code of ordinances with the following conditions:

Compliance with all federal, state, county and local rules, regulations and ordinances.

Ayes: Hower, Singerling, Hughes, VandenBosch, Bouwman,

Nays: None

Motion carried.

4. 2023 Schedule

Discussion on meeting time for 2023.

Motion by Hower, second by VandenBosch to begin work session at 6:00 p.m with the Meeting time beginning at 6:30 p.m. the 2nd Monday of each month and to approve the 2023 schedule for PC meetings.

Ayes: Hower, Singerling, Hughes, VandenBosch, Bouwman,

Nays: None

Motion carried.

5. Election of Officers for 2023

A. Chair - Singerling nominated Bouwman, supported by Hower. Bouwman accepted.

**Ayes: Hower, Singerling, Hughes, VandenBosch,
Bouwman,**

Nays: None

Motion carried.

B. Vice Chair – Hower nominated Singerling, Singerling declined. Bouwman nominated VandenBosch, supported by Hower. VandenBosch accepted.

**Ayes: Hower, Singerling, Hughes, VandenBosch,
Bouwman,**

Nays: None

Motion carried.

C. Secretary – Hower nominated Singerling, supported by Bouwman. Singerling accepted.

**Ayes: Hower, Singerling, Hughes, VandenBosch,
Bouwman,**

Nays: None

Motion carried.

D. Recording Secretary – Hower made a motion for PC to appoint Andria Muskovin.

Ayes: Hower, Singerling, Hughes, VandenBosch, Bouwman,

Nays: None

Motion carried.

Public Comments:

Announcements: Next Planning Commission meeting will be January 9, 2023.

Special meeting in a week or two regarding Cyteva.

Wade stated that after the County Board Meeting tomorrow at 3:00, there will be a farewell for Susie Hughes.

Motion by Hower supported by Hughes to adjourn the meeting at - 6:51 P.M.

Ayes: Hower, Singerling, Hughes, VandenBosch, Bouwman,

Nays:

Motion Carried

Respectfully submitted by,

**Sandra Frein
Secretary**