

**MUSKEGON CHARTER TOWNSHIP
PLANNING COMMISSION MINUTES
PC-23-13
December 11, 2023**

CALL TO ORDER

Chair Bouwman called the meeting to order at 6:30 p.m.

Present: Hower, Singerling, Borushko, Hornak, Vandenbosch, Bouwman

Excused: Hughes

Absent:

Also Present: Planner Werschem, Amy Vos, and 5 guests.

Approval of Agenda

Motioned by Singerling supported by Hower to approve the Agenda for the December 11, 2023 Planning Commission meeting.

Ayes: Hower, Singerling, Borushko, Hornak, Vandenbosch, Bouwman

Nays: None

Motion carried.

Approval of Minutes

Motioned by Borushko supported by Hower to approve the minutes from November 13, 2023.

Ayes: Hower, Singerling, Borushko, Hornak, Vandenbosch, Bouwman

Nays: None

Motion carried.

November 6, 2023 and November 20, 2023 Board Minutes Reviewed

Staff Report acknowledged.

Unfinished Business – none

New Business –

1. PC 23-28 Special Use - Public Hearing

Name: Kurt Merritt

Address: 2651 Kregel

PP#: 61-10-026-300-0019-00

Zoning: Industrial Park (IP)

Purpose: Special Use Permit for storage and warehousing.

Public Hearing was opened at 6:32 p.m.

Planner Werschem explained that 2651 Kregel currently has a Special Use Permit for storage of road salt only. In accordance with that SUP that is all that is allowed to be stored in this facility. Mr. Merritt has purchased the property and would like to use the building for general storage and warehousing. This request is for inside storage only since any outdoor storage will require some modifications to the site plan.

The notice of public hearing was posted on November 26th, 2023 and was mailed to all properties within 300 feet. No response has been received.

Kurt Merritt, 2385 Memorial Drive identified himself if there were any questions.

Motioned by Singerling supported by Hower to close the public hearing.

Ayes: Hower, Singerling, Borushko, Hornak, Vandenbosch, Bouwman

Nays: None

Public Hearing closed at 6:35 p.m.

Planning commission consideration and recommendation. The planning commission shall review the proposed amendment, together with any reports and recommendations from staff, consultants, other reviewing agencies and any public comments. The planning commission shall identify and evaluate all relevant factors, and shall report its findings and recommendation to the township board. In considering an amendment to the official zoning map (rezoning), the planning commission shall consider the following factors in making its findings and recommendations:

- (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 determined that this is a common industrial use 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 determined 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.

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

PC determined this will not be hazardous or disturbing to existing or future neighboring uses.

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

PC determined the allowable use in the Industrial Park 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 determined 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 determined 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 determined the use in an industrial zone is consistent with the intent and purposes of this chapter.

Motioned by Singerling supported by Vandenbosch to recommend to the Township Board approval of a Special Use Permit for storage and warehousing at 2651 Kregel, PP# 61-10-026-300-0019-00 having meet the standards of Section 58-57 of the Muskegon Charter Township Code of Ordinances with the following conditions:

- 1. Compliance with all Federal, State, County and local rules, regulations and ordinances.**

Ayes: Hower, Singerling, Borushko, Hornak, Vandenbosch, Bouwman

Nays: None

Motion carried.

2. PC 23-29 Special Use - Public Hearing

Name: Crystal Flash Inc.
Address: 1231 Holton Rd
PP#: 61-10-008-100-0013-00
Zoning: Industrial Park (IP)

Purpose: Special Use Permit for outside storage.

Public Hearing was opened at 6:37

Planner Werschem explained that Crystal Flash located at 1231 Holton would like to expand their business and have, on sight, a large propane refueling tank as well as storing empty propane tanks for customers in an outdoor storage area. Propane refueling and outdoor storage of propane tanks are special uses. This required modifications to their site plan as well.

The notice of public hearing was posted on November 26th, 2023 and was mailed to all properties within 300 feet. One response was received and is included in your packet.

One letter of support provided from Brenner Oil across the street.

General discussion occurred amongst Planning Commissioners.

Adam Brumm, 8845 Thornapple identified himself and answered questions and concerns from the Planning Commissioners verifying that Marathon leases parking from them and only the drive aisle needs to be gravel. He also verified that the storage is for empty tanks and any tanks not fully empty will be pumped out by trucks before storage.

Motioned by Singerling supported by Hower to close the public hearing.

Ayes: Hower, Singerling, Borushko, Hornak, Vandenbosch, Bouwman

Nays: None

Public Hearing closed at 6:45

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 determined that this is an industrial use 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 determined 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.

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

PC determined this will not be hazardous or disturbing to existing or future neighboring uses.

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

PC determined the allowable use in the Industrial Park 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 determined 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 determined 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 determined the use in an industrial zone is consistent with the intent and purposes of this chapter.

Motion by Singerling, supported by Hower to recommend to the Muskegon Township Board approval of a Special Use Permit for propane refueling and outdoor storage of propane tanks at 1231 Holton Rd., PP# 61-10-008-100-0013-00 having meet the standards of Section 58-57 of the Muskegon Charter Township Code of Ordinances with the following conditions:

- 1. Compliance with all Federal, State, County and local rules, regulations and ordinances.**

Ayes: Hower, Singerling, Borushko, Hornak, Vandenbosch, Bouwman

Nays: None

Motion Carried

- 3. PC 23-30 Site Plan**

**Name: Crystal Flash Inc.
Address: 1231 Holton Rd
PP#: 61-10-008-100-0013-00
Zoning: Industrial Park (IP)**

Purpose: Site Plan for propane refueling and outside storage of propane tanks.

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 determined 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 determined the landscape is being 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. The most significant impact is in the area that has already been developed and the northern portions of the properties is being preserved.

- (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 determined that appropriate measures have been taken to ensure that removal of surface waters will not adversely affect neighboring properties, the public stormwater drainage system, or nearby bodies of water.

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

PC determined 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 determined that detention / retention ponds are not necessary.

- 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 determined that surface water on all paved areas are being collected 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 determined that no swales, wetlands, ponds, or swamps are being impacted.

- 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 determined that adequate protective measures are proposed and 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 determined 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 determined 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 determined that the entire facility does have existing 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 determined the pedestrian circulation system is proposed and 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 determined that safe, convenient, uncongested, and well-defined vehicular and pedestrian circulation within the site is proposed 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 determined 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 determined 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 determined 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 is existing and the modification requires no modifications to the existing.

- (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 determined that all loading or unloading areas and outside storage areas, including refuse storage stations, are proposed and adequate.

- (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 determined 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.

This should be a contingency in any approval.

Motion by Singerling, supported by Borushko to approve the Site Plan amendment for Crystal Flash located at 1231 Holton Rd., PP# 61-10-008-100-0013-00 having met the standards 58-486 of the Muskegon Charter Township Code of ordinances with the following conditions:

- a. **Approval of the Special Use Permit by the Township Board.**
- b. **Compliance with all Federal, State, County and local rules, regulations and ordinances.**

Ayes: Hower, Singerling, Borushko, Hornak, Vandenbosch, Bouwman

Nays: None

Motion Carried

4. 2024 Schedule

Motion by Hower, supported by Vandenbosch to approve as presented.

Ayes: Hower, Singerling, Borushko, Hornak, Vandenbosch, Bouwman

Nays: None

Motion Carried

5. Election of Officers for 2024

- A. **Chair**
- B. **Vice Chair**
- C. **Secretary**
- D. **Recording Secretary**

Motion by Hower, supported by Borushko to have the officers remain as slated in 2023 and reappoint Amy Vos as Recording Secretary:

Chair:	Greg Bouwman	accepted
Vice Chair:	Wade VandenBosch	accepted
Secretary:	Joe Singerling	accepted

Ayes: Hower, Singerling, Borushko, Hornak, Vandenbosch, Bouwman

Nays: None

Motion Carried

Public Comments: None

Announcements: Next Planning Commission meeting will be January 8, 2024.

Motion by Hower supported by Borushko to adjourn the meeting at 7:04 P.M.

Ayes: Hower, Singerling, Borushko, Hornak, Vandenbosch, Bouwman

Nays: None

Motion Carried

Respectfully submitted by,

**Joseph Singerling
Secretary**