



**PLANNING COMMISSION
REGULAR MEETING
January 19, 2010**

DRAFT COPY

Present: Nicki Arendshorst, LeeAnne Jachim, Steve Schaftenaar, Bill Cole, Ed de Vries, Joseph Lampen, Bob Ellis, Dan Martin, attorney, Andy Bowman, planning consultant, and Eric Davis, Zoning Administrator

Absent: None

Nicki Arendshorst, Chairperson, called the regular meeting of the Park Township Planning Commission to order at 6:30 p.m.

MOTION

A motion was made by Cole and supported by Jachim to approve the agenda as presented.

VOTE

Motion carried: 7-0

MOTION

A motion was made by Schaftenaar and supported by Cole to approve the minutes for the December 15, 2009 regular meeting with two minor corrections.

VOTE

Motion carried: 6-0 (Jachim abstained – absent from meeting)

MOTION

A motion was made by Cole and supported by Jachim to approve the minutes for the January 5, 2010 special meeting as presented.

VOTE

Motion carried: 7-0

PUBLIC COMMENTS

No one spoke.

AGENDA ITEMS

Item #1 PUD Preliminary – Pt. West I, LLC – 2365 S. Shore Dr.

MOTION

A motion was made by Schaftenaar and supported by Cole to remove the item from the table.

VOTE

Motion carried: 7-0

Arendshorst is recused from this item at all meetings. She stepped down.

Lampen explained that another hearing will be held when this item comes for a final PUD.

The public hearing was re-opened at 6:32 p.m.

Betsy Mathiesen, 2420 Michigan Walk, immediate past president of the Macatawa Parking Corporation, stated that she had three concerns. 1) The applicant wants to bring Michigan Walk though where she lives. She clarified that Point West I (PWI) is not a governmental entity, so it doesn't have the right to take that land by eminent domain. 2) In one of the renderings from the engineer there was a row of trees shown to the east of her lot. The Macatawa Parking Corporation owns the first six spaces outside the gate. 3) She feels that the magnitude of the project lends itself to asking the developer to have the Department of Environmental Quality (DEQ) and the Corps of Engineers permits before asking for approval from the Park Township Planning Commission (PC).

Paul Brown, 2405 Griswold Walk, stated that he wanted to talk about the effect this development would have on the community usage of the western end of Lake Macatawa. This development would have a dramatic impact on junior sailing. Lake Macatawa is a world class sailing venue. He stated that there is a high volume sailing operation there in the summer. The waterfront buildings would be a literal wall for the summer thermal breezes coming from west. The proposed marina would add water traffic. That is a safety concern for the children sailing on this end of the lake. Also, the west end of Lake Macatawa is a designated State of Michigan Harbor of Refuge anchorage. It is the only place on Lake Macatawa that is a safe harbor for transient boats to anchor trying to get out of bad weather. He asked the PC to keep the historical lake usage in mind when making their decision.

Peter Schwarz, 2281 Crescent Walk, stated that he lives year round on the north hill behind the proposed hillside structure. He stated that he supports the developer's right to build there. He stated that he thought that a building was no longer "grandfathered" once it was not used for nine months. He presented a slide showing the projected building against the shell on the hill. He made comparisons to the size of the Warm Friend building in downtown Holland. He stated that he would like to see a more reasonable use of this land and one that fits in with the master plan.

Tom Gijbers, 2385 Crescent Walk, stated that this is a critical dune. The square footage of the existing building is approximately 4,650. The proposed building would be approximately 15,470 square feet. The density of the building would be 124 units per acre. He stated that he has a major concern with the environmental impact to the dune and the natural resources such as private wells. He stated that many on the hill have already had to repair their foundations. The air conditioning units will be a disturbance. There is a concern for the safety of the pedestrians. The dune will sustain damage and be "much more precarious". This would obscure the dune.

John Meyer, 73 W. 35th, owner of Macatawa Services that does the plowing, maintenance, security, etc. at Macatawa, stated that the fire hydrants on Bay Rd. are on the east side of the road making it necessary to put the fire hoses over the road. He stated that he wanted to recommend to the developer that the fire hydrants be moved to the other side of the Bay Rd. and that hose ramps be installed.

Doug Walvoord, 2415 Crescent Walk, stated that he had concerns with the proposed design of the gate house area. He showed drawings explaining his concerns. He wondered who takes on the liability for this safety hazard.

Bruce Caukin, 667 Lakeside Rd., presented a handout relating to the amount of habitable area of the applicant's property. He stated that he felt that there is a range of 2.3 to 3.2 acres of habitable land available for development and consideration in determining density under a parallel plan.

Bill Hardy, 795 Lakeside Rd., stated that the parallel plan should be presented without the need for variances. He stated that he felt that the parallel plan had "significant problems" and doesn't meet the ordinance. He asked if the applicant will be required to submit a revised plan.

Peg Padnos, 651 Lakeside Rd., stated that she felt that the Van Andel family has made a significant impact on the west Michigan area in the way of schools, entertainment, science and research, etc. They have always put thought, care and sensitivity into their projects. She stated that she felt that a quick scan of this proposed project seems to indicate that there would be a “pile up”. This is out of character with what Van Andel usually does. The question is, “Why?”

Bob Michalak, 2425 Interlake Walk, stated that he is gratified that the PC is looking at the master plan when considering this application. He stated that he felt that the applicant should be showing the PC what the community would be getting in exchange for the considerations that they would be getting on this project.

Jennifer Johnson-Barth, 2444 Dune Ct., stated that she wanted to speak regarding Laketown Township. Macatawa Park is zoned R-2 in Laketown Township. If a piece of property has sewer and water available there is a minimum lot size of 12,500 square feet required. In addition, a PUD requires 750 square feet of open space per dwelling unit. If there is more than 750 square feet of open space per dwelling unit then four units per acre would be allowed.

David VerDier, 2430 Blue Bell Ct., stated that he helped craft the Macatawa Agreement. The spirit of this agreement was to put to rest the one-hundred year history of “legal squabbles and suits” between the cottage owners and the “resort owner or the major property owner of Macatawa Park”. The agreement was supposed to be a ninety-nine (99) year agreement, with ten-year extensions. He stated that it was his belief that these extensions got changed to one-year extensions at the death of Jay Van Andel. He suggested that the PC consider, as a part of a PUD approval, requiring that this agreement be made a permanent agreement.

Jack Siebers, attorney for the cottagers and the parking corporation, wanted the PC to remember that in addition to comparing single family density to multi-family density, the applicant is also adding a marina. He stated that he wanted the PC to keep in mind the precedent that they might be setting by what they do here. He stated that he appreciated the PC looking at the master plan, which is typified by single family, R-3 density. He asked that a traffic engineer be consulted before approving this.

Joe Marogil, 2441 Interlake Walk, stated that he is opposed to this proposed project due to the environmental impact it will have on this area. He wanted to remind the PC that seventy houses are different than seventy hotel rooms.

The public hearing was closed at 7:15 p.m.

Lampen gave Bowman, township consultant, a chance to comment.

Bowman stated that the PC has decided to view the master plan as a starting point for calculating density. He stated that typically current zoning can be used; however, in this case the zoning is so different from the master plan that the PUD can be used to set up what is the long term land use for this area. There is legal standing with the wording of the township documents to be able to use the master plan; however, the PC decided that because there is current zoning that is vested to this property, they will have to look at an interpretive way of adding some additional density to this development. Going with strict low-density residential probably isn't where it will end up. The density is the key and the timing of moving forward will depend on whether a new design based on a lower density is proffered.

Lampen asked if any PC members had any questions.

Ellis brought up the subject of “uninhabitable areas”.

Davis stated that the applicant's engineer had sent something relating to this just prior to the meeting. He printed and distributed copies to the PC members.

Bowman stated that they need to be careful using “uninhabitable areas” as a subtraction when calculating density.

Martin clarified that they are not required to take out these areas. The density is to be based on a parallel plan.

Ellis stated that an alternate parallel plan, based on the master plan, could be produced.

Bowman clarified that he and Davis would be presenting an approach for coming up with a revised density at the next work session.

Ellis asked what had been received from the developer.

Davis stated that he was in receipt of two Macatawa agreements.

Greg Raad, Nederveld Associates, asked for a recap of the list of the materials that the PC was asking to receive prior to the meeting:

1. Agreements, easements and bylaws (including any visual representation of the easement areas)
2. Letter(s) from the DEQ
3. Historic water levels

MOTION

A motion was made by Schaftenaar and supported by Cole to table the item.

VOTE

Motion carried: 6-0

Arendshorst returned.

ANNOUNCEMENTS

1. Arendshorst announced that Ottawa County has distributed a county-wide wireless tower inventory.
2. Arendshorst stated that the Holland Sustainability Committee – “an effort to study the issues of water and energy management in depth” - has invited her to participate as a governmental stakeholder. She gave the calendar of upcoming meetings and invited as many as possible to attend a meeting.
3. It was determined that the next session for discussing and addressing the Pt. West item will be held at the next regular PC meeting on February, 16th at 6:30 p.m.

MOTION

A motion was made by Schaftenaar and supported by de Vries to adjourn at 7:50 p.m.

VOTE

Motion carried: 7-0

Sandy Brodie
Recording Secretary