

**PARK TOWNSHIP  
PLANNING COMMISSION  
MINUTES**

**Regular Meeting  
September 20, 2011  
6:30 PM**

**DRAFT COPY**

Commissioner Pfost called the regular meeting of the Park Township Planning Commission (PC) to order at 6:37 PM.

Present: Bill Cole, Linda Dykert, Dennis Eade, Bob Ellis, Jeff Pfost, Tom Vanderkolk

Others: Andy Bowman, Planning Consultant and Dan Martin, Legal Counsel

**APPROVAL OF AGENDA**

**MOTION**

A motion was made by Vanderkolk and supported by Eade to approve the Agenda as presented.

**VOTE**

Ayes 6/Nays 0. Motion carried.

**APPROVAL OF MINUTES**

**MOTION**

A motion was made by Ellis and supported by Dykert to approve the minutes of July 19, 2011 as presented.

**VOTE**

Ayes 6/Nays 0. Motion carried.

**Item #1      Review: Benjamin's Hope PUD**

Bowman reviewed the history of the Benjamin's Hope PUD. The PUD was originally approved as a residential PUD, but was amended by the Township Board in December 2009 following a public hearing by the Planning Commission in October 2009. The project is ready to move forward but there have been a few changes to the site layout approved in 2009. The Township Board asked the Planning Commission to review the new site plan and consider the recommended three options: 1) if there are any changes sufficient enough to warrant a complete amendment to the original PUD approval; 2) if the proposed changes do not significantly change the use but could be authorized as a "changed condition;" or 3) agree the proposed changes are within the spirit and intent of the original PUD plan and need only approval by the Planning Commission and Township staff in order to proceed with the permitting process.

The new plan has been reviewed by Park Township Code Enforcement Officer, Ed De Vries. He has outlined the following changes for the Planning Commission's consideration:

- 1 - Relocate the six residential units to the north and west retaining the wooded area to the east and south of the site's rear section reducing paving and infrastructure.
- 2 - Relocate recreation fields to the south allowing orchards as a buffer between public and private areas of the site.
- 3 - Removal of a large structure and enclosed walkways.
- 4 - Addition of three 900 square foot craft buildings
- 5 - Retention of the community and pool buildings.
- 6 - The total footprint of the previous plan is not increased by these changes.

Martin added changes have been proposed for the north and south sections of the property and there are questions about the source of the water which will be provided to the site. He noted, a condition of the original PUD was the public water source, whether by Park Township or Holland Township, would have to be resolved.

Dennis Reckley of Sluiter-Vanden Bosch, architect for the applicant, addressed the water and sanitation issues. The Health Department says there is only one place allowed on the site for sanitation. The water connection will be an 8" water main and likely go down Riley Street.

Vanderkolk noted there is a permit in the works to allow this water to come from Holland Township. If the permitting is wrong it should be corrected.

Cole asked about the current plan's provision for a retention pond.

Ellis suggested the pond location should be shown on the plan drawing. The Drain Commissioner's approval for drainage and the pond's location should be part of the proposal.

Reckley explained the overall dwelling density hasn't changed. The residential area has moved north to save utility extensions. Some buildings have been altered to reduce costs. The Recreation Center will be a multi-use facility.

Ellis stated parking was more central before but has moved to the west side. Parking will be over 100' from the property line.

Dykert asked about lighting.

Reckley said a lighting and landscaping plan will be done in the same manner as the previous plan. The objective is to move the project forward to obtain the necessary permits. Most of the landscaping will be indigenous, using less water. The plan will use best practices with low maintenance landscaping and other low cost features.

Dykert asked Martin how to move forward with the plan.

Martin recommended an amendment to the PUD because there are enough changes to the development plan. The Township Board will require a public hearing after the Planning Commission makes its recommendations. The process will take about two to three months.

Ellis said the first time it was clear we wanted to work with the applicant. We should be sure to use due diligence, quite a few details are missing in the proposal.

Pfost said “significant change” is not the case with this new proposal. Moving resources on the site seems workable for the Planning Commission to come to an agreement.

Martin suggested taking a look at Option #2 which recommends changed conditions, but not a complete amendment process. Adding, the water source to the Township and the 2014 timeline need to be clarified, by the engineer, as including an extension on the original commencement date.

Commissioners agreed with this approach.

Commissioners asked about pedestrian flow and traffic activity.

Reckley explained caregivers will be with residents when using the street.

Cole suggested Commissioners take a straw vote for support of Option 2.

Eade agreed Option 2 is the direction to take following discussion.

Vanderkolk summarized the recommendations which include a landscape and lighting plan, location of walkways, retention pond site, resolution of the water source issue and clarification of the time frame for construction.

Bowman suggested adding the septic drain field to the list since the Health Department must approve it.

Cole said the ancillary items should be consistent with the initial plan.

**MOTION**

Dykert moved and Eade supported recommending the Township Board approve the proposed site plan as changed conditions to the PUD following clarification of the landscape and lighting plan, location of walkways, the retention pond site, water source, location of the septic drain field and the intended commencement time extension.

**VOTE**

Ayes 6/Nays 0. Motion carried.

Martin confirmed the revised plan with the Commission’s proposed changes will go to the Township Board for review and approval.

**Item #2 Medical Marijuana**

Martin shared developments regarding Medical Marijuana. The current ruling of the State Court of Appeals is marijuana dispensaries are illegal. He recommends the Commission suggest to the Township Board; agree to do nothing or choose to allow caregiver-patient exchange as a home occupation on a limited basis. The Federal law states there is no medical value in marijuana.

Pfost reminded the Commissioners not to propose a set of regulations that aren’t enforceable.

**MOTION**

Dykert moved and Cole supported recommending to the Township Board to discontinue creating new regulations until it is clear the Township needs them.

**VOTE**

Ayes 6/Nays 0. Motion carried.

**Item #3 Miscellaneous Zoning Amendments**

Bowman explained the Zoning Board of Appeals and Township building officials have generated suggested changes in the zoning ordinance. Staff has asked the Commission review seven amendments to clarify confusing or missing language.

**Dangerous Buildings** – Commissioners supported Dykert’s suggestion of adding: *Notifies a local law enforcement agency or the Township Building Department Office.*

**Changeable Letter Signs** –Commissioners supported the change of *“every 10 seconds with no fading in or out.”*

**Front and Rear Yard Averaging** –Commissioners supported the recommended change to 300 feet for setback averaging purposes.

**Satellite Dish Antennas** –Commissioners recommended the exemption for satellite dishes less than three feet in diameter.

**Home Occupations** –Commissioners recommended adding language for temporary use and clarifying what those provisions are.

**Corner lot and waterfront lot setbacks** – (further discussion necessary)

**PUBLIC COMMENT**

None.

**ANNOUNCEMENTS**

Pfost thanked Eade for volunteering to serve as the Planning Commission's representative on the Zoning Board of Appeals.

Pfost will request hard copies of monthly meeting materials be mailed at least one week prior to the meeting to allow sufficient time for review.

**ADJOURNMENT**

**MOTION**

Dykert moved and Cole supported to adjourn the meeting at 8:55 PM.

**VOTE**

Ayes 6/Nays 0. Motion carried.

Respectfully submitted,  
Judith R. Hemwall  
Recording Secretary  
9/22/2011