

**PLANNING COMMISSION OF THE
CHARTER TOWNSHIP OF GRAND RAPIDS
Minutes of the July 22, 2008 Meeting**

A regular meeting of the Planning Commission of Grand Rapids Charter Township was held at the Township Hall on Tuesday, July 22, 2008 at 7:00 p.m.

Present were Chair Susan Molhoek, Vice-chair Stephen C. Fry, Secretary Wayne Harrall, Commissioners Edward J. Robinette, Michael J Fuller, and Beverly Wall. Absent was David VanDyke. Also present were Township Planning Director Richard Sprague Jr and Planning/Zoning Clerical Assistant Robin Rothley.

1. Approve minutes of the regular meeting of June 24, 2008.

The Planning Commissioners listed the following corrections to the June 24, 2008 minutes:

- Wayne Harrall is misspelled throughout the minutes.
- First and last names should be included for all who spoke.
- Page 1, Number 1, First bullet; “Steve Fry was present at the meeting”.
- Page 1, Number 2; third paragraph, third and fourth sentences; should have “be” inserted behind “will”.
- Page 2, Number 2, first paragraph; “1000” ” should be changed to “1,000 square feet”
- Page 2, Number 2, fourth paragraph; “Beltline” should be changed to “East Beltline Overlay District”.
- Page 2, Number 2, eighth paragraph; remove “Ed finds that the” and replace with “The”.
- Page 3; Item 3 should be Item 4.
- Page 4, Item 4; third paragraph should be removed.
- Page 4, Item 4, sixth paragraph; the public hearing was opened at “7:42 p.m.”
- Page 4, Item 4, ninth paragraph; “that building” should be changed to “that space”.
- Page 4; Item 4 should be Item 5.
- Page 5, Item 5, eighth paragraph; “feet” should be “foot width”
- Page 5, Item 6, second paragraph; “lease” should be “leased”
- Page 5, Item 6, fourth paragraph; “in” should be removed.
- Page 6, Item 7, first paragraph, last sentence; “seats” should be changed to “tables”.
- Page 7, Item 7, second paragraph; insert “drive” in front of “to enter”.
- Page 7, Item 7, eighth paragraph, first sentence; “in” should be inserted after “that”.
- Page 8, Item 7, seventh paragraph; remove the second sentence.
- Page 9, Item 3; drop the “s” from Forest Hill Ave.

- Page 9, Item 8, third paragraph, second sentence; replace “if now” with “when” and “were” with “would be”.

Wayne Harrall, seconded by **Michael Fuller**, moved to approve the minutes with the above mentioned changes. **Motion passed unanimously.**

2. Work Session: Review Draft Amendments to the Township Zoning Ordinance.

Township Planning Director Rick Sprague said that most of the proposed ordinance revisions have been discussed at previous meetings.

Susan Molhoek suggested starting discussion with Township Attorney James Brown’s proposed amendments dated April 28, 2008.

Part A: Sexually Oriented Businesses

Rick Sprague explained that Jim Brown has outlined proposed changes that have been made since the existing ordinance was adopted.

This is currently a permitted use in the “C” – General Commercial Zoning district; the amendment would require that a Special Land Use Permit be obtained from the Planning Commission.

The existing ordinance must be repealed in order to make any updates.

Ed Robinette asked if the applicant would be required to go before the Township Board for approval. Rick Sprague explained that the criterion is set forth for Planning Commission approval.

Sue Molhoek asked if it is typical to require staff of a Sexually Oriented Business to register with the township.

Steve Fry said that if the ordinance was written by the Township Attorney in such a way to be defended in court then he has no concerns with the wording or requirements.

Part B: Mineral Removal

Rick Sprague explained that there are a couple of Peat Mines in the township that could potentially reopen.

The current ordinance was adopted in the 1970’s so it is quite out dated.

The primary concerns are:

- Impact on the neighborhood that a mining operation would be located..

- Dust.
- Traffic.
- Final restitution.

The Planning Commission has discussed cubic yards at previous meetings. Discussion should take place regarding certain exemptions or less stringent requirements for smaller scale mineral removal operations.

Rick Sprague felt that if grading must take place for a development more than the suggested 1,000 cubic feet of material would be removed for a site. Ed Robinette discussed the Pine Nook development and the large amount of material that had to be removed. Steve Fry said it could be a big problem for commercial developers as well.

Steve Fry suggested that the ordinance could have a clause “With approval of the Township Planning Commission for construction purposed and not intended for mining.” Ed Robinette suggested it be included under Section 6.8.b.iv.

Sue Molhoek said “annual” should be better defined.

Sue Molhoek asked where the number “990” came from for requirement of an aerial photograph of a proposed mining site and all other lands within 990 feet thereof.

The Planning Commissioners wanted clarification of “county road” in the requirement that all mineral removal operations shall have direct access to a county road.

Rick Sprague outlined crushing, screening, transport operations, and hours of operations. There currently are no regulations addressing these items. The Planning Commission also could require the location of those operations on each site during the approval process.

Dave VanDyke felt that a one on five slope ratio for final rehabilitation seemed too flat. The Planning Commissioners discussed the issue and decided a maximum one on three ratio seemed more appropriate.

Wayne Harrall said that it should be the Township Engineer to estimate an amount required for a letter of credit or performance bond.

Sue Molhoek suggested that “the Township”, instead of the “Planning Commission” should determine if the applicant has fully complied with all of the terms and conditions of the special land use before releasing the performance bond or letter of credit.

Rick Sprague said that the wording for the “Renewal Section” is pretty standard for a mining operation ordinance.

Sue Molhoek feels “report” should be better defined regarding renewals. Progress Report was suggested, Rick Sprague will come up with a better word.

Wayne Harrall wondered if Public Hearings should be required for all mining special land use renewals.

Ed Robinette noted a typographical error in the draft ordinance on page 41 iii; should be Special Land Use "Permit".

Rick Sprague explained that the wording for Fees has been set to be adopted by the Township Board so that whenever the fee amounts are change the entire Ordinance would not have to be amended.

Part C – Condominiums

Rick Sprague explained that this amendment is a result of multi-unit buildings being split into individual condominium units after a building has been approved and constructed. The existing ordinance does not address this issue.

Dave VanDyke was concerned that the ordinance would be too restrictive with lot area requirements. Steve Fry said that the way it is written the lot requirements would be those of the Zoning District that the buildings would be located. The Planning Commissioners further discussed the lot area requirements. Rick Sprague explained that because this ordinance would direct the lot area requirements to the Zoning District in which the property is located it would eliminate the need for specific requirements.

Part D – Existing Private Roads

Rick Sprague explained how private road issues are currently dealt with.

Wayne Harrall asked if the amendment would allow a property owner to build on a lot located on a non-conforming private road without an upgrade to the road. Rick Sprague said that if they want to expand the non-conforming use they would be required to update the road.

Dave VanDyke asked if it were possible to have a lot split on a non-conforming private road and construct a home if the requirements are met according to Section 27.10.3. Ed Robinette said that Section 27.10.4 addresses the issue and it could not be extended without compliance.

The Planning Commissioners discussed the recommended reduction of Road Right of Way to 16'. They would like more information from Township Attorney, Jim Brown, of his reasoning for the reduction.

Rick Sprague said he will go forward with scheduling Public Hearings for each ordinance as the agendas allow.

3. **Update from Township Planning Director.**

Rick Sprague gave an update of the upcoming August agenda.

The meeting was adjourned at 8:35 p.m.

Wayne A. Harrall – Secretary