

**Minutes of the regular meeting of the Georgetown Township Planning Commission, held
Wednesday, January 15, 2020**

Meeting called to order by Chairman Smit at 7:00 p.m.

Present: Jessica Ulberg, Tim Smit, Josiah Samy, Tom Healy, Jeannine Bolhouse, Richard VanderKlok, Donna Ferguson

Absent: None

Also present: Mannette Minier, Zoning Administrator

#200115-01 – Agenda for January 15, 2020

Moved by Richard VanderKlok, seconded by Jessica Ulberg, to approve the agenda as submitted.

MOTION CARRIED UNANIMOUSLY.

#200115-02 – Minutes of the November 20, 2019 meeting

Moved by Richard VanderKlok, seconded by Jessica Ulberg, to approve the minutes as presented.

MOTION CARRIED UNANIMOUSLY.

#200115-03 – Election of Officers for 2019

Moved by Richard VanderKlok, seconded by Josiah Samy, to elect Tim Smit as chairman.

MOTION CARRIED UNANIMOUSLY.

Moved by Jeannine Bolhouse, seconded by Donna Ferguson, to elect Josiah Samy as vice-chairman.

MOTION CARRIED UNANIMOUSLY.

Moved by Josiah Samy, seconded by Jeannine Bolhouse, to elect Donna Ferguson as secretary.

MOTION CARRIED UNANIMOUSLY.

#200115-04 – Public Hearing – The layout of the Preliminary Plat of **Cedar Lake Estates No. 14**, P.P. # 70-14-03-300-058, part of P.P. # 70-14-03-300-052 and part of P.P. # 70-14-03-300-055, located at 8955 Cedar Lake Dr. and 2126 Fillmore, zoned (LDR) Low Density Residential and (RR) Rural Residential, Georgetown Township, Ottawa County, Michigan ([plat plans](#))

Todd Stuive, Exxel Engineering, represented the applicant and presented the request. He noted that the person with the house on two lots owns both lots and the driveway would be removed if the property owner sold one of the lots. He also said that the developer would connect the property that was excluded from the plat to water and sewer if the land would be developed.

The Zoning Administrator presented a [staff report](#). She stated the following. The developer already submitted a letter stating that the property that was excluded from the plat would be connected to water and sewer prior to developing the land. The developer already submitted a letter asking the RR portion of one lot to remain RR because it would not affect anything.

Tim Smit asked about the sidewalk on the two lots where the house was already constructed.

The Zoning Administrator stated that the ordinance requires the installation of sidewalks on lots within a plat by a specific time frame and the property owner would still be required to install sidewalks anyway.

The developer stated that she would inform the property owner that he will be required to install the sidewalk.

Donna Ferguson asked if these were all lakefront lots.

Todd Stuve responded yes, they were and all would need a pedestrian bridge over the creek to access the lake. He noted that Grand Rapids Gravel bought the development rights to the property at the north end of the lake which was excavated and more lake was created. He said that the developer always owned this lakefront land.

Tom Healy asked about the Zoning Administrator's statement related to drainage easements and detention ponds being self-created situations created by the developer.

The Zoning Administrator stated that one of the seven standards in the ordinance that had to be met for a variance to be granted was that the situation could not be self-created. She said that these situations related to the layout of the plat were self-created by the developer because the plat could be designed to allow more space for accessory structures. She said that the minutes note that the standard needed for a variance to be granted would not be met.

Tom Healy asked how staff kept track of these situations.

The Zoning Administrator stated that the motion was recorded in the minutes which would be researched if anyone in the future sought a variance related to these self-created situations.

Tim Smit said that this was the same as if a lot was small and didn't have room for accessory structures.

The chairman opened the public hearing.

Tom Jacobs, 8260 Briar Lane, asked how a property owner would know about easements on their lot.

Tim Smit said that if a person bought a lot, they should look at the plat layout.

Jeannine said that if a person was spending money they should know what they are buying.

Tim Smit said that there are many beautiful developments in the Township but some lots are not deep.

The chairman closed the public hearing.

Moved by Richard VanderKlok, seconded by Jessica Ulberg, to adopt the staff report as finding of fact and to recommend to the Township Board to grant tentative preliminary plat approval of Cedar Lake No. 14, P.P. # 70-14-03-300-058, part of P.P. # 70-14-03-300-052 and part of P.P. # 70-14-03-300-055, located at 8955 Cedar Lake Dr. and 2126 Fillmore, zoned LDR (Low Density Residential) and RR (Rural Residential), Georgetown Township, Ottawa County, Michigan, as shown on the drawing dated 11/08/2019, and with the following conditions:

- a) **Building envelopes appear to meet ordinance requirements, but will be reviewed for exactness at the time a building permit application is submitted. Some lots are affected by drainage easements. These situations are noted to be self-created by the developer and would not, therefore, qualify to meet the standard in the ordinance regarding self-created situations should any time in the future a variance be requested based on those circumstances.**
- b) **All fees, including deferred assessments, shall be paid prior to the issuance of any building permits.**
- c) **If there is to be a plat entry sign, some type of legal instrument must be submitted for the maintenance of the sign.**
- d) **Attached garages with a minimum of 400 square feet shall be provided.**
- e) **Sidewalks will be provided by the individual property owner at the time a house is constructed.**
- f) **The lot created by the exception shall be connected to public water and sanitary sewer if the lot is developed. Provide evidence (i.e. signed letter stating that the lot created by the exception shall be connected to public water and sanitary sewer prior to any development taking place on it).**

MOTION CARRIED UNANIMOUSLY.

#200115-05 – Public Hearing – The layout of the Preliminary Plat of [Two Oakes](#), P.P. # 70-14-09-300-006, located at 8225 28th Ave., zoned LMR Low/Medium Density Residential, Georgetown Township, Ottawa County, Michigan.

Todd Stuve, Exxel Engineering, represented the applicant and presented the request.

The Zoning Administrator presented a [staff report](#).

Tom Healy asked if the corner lots on 28th Ave. would be required to install sidewalks on 28th Ave. and he was told yes.

The chairman opened the public hearing.

Tom Jacobs, 8260 Briar Lane, expressed a concern with water.

Todd Stuve said that the storm water would be directed into a detention pond with a controlled outlet to the storm sewer. He said the plan would be reviewed by the Ottawa County Water Resources Commission.

Tim Smit said that the installation of the storm water management system typically improves the situation.

Tom Jacobs was concerned if there would be walk-outs which could cause more water problems.

Josiah Samy said that the Planning Commissioner are not experts on storm water management and he recommended that Tom Jacobs contact the Ottawa County Water Resources Commission.

The chairman closed the public hearing.

Moved by Richard VanderKlok, seconded by Jessica Ulberg, to adopt the staff report as finding of fact and to recommend to the Township Board to grant tentative preliminary plat approval of the Preliminary Plat of Two Oakes, P.P. # 70-14-09-300-006, located at 8225 28th Ave., zoned LMR Low/Medium Density Residential, Georgetown Township, Ottawa County, Michigan., as shown on the drawing dated 12/10/2019, and with the following conditions:

- a) **Building envelopes appear to meet ordinance requirements, but will be reviewed for exactness at the time a building permit application is submitted. Lots 1 and 2 have rear yards affected by a detention pond easement and other lots are affected by a drainage easement. These are situations noted to be created by the developer and would be considered to be a self-created situation in case any variance requests are submitted in the future based on those circumstances.**
- b) **All fees, including deferred assessments, shall be paid prior to the issuance of any building permits.**
- c) **If there is to be a plat entry sign, some type of legal instrument must be submitted for the maintenance of the sign at the time an application is submitted for a sign permit.**
- d) **Attached garages with a minimum of 400 square feet shall be provided.**
- e) **Sidewalks will be provided by the individual property owner at the time a house is constructed.**

MOTION CARRIED UNANIMOUSLY.

#200115-06 – Public Hearing – Waterford (PUD2001) (Ordinance No. 2020-01) Revised Preliminary Plan (and final development plan) for Waterford Place/Sunset Retirement Communities, 725 Baldwin St. The request is for (rezoning from MDR Medium Density Residential to PUD) preliminary planned unit development (and final development) approval for Waterford Place, for residential uses, independent and assisted living community with associated commons, assisted living, housing for the elderly, associated uses, service area, parking, amenities and open space, on a parcel of land described as part of P.P. # 70-14-22-400-042, located at 1725 Port Sheldon, Georgetown Township, Ottawa County, Michigan. ([plans](#), [application](#) and [narrative](#))

Jessica Ulberg recused herself because she works for Waterford.

Todd Stuive, Exxel Engineering, represented the applicant and presented the request.

The Zoning Administrator presented a [staff report](#).

Jeannine Bolhouse asked about the deviations.

Todd Stuive stated the following. The first five of the six were related to the sign which was approved in a previous phase and is already constructed. The only new deviation is for the

employee parking on Old Port Sheldon. There is a county drain and the parking lot wouldn't fit if it was to be moved back from the road. There is plenty of green area and plenty of room to accommodate future road growth. Landscaping will hide the cars.

Josiah Samy said that the plan looks good and it is a perfect completion for the project. He said there were a lot of walking areas.

Tim Smit said that this was a great addition to the Township.

Planning Commissioners expressed a concern for the lack of elevations for the duplexes.

Todd Stuve said that the colors and styles would be the same for the building, but he didn't know the architectural character of the duplexes yet which would have a more cottage feel.

Tim Smit said that he was concerned with not having elevations of the cottages.

Tom Healy said that they had a history of what this developer has done so far and if the architecture would be consistent with the existing architecture, it would be attractive. He said that the uses are complementary and this provided for a person's transition of life. He said that the location of the parking lot was warranted due to the location of the creek.

Josiah Samy asked if there would be barriers in the parking area.

Todd Stuve said that there was a fire access road and a walking path around the lake.

Josiah Samy asked if there would be barriers at the end of the road because he was concerned that the walking path looked like an extension of the road.

Todd Stuve said that if a concern arose they could add them but the walkway was well lit.

The chairman opened the public hearing.

Steve VanderVeen, CEO of Waterford, stated that the style of the cottages was higher-end and there would be small differences with the architecture. He said that they wanted them to match the second phase. He said that the villas would have chimneys.

The chairman closed the public hearing.

Planning Commissioners mentioned concerns about not reviewing the architecture for the cottages; however, it was noted that this could be addressed with the final development approval.

Moved by Richard VanderKlok, seconded by Donna Ferguson, to adopt the staff report as finding of fact and to recommend to the Township Board to approve the following resolution:

**Georgetown Charter Township
Ottawa County, Michigan
(Ordinance No. 2020-01)**

At a regular meeting of the Georgetown Charter Township Board held at the Township offices on February 10, 2020, beginning at 7:00 p.m. and after the second public hearing was held, Township Board Member _____ made a motion to adopt the staff report as finding of fact and to adopt this Ordinance, as recommended by the Planning Commission, which motion was seconded by Township Board Member _____:

**AN AMENDMENT TO THE GEORGETOWN CHARTER TOWNSHIP
ZONING ORDINANCE, AS AMENDED, AND MAP**

THE CHARTER TOWNSHIP OF GEORGETOWN (the “Township”) ORDAINS:

ARTICLE 1. The map of the Georgetown Charter Township Zoning Ordinance, as amended, is hereby amended to read as follows:

(PUD2001) (Ordinance No. 2020-01) Revised Preliminary Plan (and final development plan) for Waterford Place/Sunset Retirement Communities, 725 Baldwin St., including (rezoning from MDR Medium Density Residential to PUD) preliminary planned unit development (and final development) approval for Waterford Place, for residential uses, independent and assisted living community with associated commons, assisted living, housing for the elderly, associated uses, service area, parking, amenities and open space, on a parcel of land described as part of P.P. # 70-14-22-400-042, located at 1725 Port Sheldon, Georgetown Township, Ottawa County, Michigan, as shown on the following documents:

1. Preliminary and Final Development Plan packet dated 12.11.19 REV
2. Application and narrative

Based on the determinations that:

1. The proposal is consistent with the Master Plan.
2. The proposal meets the ordinance requirement for pedestrian walkways.
3. The proposal meets the ordinance requirement for architecture.
4. The proposal meets the ordinance requirement for traffic.
5. The proposal meets the ordinance requirement for open space.
6. The proposal meets the ordinance requirement for uses that are allowed.
7. The proposal meets the standards of approval.

Based on the findings that:

1. The qualifying conditions in Sec. 22.2 are met:
2. The information as per Sec. 22.5 is provided, and
3. The plan meets the ordinance requirements of Sec. 22.10 as follows:
 - a. The qualifying conditions in Sec. 22.2 are met;
 - b. The proposed PUD is compatible with surrounding uses of land, the natural environment, and the capacities of public services and facilities affected by the development;

- c. The proposed uses within the PUD will not possess conditions or effects that would be injurious to the public health, safety, or welfare of the community;
- d. The proposed project is consistent with the spirit and intent of the PUD District, as described in Section 22.1 and represents an opportunity for improved or innovative development for the community that could not be achieved through conventional zoning;
- e. The proposed PUD meets all the site plan requirements of Chapter 22 including Section 22.8, D.
- f. The deviations, regulatory modification from traditional district requirements, are approved through a finding by the Planning Commission that the deviation shall result in a higher quality of development than would be possible using conventional zoning standards, with deviations as a listed on the plan.

And with the following conditions:

- 1. A Storm Water Drain Permit (written approval by the Drain Commissioner's office) shall be submitted to the Township prior to the submission of the first building permit application.**
- 2. Utilities are to be coordinated with the DPW and Drain Commissioner's office.**
- 3. As per Sec. 22.11, a recorded PUD agreement shall be submitted to the Township prior to the submission of the first building permit application, as noted on the plan.**
- 4. Approved permits are required for all signs and all signs shall meet the details listed in the submittal documents or in the ordinance standards.**
- 5. The approval of the final development plan is contingent upon the Board approving the preliminary plan with rezoning. The approval of the final development plan is effective upon the effective date of the rezoning.**

Except as expressly modified by the above, the balance of the Zoning Map of the Georgetown Charter Township Zoning Ordinance, as amended, shall remain unchanged and in full force and effect.

ARTICLE 2. Severability. In the event that any one or more sections, provisions, phrases, or words of this Ordinance shall be found to be invalid by a court of competent jurisdiction, such holding shall not affect the validity or the enforceability of the remaining sections, provisions, phrases, or other words of this Ordinance.

ARTICLE 3. Except as specified above, the balance of the Georgetown Charter Township Zoning Ordinance, as amended, and map shall remain unchanged and in full force and effect.

ARTICLE 4. Effective Date. The provisions of this Ordinance shall take effect upon the expiration of seven (7) days from the date of publication of this Ordinance or a summary of its provisions in accordance with the law.

The vote in favor of adopting this Ordinance was as follows:

Yeas:

Nays:

Absent:

MOTION CARRIED UNANIMOUSLY AND ORDINANCE DECLARED ADOPTED.

CERTIFICATION

I hereby certify that the above is a true copy of an Ordinance adopted by Georgetown Charter Township Board at the time, date, and place specified above pursuant to the required statutory procedures.

Respectfully submitted,

Dated: _____, 2020

By _____
Richard VanderKlok
Georgetown Charter Township Clerk

Yeas: Tom Healy, Donna Ferguson, Tim Smit, Josiah Samy, Jeannine Bolhouse, Richard VanderKlok
Nays: None
Abstained: Jessica Ulberg

MOTION CARRIED.

Moved by Jeannine Bolhouse, seconded by Josiah Samy, to adopt the staff report as finding of fact and to approve the final development plan dated 12.11.19 REV contingent upon the Township Board approving the preliminary development plan and the approval of the final development plan to be effective upon the effective date of the PUD preliminary plan rezoning; and with the following conditions:

- 1. A Storm Water Drain Permit (written approval by the Drain Commissioner’s office) shall be submitted to the Township prior to the submission of the first building permit application.**
- 2. Utilities are to be coordinated with the DPW and Drain Commissioner’s office.**
- 3. As per Sec. 22.11, a recorded PUD agreement shall be submitted to the Township prior to the submission of the first building permit application, as noted on the plan.**
- 4. Approved permits are required for all signs and all signs shall meet the details listed in the submittal documents or in the ordinance standards.**
- 5. The approval of the final development plan is contingent upon the Board approving the preliminary plan with rezoning. The approval of the final development plan is effective upon the effective date of the rezoning.**

- 6. The applicant is to return to the Planning Commission with elevations which provide the architectural character of the cottages and approval from the Planning Commission must be obtained prior to the submission of the first building permit application for one of the cottages.**

Yeas: Tom Healy, Donna Ferguson, Tim Smit, Josiah Samy, Jeannine Bolhouse, Richard VanderKlok
Nays: None
Abstained: Jessica Ulberg

MOTION CARRIED.

#200115-07 – Discuss Ordinance Revision for Bed and Breakfast/[Short Term Rental](#)

There was discussion about the proposed ordinance change with the language as directed by the Planning Commission. There was also discussion about the recent huge increase in the cost to publish the required legal notices in the Grand Rapids Press. It was noted that the Township would bear the burden of the entire expense if the publication was done at the initiation of the Planning Commission since this was not a result of a submitted application accompanied by a paid fee. The determination was to delay action until such time as another ordinance change has to be published in order to reduce some of the cost of publication. If nothing arises in the next few months, this ordinance revision could be discussed again in the summer. This ordinance revision was at the request of only one person interested in changing the ordinance in order to have a business of a bed and breakfast at their house and they have not submitted a paid application for the ordinance revision.

#200115-08 – Other Business

#200115-09 – Public Comment

No one was present to make public comments at this time.

#200115-10 – Adjournment

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