

## Leighton Township Planning Commission Minutes

**Date:** July 8, 2020

**Members Present:** Scott Chestnut, John Hooker, Ben Potts, Tom Smith, Matt VanderEide, Harry DeHaan, Louis Murray (via Zoom)

**Members Absent:**

**Also Present:** Andy Moore, Township Planner; Heather Mitchell, Zoning Administrator, and four residents

1. **Call to Order:** Meeting was called to Order by Chairman Chestnut at 7:00 PM
2. **Approval of Minutes from March 11, 2020.** Minutes were accepted as submitted.
3. **Public Comments:** None
4. **Inquiry of Conflict of Interest:** None
5. **New Business:**
  - a. **Public hearing, Ricky Richard Accessory Building:** Chestnut opened the public hearing. Moore read the public hearing notice. Applicant Ricky Richard reviewed his plans, stating this project started out as wanting a barn to store equipment. With COVID, they decided to add some area for recreation that can be used in the winter months, and for family parties, etc. Moore reviewed his report, and noted some concerns that he had with the property related to the size of the building, a kitchen area, closets, and other rooms that didn't seem to fit with the idea of it being an accessory building. He also noted that he was concerned about commercial storage as the applicant noted that "heavy equipment" would be stored in it.

Sue Visser 4528 Serry Drive. Concern over their view of the lake. Will they be looking at a 2-story building? Right now there is some lake-related equipment there but they are concerned that they would be looking at a big building out from their back yard

Mary Richard, (spouse of applicant). She noted that they own a Kabota from their business that they use for personal purposes, and that no business would be conducted out of the building. She also addressed the other neighbor's concern about view and mentioned that they would be planting some evergreens. An upper level above the pool would be storage. They have no plans to rent this or use it for residential purposes. The pickleball court area would be used for storage too, and equipment would be

moved out when someone would use it. Right now all of this equipment (boats, jet skis, etc.) is stored outside.

Commissioners VanderEide, Potts, Chestnut, and Smith had various questions regarding the language of the ordinance, building height, uses, possible conditions and restrictions, and whether it could be used for residential purposes. The applicant stated that the building would be hooked up to a well and septic system if approved. Smith felt that if a well and septic tank were put in it would be a residence and they should apply for the building as a residence. Moore reminded commissioners that they can table it too, to ask for revisions or additional information.

Murray was concerned about the commercial use and commercial storage with the bathroom layout, which looked like a commercial setup. Potts and DeHaan are not concerned about the size. The applicant does not want to split the parcel and have a residential building. The applicant is willing to get rid of the kitchen. **After some discussion, there was a motion by VanderEide to approve the application with the following conditions:**

- 1. No demolition or earthwork shall be undertaken on the site until a building permit has been issued consistent with this site plan approval.**
- 2. Prior to issuance of any permits, the applicant shall have paid all application, permit, and other fees related to this request.**
- 3. Any stipulations of the Leighton Township Fire Department, Township Engineer, County Road Commission, and County Drain Commissioner shall be met.**
- 4. The applicant shall obtain all applicable permits prior to any construction on the site, including a Soil Erosion and Sedimentation Control permit through the Allegan County Drain Commissioner.**
- 5. The applicant shall maintain compliance with applicable operational regulations in Section 3.10(f).**
- 6. The building shall not accommodate any kitchen or cooking or sleeping facilities, and shall not be used as a short term rental or any other residential purposes other than storage in accordance with the zoning ordinance.**
- 7. Only the applicant's personal items may be kept in the building. The storage of business equipment, whether or not for compensation, is prohibited. The building shall not be used for any commercial purposes.**
- 8. The building height shall not exceed the requirements of the Township zoning ordinance.**

**Motion was supported by Potts, and carried 5-2 via roll call vote with DeHaan and Hooker voting no.**

- b. **Newhof Construction Site Plan Review:** Jeff Brinks from Venture Engineering presented the application. It would be a general contractor's facility for Newhof Construction. Moore reviewed his report and the recommendation of the Site Plan Review Committee, noting that the building met the standards of the zoning ordinance and there were no significant concerns on the site. **Motion by VanderEide to approve the site plan with the following conditions:**

1. **No demolition or earthwork shall be undertaken on the site until a building permit has been issued consistent with this site plan approval.**
2. **Prior to issuance of any permits, the applicant shall have paid all application, permit, and other fees related to this request.**
3. **Any stipulations of the Leighton Township Fire Department, Township Engineer, County Road Commission, and County Drain Commissioner shall be met.**
4. **The applicant shall obtain all applicable permits prior to any construction on the site, including a Soil Erosion and Sedimentation Control permit through the Allegan County Drain Commissioner.**
5. **The applicant shall maintain compliance with applicable operational regulations in Section 11.04.**
6. **The landscape plan shall include a statement that all diseased, damaged, or dead plant materials shall be promptly replaced, in accordance with Section of the Ordinance.**
7. **The applicant shall include one off-street loading space on the site plan in accordance with Section 17.09 of the Zoning Ordinance. All loading and unloading areas shall be screened if visible from a public thoroughfare.**
8. **Signage shall comply with Chapter 21 of the Zoning Ordinance.**
9. **All outdoor light fixtures shall be full cut-off features and comply with Section 18.05 of the Zoning Ordinance.**

**The motion was supported by Hooker and carried 7-0 via roll call vote.**

**10. Unfinished Business:**

- a. **Master Plan Discussion:** Moore provided an update. The plan will be distributed next week with a public hearing later in the summer or fall.

**11. Public Comments:** None

12. **Commissioner Comments:** Chestnut noted that a letter was received from Thornapple Township indicating that they are working on the Master Plan.

Hooker is concerned about a building going up on 142<sup>nd</sup> Avenue (Dan Dykstra) that appears that it is being used for commercial purposes. He has heard numerous complaints from residents and he asked Heather if PCI will check in to this. Mitchell confirmed that they will be inspecting it.

13. **Adjournment: Motion by Hooker to adjourn, supported by Smith. Motion carried 7-0 via voice vote.**

The meeting was adjourned at 8:05 PM.

Respectfully submitted,

Andy Moore, AICP  
Township Planner

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