

Leighton Township

Planning Commission

Minutes

Date: August 14, 2019, 7:00 PM at the Leighton Township Hall

Members Present: Scott Chestnut, Tom Smith, Louis Murray, Ben Potts, John Hooker, Matt VanderEide, Harry DeHaan

Members Absent: None

Also Present: Eric Thompson, Zoning Administrator; Andy Moore, Township Planner, and five residents.

- 1. Call to Order:** Chairman Scott Chestnut called the meeting to order at 7:00 PM in the Leighton Township Hall
- 2. Minutes from June 12, 2019:** Accepted as submitted.
- 3. Public comments for items not on the agenda:** Kevin Velting has a business on Argon Court and is looking at purchasing an additional property next to his existing business. Wants to share his ideas with the PC and get feedback prior to closing on the sale of the property. Will present after the Schut public hearing.
- 4. Conflict of interest:** None
- 5. Public Hearing:** Jim Schut Special Land Use for a 3200 sq ft accessory building at 4571 East Shore Drive.

Moore read the public hearing notice.

Jim Schut was present. He lives at 4578 East Shore Dr. and has an agreement with Robert Velting to purchase part of his property. The lot is about 35000 sq ft, and he is requesting SLU to build a accessory building up to 3,200 square feet, which would be about 9% of the lot area. Storage would be for his personal equipment such as boats, trailers, etc. so it can be inside and not outside. Lot is generally out of sight from East Shore Dr.

Hooker asked how far back building would be from East Shore Drive. Nate Dr runs about 170 feet back. Building would be at rear of property. Neighbors are about 150 feet behind his proposed building.

Murray asked about grades and was concerned about neighbors behind the building. Schut said it would be lower than the homes on the east side. The building would be at most 12' tall at the sidewall to accommodate a 10' overhead door. Most trees would remain, and there is a public ROW behind part of the east side of the parcel, so it would have to be 35' off that lot line, too.

Moore reviewed his memorandum including the relevant standards of section 3.10(f) (Accessory Buildings), 15.06 (Site Plan Review), and 20.11 (Special Land Uses). Moore recommended approval but noted that he was concerned about access. The site plan shows a right of way along the property that could be considered frontage, according to Thompson. Moore was concerned that the lot may not be accessible because there is no road there, so the lot division may not be approvable. Thompson said the existing right of way could be considered frontage. Schut said the right of way is not recorded but shows up on the legal description. Nate Drive is paved for the first hundred feet or so. Moore further noted that approval of the SLU would be conditioned upon the land division being approved. Thompson indicated that PCI would be thoroughly researching the issue before approving the land division.

Chestnut opened the floor for public comment.

Greg Bultsma, 4575 E Shore, was curious to see what was being proposed. Is supportive of the request since it will be just for personal use. Was also curious to see what the situation is with the Nate Drive "right of way," any easements nearby, etc.

Lori Bolman, 4576 E Shore. No problems with the request. Glad to see that there will not be any traffic.

Chestnut closed the public hearing.

Commissioners deliberated. The consensus was that there weren't any concerns about the building but weren't sure about the land division. Moore shared those concerns but reminded commissioners that the special land use was for the building only, and the land division was an administrative task that PCI would be reviewing. If the land division can't be approved, the building would not be permitted.

Motion by Murray, supported by DeHaan, to approve the proposed special land use, subject to the following conditions:

- 1. Prior to issuance of any permits, the applicant shall have paid all application, permit, and other fees related to this request.**
- 2. The applicant shall obtain all necessary county, state, or federal licenses and permits.**
- 3. Any stipulations of the Leighton Township Fire Department or Township Engineer.**
- 4. The land division must be approved and recorded, in addition to any necessary easements, prior to construction activities taking place on the site.**
- 5. The applicant shall submit a copy of a restrictive covenant confirming the common ownership and prohibiting the separate conveyance by way of sale or lease of either lot, along with evidence of recording with the Allegan County Register of Deeds.**
- 6. The applicant shall submit proposed building materials for review and approval by the Zoning Administrator.**

7. **Any outdoor parking shall be restricted to parking spaces that conform to the parking requirements for on-site parking spaces of this ordinance.**
8. **Any new curb cuts or driveway shall be approved by the Allegan County Road Commission.**
9. **No commercial activity or uses shall be permitted in the building.**

Motion carried 7-0 via roll call vote.

6. Kevin Velting (see item 3 above) addressed the commission with plans for property on 4719 Argon Court. Would be for concrete storage, crushing, and using for Velting Contractor's projects. Crushing would occur with a portable crushing facility outside. Could also include asphalt. It would be almost all used for their own projects. Commissioners discussed potential concerns for the project, and things that would need to be addressed (noise, dust, stockpile height, etc.)
7. **Master Plan Update.** Moore provided commissioners with a report that outlines the results of the community survey. The Township received 158 responses. Many different ideas and perspectives were received, many centered around preserving rural character, farmland, groundwater supplies, and improving the quality of roads. There was also support for increased controls on development in order to protect water resources, and support for recreational opportunities and non-motorized trails. A copy of the report is available at the township hall. Moore also reviewed next steps for the Township in the process to update the plan, including a review of goals and objectives, and updates to the future land use map. Moore will provide additional materials in advance of the next meeting.
8. **Public Comments:** Greg Bultsma, 4575 E Shore had a few more questions about the properties and issues surrounding Nate Dr and rights of way, easements, access, and history.
9. **Commissioner Comments:** None
10. **Adjournment: Motion by Hooker supported by Potts, to adjourn. Motion was approved unanimously via voice vote.**

Meeting was adjourned at 8:42 PM.

Respectfully submitted,

Andy Moore, AICP
Leighton Township Planner