

Leighton Township Planning Commission Minutes

Date: September 14, 2022; 7:00 PM

Members Present: Harry DeHaan, Ben Potts, John Hooker, Stephen Shoemaker, Brad Geers

Members Absent: Matt VanDuyn (with notice), Matt VanderEide (without notice)

Also Present: Planners Andy Moore and Tricia Anderson from Williams & Works, Lori Castello from PCI, plus 5 members of the public and/or applicants.

1. **Call to Order:** The meeting was called to order by Chairman Harry DeHaan at 7:00 PM
2. **Approval of Minutes from August 10, 2022.** Minutes were accepted as presented.
3. **Public Comments for items not on the agenda:** None
4. **Inquiry of Conflict of Interest:** None
5. **Public Hearing:** None
6. **New Business:**
 - a. **B&H Pallets.** Kasmin Lulic, on behalf of the owner Jay Morren, is seeking to develop a business on the property located at 4203 Morren Lane (PPN 03-13-265-001-00). The subject property is 0.98 acres and within the I-1 Industrial District. The applicant is proposing to develop the site for a facility that will make, purchase, sell, and store pallets. This use is permitted by right in the I-1 district (Section 11.02(b)). The improvements on the site include a 2,400 square foot building dedicated to the assembly and disassembly of pallets, four parking spots, including one accessible spot, and a large asphalted rear yard that will be, among many things, use for the outside storage for pallets.

Rob Lamer of Exxel Engineering introduced the project. He indicated that the applicant is currently operating out of an existing site in Wayland and he is prepared to construct the site following approval.

Moore provided comments in relation to the operation of the site and added that in his experience, a pallet company is by nature, a messy business. He was pleased to see that the fence is proposed at 10' and that the pallets cannot be stacked up higher than the fence so that they're not visible. He added that it's imperative that the site should contain controls to minimize the event of a fire. The applicant will work with the fire department to implement any improvements to comply with the fire code. A robust landscaping plan is

proposed to off-set the aesthetics of the site. Moore noted that the site is planned to be 75% impervious. At some point, the drain commission will likely need to review the capacity of the regional detention basin as the lots within the industrial park get developed. Mr. Moore referenced the conditions of approval indicated in his report and those that were recommended by the site plan review committee.

Shoemaker asked how many pallets would stack to create the ten feet in height. He also provided comment on where the pallet assembly would take place. The applicant relayed that it would all be done on the inside of the building, and that the pallets would be stored outside.

Moore added that the façade requirements for the exterior of the building will need to be adhered to, with 25% of the building wall facing Morren Street being covered with windows. He added that there should also be some decorative features on the building through the use of brick or similar materials as required by the zoning ordinance.

Potts asked about storm water infrastructure and if it was piped to the detention basin. Moore indicated that it is, and that the township engineer reviewed the storm water management and it was adequate.

Shoemaker asked if, because the site is on a corner lot, whether the façade requirements would apply to the side of the building. Moore responded that the side of the building would be completely obscured by the fence, thus it would not be necessary.

Motion by Geers moved, with support from Shoemaker, to approve the site plan for B&H Pallets located at 4203 Morren Lane subject to 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 the 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, Allegan County Drain Commissioner, Allegan County Road Commission, or other approving agency shall be met.**
- 4. The applicant shall receive and submit copies to the Township of all necessary permits and approvals from local, state, and federal agencies.**
- 5. The applicant shall submit any missing site plan items required in Section 15.04 and identified above under Completeness of Submittal, unless specifically waived by the Planning Commission.**
- 6. Outdoor lighting information should be provided that satisfies Township requirements.**
- 7. A floor plan shall be submitted that allows parking requirements to be confirmed.**

8. **The zoning district requirements outline the need for accessibility for fire apparatus and a hazardous materials management plan. Since the pallets are comprised of thin, processed wood and in our experience can constitute a particularly notable fire hazard, the plans must be reviewed and approved by the Fire Department.**
9. **The applicant shall provide additional information related to outdoor storage of pallets especially as it relates to loading and unloading, fire truck access, and the storage of pallets and pallet materials.**
10. **Pallet stacks shall not be more than ten feet in height.**

7. Old Business.

- a. **R + L Carriers – 4122 South Division.** Ramar Land Corporation, on behalf of Division Holdings LLC & 4122 Division LLC, has applied for site plan review for property located at 4122 S Division Avenue (PPN 13-019-011-00 and 13-019-012-00). The application was reviewed by the Planning Commission at the August meeting. At that meeting, no action was taken on the application as additional materials needed to be submitted.

Engineer Matt Parks of Manhard Consulting presented the project.

Moore described the proposed operation of R + L Carriers, noting that last month the PC requested that the applicant address the concerns related to the proposed berms, stormwater management, lighting, and other topics. In addition, the Commission requested the applicant provide the following information:

- Update the site plan to include an approximate 4-foot berm along 142nd with plantings on top
- Additional detail on landscaping plan related to species and spacing
- Update template building standard building plan
- Traffic study
- Update the lighting to show compliance
- Copies of prelim Allegan County Drain Commissioner review letter
- Stormwater calculations

The applicant has submitted all of the above information. Additional items were discussed at the Site Plan Review Committee meeting.

Moore noted that there is a County Drain Commission easement in the area that is proposed to contain the berms, and it was unclear if the drain commission would allow the 4' berms and landscaping in the county's easement. He asked for direction from the Planning Commission on whether a fence would be preferred, or if a natural looking corridor with multiple plantings would suffice.

The photometric plan shows a corner of the site that exceeds the maximum footcandles at the property line. Moore indicated that this is manageable and could likely be resolved through the angling of lighting fixtures.

Members of the Planning Commission asked about the drainage easement, and whether it is a ditch or an underground pipe. Moore added that the berm is not a requirement of the zoning ordinance. Hooker asked whether the trees would be planted on top of the berm. There was discussion about if the road was widened in this area, then it could encroach into the area where the berms are proposed.

Potts asked about the location of the easement. Moore provided the location on the plan and indicated it is 40' wide and does not span across the entire frontage of 142nd Avenue and is set back off the ROW by about 60'. Shoemaker asked if the drainage easement was connected in any way connected to the railroad easement.

The Planning Commission discussed whether the berms could be shifted south to stay out of the easement. Moore indicated that there is a sanitary sewer line that could be a challenge, depending on what would be permitted in the easement. They also discussed how, if placing the trees on top of the berm would not be permitted, then the berm should be removed from the plan. Shoemaker added that the road is elevated approximately 10' above the site and that his line of sight is about 5' when he's driving down the road, he may not even see the berm.

Moore added that the plan is approvable as is, with the condition that the Drain Commission provide a determination as to what can go in their easement. Evergreens might be more appropriate to provide year-round screening. The Planning Commission agreed that the use would never be completely screened from view. Shoemaker indicated he was much more concerned with the traffic concerns at the driveway than the landscaping plan.

The Planning Commission reviewed the conditions proposed by the SPR committee, and added some additional ones:

1. Swap out the two Ohio Buckeye and Kentucky coffeetree for evergreens on the landscaping plans.
2. No berm is required
3. Parcel must be combined
4. Façade - Compliance with section 11.08 of the zoning ordinance must be met.

If the site plan is approved, staff will forward the plan to the fire department, drain commission, and engineer for review.

Traffic study recommendations for improvement would include the taper lane and several other improvements, some of which are long-term in nature and do not directly involve the applicant. The road commission has the jurisdiction to make and require improvements.

Motion by Hooker, with support from Geers, to approve the site plan dated, August 31, 2022 subject to 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 the 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, Allegan County Drain Commissioner, Allegan County Road Commission, or other approving agency shall be met.**
 4. **The applicant shall receive and submit copies to the Township of all necessary permits and approvals from local, state, and federal agencies.**
 5. **Signage shall comply with Chapter 21 of the Zoning Ordinance.**
 6. **Outdoor lighting shall not exceed 0.5-foot candles at property boundaries, in accordance with Section 18.05 (b)(2) of the Zoning Ordinance.**
 7. **The traffic impact study recommended two concurrent improvements as part of the approved site plan. These shall be included on the updated site plan.**
 8. **The applicant shall provide a wastewater characterization (quantity and quality) for each of the two proposed buildings for all the wastewater that will be generated in each building. The applicant shall also describe any pretreatment being provided. It appears there may be a grease or solids trap on the sanitary line from the truck wash.**
 9. **The applicant shall obtain approval from the Dorr/Leighton Water Works for the connection to their watermain on 142nd Avenue.**
 10. **The applicant shall combine the two properties.**
 11. **The landscaping plan shall replace the proposed "Ohio Buckeye" and "Kentucky Coffeetree" for evergreens.**
 12. **No berm is required**
 13. **The building façade shall comply with Section 11.08 of the zoning ordinance.**
8. **Public Comments:** None
9. **Correspondence:** None
10. **Commissioner Comments:** Potts asked about what the process looks like to amend the master plan. Mr. Moore relayed that the process is lengthy, but it can be amended whenever you want. Mr. Potts noted that there are areas within the Township that he noticed that might be better served with an alternate future land use designation.

Moore introduced Tricia Anderson, new planner with W&W, who will also be working with the Township in the future. He also gave an update on projects that may be on the Planning Commission agenda in the coming months. He added that one of them is the multifamily development with storage units proposed at Division Avenue.

Castello provided an update on an enforcement case pertaining to an unlawful salvage yard, and that the Township had taken the property owner to court. The judgement allows 30 days for the property to be cleaned up.

11. Adjournment. Motion by Hooker to adjourn. The motion was supported by Potts and carried via voice vote with all members voting yes.

The meeting was adjourned at 8:15 PM.

Respectfully submitted,

Andy Moore, AICP
Leighton Township Planner

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