

## Leighton Township Planning Commission Minutes

**Date:** October 13, 2021, 7:00 PM

**Members Present:** Stephen Shoemaker, Harry DeHaan, Matt VanderEide, John Hooker

**Members Absent:** Ben Potts

**Also Present:** Planner Andy Moore from Williams & Works, Jason Deery from PCI, plus 18 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 September 8, 2021.** Minutes were accepted as presented.
3. **Public Comments for items not on the agenda:** None
4. **Inquiry of Conflict of Interest:** None
5. **New Business**
  - a. **Classic Transportation Site Plan Review.** Brock Mellema from FCC construction, Rod Cooper and Kim VanBeek from Classic Transportation were present. Mellema provided an overview of the revised site plan, noting that they had seen a huge cost increase that was detrimental to the project. The original site plan was approved by the Planning Commission in July 2021. They are looking for ways to reduce cost, which primarily involve not paving 147<sup>th</sup> and not paving all of the parking lot. They noted that there is an alternate route into the site from Division that would be used primarily to access the site through the existing campus. In addition, the ACRC would also make them replace the culvert and peat beneath the road surface to reconstruct. This would involve removing the entire old road and is very expensive. Allegan County said they don't have to pave the road and said it's a Township decision.  
They expect 8-15 employees on the site so they have way more parking than what was needed, and are looking to reduce paving costs there, too. They have proposed to reduce the number of parking spaces from 82 to 39. All other aspects of the site would remain the same. Some other changes included an update to the stormwater system and they are working on those issues with the Drain Commission.  
They are also seeking financial assistance from the ACRC and are working with Lakeshore Advantage to pay for paving the 147<sup>th</sup>, which still might happen. The Planning Commission approved the site plan in July 2021, and now would need to approve the modified site plan.

Moore reviewed the three main changes to the site plan, which are stormwater management, parking deferment, and leaving 147<sup>th</sup> Avenue unpaved.

**Motion to approve the updated site plan by VanderEide, supported by Shoemaker, to approve the revised site plan for Classic Transportation, subject to the following conditions:**

- **Add a gate to 147<sup>th</sup> Avenue truck driveway (the westerly drive)**
- **Fire department approval of the revised layout**
- **Other applicable conditions are still in effect from the previous site plan approval.**

**The motion carried via roll call vote with all members voting yes.**

**Midwest Sign Company, Amended Landscaping Plan.** Moore reviewed a revised landscape plan submitted by Midwest Sign. This is a new development in the Leighton Industrial Park that was approved earlier in the year. Moore noted that that the updated plan appeared to be an improvement over the previous plan. **Motion by Hooker, supported by VanderEide, to approve the revised Landscaping Plan as presented. The motion carried via roll call vote with all members voting yes.**

- b. Harvest Meadows Phase III, Final Plat Approval.** John Bitely was presented, noting that everything has been approved. Moore confirmed that water and sewer approval had been received from the reviewing engineers, along with ACRC and ACDC approvals. **Motion by VanderEide to recommend final plat approval to the Township Board. The motion was supported by Shoemaker, and carried via roll call vote with all members voting yes.**

**6. Public Hearing:**

- a. Rog and Susan Kuipers Accessory Building.** Moore noted that this was not to be voted on tonight. Rog Kuipers was present and felt that he was confused by PCI. Moore noted that this section of the zoning ordinance is very confusing and wished to rewrite it. DeHaan opened the public hearing. No comments were made by the public, so DeHaan closed the public hearing. No further action was taken and this will be revisited at a future meeting.

**7. Unfinished Business:**

- a. Levi Dutcher Special Land Use – CPL Home Occupation.** Mr. Levi Dutcher has applied for special land use review to teach CPL/ safety classes in an accessory building located on his property at 680 144<sup>th</sup> Avenue. The subject property is approximately 10.5 acres in area and is located in the R-1 Rural Estate zoning district. The applicant is proposing to teach CPL (Concealed Pistol License) classes in an existing 1,440 square-foot (30' x 48') accessory building on the property. The property currently contains one single-family residence and one accessory building. At the last meeting, the Planning Commission postponed a decision on the application until next month so the applicant can submit an improved site plan. An updated site plan was provided by Deery, which was submitted by Mr. Dutcher.

Dutcher was present noting that he was going to take additional steps to combat the noise including building a temporary fence and installing arborvitae around the shooting area.

DeHaan asked about a building, which was discussed at the last meeting. Dutcher said that he was considering that but did not put it on the plan, and wasn't sure if it would be necessary. DeHaan asked about the number of people; Dutcher said there would be a maximum of 24 people and no more than three classes per month, and that would likely be only in an election year when demand is higher.

Dutcher also said that most (~70%) of his students are women aged 24-40. He thinks that these classes have saved at least two lives, and has lots of stories where people having safe access to firearms has proven to be beneficial.

VanderEide asked about a previous application where the Planning Commission denied a similar application. Moore explained that this was in 2014 and that the Planning Commission denied that one, noting that it was processed differently and the site did not meet the special land use standards. Moore also said that if this application were processed the same way, this application would meet those standards because the property is much larger.

With a number of people in attendance, DeHaan asked if there were any comments from the public related to the application.

Dale Frantz, 438 Green View Drive. Took his class a few months ago and loved it, and thought it was very useful.

Sara Higley, 570 N West Shore Drive. In support of Levi and his classes. She had prepared a statement that she read. Classes allow people to obtain a concealed carry permit. Also felt that the classes were very educational, and positively impacts families of those who take the classes.

Grant Allison, 944 144th Ave. Felt that the application met the requirements of the zoning ordinance and should be approved. He didn't see any issues with the application.

Steve Wolbrink 1120 Janice St. (Twp Supervisor). He spoke with Shirley Ritsema who lives next door and attended the previous meeting, and she had asked Wolbrink to inform the commission that she was concerned about the previous rental of the building and was concerned about the noise.

Brandon VanLiere 4416 Summit Point. Not concerned about the noise. There are a number of people in the vicinity that shoot guns on their property so it is difficult to tell where the noise is even coming from. He has a CPL and wants the PC to approve the application.

Hearing no other comments, DeHann closed the public comment period.

**Motion to approve the proposed special land use by Hooker with the following conditions.**

- a. **Maximum number class size is 24.**
- b. **Maximum number of classes is three per calendar month.**
- c. **landscaping and fence installed within six months.**

**The motion was supported by Shoemaker and approved 4-0 via roll call vote.**

- b. **Neal Kelly, North Cove Builders.** Mr. Neal Kelley, of North Cove Builders, has applied for site plan review for a property located at 1121 Electric Avenue (PPN 13-216-025-00 & 13-216-026-00). The subject property contains two vacant parcels, which are a combined area of approximately 3.82 acres within the Leighton Industrial Park. Surrounding properties are also in the I-1 district, except along the northern property boundary which is zoned A-R, Agricultural/Rural-Residential, in Gaines Township. The applicant is proposing to construct a 13,846 square-foot storage building and a 2,800 square-foot accessory building. In the main building, 1,128 square feet are proposed for office use, with the remaining area dedicated to storage. The item was tabled at the October meeting because not all the information had been submitted. The applicant provided a landscaping plan and building elevations, which were reviewed by the site plan review committee and recommended for approval. Moore provided an overview of the request and the notes in his staff report from the previous meeting.

**Motion by VanderEide to approve the site plan with the following conditions:**

- a. **No demolition or earthwork shall be undertaken on the site until a building permit has been issued consistent with this site plan approval.**
- b. **Prior to the issuance of any permits, the applicant shall have paid all application, permit, and other fees related to this request.**
- c. **Any stipulations of the Leighton Township Fire Department, Township Engineer, County Road Commission, and County Drain Commissioner shall be met.**
- d. **The applicant shall maintain compliance with applicable regulations in Section 11.04 of the Zoning Ordinance.**
- e. **Any signage shall comply with Chapter 21 of the Zoning Ordinance.**
- f. **The applicant shall obtain a Soil Erosion and Sedimentation Control permit through the Allegan County Drain Commissioner prior to any construction on the site.**
- g. **The new curb cut shall be approved by the Allegan County Road Commission.**
- h. **The ADA parking space shall meet dimensions required by the 2010 ADA Standards for Accessible Design.**

- i. **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 via roll call vote with all members voting yes.**

**8. Old Business**

- a. Harvest Meadows Phase II. Moore noted that all permits have not been received so this approval of this project will remain postponed for the time being. Once those permits have been received and reviewed this will be placed on the agenda for recommendation to the Township Board.
- b. Moore informed the commission that the GVL Excavating application would be discussed at the board meeting the following night, so the Planning Commission should have some direction next month.

**9. Public Comments:** None

**10. Correspondence:** None

**11. Commissioner Comments:** DeHaan noted that there was a Planning Commission training opportunity coming up soon in Frankenmuth.

**12. Adjournment. Motion by Shoemaker to adjourn. The motion was supported by VanderEide and carried via a voice vote with all members voting yes.**

The meeting was adjourned at 8:12 PM.

Respectfully submitted,

Andy Moore, AICP

Leighton Township Planner