

Leighton Township Planning Commission Minutes

Date: November 10, 2021, 7:00 PM

Members Present: Stephen Shoemaker, Brad Geers, John Hooker, Harry DeHaan, Ben Potts, Matt VanDuyn, Matt VanderEide.

Members Absent: None

Also Present: Planner Andy Moore from Williams & Works, Jason Deery and Lori Castello from PCI, plus 8 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 October 13, 2021. Motion to approve by Hooker, supported by VanderEide. The motion carried via voice vote 7-0.**
3. **Public Comments for items not on the agenda:**
 - a. Shirley Ritsema 666 144th Avenue. She had questions and comments on Dutcher special land use home occupation that was approved at the October meeting. She questioned the commission on the height and materials of the fence, and the type of landscaping installed, and the timeframe in which it has to be installed. What happens if he doesn't comply with the Ordinance or the site plan he had proposed? Will someone be monitoring this? She restated that she does not oppose the classes but remains very concerned about noise. She doesn't think a 6' foot fence is going to do much to contain the noise. She also has issues with the lack of transparency on Dutcher's part as he has been in violation of the Zoning Ordinance several times with the classes and with people living in his accessory building. She stated that he has been in violation for a long time with no consequences, and asked if that was considered when the planning commission made its decision.
4. **Inquiry of Conflict of Interest:** None
5. **New Business:** None
6. **Public Hearing:**
 - a. **Rog and Susan Kuipers Accessory Building.** Moore read the public hearing notice. Roger and Susan Kuipers were present to discuss their application for a special land use permit to construct an accessory building on their property located at 4570 W. Shore Drive

(PPN 13-010-003-00 & 13-240-047-00). The property is approximately 0.64 acres, which is split between two parcels in the LR Lake Residential zoning district. Approximately 0.49 acres is proposed to contain the accessory building on the west side of W. Shore Drive. The remaining 0.15 acres is across the street and contains their home on Green Lake. The building site currently contains a 1,040 square foot accessory building. The applicant is proposing to construct an addition to the existing building that would be 2,558 square feet in area. A second story is also proposed for storage. The applicants were present and gave a brief overview of the project. Moore reviewed the standards for site plan and special land use approval in the zoning ordinance, noting that it met the standards as presented, subject to conditions. DeHaan opened the public hearing.

- i. Louis Murray, 4568 West Shore Drive. He owns property to the south of the subject parcel. He has no issues with the proposal provided that the addition is no closer to his property than the existing barn is.
- ii. Doug Boes 4575 West Shore Drive. Lives next to the Kuipers on the lakeside to the north. No objections.

VanderEide asked about how stormwater concerns would be handled. The applicant indicates that he has a storm sewer on the site that will handle it and that there will be gutters on the building. Vandereide said the issue was more about not having silt run into the drain, and by extension the lake. VanDuyn asked if the gutter system could be connected directly to the storm drain so it doesn't pick up silt? Kuipers said yes, and that he would do this.

Motion by Potts to approve the special land use 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 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 and Township Engineer shall be met.**
- 4. Building materials shall be compatible with the principal dwelling and surrounding character of the area, and submitted for approval by the Zoning Administrator.**
- 5. Any outdoor light fixtures shall be full cut-off features and comply with Section 18.05 of the Zoning Ordinance.**
- 6. Only personal items shall be stored in the building, no commercial activities or storage of commercial items shall be permitted.**
- 7. The accessory building shall not be used as a dwelling.**

- 8. The applicant shall connect the gutters from the building into the storm sewer drain on his property to prevent stormwater from carrying silt into the storm sewer system and Green Lake.**

The motion was supported by VanderEide and carried via roll call vote with all members voting yes.

7. Unfinished Business:

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 will likely be on the agenda for December, as will a site plan for Tim Ryan trucking.

9. Public Comments: None

10. Correspondence: None

11. Commissioner Comments: Chairman DeHaan welcomed new members Brad Geers and Matt VanDuyn.

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

The meeting was adjourned at 7:26 PM.

Respectfully submitted,

Andy Moore, AICP

Leighton Township Planner