



Meeting called by: Chairperson, Ellen Moore @ 7:30 PM

Members present: Babcock, Gunnell, Moore, Myers, Sevey, Tilburt

Members absent: Sawade

Others present: Attorney-Van Allsburg; Zoning-Gross; Supervisor-Ellick

Pledge of Allegiance:

Approval of Minutes: Motion to accept July minutes as written by Sevey, second by Myers, all Ayes, Carried.

Approval of Agenda: Agenda adjusted to postpone Unfinished Business item #1, PFAS Information.

Public Comment -Matters not the Subject of Public Hearing: *Gerald Skelonc – 1. ?Has PC done any ordinance work of lot size and consideration of semi-trucks so they can turn around anywhere on their property and not have to use public road; and, any thought to sites like HydroVac and what they're dumping being tested, well drillers are doing the same thing.

Gross: Can do additional wording in ordinance and create consequences if test results aren't given to the township.

Moore: She will look into this.

Moore: Explained procedures of Public Hearing for both Agenda Items

Agenda Item 1: Scheduled Public Hearing – Chris & Emily Scott SPU for Dog Kennel at 16360 Albrecht.

– Proposal by Chris Scott: Due to existing township ordinance only allowing for 3 dogs. (*Residence: 16271 Albrecht*) he's working with Jerry and the Kent County Health Department for additional dogs for breeding; wishes to put dogs across the street at 16360 Albrecht.

Moore: Called for public question/comment with explanation of procedures/proposal.

Richard Longstreet – lives next door and has dealt with the Scotts and all their animals for a long time, dogs barking, cats, etc.; they've no respect for neighbors; has complained to the Zoning Administrator, has seen more animals than allowed; has had involvement by the Kent Cty Sherriff numerous times as well as Kent Cty Animal Shelter - is sick of it. *Mike Fisk – lives next door, doesn't mind kennel but is too close to his property line, doesn't want to hear dogs. ****Ron Atwood – wants to be a good neighbor but concerned about number of dogs they'll have; doesn't want to deal with barking noise, just wants them kept quiet – how will that happen? *****Chester Krawczyk If Board approves kennel is this going to be re-zoned and how does that affect neighboring properties? Supports Mr. Longstreet's comments – what control(s) will be in place?

Moore: With no further comment/question, closed public hearing on this issue.

PC Discussion/Questions: (*Moore*) Won't need re-zoning. How many dogs? Size of structure? Structure separate? How close to neighboring properties? (*Scott*) Structure either 12' x 14' or 10' x 20', kennel separate. (*Gross*) Maps showing neighboring properties distance from kennel - #1. 220', #2. 320', #3. 310'. (*Gunnell*) Cross Albrecht? (*Gross*) No, east side of Albrecht; may replace current single-wide with double- wide; kennel is adjacent to back of trailer; using water from that residence and perhaps electricity hookup. (*Babcock*) Two separate parcels? Residence now is not where kennel will be, so no residence thus incorporating that into this? (*Gross*) Yes, two parcels single-wide being considered as residence and using for water source. (*Moore*) Is it occupied now? (*Scott*) Not now. (*Babcock*) If parcels were combined wouldn't it be an issue of putting a building on a parcel with no residence? (*Van Allsburg*) PC could add a provision that parcels must be kept together for future. (*Tilburt*) Is primary residence – just not occupied? (*Van Allsburg*) If issue is "not legitimate" home, can say must be principle use there. (*Moore*) ??Structure of kennel building. (*Gross*) Prebuilt with separate stalls for each dog; intent for dogs inside at night and in exercise area in day; someone will be there when in exercise area – whether is occupant of trailer is up to Scotts. (*Tilburt*) PC should set hours for the designated times; would consider larger fenced in area and maximum of 7 dogs each with own stall. Discussed possible aggressive dogs and requesting analysis by veterinarian; (*Gross*) Kennel must be licensed by Kent County Health Dept. and regulated by them; re: breeding – once 6 mo. old is considered adult dog. What they're asking for meets zoning. (*Tilburt*) ??Size of lot - - move kennel back? (*Gross*) 10-acre lot – to move back beyond gas line could be 400 – 500'; is PC decision. (*Babcock*) Must be attended 24/7. (*Myers*) Individual runs or all together in

exercise area – could be fighting? Type of dogs? (Scott) They don't fight; will be like dog park...together. (Moore) How enclosed? (Scott) Fencing – enough to enclose area. (Gross) Planned 2 phases of fencing as proposed on maps. (Tilburt) What determines PH II? (Gross) Initial cost of PH I and PC regulations; fence of woven wire or chain-link 6' high is required now...can't go higher. (Tilburt) Can't move much farther south – barking dogs won't make that much difference. (Sevey) Asked for explanation of PH 1 and PH 2; position of kennel and fencing. (Scott) PH1 is structure and fence in; PH 2 is extending fencing. (Myers) Trailer is not being used for dogs? (Scott) Fenced before trailer – can't get into trailer. (Babcock) Breed of dogs? (Scott) breeding standard Poodles, Pit Bull across the street in their house. (Sevey) Plans on when removing single-wide trailer and putting in double-wide? Where will it be placed? (Scott) No plans currently; doesn't know placement. (Moore) Believes there shouldn't be PH2 – complete fencing all at once; will trailer be removed and nothing replaced? (Scott) Can do all fencing at one time if necessary; won't remove trailer w/o replacement. (Babcock) Should consider cover of exercise area to prevent dogs from jumping out. (Tilburt) Dogs relieving themselves in kennel? Plans for when/who cleans up inside and out? (Scott) No puppies so not applicable for inside kennel. (Gunnell) Provision for heat/cold in kennel? Need parameters for clean-up. (Myers) Enforcement by the county? (Babcock/Myers) Township enforcement? (Gross) Will have to follow KCHD standards. Discussion re: noise control: can minimize barking noise when in kennel but won't help when outdoors; barking echoes for miles. (Van Allsburg) If problems, can report to the KC Sheriff – they have a mechanism for that. (Babcock/Moore) Township Ordinance implies the PC should permit this use. PC will try to do its best with resolution.

Conclusion: Mark will add wording to include: someone there anytime dogs outside; define hours dogs within building at night; must have principle use; Maximum of 7 adult dogs; noise dampening; kennel needs to be in fenced in area.

Moore: Called for motion to table until final draft is reviewed and then address at November meeting. Motion by Tilburt, Second by Sevey. Further discussion: (Tilburt) Add requirement for a site plan of the kennel construction itself. (Babcock) Outline provision for waste disposal. Vote: All Ayes, Opposed, No. Motion to table carried.

Agenda Item 2: Scheduled Public Hearing – Kooienga Properties/Premier Auto SPU Expansion at 28 17 Mile - Proposal by Bruce Callen, Callen Engineering, representing Scott Kooienga, Kooienga Properties. Seeking site plan approval for business expansion to be less than 12,000^{sq} and expanded yard into Tyrone Township. Including: any expansion is 500' off road, no new curb cuts and frontage compliance, yard improvements, new lighting only on new building, no new signage, no new water and/or sewer. They've address Engineer Gritters' concerns and are working with him – will modify plan drainage wise and new plan will be contingent on his approval.

Moore: Requested description of purpose for new building. (Kooienga) Will be for warehousing for increasing business; check-in for additional vehicle bays, mostly. (Moore) Fluid in new bays? (Kooienga) No...done in existing building – nothing disassembled in new building.

Moore: Called for public question/comment: *Gerald Skelonc: Was on Planning Commission with the first site plan approval request years ago; to his knowledge Premier Auto has done what they said; business was handed down from father to sons and they should be commended for their conduct thus far.

Moore: With no further comment/question, closed public hearing on this issue.

PC Discussion: (Gross) Adding more bays in the future? Would like parking marked on site plan. (Kooienga) They are planning to grow. (Kooienga) Existing becomes employee parking. (Babcock) Is coverage of lot maximum an issue? (Van Allsburg) From a building standpoint, no. (Gunnell) No need for additional, water, well, etc., (Callen) No restrooms in new building. (Babcock) Additional employees? (Kooienga) No. (Tilburt) Concern for Engineer Gritters most recent review letter dated 10/21/2019. (Callen) Is aware and they're working with him to address. (Van Allsburg) There was 2017 information Engineer Gritters didn't have but has now.

Conclusion: Parking will be defined on new site plan; Mark will add more specific language to clarify items referenced by Engineer Gritters.

Moore: Called for motion to approve SPU request. Motion by Gunnell, Second by Myers. All ayes, motion carried.

Unfinished Business:

Update: Serenity Valley – (Gross) Resident in question has applied for a new construction building Permit. Once built he'll look at accessory use whether commercial or not. Could be regulations with SPU for snowmobile/motorcycle tracks – who can use and when, charging for use, etc. Citations/paying fines are unsuccessful. (Van Allsburg) There hasn't been the ability to prove violation; Race tracks need to be SPU then, 1. Prove use, 2. Refusal of SPU results in citation; goal is not just fining but *when the township seeks to prohibit the activity, enforcement is more difficult.* (Moore) Still generator noise?

(Gross/Myers) Camper needed generator – with new home may not be an issue. (Moore) Need to include that in stipulations. (Van Allsburg) Need deputy involvement. (Tilburt) Could photos/video work for proof? (Van Allsburg) Photos/video – good, yes! (Gunnell) Photo/Video available now? (Gross) Has stressed to complainers to “get proof.” Problem is he “owns” roadway. (Moore) Does that prevent Fire Dept? (Gunnell) What if he closes roadway. (Gross) Emergency vehicles can’t be “halted” to keep out. (Tilburt) Has noted before and again notes that Zoning Administrator is needed more than 1 day per week. (Gross) He’s been authorized for some more time – is working on it with Supervisor and Township Board.

Update: Harmony Farms – (Van Allsburg) Zoning Administrator, Gross has been given permission to address issues raised – left turn lane, 4’ sidewalks, septic maintenance. Gross and Supervisor Ellick are working on a process for systematic enforcement of sewer maintenance throughout the township. (Moore) Home Owners Association officers wanted to have the authority to pump every 2 years. (Gross) They do...same as dues. He’ll have them create a document for the township records. (Moore) Wants them notified as soon as possible so they’re aware they can pump if residents don’t comply.

Open Discussion for Issues not on the Agenda:

1. Correspondence received: New Zoning Ordinance Book updates – packet will be copied and distributed.
2. Planning Commission Members: Sawade: Would like PC to examine PFAS issue in Solon Township. Specifically address when sewage is brought in from other areas and spread here. Suggested water testing and/or requiring a permit to do so. He will follow through with DEQ – now EGLE, and report on what’s available, required and any specifics.

Report of Township Board Representative Gunnell: N/A

Report of Board of Appeals Representative Tilburt: N/A

Report of Planning Consultant Sevey: Should PC consider revisiting the 2-acre minimum lot issue? (Van Allsburg) Recent lawsuit seems to have been abandoned; could revisit again...may have a better chance now; will send documentation to Cathy for distribution then discuss at November meeting. (Sevey) Voters didn’t understand proposal at first vote. (Ellick) Another vote would be best on a general election date. (Ellick/Gunnell) Township Board would probably be open to this.

Report of Zoning Administrator Gross: Conversations with Premier Towing who are looking for a surveyor; citations will start happening with deadline for full compliance by July 2020. Storage Time – has given a time table for what’s not done; winter weather a factor, however.

Moore called for anything further to discuss: (Tilburt) i.e. Kooienga/Premier and Gritter’s letter – do we have a means in place to review all PC requirements before a Certificate of Occupancy is issued? (Ellick) Township is keeping escrows in place as long as we can; we’re watching this more, working in more Zoning Administrator hours, and making a conscious effort to address.

Moore: Called for motion to adjourn: Motion by Gunnell, second by Myers. All ayes – motion carried.

Adjourned: 9:11 PM

Next Scheduled Meeting: Wednesday, November 27, 2019.


 _____ - Secretary
 11/18/19
 _____ - Date

- *Gerald Skelonc – 16275 Trenton Ave., Cedar Springs, MI 49319
- **Richard Longstreet – 16309 Albrecht, Cedar Springs, MI 49319
- ***Mike Fisk - 16380 Albrecht, Cedar Springs, MI 49319
- ****Ron Atwood – 722 20 Mile Rd., Cedar Springs, MI 49319
- *****Chester Krawczyk – 740 20 Mile Rd., Cedar Springs, MI 49319

