

ALGOMA TOWNSHIP PLANNING COMMISSION
Tuesday, May 20, 2008

A meeting of the Algoma Township Planning Commission was held on Tuesday, May 20, 2008, at 7:00 P.M. The meeting was held at the Algoma Township Hall located at 10531 Algoma Ave., Rockford, MI 49341.

Chairman Witham called the meeting to ORDER at 7:02 P.M. and led in the Pledge of Allegiance to the Flag.

PRESENT: Chairman Witham, Vice-Chairman Newberger, Secretary Poolman, Members Bigney, Ensley, and Lecceadone.

Absent: Member Heminger.

Also Present: Supervisor Hoemke, Site Plan Review Committee Members Bates and Sjogren, Township Attorney Brown, Township Engineer Bruggink, and 5+ citizens.

APPROVAL OF MINUTES:

Minutes of the April 15, 2008, Regular meeting -

Member Lecceadone motioned to APPROVE the minutes of the April 15, 2008, Regular meeting as presented, seconded by Vice-Chairman Newberger. The motion PASSED.

Minutes of the April 29, 2008, Special meeting -

Member Lecceadone motioned to APPROVE the minutes of the April 29, 2008, Special meeting as presented, seconded by Vice-Chairman Newberger. The motion PASSED.

Acceptance of Site Plan Review Committee's report -

Secretary Poolman motioned to ACCEPT into the records the report of the Site Plan Review Committee for Site Plan #0806, seconded by Vice-Chairman Newberger. The motion PASSED.

AGENDA APPROVAL:

Under 10, NEW BUSINESS, the item C., Minor Changes, was added to the agenda.

Secretary Poolman motioned to APPROVE the agenda as amended, seconded by Vice-Chairman Newberger. The motion PASSED.

ALGOMA TOWNSHIP PLANNING COMMISSION MINUTES

May 20, 2008

Page 2

PUBLIC COMMENTS:

There were no public comments given.

CORRESPONDENCE SENT & RECEIVED:

Building Inspector's report - This was received and reviewed.

Any Other Correspondence - There was no Other Correspondence.

PUBLIC HEARINGS:

There were no Public Hearings.

TABLED BUSINESS:

There was no Tabled Business.

NEW BUSINESS:

SITE PLAN #0806 (COMMERCIAL) Prev. #0107	
SCOTT'S CERAMIC TILE	Mailing Address:
4780 Cornfield Dr.	8881 - 136th St.
Cedar Springs, MI 49319	Sand Lake, MI 49343
Parcel #41-06-12-226-013	

Owner, Bradley Scott, was present. He stated he recently had a fire that burned his existing building and it was a total loss. He said he is proposing to rebuild and add to the square footage of what was the existing site plan; about 48'. He said the road frontage and setbacks have not changed.

Chairman Witham asked if he had a temporary trailer he was working out of for an office.

Mr. Scott said yes, he had a temporary office on site and that would leave as soon as he was done building.

Chairman Witham asked, just out of curiosity, if they found the cause of the fire.

ALGOMA TOWNSHIP PLANNING COMMISSION MINUTES

May 20, 2008

Page 3

Mr. Scott said adhesive glue was ignited by a temporary propane heater.

Chairman Witham asked for the township's engineering report.

Engineer Bruggink said he had a short report. The retention pond looks good but if there is no Storm Water Maintenance Agreement submitted, then that needs to be done. He questioned the cross access drive and if there was an easement in place. He said a \$5,000.00 bond should be sufficient for the project and if he gets the landscaping in place, they should be in good shape.

Review Committee Member Sjogren stated the cross-access paperwork was already in place but there is no Storm Water Maintenance Agreement filed.

Mr. Scott said he would get this done.

Chairman Witham asked to review the Site Plan Review Committee's report of April 29, 2008. It was noted that the site plan number be changed on the report to #0806 instead of #0807.

Mr. Scott said under number 1, he had made the parking larger than what was needed before. He showed the Commission a revised drawing that he was addressing but no copies were submitted to the office or Commission members.

Chairman Witham said the calculations needed to be shown on the site plan because they show what is needed with the extra square footage.

Mr. Scott addressed number 2 of the report stating the existing sign was going to be used and the word "proposed" would be taken off the print. He said the landscaping was already discussed. He said they will have bay doors, a truck dock, service door, and another overhead door that is 10' X 14'. He will add these to the print. He said lighting is shown on his revised plan with wall packs around the back of his building and another by the exit door. He said his awning will also have lights on it.

Chairman Witham warned that the lights not bleed onto the neighboring properties or Northland Dr., but that they face downward.

The applicant provided a drawing of the elevation plans for the Commissioners to review.

Vice-Chairman Newberger asked if there were going to be lights in the parking lot.

Mr. Scott said there would not be lights in the parking lot.

Chairman Witham asked about the semi-trailer under number 8 of the report.

Mr. Scott said he would have the semi-trailer removed. He said he was using it for recycling carpeting but he has something else set up in Grand Rapids now to recycle carpet.

There was discussion regarding his utility trailers, job trailers and where they are going to be parked.

Mr. Scott stated he had one job trailer and two utility trailers. He said all equipment and materials would be stored inside.

It was discussed and decided by the Commission that the job trailer and utility trailers would be parked in the general location of the northwest parking lot, but limited to no more than three trailers on site at any one time.

Vice-Chairman Newberger motioned to APPROVE Site Plan #0806, dated April 18, 2008, conditioned on the Site Plan Review Committee's report, a Storm Water Maintenance Agreement being submitted, that a maximum of three job/utility trailers be parked only on the northwest parking spaces of the site, that a bond be put in place for \$5,000.00 per the township engineer, the semi-trailer be removed from the site and the temporary office be removed at the time of completion, further that the landscaping be added per discussion, seconded by Member Bigney.

The motion PASSED unanimously.

SITE PLAN #0708 (P.U.D.)
ENCORE DEVELOPMENT
3105 - 10 Mile Rd.
Rockford, MI 49341
Parcel #41-06-34-400-029

Mailing Address:
300 Ionia Ave. Suite 200
Grand Rapids, MI 49418

ALGOMA TOWNSHIP PLANNING COMMISSION MINUTES

May 20, 2008

Page 5

Review Committee Member Sjogren stated the applicant called and requested to be tabled until the next meeting.

Member Lecceadone motioned to TABLE Site Plan #0708, per their request, seconded by Vice-Chairman Newberger. The motion PASSED.

MINOR CHANGES TO APPROVED SITE PLANS:

#0515 RESURRECTION LIFE CHURCH, Parking Lot changes - The Site Plan Review Committee members submitted a report dated May 6, 2008, noting the applicant had added 59 parking spaces to their site plan by re-arranging and adding asphalt.

#0802 VICTOR PITSCH, Private Street adjustment - The Site Plan Review Committee members submitted a report dated May 16, 2008, noting the applicant had moved the private street slightly to the west to avoid a wet area.

ON-GOING BUSINESS:

Tickler File - Is attached to and made a part of these minutes.

Ordinance Amendments - Chairman Witham reported he had a list of items that needed reviewing and he will set up a meeting of the sub-committee.

Representative reports -

Township Board: Member Bigney reported the Board had denied to "take-on" the support of the sewer system for the P.U.D. "Scarlet Glenn", they re-appointed Jack Witham, Jack Poolman, and himself to the Planning Commission, they revised the Fee Schedule, and they approved the order for the granite stone for Memorial Park.

Board of Appeals: Secretary Poolman reported the Board had one appeal application for setback of an accessory building and they denied it.

Any Other On-Going Business -

There was no Other On-Going Business.

ALGOMA TOWNSHIP PLANNING COMMISSION MINUTES
May 20, 2008
Page 6

NEXT MONTH'S MEETING: Tuesday, June 17, 2008 - 7:00 P.M.

ADJOURNMENT:

Member Bigney motioned to ADJOURN the meeting at 7:40 P.M. The meeting was ADJOURNED.

Jack Poolman, Secretary

Julie M. Sjogren, Recording Secretary

ALGOMA TOWNSHIP PLANNING COMMISSION
SPECIAL MEETING

Tuesday, May 20, 2008

(Following the Regular Planning Commission Meeting)

A Special meeting of the Algoma Township Planning Commission was held on Tuesday, May 20, 2008, at 7:41 P.M. The meeting was held at the Algoma Township Hall located at 10531 Algoma Ave., Rockford, MI 49341.

Chairman Witham called the meeting to ORDER at 7:41 P.M.

PRESENT: Chairman Witham, Vice-Chairman Newberger, Secretary Poolman, Members Bigney, Ensley, and Lecceadone.

Absent: Member Heminger.

Also Present: Supervisor Hoemke, Site Plan Review Committee Members Bates and Sjogren, Township Attorney Brown, Township Engineer Bruggink, and 4 citizens.

AGENDA APPROVAL:

Secretary Poolman motioned to APPROVE the agenda as presented, seconded by Member Bigney. The motion PASSED.

PUBLIC COMMENTS:

There were no public comments given.

CORRESPONDENCE SENT & RECEIVED:

There was no correspondence sent or received.

PUBLIC HEARINGS:

There were no Public Hearings.

NEW BUSINESS:

SITE PLAN #0807 (COMMERCIAL)

BRISTOL DEVEL. LLC / ROGUE VALLEY VET HOSPITAL

4210 - 14 Mile Rd.

Mailing Address:

Rockford, MI 49341

1493 - 10 Mile Rd. NE

Parcel #41-06-13-126-004

Comstock Park, MI 49321

ALGOMA TOWNSHIP PLANNING COMMISSION MINUTES

SPECIAL MEETING

May 20, 2008

Page 2

Jim Rozema of Williams & Works was present along with owners Steve and Doreen Bristol. He said they had requested the Special Meeting to construct a veterinary hospital currently located on 10 Mile Rd. and Algoma Ave. He said the building conforms in general to the ordinances and it meets setback requirements and parking. He said the original size has been reduced slightly after they made site plan submittal and it will be 6,250 square feet. He said the building will face 14 Mile Rd. (M-57) and access to the east through a cross-access neighboring strip from the Vanderhyde parcel. He addressed the cross-access of 325' of roadway on the Vanderhyde parcel that was not paved and there was no provision of a payback agreement for gaining access to their site. He said the storm water control will be handled through leach basins and pipes. He submitted the calculations to the township engineer and has discussed this with him and after discussion they added a couple of additional leach basins for collection. He said he wished to discuss the amount of the Performance Bond. They have a landscaping plan together and a screened buffer zone from the residential properties to the south. He said the building is far enough north of the residential area so he hopes no additional landscaping is required. He said they have a dumpster enclosed and more landscaping along the east side. There will be no proposed light poles but will have wall packs around the doors of the building. He said there will be no exterior uses except for a 6' tall wood fence around the back of the site for walking dogs for physical therapy for rehabilitation. He said they have worked with the Health Department on the well and septic system. They are proposing a sign along 14 Mile Rd. set back from the road right-of-way. He discussed the current use doesn't warrant all the parking spaces shown and asked that they be allowed to defer additional parking for the future. He said there would be no boarding of animals but they do have 9 kennels for the animal rehabilitation for the duration of a couple of months. He said there should be no concern with barking dogs because when they go for walks they would be outside and walked by professionals. All animals are inside during the night hours. They said cats don't want to be walked.

Chairman Witham asked the township engineer about the Performance Bond.

ALGOMA TOWNSHIP PLANNING COMMISSION MINUTES
SPECIAL MEETING
May 20, 2008
Page 3

Engineer Bruggink stated that in the past if the applicant has their engineer prepare a detailed estimate of the cost, he adds 10% to this and that would be what the bond amount is based on. He said the applicant can have his engineer do the math and if agreed, he will make an adjustment.

Chairman Witham asked to review the Site Plan Review Committee's report dated May 7, 2008. He said based on number 1, the Review Committee gave them an "at-a-boy" on the plan. Under number 3, the site plan needs to be corrected to which they agreed.

Mr. Rozema said, in regards to number 4, it so happened once they looked at the parking calculations, they superseded the parking requirements so the plan now calls for 36 spaces and the revised plan would show fewer in reserve.

It was the consensus of the Commission that they had no problem with the reserved spaces. Should the applicant start to use this area for parking, they would need to be paved and lined according to the site plan.

Chairman Witham stated, number 5 regarding lighting, they need to be shown on the site plan.

Mr. Rozema addressed number 6 and stated the sign hasn't been determined yet. They are considering a monument sign, externally lit.

Member Lecceadone stated that an internally lit sign is also permitted should they chose.

Vice-Chairman Newberger stated as long as the sign meets the township ordinance and lighting is faced toward the sign so not to interfere with traffic along M-57 or Summit, he didn't have an issue with the sign.

Attorney Brown discussed number 7 of the report regarding the cross-access drive along 14 Mile Rd. He said the township had sent Vanderhyde Ventures a letter asking that they sign and acknowledge that they are to pave this drive under the terms of their Restrictive Covenant. He said he had received a phone call from their lawyer who asked to see a copy of the site plan so he

ALGOMA TOWNSHIP PLANNING COMMISSION MINUTES
SPECIAL MEETING
May 20, 2008
Page 4

did e-mail them a copy. He said they thanked him for the copy stating that was what they needed but the township has not received the signed agreement back acknowledging they will pave this. He said it is the responsibility of Vanderhyde Ventures to pave this cross-access drive.

A letter dated May 8, 2008, was submitted from the Kent County Road Commission denying access onto Summit Ave.

Mr. Rozema described to them the problems the County has with allowing an access onto Summit Ave. because of the potential traffic from the cross-access drive. He suggested that if the Vanderhyde document doesn't get formalized the township might consider possibly eliminating the commercial traffic through the cross-access and then the County might allow an access from Summit. He said this might still be another avenue to pursue if the Vanderhyde paving fails.

Member Lecceadone stated the township has required cross-access all along when a site plan comes in.

Attorney Brown stated the covenant says "when directed by the township the driveway will be installed". He said we have notified them that they are to proceed with this and the document is totally binding.

Mr. Rozema said the owner said they don't want to proceed and they have no desire to pave the vacant property for the cross-access.

Vice-Chairman Newberger questioned if the timing of the paving might take longer than it should and he could see circumstances where this could drag on because they might not want to do this.

Mr. Rozema stated the owners were also concerned with the time line.

Attorney Brown said the township will want to be assured there is access to the property.

Engineer Bruggink stated an easement is in place and suggested the township could enter into a payback agreement to get them into

ALGOMA TOWNSHIP PLANNING COMMISSION
SPECIAL MEETING
May 20, 2008
Page 5

their site but it could be worked out that they would get paid back or there are other alternatives.

Secretary Poolman said the agreement is in place and the Vanderhydies should stick to the agreement.

Vice-Chairman Newberger stated that some times the legal system has a way to tie things up.

Attorney Brown said the document states "upon notification". It doesn't give a time so it should be soon. He asked if the applicants have been in touch with them.

The owners stated they had talked with Tom Vanderhyde and originally had asked for an agreement to either both pay for the paving or increase the sale of the property to help cover the cost. They felt he was playing games with trying to get around it but they are willing to make it work even if they have to pay for it up front. They said they appreciated whatever the township could do because the owner won't deal with them.

Member Bigney asked what it would cost to put in the paved drive and was told in the \$20,000.00 range. He asked how many days did the letter state they had to complete this roadway; 30 days upon notification?

Attorney Brown stated the applicants can be in touch now with their attorney with a copy of the letter that was sent by the township to Vanderhyde Venture. There should be a short time frame for doing it.

Number 8 of the Site Plan Review Committee's report was reviewed and decided that this would not be required.

Engineer Bruggink stated, regarding the leach basins, that someday they will fail and at such time fill with sediment and puddles of water. He said they will need to be maintained and that will take care of that problem. He said Mr. Rozema needs to revise his site plan reflecting the changes discussed but otherwise, it looks good.

ALGOMA TOWNSHIP PLANNING COMMISSION MINUTES
SPECIAL MEETING
May 6, 2008

Chairman Witham stated the landscaping plan looks good but he likes to see native Michigan plants as much as possible.

Member Lecceadone mentioned that the reserve drain field location may hamper the future split.

Vice-Chairman Newberger motioned to APPROVE Site Plan #0807, dated May 6, 2008, conditioned on the Site Plan Review Committee's report and the cross access roadway being paved and in place prior to opening the business per the agreement between the applicant and Vanderhyde Ventures; further, that the amount of the Performance Bond be agreed upon with the township engineer.

Building Inspector Bates asked when the Building Permit could be issued.

Vice-Chairman Newberger said they don't need the access drive paved prior to building but it needs to be done prior to occupancy.

Attorney Brown suggested that if weather didn't allow paving because of construction not being completed prior to November the Commission could condition paving as soon as weather permits. The applicant could put a first layer in that was suitable for access and then add the final layer in phases. He said this could be done as soon as Vanderhyde Ventures gives the word to go.

Vice-Chairman Newberger expressed concern with making conditions for the applicants and setting time frames when there was another party involved.

Attorney Brown stated the motion could just state that the access drive needs to be constructed to the ordinance standards prior to occupancy.

Member Lecceadone seconded the motion.

The motion PASSED unanimously.

ALGOMA TOWNSHIP PLANNING COMMISSION MINUTES
SPECIAL MEETING
May 20, 2008
Page 7

ADJOURNMENT:

Member Bigney motioned to ADJOURN the meeting at 8:34 P.M. The meeting was ADJOURNED.

Jack Poolman, Secretary

Julie M. Sjogren, Recording Secretary