

**GRAND HAVEN CHARTER TOWNSHIP BOARD
MONDAY, OCTOBER 28, 2024**

REGULAR MEETING

I. CALL TO ORDER

The regular meeting of the Grand Haven Charter Township Board to order at 7:00 p.m.

II. PLEDGE TO THE FLAG

III. ROLL CALL

Board members present: Wagenmaker, Behm, Meeusen, Kieft, Larsen

Board members absent: Reenders

Also present was Manager Cargo, Senior Planner Chaphalkar, and Assistant Manager Sherwood.

Motion by Clerk Larsen supported by Trustee Behm to appoint Treasurer Kieft as the President Pro Tem. **Which motion carried.**

IV. APPROVAL OF MEETING AGENDA

Motion by Trustee Wagenmaker and seconded by Trustee Behm to approve the meeting agenda. **Which motion carried.**

V. APPROVAL OF CONSENT AGENDA

1. Approve October 14, 2024, Regular Board Minutes
2. Approve October 15, 2024, Special Board Minutes.
3. Approve Payment of Invoices in the amount of \$1,311,940.43 (*A/P checks of \$1,191,556.81 and payroll of \$120,383.62*)
4. Approve the contracts for the Mechanical/Plumbing and Electrical Inspectors

Motion by Clerk Larsen and seconded by Trustee Meeusen to approve the items listed on the Consent Agenda. **Which motion carried.**

VI. PUBLIC HEARINGS

President Pro Tem Kieft opened the “Truth in Budgeting” public hearing at 7:01 p.m. on the Fiscal Year 2025 budget proposal.

Manager Cargo noted that copies of the proposed \$22.27 million budget for FY2025 were made available for review to the public at the Township offices and on the Township website. Notice of the budget hearing had been provided in the Grand Haven Tribune on October 18th.

There being no public comments, President Pro Tem Kieft closed the public hearing at 7:04 p.m.

VII. OLD BUSINESS

1. **Motion** by Clerk Larsen supported by Trustee Behm to approve and adopt Resolution 24-10-08 approving the Fiscal Year 2025 Grand Haven Charter Township Appropriations Act. **Which motion carried** pursuant to the following roll call vote:

Ayes: Larsen, Wagenmaker, Kieft, Meeusen, Behm
Nays:
Absent: Reenders
2. **Motion** by Trustee Wagenmaker supported by Trustee Meeusen to approve and adopt Resolution 24-10-09 approving the Supervisor's salary in the amount of \$29,255. **Which motion carried** pursuant to the following roll call vote:
Ayes: Behm, Wagenmaker, Meeusen, Kieft, Larsen
Nays:
Absent: Reenders
3. **Motion** by Trustee Wagenmaker supported President Pro Tem Kieft to approve and adopt Resolution 24-10-10 approving Clerk's salary in the amount of \$25,912. **Which motion carried** pursuant to the following roll call vote:
Ayes: Kieft, Meeusen, Behm, Wagenmaker, Larsen
Nays:
Absent: Reenders
4. **Motion** by Trustee Meeusen supported by Clerk Larsen to approve and adopt Resolution 24-10-11 approving the Treasurer's salary in the amount of \$24,988. **Which motion carried** pursuant to the following roll call vote:
Ayes: Wagenmaker, Larsen, Kieft, Behm, Meeusen
Nays:
Absent: Reenders
5. **Motion** by Trustee Wagenmaker supported by Clerk Larsen to approve and adopt Resolution 24-10-12 approving the salary for Trustees in the amount of \$5,867. **Which motion carried** pursuant to the following roll call vote:
Ayes: Meeusen, Behm, Larsen, Kieft, Wagenmaker
Nays:
Absent: Reenders
6. **Motion** by Trustee Wagenmaker supported by Trustee Behm to approve and adopt the Zoning Map Amendment Ordinance for Parcel No. 70-07-03-300-009 from Rural Residential (RR) to Single Family Residential (R-2). **This is a second reading. Which motion carried** pursuant to the following roll call vote:
Ayes: Kieft, Behm, Meeusen, Larsen, Wagenmaker
Nays:
Absent: Reenders
7. **Motion** by Clerk Larsen supported by Trustee Wagenmaker to conditionally approve the proposed mixed-use Gracious Grounds PUD application and rezoning of Parcel #

70-03-33-200-090 from C-1 to Planned Unit Development (PUD). This motion is subject to, and incorporates the following conditions and report:

1. (7.10.F) Provide a revised open space plan to be recorded.
2. Shall provide a copy of the recorded utility easement prior to a building permit being issued.

This is the second reading. Which motion carried pursuant to the following roll call vote:

Ayes: Meeusen, Kieft, Wagenmaker, Larsen, Behm

Nays:

Absent: Reenders

REPORT (Used with the Motion to Approve)

Pursuant to the provisions of the Grand Haven Charter Township (the “Township”) Zoning Ordinance (the “Zoning Ordinance”), the following is the report of the Grand Haven Charter Township Board (the “Board”) concerning an application by Reenders Inc, LLC (the “Developer”) for approval of a Gracious Grounds Planned Unit Development (the “Project” or the “PUD”).

The Project will consist of a multi-unit-attached residential building and existing commercial building. This 5.9-acre Project will be developed in (1) phase. Phase 1 will consist of 1 multi-unit-attached (multi-family) three-story building consisting of 77 one-bedroom dwelling units and 1 one-story commercial building which is existing. It also includes 28-surface parking spaces. It will also include at least 72,230sf of designated open space. The Project as recommended for approval is shown on a final site plan (the “Master Site Layout & Removals”), last revised 06/25/2024, including landscaping (the “Landscaping Layout”) last revised 06/25/2024 and elevation renderings (the “Exterior Elevations”), last revised 06/25/2024; collectively referred to as the “Documentation,” presently on file with the Township.

The purpose of this report is to state the decision of the Board concerning the Project, the basis for the Board’s recommendation, and the Board’s decision that the Gracious Grounds PUD be approved as outlined in this motion. The Developer shall comply with all the Documentation submitted to the Township for this Project. In granting the approval of the proposed PUD application, the Board makes the following findings pursuant to Section 17.04.3 of the Zoning Ordinance.

1. The Project meets the site plan review standards of Section 18.07 of the Zoning Ordinance. Specifically, pursuant to Section 18.07.G, the Board finds as follows:
 - A. The uses proposed will not adversely affect the public health, safety, or welfare. Uses and structures located on the site shall take into account topography, size of the property, the uses on adjoining property and the relationship and size of buildings to the site. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.
 - B. Safe, convenient, uncontested, and well-defined vehicular and pedestrian circulation shall be provided for ingress/egress points and within the site. Drives, streets, and other

circulation routes shall be designed to promote safe and efficient traffic operations within the site and at ingress/egress points.

- C. The arrangement of public or private vehicular and pedestrian connections to existing or planned street in the area shall be planned to provide a safe and efficient circulation system for traffic within the Township.
- D. Removal or alteration of significant natural features shall be restricted to those areas which are reasonably necessary to develop the site in accordance with the requirements of this Ordinance. The Board may require that landscaping, buffers, and/or greenbelts be preserved and/or provided to ensure that proposed uses will be adequately buffered from one another and from surrounding public and private property.
- E. Areas of natural drainage such as swales, wetlands, ponds, or swamps shall be protected and preserved as far as practical in their natural state to provide areas for natural habitat, preserve drainage patterns and maintain the natural characteristics of the land.
- F. The site plan shall provide reasonable visual and sound privacy for all dwelling units located therein and adjacent thereto. Fences, walls, barriers, and landscaping shall be used, as appropriate, to accomplish these purposes.
- G. All buildings and groups of buildings shall be arranged so as to permit necessary emergency vehicle access as required by the Fire/Rescue Department.
- H. All streets and driveways shall be developed in accordance with the Township Subdivision Control Ordinance, the Ottawa County Road Commission, and/or Michigan Department of Transportation specifications, as appropriate, unless developed as a private road in accordance with the requirements for private roads in this Ordinance or any other Township Ordinance. Except that the Board may impose more stringent requirements than those for the Road Commission or Department of Transportation with respect to driveway location and spacing.
- I. Sidewalks or pathways shall be deemed to be required along all public and private roadways unless the applicant provides compelling evidence, in the opinion of the Board, that they are not necessary for pedestrian access or safety. Sidewalks shall terminate in an appropriate fashion consistent with the needs and safety of pedestrians. No sidewalk shall terminate into landscaping.
- J. Appropriate measures shall be taken to ensure that removal of surface water will not adversely affect neighboring properties of the public storm drainage system. Provisions shall be made to accommodate storm water, prevent erosion and the formation of dust. The use of detention/retention ponds may be required. Surface water on all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic or create puddles in paved areas. Catch basins may be required to contain oil filters or traps to prevent contaminants from being discharged to the natural drainage system.
- K. Exterior lighting shall be arranged so that it is deflected away from adjacent properties and so that it does not interfere with the vision of motorists along adjacent streets.

Lighting of buildings or structures shall be minimized to reduce light pollution and preserve the rural character of the Township.

- L. All loading and unloading areas and outside storage areas, including areas for the storage of trash, which face or are visible from residential districts of public streets, shall be screened by a vertical screen consisting of structural or plant materials no less than six (6) feet in height.
 - M. Entrances and exits shall be provided at appropriate locations so as to maximize the convenience and safety for persons entering or leaving the site. The number of entrances to and exits must comply with this Ordinance and the requirements of the Ottawa County Road Commission and/or the Michigan Department of Transportation.
 - N. Site plans shall conform to all applicable requirements of County, State, Federal, and Township statutes and ordinances. Approval may be conditioned on the applicant receiving necessary county, state, Federal, and Township permits before final site plan approval, or an occupancy permit is granted.
 - O. Appropriate fencing may be required by the Board around the boundaries of the development if deemed necessary to minimize or prevent trespassing or other adverse effects on adjacent lands.
 - P. The general purposes and spirit of this Ordinance and the Master Plan of the Township shall be maintained.
2. The Board finds the Project meets the intent for a PUD, as described in Section 7.01 of the Zoning Ordinance. By approving this Project as a PUD, the Township has been able to negotiate various amenities and design characteristics as well as additional restrictions with the Developer, as described in this report, which the Township would not have been able to negotiate if the PUD Chapter of the Zoning Ordinance were not used.
3. Section 7.01.E of the Zoning Ordinance, as well as Section 503 of the Michigan Zoning Enabling Act, allow for departures from Zoning Ordinance requirements; these provisions are intended to result in land use development that is substantially consistent with the goals and objectives of the Township Master Plan and the Zoning Ordinance, and consistent with sound planning principles. The Developer requests five departures. The Board makes the following findings.
- A. Section 5.02.B – Reduce the minimum setback from a parking lot.
 - i. The Board finds it acceptable to allow a reduction in setbacks from a parking lot from 10' to 9.7' to accommodate an existing parking lot.
 - B. Section 7.08.D.3 – Allow a cul-de-sac to be located on site.
 - i. The Board finds it acceptable to allow an existing cul-de-sac to remain on the subject property to allow for other commercial traffic to utilize the turn-around rather than access the residential property.

- C. Section 7.10.A – Of the total open space, allow for a reduction from 50% to 34% which must be contained in continuous and contiguous natural areas.
 - i. The Board finds it acceptable to reduce the total percentage of the open space remaining in a continuous and contiguous natural area to 34% (24,702 sq. ft.) because the total percentage of open space on site exceeds the minimum total open space required by ordinance.
 - D. Section 7.10.B.2 – Reduce the minimum pocket park size.
 - i. The Board finds it acceptable to reduce the minimum pocket park size from 7,500 sq. ft. to 3,288 sq. ft. because the total percentage of open space on site exceeds the minimum total open space required by ordinance.
 - E. Section 8.06 – Waive the minimum 35% of higher quality building materials for the south, west, and north building elevations.
 - i. The Board finds it acceptable to waive the building material requirement for the south, west, and north building elevations of the building because they will not be visible to the general public.
 - F. Sections 18.07.G.2 and 18.07.G.9 – waive the requirement for a sidewalk to connect to the nearest public roadway.
 - i. The Board finds it acceptable to waive the requirement to provide pedestrian access through a sidewalk connecting the site to 168th Avenue due to potential impact on existing stormwater facilities on the road.
4. Compared to what could have been constructed by right, the Project has been designed to accomplish the following objectives from Section 7.01.D of the Zoning Ordinance.
- A. To encourage the use of land in accordance with its natural character and adaptability.
 - B. To promote the conservation of natural features and resources.
 - C. To encourage innovation in land use planning and development.
 - D. To promote the enhancement of housing, commercial and industrial employment, traffic circulation, and recreational opportunities for area residents.
 - E. To promote and ensure greater compatibility of design and better use between neighboring properties.
 - F. To promote more economical and efficient use of the land while providing harmonious variety of housing choices and the integration of necessary commercial and community facilities; and

- G. To promote the preservation of open space for parks, recreation, or agriculture.
- 5. The Project meets the following qualification requirements of Section 7.02 of the Zoning Ordinance:
 - A. The Project meets the minimum size of five acres of contiguous land.
 - B. The proposed PUD is a “Large Scale Development” (see Section 14.01) that includes eight (8) or more dwelling units, which include multi-family apartment units.
- 6. The Board also finds the Project complies with the general PUD Design Considerations of Section 7.08 of the Zoning Ordinance.
- 7. The Board finds that the Project complies with the uses permitted for a Mixed Use planned unit development, as described in Section 7.07 of the Zoning Ordinance—Mixed Use PUD.
- 8. The Board also finds the Project shall comply with the below additional conditions as allowed for in Section 18.08 of the Zoning Ordinance.
 - A. The open space must be set aside by means of conveyance that satisfies the requirements of Section 7.10.F of the Zoning Ordinance. Said conveyance shall be submitted to the Township for review and approval by the Township Attorney and recorded with the Ottawa County Register of Deeds prior to obtaining an occupancy permit.
 - B. Must obtain permits from all applicable agencies including, the State of Michigan, and Ottawa County Water Resources Commissioner. Permits shall be obtained before building permits are issued.
 - C. The Developer shall enter into a PUD Contract with the Township, which will be drafted by the Township Attorney and executed by the Township Board prior to receiving an occupancy permit.
 - D. This approval is also conditioned upon the Developer meeting all applicable Federal, State, County, and Township laws, rules, and ordinances.
 - E. The Developer shall comply with all the requirements of the Documentation, specifically including all the notes contained thereon, and all the representations made in the written submissions by the Developer to the Township for consideration of the Project.
 - F. In the event of a conflict between the Documentation and these conditions, these conditions shall control.

VIII. NEW BUSINESS

- 1. **Motion** by Trustee Wagenmaker supported by Clerk Larsen to present and postpone further action on the Tax Exemption Ordinance for the Gracious Grounds PUD project until the November 11th Board meeting. This is the first reading. **Which motion carried. This is a first reading.**
- 2. **Motion** by President Pro Tem Kieft supported by Clerk Larsen to present and postpone further action on the Zoning Text Amendment Ordinance until the November 11th

Board meeting. This is the first reading. **Which motion carried. This is a first reading.**

IX. REPORTS AND CORESPONDENCE

- a. Committee Reports
- b. Manager's Report
 - i. September Legal Review
 - ii. Manager Cargo discussed the streetlight installations at 160th and Warner and 168th and Warner at a cost of about \$1,750 and \$1,150, respectively. Further, there will need to be "heavy" tree trimming at the 168th Avenue location.
 - President Pro Tem Kieft noted that he wanted the streetlights at the Warner and US-31 locations.
 - Clerk Larsen requested that Manager Cargo review the minutes to include an inquiry of the location of the streetlights.
 - The Board asked staff to bring this item to the November 11th meeting for further discussion.
- c. Others

X. PUBLIC COMMENTS

None.

XI. ADJOURNMENT

Motion by Clerk Larsen and seconded by President Pro Tem Kieft to adjourn the meeting at 7:27 p.m. **Which motion carried**

Respectfully Submitted,

Laurie Larsen
Grand Haven Charter Township Clerk

William Kieft III
Grand Haven Charter Township President Pro Tem