

**ADA TOWNSHIP  
OPEN SPACE PRESERVATION ADVISORY BOARD  
MINUTES OF THE APRIL 28, 2006 MEETING**

The meeting was called to order at 4:04 p.m.

**PRESENT:** Betty Jo Crosby, Greg Forbes, George Haga, Jamie Ladd, Matt Nygren, Elise Roe, Mischelle Sytsma.

**ABSENT:** Bette Roberts and Randy Van Dragt

Ferro noted that Bette Roberts had called to let us know of her absence.

**STAFF PRESENT:** Planning Director Jim Ferro and Parks Director Wendy Tatar.

**GUESTS PRESENT:** Tom Korth, Planning Commission Chairman, and Susan Burton, Planning Commission member

**APPROVAL OF MINUTES:**

Forbes moved to approve the minutes of the March 29<sup>th</sup> meeting. Seconded by Roe. Motion passed unanimously.

**PROPOSED ANNUAL REPORT TO TOWNSHIP BOARD**

Copies of the proposed annual report were distributed to members. Crosby asked members to take the report home to review for discussion at the next meeting of the OSPAB. The Annual Report is due to the Township Board on June 30.

**STATUS OF RIPARIAN PROTECTION RULES REVIEW**

Crosby asked those members that were present at the Township Board meetings of 4/10 & 4/24 to detail what was discussed regarding the OSPAB request to have the ordinance sent back to the Planning Commission for review. Ferro stated that action was postponed at the meeting of 4/10, and the Board requested additional documentation regarding the specific site circumstances which led the Advisory Board to make its recommendation. At the meeting of 4/24, the Board did not refer the ordinance to the Planning Commission as requested, but referred the matter to the Zoning Administration Committee as part of an overall review of Township ordinance enforcement procedures.

Haga stated that the information given to the Board members did not support a review. He added that Board members were concerned as the request came less than a year since the ordinance was approved.

Jamie Ladd stated read the following statement:

“Rivers and streams are a significant part of the open space in Ada Township. The rivers are not private property. They are public property and they need to be protected. I really believe that this protection is within the purview of the Ada Township Open Space Advisory Board and the Board should have more input on the riparian ordinance. We also need a public education campaign to build support for our protection efforts.”

Ferro pointed out that the Zoning Administration Committee has no jurisdiction over any revisions to the riparian protection regulations. Haga stated that the Zoning Administration Committee is to report back to the Township Board in 60 days.

Crosby asked Haga what his vote was on the issue. Haga responded that he did not support sending the ordinance to the Planning Commission. A lengthy discussion of why the Board did not support the

request was held. Crosby stated that the Advisory Board's purpose was to act on behalf of natural features protection, and that it needed to be proactive instead of reactive.

Discussion moved to whose responsibility it is to enforce environmental laws. There was a question if the Kent County Soil Erosion Board was contacted regarding the property on Honey Creek. Ferro stated that he was aware that the Road Commission pressed the owner to get stabilization done as soon as possible.

There was also discussion regarding the Right to Farm Act and if it applied to the work that was being done on the Bielema property. Ferro stated that Wayne Whitman from the Department of Agriculture has offered to talk to Dr. Beilma. Haga suggested that Whitman might want to talk to the contractor that is doing the work. Ladd suggested that once the Riparian Buffer ordinance is amended satisfactorily to all concerned, the ordinance should be sent to the Department of Agriculture to see if it conflicts with the Right to Farm Act.

Forbes asked if the fines assessed to violators of the ordinance had a significant impact. Korth stated that the fines were quite substantial and could amount to tens of thousands of dollars. Ferro stated he would provide Forbes with a copy of the penalty provisions in the riparian protection regulations.

Roe asked if there was any public comment made at the Board meeting and was told that two residents spoke, one was opposed to the ordinance and the other voiced a concern that the issue wasn't on the agenda.

Discussion moved to what the OSPAB should do next. Ferro stated that if the Advisory Board more clearly communicated to the Board its intent that the scope of the review of the regulations was intended to be the exemption for existing parcels of record, the Board might have a clearer idea of why the OSPAB was requesting the review. Haga suggested that taking the issue back to the Board might antagonize the Trustees and added that Ferro should research and analyze if the issue can go directly to the Planning Commission for review. Ferro pointed out that the Planning Commission has the authority to start a review and make revision recommendations on the riparian protection rules, without a request from either the Open Space Advisory Board or the Township Board.

Korth stated that the next Planning Commission meeting is May 18. He also added that the Planning Commission had let the Board know that they were open to reviewing the ordinance.

Forbes moved to request the Planning Commission to review the Riparian Protection ordinance regarding limiting the exemption of current property owners. Ladd seconded. Motion passed unanimously.

## **STATUS REPORT ON PROPERTIES OF INTEREST**

Staff reported on the status of discussions with the owners of the Ada Hospital for Animals property, and the home at 383 Pettis Ave.

With regard to the Pettis Ave. site, the State should hear from the Federal agency in late May if the grant funding to assist in the purchase of the property is approved. If the funding is approved, a historic preservation review of the home will need to be conducted.

Ferro stated that Kent County should hear in June whether the application for Federal grant funding for the Purchase of Development Rights on the Jakeway property on 2 Mile Rd. is approved.

Crosby stated that she had heard that a large property on 4 Mile Rd. was being surveyed and it needs to be watched. She asked Ladd to ask the owner about the status of the property.

Tatar stated that she had spoken to Eloise Carew about the Carew family property on Ada Drive, and there still has not been an appraisal of the property done. Carew had told Tatar that there has been a great deal of interest shown in the property by several parties.

#### **ARRANGEMENTS FOR NATURAL FEATURES INVENTORY**

Ferro stated that he, George and Betty Jo had met with Dave Warners from Calvin College, who will be conducting the natural features inventory this summer. A public information meeting has been set for June 14 at 7:00 p.m. Crosby asked Ferro to contact Dr. Warners to ask if he could attend the next OSPAB meeting.

#### **POTENTIAL MARKETING/EDUCATIONAL EFFORTS**

As several members had to leave for other commitments, discussion of this topic was tabled to the next meeting.

#### **MEMBER AND STAFF COMMENTS**

None.

#### **PUBLIC COMMENT**

None.

The next meeting was scheduled for Tuesday, May 23 at 4:00 p.m.

Meeting was adjourned at 5:19 p.m.

Respectfully submitted:

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Deborah Ensing Millhuff, CMC  
Ada Township Clerk

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