

**ADA TOWNSHIP
OPEN SPACE PRESERVATION ADVISORY BOARD
MINUTES OF THE MAY 10, 2007 MEETING**

The meeting was called to order at 4:00 p.m.

PRESENT: Betty Jo Crosby, Greg Forbes (at approx. 4:20 p.m.), George Haga, Jamie Ladd, Bette Roberts, Elise Roe, Randy VanDragt

ABSENT: Matt Nygren, Mischelle Sytsma

STAFF PRESENT: Planning Director Jim Ferro

OTHERS PRESENT: Alan Schwartz, Township Legal Counsel, 2 members of the public.

With the concurrence of the Board, Crosby moved public comment up on the agenda to accommodate the public present who wished to speak.

PUBLIC COMMENT:

Allen Moore, President of the Thornapple River Association, spoke regarding the Township's possible acquisition of the property at 851 Thornapple River Dr. He stated that the Association has 270 property owner members.. He expressed the Association's opposition to the Township's acquisition of the property for boating access to the river: He cited as reasons for their opposition the dangerous traffic conditions at the intersection of Thornapple River Dr. and Buttrick Ave. and the fact that Tassell Park in Cascade Township already provides paddle craft access to the river. He noted that there is also a canoe portage and parking spaces adjacent to the dam in Ada. He stated the Association believes that to purchase the property would be an extravagant use of public funds.

Bill Lievense, Past President of the Thornapple River Association, commented that the existing seawall on the property is a hazard. It would be difficult for the Township to police and enforce rules prohibiting motorized craft access. He stated that the purchase of property on the Thornapple is not identified as a priority in either the Township's open space protection priorities or the park project priorities. He believes that the funds would be better spent on Roselle Park completion, based on the priorities in the newly-adopted Recreation Plan. He also noted that acquisition of property on the backwater is not identified as a priority in the Village Design Charrette Final Report. He also noted that having public boat access to the river would pose a risk of exotic species introduction to the river.

Lievense stated that the Association would spare no expense in defending the anti-keyholing restrictive covenant that has been recorded on the Association's property.

Ferro asked for clarification on the location of the existing portage. Lievense stated there is a path immediately downstream from the dam, on the south side of the railroad.

CLOSED SESSION WITH LEGAL COUNSEL, FOR DISCUSSION OF LEGAL OPINION.

It was moved by Haga, seconded by VanDragt, to proceed to a closed session to discuss a confidential attorney-client communication with legal counsel.

On a roll call vote, there were:

Voting Yes: Crosby, Forbes, Haga, Ladd, Roberts, Roe, VanDragt

Voting No: None

Motion passed.

Following the discussion with legal counsel, it was moved by Roberts, seconded by Roe, to return to Open Session. Motion passed unanimously.

RECOMMENDATION TO TOWNSHIP BOARD REGARDING OPTION TO PURCHASE PROPERTY

Crosby stated that it appears to her there would only be a slight chance that if we purchased the 851 Thornapple River Dr. property, that we would have legal access to the river, and we would be looking at costly legal expenses.

Roberts commented that even if this option is dropped, our considering the purchase has brought a lot of attention to our efforts to acquire open space.

It was moved by Van Dragt, seconded by Roe, that we recommend that the Township not exercise the purchase option, based on the public input obtained, and the ambiguity regarding riparian access.

In discussion, Forbes offered a friendly amendment to limit stated reasons for abandoning the option to the legal uncertainty regarding access. It was suggested that the proper procedure would be for the original motion and second to be withdrawn and a new motion offered.

VanDragt withdrew the motion and Roe withdrew the second.

It was moved by Forbes, seconded by VanDragt, that we recommend that the Township Board not exercise the option to purchase the property at 851 Thornapple River Dr., due to the lack of certainty regarding the riparian rights of the property.

Motion passed by 7-0 vote.

APPROVAL OF MINUTES OF APRIL 12 MEETING

It was moved by Ladd, seconded by Forbes, that the minutes of the April 12 meeting be approved, with a clarification on page 2 that the purchase price of the Thornapple property would be the lesser amount of \$350,000 and the value determined by an appraisal.

Motion passed unanimously.

REPORT ON PROPERTIES OF INTEREST:

Ferro reported that the grant agreement with the State has been signed for the grant funding of the purchase of the property at 383 Pettis Ave. The next step is the negotiation of a purchase price with the owner.

Ferro reported that Rick Rankin has offered to present a quit claim deed to Bruce Poppen, to help resolve the ownership issue on the property donated by John Gilmore.

Ferro noted that the response that was sent to Gary Jaarda regarding the property on Alta Dale Ave. is in the Board members' packets.

SEIDMAN PARK STEWARDSHIP PROJECT:

Haga reported that he has not received a Legal Liability Waiver form from Kent County Parks, to allow us to move ahead with a volunteer invasive species removal project at Seidman Park. It was noted that

time is rapidly running out to get involvement from students and their families at Goodwillie Environmental School.

**CHAMPION TREE CONTEST WITH VERGENNES TOWNSHIP AND EASTERN TOWNSHIPS
PHOTOGRAPHY CONTEST**

Crosby handed out promotional flyers for the Champion Tree contest being jointly sponsored with Vergennes Township, and the Photo Contest being sponsored by 6 townships in Eastern Kent County.

ADJOURNMENT:

The meeting was adjourned at 6:00 p.m.

Respectfully submitted:

Deborah Ensing Millhuff, CMC
Ada Township Clerk
rs:jf