

**ADA TOWNSHIP PLANNING COMMISSION
MINUTES OF THE FEBRUARY 17, 2011 MEETING**

A meeting of the Ada Township Planning Commission was held on Thursday, February 17, 2011 at 7:30 p.m. at the Ada Township Offices, 7330 Thornapple River Dr., Ada, MI.

I. CALL TO ORDER

Meeting was called to order by Korth at 7:30 p.m.

II. ROLL CALL

Present: Chairperson Korth, Commissioners Butterfield, Easter, Lowry, Lunn, Paul and Treasurer Rhoades.

Also present: Planning Director Ferro.

III. APPROVAL OF AGENDA

Motion by Butterfield, second by Paul, to approve the agenda, subject to postponing deliberation on the Capital Improvements Plan until after New Business. Motion passed unanimously.

IV. APPROVAL OF MINUTES OF THE JANUARY 20, 2011 MEETING

Butterfield commented that on page 2 her question to Nelson was what were the maximum number of flights in any given day last year and he responded that on one or two occasions there were 5 flights.

Motion by Easter, second by Paul, to approve the January 20, 2011 meeting minutes with the correction as noted by Butterfield. Motion passed unanimously.

V. PUBLIC HEARING

Proposed Ada Township Capital Improvements Plan, 2011-2017

Korth stated the Plan is required statutorily. The Plan projects future usage of Township funds for projects that are capital in nature, i.e. water system improvements, sewer projects, buying vehicles, etc. The Plan is updated each year and was worked on by a subcommittee consisting of the Supervisor, Clerk and Treasurer, and two members of the Planning Commission. The Plan is subject to approval by the Planning Commission, after holding a public hearing.

Korth asked for public comment on the Plan. There was none. The Plan will be addressed later in the meeting by the Commission.

VI. UNFINISHED BUSINESS

Request for Special Use Permit, for Replacement of an Existing Private Helipad and Construction of a Private Heliport Accessory Building of 3,678 Square Feet, 1170 Fox Hollow Avenue SE, Parcel No. 41-15-33-300-053, Tom Weatherbee, Via Design, Inc., on behalf of Richard M. DeVos and Elisabeth D. DeVos

Tom Weatherbee, Via Design, stated nothing has changed on the building from the previous presentation. The only change in the site plan is the building has moved 49 feet to the west from when we met last. Weatherbee stated that was done to help reduce the amount of variation from setback requirements requested. Also, as in the recommendation from staff, the low level wall mounted lighting on the building is intended to stay on all the time as security lighting. It doesn't shine out toward any neighbors, it just

points directly down. The other lights such as the landing lights and the bollard lights only come on when the facility is in use.

Ferro stated the shifting of the building and landing location slightly reduced the amount of variance from setback requirements that was requested by the applicant. The Zoning Board of Appeals approved the variance request by a unanimous vote. Ferro stated his staff report reiterates a lot of the information from his previous report. He stated the Commission should consider whether having the building mounted lights on all night is acceptable. He noted they are a high quality fixture that does not cast glare in a horizontal direction, so they are a non-objectionable light fixture.

Ferro stated he has had discussion with the applicant regarding appropriate restrictions that should be on the type of aircraft based and housed at the facility, and maximum number of permitted flight operations on a daily and annual basis. The applicant proposed a maximum of 5 landings/takeoff cycles in any given day. Ferro stated he is comfortable with an annual 125 maximum takeoff/landing cycles per year. If 5 landings/takeoff cycles occurred in one day it could be as much as a landing/takeoff once per hour for 10 hours and that is almost continual activity every hour throughout a whole daylight time period. A flight activity of that frequency would seem to him to be beyond what's needed for personal transportation needs and would be more likely to be incompatible with the area. Ferro stated he recommended a limit of no more than 4 landings/ takeoff cycles per day.

Ferro also stated the applicant asked for a restriction on the size of the aircraft based at the site of 10,000 lbs., which is nearly twice the size of the aircraft currently owned by the applicant. Ferro stated any leeway for substitution of a different aircraft other than the one currently owned by the applicant should be narrowly drawn. He noted that during the ordinance drafting process over the last 3 years a great deal of importance was placed on the aircraft owned by the applicant and its specific operating characteristics and noise levels. He added that an expensive sound study was performed by the applicant based on that helicopter. Ferro stated he believed that any proposed substitution of a different aircraft would need to have some scrutiny and we would need to consider what its characteristics are at the time it is proposed.

Ferro stated as recommended in condition #2 for approval, the helicopter that is based and stored at the site shall be the Eurocopter EC130-B4, which the applicant currently owns, or any other helicopter which qualifies for designation as 'GCNP Quiet Aircraft Technology' for flights over the Grand Canyon National Park, which is a standard established in FAA regulations. Ferro stated he believes that noise levels is an important criterion for determining what should and shouldn't be using that facility on a regular basis. He stated he does not think size is really as important as how loud it is. Ferro also suggested that language be included in the conditions of approval requiring that any substitute aircraft must be gas turbine driven.

Ferro noted that the applicant proposed to him language that would permit any helicopter that is certified as having a noise level no greater than 5 decibels higher than the helicopter the applicant currently owns. Ferro stated he believes an allowable increase of 5 decibels is too high.

Ferro also pointed out that the restrictions recommended are intended only to apply to the helicopter that is based and stored at the site, and would not prohibit an occasional landing by a visiting helicopter that does not qualify for that standard. Ferro went on to state the frequency and total number of landing operations as recommended in condition #3 would be inclusive of any takeoff/landings by aircraft that are using the facility - either one based there or by a visiting helicopter.

Paul questioned if the increase of the decibel level would still meet the standards of the FAA requirements for the Grand Canyon.

Ferro stated he was not sure. There is a European standard the applicant's helicopter meets and it is more than 5 decibels under that European standard.

Kevin Nelson stated the EC-130 is about 2-2½ decibels below what is allowed under the Grand Canyon standard. He noted that the Grand Canyon standards allow higher noise levels for helicopters with higher seating capacities.

Paul stated his concern was not just for this applicant but for another applicant as this is a Township-wide ordinance, and are we prohibiting or making it more difficult for another applicant by using this noise standard.

Kevin Nelson stated he believed it's the Township's intention to make sure everybody has an opportunity to apply and go through a level of evaluation, subject to meeting Township standards, and give them the ability to achieve a special use permit under those standards of not altering the environment of the Township. He stated he doesn't think it's extreme, but rather fair.

Korth questioned if most private helicopters available on the market are under the same kind of sound framework as this.

Keith Nelson responded no, the vast majority of the private helicopters are going to be louder but they are piston operated. Piston helicopters are generally smaller, they're more affordable, but they don't have some of the technologies that have been developed and are higher cost.

Ferro stated that in condition #5 the words 'building mounted exterior lighting' should be removed given the cutoff style of lighting proposed.

Paul questioned if the type of lighting on the building is the same quality and standard as security type lighting used on most residential buildings.

Ferro stated it is better than a lot of lighting seen throughout the community.

Lowry asked if motion detection lighting could be used rather than having it on all the time.

Ferro responded it is a possibility as there are other sites where it has been required.

Butterfield questioned the 4 takeoff/landing cycles per day and whether there is a reason 5 cycles per day might be needed.

Kevin Nelson responded like a family party, picnic, in July where there's a wedding, something like that there would be a rare circumstance where we could send a letter ahead of time and ask for special consideration.

Butterfield questioned if even 3 cycles would be acceptable under normal circumstances, with 5 cycles per day allowed for a limited number of occasions per year.

Kevin Nelson stated it's such a rarity. If we used 3 landings a day repeatedly we would probably use up our allotment within 6 weeks. We're going to be going many times with only 3 or 4 landings during the winter months.

Butterfield asked conditions of approval needed to specify allowed hours of operation being 7:00 a.m. to 10:00 p.m.

Ferro stated that is already a requirement contained in the Ordinance.

Kevin Nelson responded they would be open to 3 landings a day with 3 times a year up to 5 times or 6 times; that would be very reasonable.

Butterfield stated in terms of the lighting, she liked the idea of the security lighting on the building as long as it's not obnoxious to the neighbors.

Kevin Nelson stated they had met with the Richters, the neighbors, and they did not see a concern at all with the lighting.

Easter questioned what the weight of the helicopter is.

Kevin Nelson responded 5,351 lbs. maximum gross weight, which is the maximum weight that helicopter can weigh to fly.

Easter asked if there is a correlation between the weight and the sound.

Kevin Nelson responded there are helicopters that weigh 1/3rd of what Mr. DeVos' helicopter weighs that are 8 decibels, 10 decibels up.

Ferro asked if the maximum takeoffs/landing cycles were lowered to 3 where you could go up to 5 what was your suggested number of days per year.

Kevin Nelson stated 3 or 4.

Paul questioned if a precedent is being set for the next applicant by limiting the number of takeoffs on a specific site.

Ferro responded that conditions are placed on Special Use applications every time we approve one and they are always site specific, and they aren't precedent setting.

Korth stated we have fine tuned the conditions to the reality of the applicant's needs by moving from just a straight 4 landings/takeoffs to maybe 3 on an average basis with a couple of exceptions. That shows the willingness and desire to fine tune each location to the needs of the applicant, and it is one of the most densely populated area of the Township.

Paul stated if there is room for an applicant to adjust the number of takeoffs/landings, he would support some limitations.

Kevin Nelson stated we know we're going to live within a budget of 125 landings per year.

Korth asked for someone to move on the application, with inclusion of a final refinement of the landing/takeoff policy and how the lighting will be handled.

Motion by Lowry, second by Easter, to approve the Special Use Permit subject to the following conditions:

1. The helicopter that is based at and stored at the site shall be the Eurocopter EC130-B4, or any other gas turbine powered helicopter which qualifies for designation as 'GCNP Quiet Aircraft Technology' pursuant to FAA regulations in 14CFR Part 93, "Noise Limitations for Aircraft Operations in the Vicinity of Grand Canyon National Park."
2. The frequency of aircraft operations at the site, inclusive of any takeoffs/landings by aircraft other than the aircraft that is based and stored at the site, shall be limited to the following:
 - a. a maximum of 125 takeoff/landing cycles per calendar year.

- b. a maximum of 3 takeoff/landing cycles per day, except for 5 days per year when there may be no more than 5 takeoff/landing cycles.
3. Landing area approach and perimeter lighting shall be remotely activated and shall only be used during aircraft approach and departure operations.
4. Access drive bollard lighting shall be activated only at times the site is in use.
5. The use and operation of the facility shall in all respects comply with the standards for approval contained in the zoning regulations.

In discussion of the motion, Paul complemented the Planning Commission on all the work that was done on this before he became a member. He also noted how fortunate we are that the applicant has gone beyond the call to provide information.

Kevin Nelson asked if Mr. DeVos wants to make a helicopter change in the future would there be an opportunity to have a minor change that could be approved at the staff level, at the Township Planning Director level.

Korth stated that essentially condition number 1 says that.

Motion carried unanimously.

VII. NEW BUSINESS

PUD Pre-Application Conference, 4,500 Square Foot Dental Office Building, 4875 Cascade Road SE, Parcel No. 41-15-31-302-053, Dr. Lathe Miller

Todd Schaal, The Estes Group, presented an overview of the project. Schaal stated the building has gone down in size from 4,500 to 4,200 feet. He stated they have talked with the adjacent home owner on Argo, Don Kimble. As a result of work done several years ago on adjacent property, Mr. Kimble has a drainage issue on his property. There is a stream that runs through there, and when it rains heavily he gets a lot of water in his backyard. The County put a drain tile through there but it doesn't do a very good job. Schaal stated they plan to introduce a swale on the Argo side as well as underground storm water storage, and re-grade it and do our best to make that problem go away.

Schaal also stated the arborvitae that were planted there about 30 years ago are starting to die off. He stated they have indicated to Mr. Kimble they would work with him on landscaping. Schaal noted they have also attempted to contact Mr. Schuart who owns the adjacent office building on Cascade Road to inform him of their site plans, but haven't talked with him yet. Schaal referenced the preliminary renderings of what the building will look like. The building will be used as a dental practice/orthodontist office. There will be a lot of landscaping; the windows out the back will be where his treatment rooms are, and the intent is for people to have a beautiful view out the back.

Korth asked if the driveway connection to the property to the west is not available, would a Cascade Rd. access driveway be proposed.

Todd Schaal responded no.

Paul stated his concern regarding visibility from the street. Everyone likes to have a nice sign up; everyone likes to have their building exposed, so he would encourage plans to have a nice buffer along Cascade Road.

Todd Schaal responded point well taken. He stated they would put in a lot more than what is there now. The ordinance requires monument signs, and we will do a lot of landscaping around that.

Rhoades asked if there will be a residential type trash receptacle.

Todd Schaal responded after discussing the trash needs with Dr. Miller, they have concluded they could get by with a regular residential type trash receptacle.

Korth suggested the trash storage area be designed in such a way that it is enclosed. Korth also commented on another building on the south side of Cascade where we struggled with the layout of the parking area. Korth stated he does think the design of the parking lot to buffer the parking stalls with evergreen hedges is important.

Ferro questioned whether the neighbor to the north expressed any concern with the parking being close to his lot line versus the building being closer with the parking in front.

Todd Schaal responded Don Kimble on Argo initially preferred the parking lot in back. It was pointed out to him that the arborvitae are dying off and we're proposing the component of a fence, more landscaping, etc., so when you look out you've got all the landscaping. Schaal stated they will put together a preliminary landscape plan and present it to the homeowner.

Korth stated it is a concern that the neighbor is happy.

Consideration of Proposed Ada Township Capital Improvements Plan, 2011-2017

Ferro presented information regarding the financial assumptions used in preparation of the plan, and summarized the significant projects included in the plan. He stated that the five members of the CIP committee looked over the projects submitted by department heads, considered the Township's financial condition, the fund balances, and all of the segregated funds the Township has. He stated the Township has several individual funds that each has various restrictions on usage of the funds. The funds are restricted to certain purposes that are set forth in the original ballot language that approved the millages that support those funds. The water and sewer funds are separate and supported by user fees.

Ferro noted that the Township experienced its first property tax base decline in 2010, and 2011 will be the second year of a property tax revenue decline of over 2%. We made some projections 6 years out as to what future revenues will be and assumed a recovery starting in 2012 with a 1% annual growth in the property tax base. The Plan is also based on a 2% increase in operating expenditures for the Township, and projecting State revenue sharing to remain flat.

A couple of significant changes from last year are: we were originally planning to construct an additional non-motorized trail this year in 2011 to complete the connection on either side of the M21 bridge, which will be postponed until 2012 after consultation with MDOT and the contractor. This year's budget shows the final payment of the match contribution to MDOT for the bicycle path on the new bridge. One other major project this summer is completion of the sanitary sewer force main going up Ada Drive. The Plan also proposes completion of the Bronson repaving and streetscape project this summer.

Paul asked when the Bronson Street project will be started.

Ferro stated it will not be started until late July early August after the Ada Drive work is completed.

Rhoades stated the attorney suggested we do a bond instead of taking the money out of the general fund. The Board decided a bond would be more lucrative instead of taking all the money out of the general

fund, and we can pay that bond off over many years at a lower rate rather than laying out \$300,000 to do it up front.

Paul stated he is concerned about the Bronson Street project and strongly feels this is an important thing that should be done.

Rhoades stated the Board has already passed a resolution of intent to issue the bond so that kind of sends a signal that they are in support of doing it.

Ferro pointed out the general funds projections on Table 9, Page A10, show a significant spending down of the Township fund balance that is carried over from year to year, and shows it dropping from a current level of 94% down to 26% of the operating budget at the end of 6 years. The Board and CIP committee have expressed a preference to see that kept up closer to 40-50%, which is a goal in the future as this Plan is revised over the years.

Korth stated this is like a master plan. This is not an authority to spend money; this is just what could be.

Rhoades stated if this economy doesn't turn around then the Board is going to say we're not going to spend \$300,000-\$400,000. The residents are going to have to realize this is not going to happen. The Board is really intent on keeping the 50-60% fund here rather than dipping way down. It's just a Plan and it's movable and changeable.

Korth stated the biggest thing they did was the road project this year of repaving Bailey Drive from Vergennes to McCabe.

Ferro stated that the Bailey Dr. repaving is greatly needed. Ferro also noted that in 2012 another major road project proposed is repaving Hall Street from Cascade to the Forest Hills campus, which includes intersection widening to have left turn lanes at Paradise and Hall Street intersection and sidewalks on each side of the road. The project will be shared jointly with the Road Commission, Cascade Township and Ada Township.

Korth stated so we bear essentially 20% of the cost.

Ferro stated beyond the trail connections to the bridge there are no other trail projects projected in future years.

Lunn stated the revenue sharing projection looks pretty optimistic. In addition, he stated he sees an LED lighting project, and asked whether the Township has found LED lights that we are satisfied with.

Ferro stated several manufacturers representatives have shown us fixtures, but we have not seen an outside demonstration. In addition, we do not have a commitment from Consumers Energy on a rate that would enable us to calculate a payback period. Ferro stated as a result, we don't yet know whether it would make sense to do it, so it's not a certainty yet. One thing to take into account when looking at the state revenue sharing is at some point in the next couple of years the 2010 census population will be used in the formula and we may benefit from that because of our population growth. So hopefully we will get an increase when the census results kick in.

Motion by Easter, second by Paul, to approve the Ada Township Capital Improvements Plan as presented. Motion passed unanimously.

VIII. STAFF/COMMITTEE/COMMISSION MEMBER REPORTS

Discussion of Planning Commission Priorities for 2011

Korth asked whether this should be discussed tonight, have a special meeting, or work hard to make sure the meeting agenda next month allows us to get to this no later than 8:30. Korth asked Ferro to highlight some things, give us a broad framework and point us toward a plan to get this looked at.

Ferro commented there is one new item on the list, which is an orchard owner who presented to him their desire to expand their orchard operations to include activities and sales that are in addition to produce that is grown on the premises. This is a business plan type of concept that sets out some of the ideas they have generated for things they might wish to do. The immediate goal is to install bakery equipment so they can sell donuts and other baked goods along with apples and cider. When it comes to selling retail items and having a retail business in the rural part of the Township, there should be some parameters for that as to what is allowed. Ferro stated he has done some research on what other communities in Kent County area have for regulating agri-business and agri-tourism. Ferro noted our zoning rules currently stand in the way of supporting agri-tourism, and he think our rules should be modified to be more supportive.

Easter commented that in previous revisions to the zoning ordinances, encouraging small farms was discussed as one of the goals, and this would appear to correlate with that.

Korth stated this is clearly the case.

Ferro stated we don't want it to be totally unrestricted.

Korth asked if they want to work on this at the next meeting or have a special meeting to work on it. The urgency is we are already into February and we'd like to get a few things accomplished in 2011. The real goal will be to be able to rank these for next month's meeting. We'll take a tally at the meeting and add it up and we'll know before the meeting ends where our priorities are. You can submit a list in advance so Ferro can know how you're voting and he can tally it up.

Ferro stated he needs to know what everyone is interested in and he would email everyone the form.

Korth stated members have an opportunity to look at the list and request Ferro add items to the list. So you do have some homework.

PUBLIC COMMENT

None

XI. ADJOURNMENT

Motion by Lunn, second by Easter, to adjourn the meeting at 9:08 pm. Motion passed unanimously.

Respectfully Submitted,

Susan Burton, Township Clerk

SB/dr