

**ADA TOWNSHIP PLANNING COMMISSION
MINUTES OF THE FEBRUARY 19, 2015 MEETING**

A meeting of the Ada Township Planning Commission was held on Thursday, February 19, 2015 at 7:00 p.m. at the Ada Township Offices, 7330 Thornapple River Dr., Ada, MI.

I. CALL TO ORDER

Meeting was called to order by Chairperson Korth at 7:00 p.m.

II. ROLL CALL

Present: Chairperson Korth, Commissioners Butterfield, Lunn, Leisman, Lowry, Jacobs

Absent: Easter

Staff Present: Planning Director Ferro

III. APPROVAL OF AGENDA

Motion by Jacobs, supported by Butterfield, to approve the agenda as presented.

Motion passed unanimously.

IV. APPROVAL OF MINUTES OF JANUARY 15, 2015 MEETING

Motion by Easter, supported by Jacobs, to approve the minutes of the January 15, 2015 meeting as presented.

Motion passed unanimously.

V. PUBLIC HEARING:

Request for Special Use Permit for Addition of a Duplex Rectory Building, 6477 Ada Dr., Parcel No. 41-15-33-101-027, St. Robert of Newminster Parish

Father Leonard Sudlik, Pastor of St. Robert Parish, stated it is customary for a priest to live on site at a Catholic church, and that several years ago, before the new church was built, there was an on-site rectory. Fr. Sudlik stated the bishop has asked the parish to build a residence on site, especially to have room for a second priest, and suggested we ask for a duplex, two separate apartments as the parish is very large and there could be another younger priest. He stated we have the land in back behind the parking lot and our request is to be able to build on site.

Commission member Jacobs pointed out that she is a member of the parish, and was concerned whether this might constitute a conflict of interest. Several other Commission members stated that they also were members of the parish.

Planning Director Ferro stated that the Commission Bylaws state that a conflict exists when a member has a financial interest in the matter that is before the Commission, and that is not the case in this application.

Ferro stated the proposed two unit Rectory would be located at the north end of the rear parking lot behind the main church building, and that it would not be visible from Ada Drive. Ferro stated a rectory is accessory to and customarily associated with a church site, as Fr. Sudlik pointed out. The two units are single story at-grade residences located side-by-side, with attached two stall garages for each unit in the middle. Ferro stated the building complies with zoning dimensional standards. He noted the shortest distance from the building to a property boundary is about 115 feet, from the west property line. The building will be served by public water, extended from the existing water service in the church building, and public sewer service will be extended from an existing sanitary sewer manhole on the site.

Ferro stated there is a minor addition of storm water runoff given the small size of the building. Runoff from the front portion of the building will go into the parking lot catch basins which will then discharge to a storm water management pond on the site, and runoff from the rear of the building will flow over the ground to existing wetlands. Ferro stated a landscaping plan was submitted which proposes a couple of canopy trees in the rear yard of the building, and some ornamental pear trees on the outside corners along the front of the building, as well as building foundation plantings.

Korth then opened the public hearing; with no comment he closed the public hearing.

Easter asked for the distance to the nearest adjoining residence. Ferro stated it was between 150 feet and 200 feet.

Lunn asked whether we needed to be concerned with the potential for the residential building to be split off the church property on a separately-owned lot.

Ferro stated that given the physical conditions, with the residence immediately adjacent to the church parking lot, accessed only through the church driveway, and served by a private water line extended from the church building, he views that as an unlikely possibility, and not something to be concerned about.

Leisman asked if there is an existing special land use for the property or are we just amending special land use for the church.

Ferro stated there have been previous special use permit approvals for the church property over the years.

Korth asked if the other additions that have been done to the church were treated as separate special use permits, or were they amendments to an original special use permit.

Ferro stated he didn't know whether there was one special use permit with amendments approved, or whether there were individual special use permits over the years.

Ferro stated there are four standards in the zoning ordinance that guide special use permit decisions and they are listed on the second page of his staff report. Ferro suggested that any approval motion should reference compliance with these standards. Ferro stated he also recommended that approval be subject to the condition that the final design of the connections to public water and sewer be subject to approval of the utilities director."

It was moved by Leisman, supported by Easter, to approve the special use permit for the rectory addition at St. Robert of Newminster Parish, based upon a determination by the Commission that the standards for approval contained in Sec. 78-493 are satisfied, and subject to the following condition:

1. design of connections to the public water and sewer facilities on the site shall be subject to approval of the Utilities Director.

Motion passed unanimously.

VI. UNFINISHED BUSINESS

None.

VII. NEW BUSINESS

None.

VIII. STAFF/COMMITTEE/COMMISSION MEMBER REPORTS

Betty Gajewski, Center for Environmental Study, Presentation re: Plaster Creek Restoration Project

Betty Gajewski, Center for Environmental Study stated this project is focused on storm water run-off that has been impacting Plaster Creek. Gajewski distributed copies of a summary report from the Plaster Creek Restoration project. She stated Ada Township has a small land area that is in the Plaster Creek watershed, and that there are probably about 1,000 people living in that part of the watershed. She stated the entire Plaster Creek watershed is in portions of four cities and two townships. She stated they are hoping that Ada Township will look at including best management practices for storm water management in your planning and zoning, especially focusing on low-impact development. She stated they reviewed the Township zoning ordinance and Master Plan and found that Ada Township has many pieces in place that you could start tying together to look at low impact development practices, and we encourage you to start taking that route.

Butterfield stated regarding septic systems Michigan is the only state without a statewide sanitary code, and asked why that is.

Gajewski stated there have been lobbyists for various interests have opposed a statewide code at the legislative level. For instance, realtors feel that if there were standards put in place that need to be complied with when a transfer of property ownership takes place, they would be placed in a position of enforcing those standards.

Easter asked if there was a standard for farmers not to use fertilizers.

Gajewski stated no.

Lunn stated there was a report done about 10 years ago on septic systems in Kent County that estimated one million gallons a day of untreated sewage is released into the environment due to failed septic systems within Kent County.

Gajewski stated Kent County has their own septic system standards but it does not mean that the Township can't supplement those standards.

Korth stated that the Plaster Creek report and its recommendations provide a nice road map for use to use in reviewing our zoning regulations, including riparian protection standards, and he appreciates having this information.

Easter asked if there are any Townships in Michigan that have their own sanitary codes in place that we could look at.

Gajewski stated she could provide some examples, which she has been collecting.

Review/Discussion of Draft Zoning Ordinance Amendment, to Permit "Special Event Venues" with Special Use Permit Approval in the AGP and RP-1 Zoning Districts

Ferro stated last September Mike Bieker who has the 95 acre property on Pettis north of Three Mile Rd. came to us expressing his interest in using his large barn as a venue for wedding receptions, and we concluded that to do so would require an amendment to the zoning regulations, which don't currently permit such an activity in that zoning district. Ferro stated Bieker told us he has had a couple of wedding events for family friends or relatives and he's had a couple of non-profit fundraising events for Forest

Hills Athletic Boosters at the property. Ferro stated Bieker expressed interest in having us develop regulations that would allow him to obtain zoning approval to conduct that type of activity in his 4,000 square foot barn.

Ferro stated he has developed an initial draft of regulations that would allow approval of a special use permit for that type of use, in only the AGP and RP-1 zoning districts, subject to some standards and restrictions. He stated this is an initial take on it to get your feedback and thoughts, and if the Commission wishes to proceed with a proposed amendment, a public hearing would be held.

Ferro highlighted the provisions of the draft regulations.

Easter asked if there is a way we can address potential noise issues.

Ferro stated his draft seeks to control issues such as noise indirectly, through the setback standards. There could be some type of a nuisance standard.

Jacobs asked if there is any requirement about the number of people and the cars.

Ferro stated that the building official would set an occupancy limit for the building. Ferro noted the site plan would be required to identify parking areas on the site, and we would want to prohibit paved parking.

Jacobs stated if a special use permit was approved, would the applicant have to obtain our approval for each event.

Ferro stated no.

Jacobs asked how service of alcohol would be regulated.

Ferro stated the party renting the facility could use a caterer with qualified servers to provide liquor service.

Jacobs asked how many parcels we have in Ada Township that this would potentially apply to, based on the acreage requirement.

Ferro stated he didn't know, but he can determine that.

Jacobs asked would you think more than 10 parcels that this would affect.

Ferro stated probably more than that.

Leisman stated to actually conduct a wedding probably requires two, maybe three, acres. You don't need 50 acres to conduct a wedding. He has mixed feelings about this, because it seems to be inviting business activity into the area. However, he questions whether a large acreage requirement is the appropriate way to control the activity, as opposed to a separation distance standard from surrounding neighbors.

Butterfield stated I had a thought about that, especially since the setbacks are 100-200 feet, a five acre parcel would suffice.

Leisman stated you're describing that you'd rather see a distance space from other residential, as opposed to raw acreage.

Butterfield stated we should think about other potential activities at a special event that might be objectionable, such as hot air ballooning or helicopter tours. There are many things that could spill over from a large event that we should just consider as part of this.

Leisman stated once a month is something, but if you're talking about something that is more than that, then this is a pretty large burden on neighbors, with potential for a lot of noise being generated through the area.

Ferro stated the activity is primarily taking place inside the building, and he doesn't think it would generate a lot of noise. In fact, when Mr. Bieker was here in September he said that he had talked with some neighbors whose houses are directly to the south on the cul-de-sac on Three Mile Road, and he had had a wedding with 100 people there and the neighbors didn't know about it.

Easter stated we've heard both ends of that continuum where there's a party there that nobody knows about, and there's a party there that everybody knows about and they're still talking about it months later. She stated it's hard to regulate behavior. She stated she shares Ross's concern that these rules kind of say start a business, generate revenue from your property.

Ferro stated that is clearly what he's interested in, and if it wasn't being conducted as a business, it wouldn't need any zoning approval.

Jacobs questioned if we approved a special use permit with a limit on number of people attending, how would compliance with the limits be monitored.

Lowry stated he had concerns with potential alcohol abuse on the premises.

Korth stated he thinks we should just do nothing further with this at this time, since the interested party isn't here tonight.

Commission members unanimously concurred with this suggestion.

Status of Envision Ada Project Implementation

Ferro reported that the initiation of the Headley Street project, which is the planned first phase of the Envision Ada plan, is still pending some property acquisition for road right-of-way to complete the street extension between Ada Drive and Thornapple River Drive.

Korth suggested a subcommittee be formed to begin reviewing the current form-based code, to examine carefully whether the code provisions are consistent with the Envision Ada plan.

Leisman stated he would be happy to do it.

Korth stated another important issue that should be examined is whether the option of using the PUD zoning rules should remain as an alternative to using the form-based zoning rules, or whether the form-based rules should be mandatory. Korth stated he is greatly concerned that we may see development proposals soon that we may not be prepared for.

Following discussion, the consensus of the Commission was to set a Planning Commission work session meeting for March 4th, at 4:00 pm.

X. PUBLIC COMMENT

Corky Paul, 589 River St., stated he recently moved back to Ada. Paul stated that people in Ada have told us for over 10 years that they want a bigger village and the things that will bring, but underlying that it is expressed that we don't want to change the character of the village. He stated it is important that members of the Commission get to know the form-based code so that this can be achieved.

Korth stated we are likely to see an application soon for new development on property near the Post Office, and he is concerned this area was not addressed to any great degree in the Envision Ada plan. He stated he is concerned we may have some weak spots in our rules that need to be addressed. He stated that the Planning Commission's role in implementing the plan is important because of we will be called upon to review new development proposals. Korth stated that because of this, he believes reviewing the zoning provisions is a higher priority at this point than amending the Master Plan.

Ferro stated we need to address both.

Paul stated that Amway's acquisition of property in the village has given the community a great opportunity to enhance the village, and he views this as one of the biggest things to happen in the history of the village.

X. ADJOURNMENT

Motion by Jacobs, second by Easter, to adjourn the meeting at 8:40 p.m.

Motion passed unanimously.

Respectfully Submitted,

Susan Burton, Township Clerk

SB/dr