

**ADA TOWNSHIP PLANNING COMMISSION
MINUTES OF THE MAY 17, 2012 MEETING**

A meeting of the Ada Township Planning Commission was held on Thursday, May 17, 2012 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 Chairperson Korth at 7:30 p.m.

II. ROLL CALL

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

Absent: None

Staff Present: Jim Ferro, Planning Director

III. APPROVAL OF AGENDA

Motion by Easter, second by Rhoades, to approve the Agenda. Motion passed unanimously.

IV. APPROVAL OF MINUTES OF APRIL 19, 2012 MEETING

Motion by Rhoades, second by Easter, to approve the April 19, 2012 meeting minutes as presented. Motion passed unanimously.

V. PUBLIC HEARING

Special Use Permit, Proposed 2,400 Square Foot Accessory Building with 16-Foot Sidewall Height in Rural Residential (RR) Zoning District, 5622 Michigan St. NE, Parcel No. 41-15-19-200-022, Jeff Segard

Jeff Segard, Applicant and Builder, 3060 Pine Street, Grandville, MI, stated Tony Semple is the proposed owner of the subject property. He stated the property is under a purchase agreement.

Jim Ferro, Planning Director, stated the zoning regulations have limits on the size and side wall height of accessory buildings and they vary based on lot size. He noted for a lot that is less than three acres in size the maximum footprint is 1,200 square feet and the maximum side wall height is 10 feet. He stated the zoning rules state the planning commission can approve a height or area larger than those limits after a public hearing for special use, if they determine that the size, height, placement, design and appearance of the building will be compatible with the character of the surrounding area.

Ferro stated the photo shows the location of the building in relation to the house on the property and Michigan Street. He stated the proposed accessory building would be well to the rear of the lot and partially screened from the road by trees. He stated neighbors within 300 feet of the property were notified of the public hearing.

Segard stated the existing building that is there will be taken down, and the proposed location for the new building will be the same location as the existing one. He stated there is a large pine tree they are planning on leaving, which is closer to Michigan Street and right next to the home. Segard stated although there is a change from the existing barn that is there, the placement is far enough off Michigan Street so that it will not necessarily be seen up close.

Korth opened the public hearing.

Dave Ronda, 985 Grand River Drive, stated there has already been one large building built in the neighborhood on the property adjacent to this for the purpose originally of housing his motor home and toys. He stated this piece of property is being bought and sold on a contingency basis, in excessive height. He stated he sees no reason for anything of this nature to be put in there.

Korth asked if his main concern was the height.

Ronda stated the size and height are very excessive.

Flo Ronda, 985 Grand River Drive, stated the existing barn is very visible from Michigan Street, and if you lift it another six feet it is going to be an eyesore. She stated you have put in place rules and regulations on the size of buildings for that area, and what's to say that once you say yes to this gentleman that a year from now somebody else comes along and says I want one too. Are you going to say yes to him or her because you've said yes to this one? Ronda stated she does not see the purpose of enlarging that one barn to that size. She stated it is going to be an eyesore, and we really don't need that.

Korth closed the public hearing.

Korth asked for clarification of the subject property in relation to the applicant's existing residence and tell us what is going on here.

Tony Semple, applicant, stated they are not the original owners of his residence. He stated the large white barn was built by the prior owner, and is not used for vehicle storage. He stated that it has a gymnasium in it. He stated he is looking to buy this piece of property to put a pole barn in the back. Semple stated it is also his intent to keep the integrity of his existing property. He stated his intent is to build a beautiful barn, and the height is needed to accommodate his motor home. Semple stated it will be so far back no one is ever going to see it.

Korth asked what is the plan for the fit and finish of the structure.

Jeff Segard, builder stated we did propose this as a pole building because of the ease of the structure to build with the height that's there. He stated we aren't looking to make it look like a pole barn, but we are proposing it as pole barn construction.

Korth asked what the fit and finish on the outside will look like.

Segard stated the fit and finish to the exterior would be a metal siding with windows and shutters, and a shed roof over the front of the door. He stated we want to make the appeal and look feel like it fits in with the property adjacent, more of an upscale building even though it's got some height to it. Segard stated it will look much better than the existing structure that is there, which is rotting.

Korth asked how the existing home on the property and the proposed barn are going to compare to each other architecturally.

Segard stated architecturally they will be different.

Korth asked if the existing house on this property will be razed.

Segard stated no.

Korth stated you have two lots with a house on one and then you have another home on another property with this structure, so essentially it's going to look like two homesteads.

Lowry asked if the existing house is livable.

Segard stated someone lives in it now, yes, it is definitely livable.

Rhoades asked if they are going to put up a screen to shield the structure.

Semple stated we are not going to build something you will be ashamed of, and if someone wants us to throw landscape in there, some monster pines to hide it; sure, I'll be glad to do that. He stated we are going to put something there, if you allow us, that will be very beautiful.

Ferro stated there is dense tree cover to the south of this property and to the north, and the only time you would see this building from the road is pretty much when you're almost directly in front of the property. Ferro also noted that the existing building has the long side facing the street; the proposed building has the short side facing the street. He stated he does not believe the new building would have much more mass impact than the existing building, viewed from the road.

Segard stated the proposed barn would not be visible from the north, since the elevation goes up probably 20 feet, and the south side is all owned by Mr. Semple.

Jacobs asked if it's going to have its own driveway, are you going to put in a new driveway.

Segard stated yes, located to the south of the large pine tree on the property.

Ferro stated if commission members have questions on this they might want to visit the site.

Korth asked for clarification on the normal square footage of an accessory building.

Ferro stated for lots less than three acres in size, the maximum footprint permitted by right is 1,200 square feet.

Korth asked if this lot conforms to the zoning of the district.

Ferro stated yes.

Korth asked if the purchase agreement would be in jeopardy if this was postponed. He stated we do not have as much information as we would like, and would like to see renderings. Korth stated we do not have a good handle on the egress which will have a lot of impact on this property, are you going to have another curb cut, and are you going to have one more driveway on the street. He stated the consensus is we'd really like to have more information, and a minimum opportunity to understand how this structure is going to impact direct neighbors, and would prefer to delay.

Ferro asked why they needed a new driveway.

Segard stated the existing driveway to the house goes directly to the garage on the house and we would have to cut through the entire front yard of the existing structure and take the pine tree down, which is really one of the nicest features on the site, to get off of that driveway. He stated there is currently no drive to the existing barn in the back, and you can't get from the existing driveway around the north side because the hill goes straight up. Segard stated there's really no way to connect that drive to the existing barn, which is why we thought we would do the least impact to bring it down to the edge where the pasture starts so we leave the large mature trees by the house along with the larger pine tree.

Ferro stated your narrative statement says the proposed building will have exterior colors and detail that will make it harmonious with the surroundings of the existing property, and whether it's harmonious with its surroundings is a judgment of the planning commission, which cannot be made without having that information about details.

Segard stated you want a color scheme and details of what the structure will be.

Easter stated even a rendering.

Segard stated if you're looking for a colored rendering we can do that.

Easter stated that to set a precedent for approving a barn with the minimal detail provided would not be good.

Rhoades asked if it is a shingle roof.

Segard stated right now we have it drawn as vertical metal roof, and we can do a rendering for that as well.

Motion by Easter, second by Lowry, to postpone action, in order to allow Commission members to visit the site and to review renderings that will be submitted by the applicant, and to schedule a special meeting on the application for Tuesday, May 22, 2012, at 1:30 p.m.

Motion passed unanimously.

Amendment to Zoning Regulations, Farm Market Regulations

Ferro stated the current zoning regulations address on-farm sales to consumers only with language that allows "roadside market stands," which are defined as a facility selling only agricultural products grown or raised on the premises. Sales of anything other than what's grown on that property are not permitted. Ferro stated that is somewhat limiting with respect to the increasing trend toward value-added agriculture and sales of a more diversified range of products at farm markets, including processed farm products. He stated what is proposed here is a set of regulations that are intended to conform with the generally accepted agricultural management practices which were adopted by the State Department of Agriculture over a year ago concerning farm markets and the allowable types of marketing and sales activity that can take place on a farm market.

Ferro stated our zoning ordinance permits agricultural use in several zoning districts, including the Agricultural Preservation District, the Rural Preservation 1 District, the Rural Preservation 2 District, and the Rural Residential District. He stated the proposed rules have separate sets of regulations for all four of those zoning districts, and they vary with respect to types of ancillary marketing and promotion activities that are permitted on the property, with the Agricultural Preservation District allowing the broadest range of ancillary activities, including processing.

Ferro stated in the RP1 and RP2 and Rural Residential districts, which are more residential in nature and less agriculture in nature, there is a lot more restricted level of ancillary marketing activities permitted, and they are permitted in those three districts only by special use permit. He stated there is a summary table in your packets that summarizes the overall approach of being less restrictive in the Agricultural Preservation District and more restrictive in the other three districts.

Ferro stated in the Agricultural Preservation District there is also language stating that holding special events at the farm market is permitted with approval of a special use permit, and a single special use

permit application can encumbrance multiple events during the course of the year. He stated in the other three districts those types of events of a social or entertainment or fundraising nature are not permitted.

Ferro stated the main impetus for these rules being proposed is the desire of the Sietsema family on Two Mile Road to expand their farm market operations to include a licensed winery that would produce fermented hard cider, including a tasting room, and the draft rules permit that type of use in the Agricultural Preservation District. He stated there were 11 emails submitted within the last 10 days in support of the proposed farm market rules.

Jerry Sietsema, Sietsema Orchards, 8540 Two Mile Road, stated right now our hands are tied with the current regulations, and a winery is on our agenda. He stated these amendments also allow us to have events such as dinners on the farm, which is trending on the fruit scene, and we have had numerous inquiries about that; people are ready to go for that. Sietsema stated it allows us to work with other local businesses, almost like an incubator in bringing the community together, and preserving the local agricultural land. He stated we're trying to keep it as intimate as possible. Sietsema stated it will allow us to diversify and offer dinners on the table, have dinner at the farm.

Andy Sietsema, Sietsema Orchards, 8540 Two Mile Road, stated we want to keep farming as much as we can. He stated we are an asset to Ada Township; we just want to be here to farm and do what we love and at the end of the day still be an asset to the Township in what we do.

Korth opened the public hearing; with no comments he closed the public hearing.

Korth stated the subcommittee that was created to prepare proposed regulations, consisting of Jacobs, Easter and himself, has met several times with Ferro in developing the proposed regulations.

Ferro went over the changes that the committee made. He stated the initial draft prepared for last month's meeting did not quite comply with the Right to Farm Act provisions. Ferro stated it also didn't address the four districts in which agriculture use is permitted. He stated in all four districts road side market stands and farm markets are permitted, and with a farm market there is a definition of that term added, and the main distinction between the two is that at a roadside market stand, only products grown and raised on the premises can be sold, whereas at a farm market, at least half of the sales are agricultural products produced and/or processed by the affiliated farm. Ferro stated the proposed rules provide a lot more latitude for value-added agriculture in the Township than the current rules do.

Ferro stated one significant change from the original draft is that a farm market is subject to approval of a site plan by the planning commission. He stated a couple of standards added include a minimum 30 foot front and side yard setback for parking areas, and if feasible, parking area shall be to the side or rear of the farm market building. Ferro stated the parking area shall be screened from the road, and parking in a public road right of way is prohibited. He stated another change is that ancillary activities for customer attraction, amusement, entertainment or recreation are only permitted with special use approval in the RP1 and RP2 and Rural Residential districts. Ferro stated the current zoning rules have no standards for road side market stands other than that products sold must be raised on the farm. He stated there are now standards on maximum size of buildings and minimum setback for a building that's larger than 100 square feet, and a prohibition on those ancillary marketing and customer attraction activities.

Easter stated we were trying very hard to balance encouraging businesses in the community with making sure the interests of neighbors are protected, and keeping the rural feel of Ada. She stated she thinks we found a nice balance, and this is exactly where Ada needs to go, it's in keeping with who we are, and encouraging businesses.

Lowry stated he is in favor of a farm market, but he is not in favor of alcohol next door to a school.

Jacobs stated we had concerns about that and did talk about it as well, and the school is actually further than the State requirements.

Rhoades suggested the standards should specify the type of screening required between parking areas and the road, so an applicant knows what is expected.

Ferro stated we do have provisions in our commercial zoning districts, commercial development, that says that there shall be a green belt between a parking area and the road, and there are standards for type of materials in the green belt. He stated we also want to make sure we're not trying to create a manicured or suburban look in an agricultural setting, so the standard that is in here might not fit very well in the rural context. Ferro suggested that wording requiring use of plant material for screening be added.

Following discussion, it was moved by Rhoades, seconded by Butterfield, to recommend approval of the proposed farm market regulations as presented, with the addition of language requiring screening of parking areas to be provided using plant material.

Motion passed by 6-1 vote, with Lowry voting no.

VI. UNFINISHED BUSINESS

None.

VII. NEW BUSINESS

Site Plan Review, 1,536 Square Foot Addition to Clubhouse Building, 8461 Conservation St. NE, Parcel No. 41-15-14-400-001, Kent County Conservation League

Andy Johnson, Johnson Builders, general contractor stated he is representing the Kent County Conservation League, who wish to construct an addition to the north side of the existing clubhouse building.

Ferro stated the main clubhouse is ½ mile from Conservation Street. The addition would add more dining area which could be partitioned off as a separate meeting space. He stated the operations and activities at the club are governed by a separate zoning district, which we recently amended, and that district has some provisions that are applicable here, including setback requirements for buildings, and a 10,000 square foot limit on the total floor area of all buildings or structures on the property, with the exception of storage areas and fully enclosed indoor shooting ranges.

Ferro stated the proposal conforms with all of the dimensional standards except that the total of this addition takes the club over the 10,000 square foot limit, if all "structures" on the property are considered.

Ferro noted that some of the structures on the property house only target throwing equipment. He states it may not have been the intent to include those in the total limit. Ferro stated that in conversations with Tim Wiley, the club manager, he was told that the Club has considered demolishing the old clubhouse building that's near the front of the property, since this building will no longer be used for Board meetings if the new addition is built. Ferro suggested the possibility of requiring this building to either be converted to storage or demolished as a condition of approval, to satisfy the limit on the square footage of all buildings and structures, which excludes storage space.

Ferro stated the existing setback is called out on the site plan, and the existing building is 115 feet. He stated the rendering shows what the building looks like from the north elevation, and it is not visible from any surrounding properties. He recommended approval subject to the condition of restricted use of the clubhouse building.

Rhoades stated he does not consider the canopy roofs over shooting stations as being an issue with regard to the total square footage.

Ferro stated some of these structures house nothing more than target throwing equipment.

Easter stated I don't see that it's going to be a problem to any neighbors, and if it works for them I'd say build on, make it bigger, make it better, and good luck.

Ferro stated he discussed with one of the board members the possibility of referring the language on the 10,000 square foot to the Zoning Board of Appeals for clarification because that is one of their assigned duties if there is vagueness or ambiguity in the ordinance. He stated a restriction on use of the former clubhouse would allow their new addition to move forward and then we could examine that paragraph and possibly amend it in the future.

Motion by Lunn, second by Lowry to approve the 1,536 square foot Addition to the Clubhouse Building at the Kent County Conservation League with the condition that the old clubhouse be used either for storage or demolished.

Motion passed unanimously.

Tim Wiley stated he would like to come back and have the zoning ordinance fixed so they would not have a problem in the future. He stated they will use the old clubhouse for storage, which is basically what it is now except for their board meeting. He noted there will be a race in Seidman Park next month, and they are allowing the race organizers to use the clubhouse to register the people for the run.

VIII. STAFF/COMMITTEE/COMMISSION MEMBER REPORTS

None.

IX. PUBLIC COMMENT

None.

X. ADJOURNMENT

Motion by Rhoades, second by Lunn, to adjourn the meeting at 8:55 p.m. Motion passed unanimously.

Respectfully Submitted,

Susan Burton, Township Clerk

SB/dr