

**ADA TOWNSHIP PLANNING COMMISSION
MINUTES OF THE JULY 29, 2008 WORK SESSION MEETING**

A work session meeting of the Ada Township Planning Commission was held on Tuesday, July 29, 2008, at the Ada Township Offices, 7330 Thornapple River Dr., Ada, Michigan.

I. CALL TO ORDER

Meeting was called to order by Korth at 4:30 p.m.

II. ROLL CALL

Present: Chairperson Korth, Commissioners Burton, Butterfield, Gutierrez, Hoeks, Lowry and Sytsma.
Also present: Planning Director Ferro.

III. APPROVAL OF AGENDA

Motion by Sytsma, second by Hoeks, to approve the agenda, subject to reversing the order of Item V, Discussion of Riparian Protection Regulations, and Item VI, Discussion of Property Maintenance Regulations. Motion passed unanimously.

IV. DISCUSSION OF VILLAGE FORM-BASED CODE

Korth stated that at the public hearing on the proposed DDA formation, it was apparent that there is a deep distrust and dissatisfaction on the part of Village residents. He stated he feels there is a need for an informal meeting with residents of the Village to hear their concerns and their views on the future of the Village. He stated he does not believe that the Township should push forward with adoption of the form-based code without having more communication.

At this time, Butch Visser, Township Building Official, arrived at the meeting, and discussion of the form-based code was suspended to discuss the proposed Property Maintenance Code.

V. DISCUSSION OF PROPOSED PROPERTY MAINTENANCE CODE

Korth stated that he had invited Mr. Visser to the work session to share with the Commission his experience in administering the Uniform Property Maintenance Code.

Visser stated that both Cascade Township and East Grand Rapids have adopted the Uniform Property Maintenance Code, and that he was responsible for administering the code in both communities. He stated that even though the code is too invasive, they have not had problems in administering the code. He stated that in each community there are about 5-6 enforcement cases undertaken per year. He stated he believes that the lack of problems in using the code is due to the way that they administer the code.

He stated that he requires written complaints to be filed rather than anonymous complaints, and they do not permit the code to be used as a weapon in neighbor-versus-neighbor disputes. He stated that they also consider the context of the surrounding neighborhood conditions in evaluating whether the condition of an individual property is serious enough to constitute a violation of the code.

Visser stated that their procedure is to issue a written notice of violation, giving 30 days in which to correct the violation. If the property is not brought into compliance, a civil infraction citation is issued, which is handled in District Court, similar to a traffic moving violation. Visser also pointed out that they do not initiate action without consulting with the officials in the community that they are working for.

Ferro asked how they handle situations where issues of affordability are involved in the violation.

Visser stated that there are two programs he is aware of, one which involves County funds being used for repairs, with the costs being placed as a lien against the property, and low-cost repair services that are available from Home Repair Services of Kent County.

It was suggested that Ferro obtain photographs from Visser of properties where there has been enforcement action in East Grand Rapids and Cascade Township.

VI. DISCUSSION OF VILLAGE FORM-BASED CODE, CONTINUED.

The Commission discussed possible schedule for holding an informal meeting with Village residents. Invitations could be in the form of a letter to residents. An RSVP could be requested to gauge attendance. Possible locations for the meeting were discussed. Tuesday, August 26 was targeted as a possible date.

Ferro pointed out that he and George Haga had discussed a possible Township Board/Charrette Task Force work session meeting to discuss the DDA proposal the previous week, on August 18.

The potential for further confusion and misunderstanding regarding the fact that the DDA and form-based code are totally independent and distinct proposals was discussed. Korth stated that having the two proposals discussed at the same time may simply involve too much information to be absorbed.

The consensus of the Commission was that it would be best to hold off on work on the form-based code until the consideration of whether to form a DDA is completed.

VII. DISCUSSION OF RIPARIAN PROTECTION REGULATIONS.

Korth distributed a copy of an e-mail message he had sent to fellow riparian subcommittee members on June 30, regarding possible refinements to the rules which would reduce the extent of the exemptions from the regulations. Existing unimproved lots would become subject to the regulations to the full extent. On improved lots, existing non-conforming structures would be permitted to be replaced if destroyed, thereby avoiding placing existing home owners in jeopardy. He pointed out that his own home is a good example of this situation, since his home is right next to the creek.

Gutierrez suggested that we should coordinate the refinement of these rules with Cascade Township, since they are directly upstream from Ada Township, and what happens there affects the area downstream.

Ferro stated he would use Korth's outline as a starting point for preparing draft rules.

VI. PUBLIC COMMENT

There was no public comment.

VII. ADJOURNMENT

The meeting was adjourned at 6:10 p.m.

Respectfully submitted,

Deborah Ensing Millhuff, CMC
Ada Township Clerk
rs:jf