

**ADA TOWNSHIP PLANNING COMMISSION
MINUTES OF THE AUGUST 15, 2013 MEETING**

A meeting of the Ada Township Planning Commission was held on Thursday, August 15, 2013 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 7:00 p.m.

II. ROLL CALL

Present: Chairperson Korth, Commissioners Lunn, Leisman, Jacobs, Lowry, Butterfield, Easter, and Planning Director Ferro.

III. APPROVAL OF AGENDA

Chairperson Korth stated he would like to move the AT&T Mobility Wireless Communications Tower from VIII to the first item after approval of the minutes.

Motion by Easter, supported by Lunn, to approve the revised Agenda as presented. Motion passed unanimously.

IV. APPROVAL OF MINUTES OF JULY 18, 2013 MEETING

Motion by Leisman, supported by Lunn, to approve the Minutes of the July 18, 2013. Motion passed unanimously.

V. STAFF/COMMITTEE/COMMISSION MEMBER REPORTS

Status of AT&T Mobility Wireless Communications Tower

Planning Director Jim Ferro stated the Township Board approved the resolution encouraging the Forest Hills School District to give consideration to allowing co-location of wireless equipment on the water tower at Forest Hills Eastern campus, and that will be communicated to the school district. He and Supervisor Haga have a meeting set with legal counsel to discuss what options may exist with regards to transferring ownership of the tower from the school district to the Township to facilitate co-location. He stated he has been working with AT&T Mobility on satisfying the conditions of approval for the site at Egypt Valley and Knapp. A deed restriction requiring preservation of the natural vegetation outside of the lease area on the balance of that property at the corner of Egypt Valley and Knapp has been drafted and is ready for signature, and will be scheduled for Township Board approval soon so that in the event that things don't work out with the school district that can be recorded to satisfy one of the conditions of approval. One other item that hasn't been done is to schedule a meeting with some of the neighbors around the water tower site within the next week or so.

Korth stated we have about 90 days left.

Butterfield stated in the event the water tower is deemed a favorable location by the school district would a public hearing need to be held.

Ferro stated in the past we have handled co-location of wireless equipment on existing structures as an administrative site plan approval.

VI. PUBLIC HEARINGS

None.

VII. UNFINISHED BUSINESS

None.

VIII. NEW BUSINESS

Site Plan Review, Land Division Creating 4 lots in the RR District, 1045 Cramton Ave NE, Parcel No. 41-15-21-226-001, Eric L. VanDerVeen for Robert VanDerVeen

Eric VanDerVeen stated his parents would like to parcel off three lots, while staying in their home on a 4th lot.

Ferro stated the land division rules state any land division that results in four or more parcels, including the remainder of the parent parcel is subject to plan review and approval by the planning commission, and this proposed land division creates four parcels. He stated this property is on the west side of Cramton Avenue. Ferro noted there is an existing easement that runs through the property, which currently provides access only to Eric's lot. The existing easement would provide access to proposed lots C and D, while Lot A, which is where Eric's parents house is located, would continue to have a driveway directly on to Cramton, and proposed Lot B would have its own driveway access to Cramton. Ferro stated Lot B would be prohibited from accessing from the private drive because shared private drive only has a 30 foot easement. If Lot B were accessed from the private drive then a short portion of the private drive would be serving four lots, and would be required to have a 22 foot surface width and a 66 foot easement. Ferro stated Eric would like to retain the existing 30-foot easement and driveway width, and therefore does not wish to have Lot B accessed from the private road.

Ferro stated the County Road Commission has taken a look at the access point to Cramton, and there will be some modest widening of the driveway approach at Cramton required, but no paving and no curb and gutter.

Ferro stated this property is in the rural residential zoning district where we have a two acre minimum lot size requirement. All of the proposed lots meet the area standard and other dimensional standards for that zoning district.

Ferro stated one additional issue that is not addressed in the staff report is he asked the Fire Chief to look at the existing driveway to see if it meets our dimensional requirements for vegetation obstruction. Ferro stated the standards state there must be at least 10 feet of driveway width with two feet clear of vegetation obstructions on either side, and there is an overhead obstruction standard as well. Ferro stated after visiting the site, the Fire Chief feels there is some vegetation clearing that will be needed to comply with this standard and provide adequate access by emergency vehicles. He stated he recommended adding an additional approval condition stating that "clearing of vegetation along the driveway to satisfy the ordinance standards for unobstructed access shall be completed prior to issuance of building permits on Lots C and D." Ferro stated he recommends approval subject to the conditions listed in his staff report, plus the added condition regarding clearing of vegetation.

Butterfield asked if Lot B could be divided in the future. Ferro stated the width of the private drive would preclude that, and that he, and he pointed out to Eric, if there is any anticipation of dividing Lot B the time to do the 66 foot easement would be now because it's hard to get it from other property owners in the future. He stated if it's planned this way with the 30 foot easement, it would be difficult to satisfy any variance standards in the future.

Leisman stated isn't there a requirement that they submit a maintenance agreement when the split is created.

Ferro stated there is a requirement for a maintenance agreement, but he doesn't know that it needs to be submitted now, as it is a condition for issuing a private road permit, and can be handled at that time.

Leisman stated once the ownership transfers it would be harder to get the agreement.

Ferro stated we would not want any lots to be transferred until there is a recorded maintenance agreement in place.

Lunn commented that we had that problem with a private road on Bailey Dr., where the maintenance agreement was not in place.

Korth suggested it might be worth putting a condition in place, so it helps with the administration of this requirement.

Ferro stated it would not hurt.

Leisman questioned if the owner of Lot B owns the underlying land to the easement, and B has access to Cramton, how can we stop the owner of Lot B from also using the private drive?

Ferro stated it would violate the condition of approval. He stated there is a note on the plan that says "driveway access to parcel B must be from Cramton Avenue."

Leisman stated it looks like what they should have if they're going to do a private drive is one that B, C, and D and the back lot can all use.

Butterfield stated that would keep one cut on Cramton Ave.

Ferro stated the 66 feet easement width would only need to go back as far as where the driveway from parcel D is, because from that point beyond to the end only 3 lots are being served.

Korth stated if we went to a larger right-of-way at this point he would have to re-draw his lots.

Ferro stated if Lot B had access from Cramton directly, with an approved county driveway permit, and the owner happens to use the private drive as a secondary access, he doesn't think we'd have any objection to that as long as it's not their sole access.

Butterfield asked if they would have to chip in to the maintenance agreement.

Ferro stated that's a matter to be determined as part of the private road maintenance agreement.

Motion by Lunn, supported by Easter, to approve the proposed land division creating 4 lots, subject to the following conditions:

1. A Township Private Road Permit application, complying with Kent County Road Commission requirements and providing for construction of the emergency vehicle turn-around area as shown on the plan, shall be submitted and issued, prior to recording of the land divisions.
2. Required private road and driveway access improvements shall be completed prior to issuance of building permits on Lots C and D.
3. Parcel B shall be prohibited from having a driveway access from the private road.

4. Clearing of vegetation along the driveway to satisfy the ordinance standards for unobstructed access shall be completed prior to issuance of building permits on Lots C and D.
5. A "private road maintenance agreement shall be recorded prior to transfer of ownership of any lots created.

Motion passed unanimously.

IX. STAFF/COMMITTEE/COMMISSION MEMBER REPORTS

Status of Ada Village Urban Design Plan

Ferro updated the Commission regarding the status of the Village Design Plan process. He stated that there have been a number of input meetings with various stakeholder groups and others planned. Groups that are being consulted include the shopping center tenants, Historical Society Board, Arts Council Board, DDA Citizens Council, which is 9 current Village residents, as well as Village business and property owners outside the shopping center. Input meetings are also scheduled with a group of "empty-nester" generation residents of the Villas of Ada, and a "millennial generation" group of young people is also being recruited for an input meeting. Ferro stated these meetings will all be held prior to Labor Day.

Easter asked if he is soliciting the meetings or whether people are coming to him saying we want to have a voice in this for our group.

Ferro stated they are groups we identified we wanted to get input from. He stated there are some exercises with different categories and people identify with sticky notes what they consider important, very important, somewhat important, and unimportant in various categories such as land use, civic facilities, open space, and transportation.

Korth stated the exercise was done by the DDA board as part of getting ready for these meetings. He stated it's well thought out, well executed, and then it's done consistently enough across groups that they're going to be able to develop some metrics from it that will provide some real information so we can come in with the historic knowledge of the Charrette of 2006, and then all the new metrics will confirm to us or slightly change the thinking that has occurred since 2006.

Easter stated the property is owned by Amway, so has Amway asked us for advice or suggestions?

Ferro stated that's the whole reason for this process. Amway came to the Township after they acquired the property, and asked the Township to organize a public planning process to obtain public input. Ferro stated Amway representatives are observing and participating in these meetings.

Ferro summarized the activities planned for the Design Workshop week immediately following Labor Day.

Korth pointed out that the Planning Commission will be involved in reviewing the plan for formal adoption as part of our Master Plan, and will need to consider whether there are changes to our zoning regulations that may be needed to facilitate implementing the plan.

Ferro stated we will probably schedule some type of a presentation to the planning commission in September. Korth stated he would welcome that, and perhaps by then we may also have some thoughts on needed zoning revisions.

Commission Meeting Time:

Korth suggested the possibility of changing the Commission meeting time to either 7:30 p.m. or to an earlier time, such as 6:00 p.m. or 6:30 p.m., as he finds the current 7:00 starting time awkward.

Butterfield stated she would prefer an earlier time, if that works for everybody else's schedule.

Ferro stated one thing to consider is what's going to suit the public well, too. Korth stated that what works well for Commission members is also likely to work well for the public. It was agreed that Korth, Jacobs and Ferro would discuss this idea at their meeting with Haga on Friday morning.

Accessory Dwelling Unit Provisions:

Korth brought up the idea of amending the zoning rules to permit secondary dwellings on single family home parcels in the Township, and asked Commission members whether there was any interest in investigating this.

Lowry expressed concern with the potential for lots of secondary dwelling units in the Township.

Jacobs asked a secondary dwelling affects the homestead status of property.

Leisman stated he would be open to looking at what other communities do.

Korth asked if we have the legal right within a principal structure to have a tenant, the right to lease a room.

Ferro stated there is nothing in zoning that prohibits renting a room, provided there is not a complete dwelling unit with its own complete living facilities.

Ferro stated he would research the topic and provide some examples.

Korth stated if we could pursue looking into it, I would appreciate that.

PUBLIC COMMENT None

XI. ADJOURNMENT

Motion by Easter, second by Jacobs, to adjourn the meeting at 8:00 p.m. Motion passed unanimously.

Respectfully Submitted,

Susan Burton, Township Clerk

SB/dr