

**ADA TOWNSHIP PLANNING COMMISSION  
MINUTES OF THE OCTOBER 17, 2013 MEETING**

A meeting of the Ada Township Planning Commission was held on Thursday, October 17, 2013 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 Lunn, Leisman, Jacobs, Lowry, Butterfield, Easter.  
Staff Present: Planning Director Ferro.

**III. APPROVAL OF AGENDA**

Korth stated that written correspondence from Ferro indicates that there are members of the public who wish to address the Commission regarding a matter involving Edlyn Ct. and Barron Dr., which is not on tonight's meeting agenda. He suggested the agenda be revised to allow public comment as the first item, so that this comment can be made early in the meeting.

Motion by Leisman, supported by Easter, to approve the agenda as presented, subject to adding Public Comment to the agenda, prior to Public Hearings. Motion passed unanimously.

**IV. APPROVAL OF MINUTES OF SEPTEMBER 19, 2013 MEETING**

Motion by Butterfield, supported by Lowry, to approve the minutes of the September 19, 2013 meeting. Motion passed unanimously.

**V. PUBLIC COMMENT**

Korth asked Ferro to summarize the issue on Barron Dr. and Edlyn Ct. Ferro stated the single-family lot development on Barron Dr. and Edlyn Ct. was a land division plan that was subject to review and approval of a site plan by the Planning Commission. Ferro stated one of the conditions of approval of the land division plan was that the two private road cul-de-sacs have 30 foot diameter landscaped islands in the middle of the cul-de-sacs. He stated as you all know the first cul-de-sac, Barron Drive, was installed by the developer without the island, and when staff brought this matter to the developer's attention last year he asked to have that requirement removed. The developer, Paul Barron, appeared before the Planning Commission in December 2012 to make this request, and the request was denied by the Planning Commission. Ferro stated that this summer the second cul-de-sac was paved, also without the required landscape island in the cul-de-sac. Ferro stated he received written correspondence from several of the residents on the two cul-de-sacs asking if he could meet with them regarding their concerns, and their desire to have the island requirement removed. Ferro stated several residents are present tonight to speak to that matter. Ferro also stated that several weeks ago the developer was told there would not be any further building permits issued on Barron Drive until the requirement is complied with or the requirement is removed by the Planning Commission.

Korth asked if after hearing the residents, what the procedure would be to accomplish a change in the island requirement.

Ferro stated it's not something that would require a public hearing because the original development plan wasn't subject to a public hearing. He stated it would need to be placed on a future agenda as a request for modification of the land division plan.

Easter asked why the requirements were put in for the cul-de-sacs.

Ferro stated the island requirement has been applied consistently on private road cul-de-sacs for probably 10 years. He stated he provided information to the neighbors and to the developer regarding many existing private roads in the Township that have the islands installed, and it has never been an issue, and no one has ever resisted or not wanted to implement the requirement.

Ferro stated the requirement has been based on a desire by the Planning Commission to eliminate unnecessary pavement, to provide improved aesthetics and lower the environmental impact of excessive pavement. Ferro stated that the dimensional standard we use for the islands has been reviewed and signed off on by the Fire Chief as being adequate for emergency access.

Jacobs asked if the developer indicated prior to the site plan approval if they were seeking approval without the island.

Ferro stated without looking at the minutes from the original approval he doesn't know whether the developer raised any concerns or not.

Jacobs asked if prior to the first total paving there was any communication from anyone saying we don't want to put in these islands.

Ferro stated no.

Easter stated so they went ahead and just put the cul-de-sac in without an island, although they were aware of the fact that they needed these islands in the cul-de-sac.

Ferro stated yes, and the second cul-de-sac also went in without an island after the December, 2012 denial of the developer's request to eliminate them.

George Campuzano, 8912 Edlyn Lane, stated there are six lots on Edlyn Lane but he is the only resident at this time. He stated they are not proponents of the islands. He stated that in August the road was paved and during that time there was no indication or talk about an island in the cul-de-sac, but when he heard about it Paul Barron talked with him about it. He stated he then requested Jim Ferro come out to discuss this with the neighbors. Campuzano stated that Ferro informed them of the reasons for the island requirement, and provided him with a list of other private road cul-de-sacs with islands to visit.

Campuzano stated he visited all of the locations provided to him by Ferro, and learned some lessons from these visits.

Campuzano stated he has a concern with the island interfering with large trucks moving around the cul-de-sac and causing property damage, and he does not want to be out there fixing it on a constant basis. He stated he would rather devote his resources to his own property rather than maintaining and repairing an island. Campuzano stated he believes the aesthetic issue is in the eye of the beholder, and it's not aesthetically pleasing to him. He stated his daughter likes to play in the cul-de-sac. Campuzano stated in summary, he has issues with recreation interference, maneuverability for large trucks, and the island would be a liability rather than an asset to the neighborhood. He stated he would like the commission to reconsider the requirement as this is not something he wants.

Jacobs asked if he knew the cul-de-sac was supposed to be put in.

Campuzano stated if it was brought up, if he saw plans, it's not something that registered.

Jacobs asked if he understood that when the road was paved and there was no island put in that this was contrary to what was required of the developer.

Campuzano stated he became aware of the island requirement in early-August, when the developer told him about it.

Korth asked Jim, a year or so ago when this came in front of us one of the issues at that time was the private road agreements were not properly registered, the lots had been sold, the houses had been built, has that been rectified.

Ferro stated yes the private road agreements all have been signed and recorded.

Korth asked if the private road agreements have any language in them related specifically to the care of the islands that were required.

Ferro stated he doesn't believe so.

Korth stated he has deep concerns about the fact that the development was half built and we now have homeowners trying to change the developer's obligations. He stated he can see a never ending barrage of similar requests if the requirement is removed, he thinks it's a dangerous precedent for us, and he would prefer not to entertain re-visiting this.

Easter stated she couldn't agree more. She stated this is a case of blatant disregard for the Township's requirements by the developer, and misleading the people he sold the property to.

Jacobs stated the developer made unilateral decisions about an agreement that was already made, and he decided he was not going to comply with this agreement.

Campuzano stated he understand what your points are, but where does he go from here to establish his lifestyle; how do I work with you guys on that, can I do that.

Easter stated in her view the islands should be installed.

Jacobs stated it behooves your neighborhood to go back to the developer and say, look, this is the predicament you've put us in, and you really have a very big interest in coming to the table in trying to figure this out because you are not getting any more building permits. She stated she thinks everyone here is willing to try and figure out a win-win.

Campuzano stated one solution may be to substitute landscaping at the two private road entries at the public road, where improvements would be visible to the public and would benefit the public. He asked if that could be a possible compromise solution.

Easter stated she is all about property owners' rights, but the developer has created a terrible situation for you, and if he wants to continue he needs to make it right. She stated the property owners need to talk to the developer and figure out how they're going to go forward and come up with some sort of plan, and then re-visit it.

Julie Matthew stated she is Paul Barron's daughter. She asked what is wrong with moving the landscaping forward to the road entry so the public could enjoy it, because this will be a private drive and if there is not access to the public to enjoy it why are we putting it there. She asked if that was something we could move forward with.

Jacobs stated that is something we are saying to everyone here, you guys need to go and come up with some ideas and then come back.

Lunn stated the proposal should come from the developer.

Bernie Veldkamp, 5580 Hall Street, stated the homeowner obviously didn't do due diligence when he bought his lot. He should have known what limitations were on this lot. He stated the township has considered this and has made a ruling with the understanding that they're looking out for the benefit of the citizens of the township. The ruling was made and reviewed, it was made again, so if rulings like that can't stand then what are we all doing here.

Leisman asked if there is a gate in the site plan.

Ferro stated we don't have any regulations on gates, we've allowed gates to be put in after-the-fact in some other developments, so it's not something that we would prohibit.

Korth stated the consensus is at this point we are going to take no action, but we're open to the developer coming back with a request to amend his approval conditions, and not have homeowners asking for things on a site plan that you were really not involved with.

## **V. PUBLIC HEARING:**

### **Request for Special Use Permit, 768 Square Foot Addition to Existing Accessory Building, 2497 Pettis Ave. NE, Parcel No. 41-15-07-276-002, Jerry DeBlaay**

Jerry DeBlaay stated his request is for a 24 x 32 addition to an existing building at 2497 Pettis. He stated he and his wife have been there for 22 years. He stated his mother-in-law lived behind us and she had a four-stall garage and a bus garage where they used to keep their horse trailer and barn truck, and when she passed away, the mother-in-laws property was sold, so he needs a place for his stuff.

Ferro stated the reason this is before the Commission is with the addition the total ground coverage of all accessory buildings combined on the lot would exceed 1,800 square feet, and that limit can be exceeded only with approval by the planning commission as a special use permit. He stated the total with this addition would be 1,968 square feet. He noted the large agricultural barn that is also on the property is not subject to that limit, so the square footage of the horse barn is not included in the total. The ordinance standard for the commission to consider is whether the size, height, placement, design, and appearance of the accessory building addition will be compatible with the character of the surrounding area. He stated it is a large property, and the addition is several hundred feet off the public road, and on the opposite side of the existing building from the nearest neighbors.

Motion by Lowry, supported by Lunn, to approve the Special Use Permit for the 768 square foot accessory building addition, based on the determination that the standard for approval set forth in the zoning regulations is met. Motion passed unanimously.

## **VI. UNFINISHED BUSINESS**

None.

## **VII. NEW BUSINESS**

### **Presentation from Betty Gajewski, Center for Environmental Study, on Plaster Creek Watershed Project**

Betty Gajewski, representing the Center for Environmental Study, presented information regarding the Plaster Creek Watershed Project, which is funded through a "Section 319" grant from the Michigan DEQ, under the Federal Clean Water Act. She stated that the lead organization administering the grant is the

“Plaster Creek Stewards,” which is supported by a group within Calvin College. The goal of the project is to improve water quality in Plaster Creek. She stated that Ada Township, Gaines Township and Caledonia Township are included in this project because they are not among the local governments that are subject to the Federal requirements for storm water discharge permits, like Grand Rapids and Cascade Townships. She stated the participation of these Townships is also important because they have land that is in the headwaters of the Plaster Creek watershed, what happens in this communities has a significant impact on downstream water quality in the creek. She stated that by the time the creek discharges to the Grand River, it’s a dramatically changed stream.

Gajewski stated what we are trying to do is reach out to communities to start the process of improving and restoring Plaster Creek, and that is why Ada Township is part of this group. We are hoping to work with the planning commissions in each township, and that you will participate and have a role in this. Gajewski notes that other partners include the West Michigan Environmental Action Council and the Kent County Conservation District. She stated they are also reaching out to schools and churches to recruit additional supporters in the watershed. She stated they are going to be reviewing township master plans and zoning ordinances to see how we can incorporate low impact development practices into the master plans and zoning ordinances, providing recommendations of what could be changed, and creating a watershed profile for each township that we’re working with. So we’re asking if this sounds like something you would like us to do for you to become and be a part of your meetings.

Korth stated he thinks it’s wonderful, and we can make this a part of our agenda from time-to-time.

Ferro stated he thinks that would be fine, and some suggested regulatory changes could come out of it.

Korth stated becoming more educated about the subject is very useful for us as a commission to better understand the issue and make better decisions.

Gajewski stated WEMAC will be working with the township board and educate them on these issues, as well as residents of the township. She stated they will have workshops that will focus on low impact development, as she believes there isn’t an awareness of low impact development techniques that are available, and there is a need to really communicate to a broader audience on this.

Korth stated our Open Space Task Force had wanted to work with the planning commission on educating the public on water quality issues, and this appears to be like a manna allowing us to broadcast this exercise; and maybe we want to organize some of the presentations, or we could set up some special meetings from time-to-time to and market it to the public via the web site and our newsletters.

Easter stated the watershed is right at Forest Hills Central Middle High School, and there are science teachers that would love the opportunity to get involved in this. I would think any Forest Hills school would be interested because they’re right in the middle of it.

Leisman stated I am all supportive for getting information, and I would be willing to help out within reason as far as the time commitment of the planning commission. He stated he isn’t necessarily in favor of having long educational sessions about that.

Easter stated obviously there’s incentive for capturing as much of our time as they can capture, so I just ask that we carefully plan when we’re going to meet.

Ferro stated one thing to keep in mind is that even though Plaster Creek is pretty far down to the southwest, what happens to headwater areas is real important to the character and quality of the stream in the downstream reaches; so even though this is all upland and there is no defined Plaster Creek stream through this part of the township, it still has an influence with all the other headwater areas on what

happens further down the stream. He stated low impact development techniques are things you implement in upland areas too, not just in close proximity to a stream.

Gajewski stated and to your point about it just being a small part of Ada Township, I think whatever this project produces will benefit the Grand River watershed, so it benefits broader than just the Plaster Creek watershed. She stated if you are interested, the Plaster Creek stewards will have an event on Saturday, October 26<sup>th</sup>, from 9:00 a.m. to noon, entitled the Secret Life of Silver Creek, which is a tributary to Plaster Creek and runs four miles under ground.

## **V. PUBLIC HEARING**

Ron Hoogmoed, 6475 Bridlewood Ct., asked what is the status of the proposed AT&T cell phone tower in the vicinity of Knapp and Egypt Valley.

Ferro stated a mailing was sent to over 200 households in the Forest Hills Eastern area about two and a half weeks ago explaining the situation with respect to the approval of the tower at Knapp and Egypt Valley, the planning commission and township board positions expressing support for the Forest Hills Eastern campus for either the water tower or some other structure on the campus as an alternative to that site, and inviting people's input regarding that topic. He stated he had about 20 responses to date, and his intent is to provide that information to the school district and to AT&T. He stated to his knowledge there is no discussion going on between the two, neither party has reached out to communicate with the other. Ferro stated he has left voice mails with both the superintendent and assistant superintendent and have not gotten a response from them yet.

Korth asked what the outcome of the earlier meeting with the school district was.

Ferro stated we discussed with them our interest in seeing something happen at the Eastern campus with regard to wireless co-location, and the response from the administration was that it's not something they wanted to pursue unless they knew that there was fairly strong community support for it, and they encouraged us to reach out to the community to educate about the constraints of Federal law and the need for better service in the area, and the fact that without some solution we're going to continue to have tower requests. The recent mailing was to respond to this desire by the school district for educational efforts.

Easter asked for a copy of the letter as she would like to forward that to some people who are very interested in this topic. She asked if the deadline is hard and fast as tomorrow.

Ferro stated no, anything that he gets after that deadline he will also pass on.

Korth asked what the predominant view was in the public responses. Ferro stated a majority of the input so far supports locating wireless facilities on the school campus.

Korth asked when do you expect to try to wrap up this data and then actually get it so we can re-communicate with the school district and AT&T.

Ferro stated his intent is to get it to the school district this coming Monday.

Hoogmoed expressed concern that all AT&T has to do is just wait four more weeks, and by November 15<sup>th</sup> they can pull that permit.

Korth stated he doesn't think we have any jurisdiction at all, there's nothing we can do. Our hope is that AT&T recognizes that the school site is far superior to the Knapp/Egypt Valley site, and a cheaper build-

out, and that if they see positive resident support, they will see it through. The ball is definitely in their court.

Easter stated I understand that we made a decision but there was a caveat that Ross had suggested that we ask for them to work with the school district, is that correct.

Korth stated all that was done was we delayed allowing them to pull a building permit for the location we approved, to try to get the school district to actually move. So it has never ever been in front of the school board in terms of a yea or nay.

## **VIII. STAFF/COMMITTEE/COMMISSION MEMBER REPORTS**

### **Status of Ada Village Urban Design Plan**

Ferro presented information on the status of the Village Design Plan. He stated that since completion of the Design Workshop week after Labor Day, there has been effort on some refinements and revisions to the plan. Ferro summarized some of the changes being made. Ferro noted that at the last DDA Board meeting, considerable time was spent discussing how to handle potential drive-thru uses that range from restaurants to banks and others, and whether those kinds of uses are compatible and consistent with the character we're trying to create in this plan.

Korth stated ultimately this is something the Planning Commission will have to address because it does require zoning changes. I think this is kind of the first shot over the bow as to the work ahead of us, and we need to think very carefully about this. He stated he has a lot deeper concern about this plan than just the drive-thru windows at the moment. He stated we need to figure a way to get people into the town and make it more attractive while still dealing with cars. He stated one of the benefits we have is multiple organized sets of eyes really looking at this, and I would ask that we take a look at this plan for a few days.

Ferro stated we want to convene our steering committee one more time, as well as the citizens committee that's nine residents of the village to get their blessing on it. There's a lot of work going on right now on cost estimating for those infrastructure components. We just got the parking and square footage inventory of building space that's in the plan.

## **IX. PUBLIC COMMENT**

None.

## **X. ADJOURNMENT**

Motion by Lunn, second by Easter to adjourn the meeting at 9:05 p.m. Motion passed unanimously.

Respectfully Submitted,

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Susan Burton, Township Clerk  
SB/dr