

THORNAPPLE TOWNSHIP PLANNING COMMISSION

Regular Meeting, Monday July 24, 2023

1. Call to Order:

- a. The meeting was called to order by Chairperson Tom Kilgore at 7:00 p.m. at Thornapple Township located at 200 E. Main St. Middleville, MI 49333.
- b. Present: Elaine Denton, Elizabeth Hansson, Linda Gasper, Tom Kilgore, Sandra Rairigh, Bryan Finkbeiner and Craig Wandrie. Also Present: Eric Schaefer, Phil Gensterblum, Todd Boerman, Amy Brown, Katie Stanton, Roxi Stanton, Hank Coleman, Steve & Jen Noffke, Hal Isenhoff, Garry VanHouten, Sara Lee, Don Richards, Todd Stuive (Exxel Engineering), Jameson DeBlaay (Dan Vos Construction), Candace Johnson, Kenneth Johnson, Chris Thompson, Katie Thompson, Curt DeKam, ~~Casey Mickelson~~ Casey Mickleson.

2. Approval of Agenda:

- a. **MOTION** by Gasper, **SUPPORT** by Finkbeiner to amend the agenda with the addition of **4. Citizen Comments** "Solar Panel Request," Public Hearing moved to **6b. New Business** (Special Land Use Peace Church), and the removal of Outdoor Wood Burner from **8. Committee Reports**.
- b. **MOTION CARRIED** with 7 yes voice votes.

3. Approval of Minutes:

- a. **MOTION** by Rairigh, **SUPPORT** by Gasper to approve the May 22, 2023, meeting minutes as presented.
- b. **MOTION CARRIED** with 7 yes voice votes.

4. Citizen Comments:

- a. Kenneth Johnson - 4175 Village Edge Drive: He stated he had lived in Middleville for more than 45 years and had applied for a permit to install solar panels, but the permit was denied. The township's ordinance only allows for panels up to 600 sq. ft. His request was just over this amount by 80 sq. ft. He is asking to be granted a variance or at least that the Planning Commission revise the ordinance to allow for solar panels larger than 600 sq. ft. Also, he said a solar panel the size of 600 sq. ft. produces about 10 kilowatts. The average home uses about 10 to 15 kilowatts. But Consumers Energy considers anything less than 20 kilowatts to be small. Kilgore said he would have the Ordinance Committee look at the ordinance regarding solar panels but that the Zoning Board of ~~Appeal~~ appeals would be the board that could grant a variance rather than the Planning Commission. Gasper stated that she hasn't seen this issue come up at a Zoning Board of ~~Appeal~~ appeals before.
- b. Katie Stanton - 5099 ~~Irving Road~~ Ravine Drive: Stated that she and her family attend Peace Church and support the remodel project.

5. Public Hearing: Moved to 6b. New Business

6. New Business:

- a. Letter from Ryan Granger wishing to discontinue the Special Land Use currently at 2344 N. M-37 Middleville, MI.

Phil Gensterblum explained the Grangers did not purchase the land to continue a mining operation, but rather for recreational and family use. Therefore, they would like to discontinue the Special Land Use Permit. Finkbeiner asked Gensterblum if he had talked with the Grangers about the reclamation process. Gensterblum said that Boerman was working on that with the Grangers. Boerman said he started to communicate with the Grangers about the process for discontinuing the sand mine and what may need to be done for reclamation of the land. He believes there are some sand banks along the south end that should be reclaimed as well as some other action points before the Special Use Permit can be closed. Boerman thinks they'll likely want to keep the berm along M-37 which would be acceptable. Finkbeiner asked if there were escrow funds on the sand mine. Gensterblum said that there weren't any funds belonging to the Grangers, but T & M does have some that will need to be refunded when the permit is closed. Gasper asked Gensterblum for a list of conditions to be met prior to closing out the permit. Finkbeiner agreed with Gasper and added that the closing procedures should be handled the same for everyone closing out operations of a sand mine. Finkbeiner and Gasper have observed ongoing operations at the sand mine. Gasper also mentioned that the property is zoned Agriculture/Residential and if they want to build more than one dwelling on it, then they will need a land division as part of the process. Gensterblum said Grangers had not talked about multiple dwellings being built but rather a family lodge. Gensterblum confirmed they had built a pole barn, and they are working on the permit for it currently. Kilgore suggested the discontinuation of the permit be **TABLED** until after Boerman and Gensterblum work with the applicant on the process of reclamation and the closing of the sand mine.

- b. Special Land Use Application from Peace Church located at 6950 and 6970 Cherry Valley Road. Chair Kilgore acknowledged that four members of the Planning Commission currently attend Peace Church. They are Craig Wandrie, Bryan Finkbeiner, Tom Kilgore, Sandy Rairigh and that one member, Liz Hansson, operates Cherry Valley Greenhouse across the street from Peace Church. Kilgore asked each member if they could be objective in this matter. Each member questioned individually responded, "Yes."

- i. Todd Stuive (Exxel Engineering) stated that Peace Church has been located on the site since 1968 and they have grown a lot since then and this will be their ~~second~~ third remodel. He described the placement of a second entrance onto M-37, entrances on Cherry Valley, the new auditorium space, parking lot expansion to the south, a second parking lot on the north end, and some retention ponds. They have purchased the property directly to the north and

would like to turn the existing home into office space with parking for staff. They're planning for 720 total PARKING SPACES between the two lots. The expansion would add a 1200 seat auditorium and then convert the existing auditorium into a fellowship hall. They hope to go from three Sunday morning services to two. They have included landscaping plans to ensure any runoff water is captured and directed into retention ponds as required.

- ii. Todd Boerman (Vriesman & Korhorn Engineering) – Boerman said Finkbeiner, Denton, Gensterblum, and himself ~~meet~~ MET at Peace Church with Hank Coleman to review the site. The last permit was issued in 2017 when some classrooms and parking were added. At that time, there were some deferred improvements and so this expansion was expected. Boerman discussed the items contained in the email sent to Gensterblum dated July 19, 2023. The points #1 through 7 as excerpted from the letter are included below:

1. *Peace Church expanded classroom space on the west end of the building in 2017. At that time, it was determined that they also ~~add~~ added the parking area on the west side of the site along Cherry Valley Avenue prior to Township site plan approval. It was determined that the parking and drive aisles were not constructed to the dimensional standards required by the Township, required landscape islands were not included, and corresponding stormwater improvements, such as a detention basin, were not constructed. However, the applicant explained that the church was planning an additional expansion in the near future and would address the improvements at that time. The Planning Commission agreed that the church could put up a bond for those improvements in lieu of completion at that time. The proposed site plan should reflect the required improvements indicated as "bonded" as shown on the enclosed 2017 site plan. The proposed stormwater improvements accommodate stormwater from the 2017 parking area in the south detention basin.*
2. *Stormwater calculations have been submitted for the site. The applicant's engineer has designed the stormwater facilities to meet the requirements of the Barry County Drain Commissioner (BCDC). We have reviewed the calculations based on those standards.*
 - a. *The proposed detention basins are designed to accommodate the volume for the 100-year storm, capturing stormwater from the existing and proposed facilities.*
 - b. *Water quality improvement measures, such as detention basin forebays, that are required by the BCDC standards are not included in the proposed design. These measures need to be added in subsequent submittals with calculations supporting their effectiveness.*
 - c. *Calculations for the onsite storm sewer have not yet been submitted.*
 - d. *The proposed stormwater design captures much of the stormwater into catch basins with storm sewer conveying it south to the detention basin southeast of the site. The applicant's engineer needs to evaluate the potential of stormwater passing by catch basins during heavy rain events and consider its impact on the building and facilities downstream. Overland flow routes need to be designed to account for that scenario.*

3. *The applicant is proposing to move their existing M37 driveway to the north approximately 150 feet.*
 - a. *The site plan must be reviewed by the M37 Corridor Committee, referred to as the Technical Advisory Group (TAG) in Section 16.4 of the Zoning Ordinance. Note that the section requires comments from TAG prior to any action by the Planning Commission.*
 - b. *The proposed driveway shift improves the position of the driveway in relation to the driveway of Cherry Valley Gardens, creating 330 feet of separation between driveways. Section 16.6P of the Zoning Ordinance requires driveway placement to align with driveways on the opposite side or maintain a distance of 750 feet between opposite-side driveways for speed zones greater than 45 miles per hour. Compliance with Section 16.6P may be difficult due to the grade difference between the site and M37 at the preferred driveway location.*
 - c. *Section 16.6H requires a driveway throat width of 60 feet if it serves more than 100 vehicles per hour, which is the case on Sunday mornings.*
 - d. *We understand that the applicant has reviewed the proposed driveway location with MDOT.*
 - e. *Cross access easements are recommended in the Zoning Ordinance, but the adjacent zoning of Agricultural Residential makes it unlikely that the easements will ever be used.*
4. *The proposed new driveway entrance from Cherry Valley Avenue north of the existing house must be reviewed by the Barry County Road Commission (BCRC). The applicant must provide a copy of the driveway approval to the Township when received.*
5. *We recommend that the site plan be reviewed by the Thornapple Township ~~fire chief~~ Fire Chief.*
6. *We understand that the Barry Eaton District Health Department approvals are being sought for the proposed building expansion and re-purposing of the home on Cherry Valley Avenue (with abandonment of the drain field for the pond). The applicant must provide copies of approval to the Township when received.*
7. *We understand from the applicant that the project may be pursued in stages to accommodate current parking needs. We recommend that each iterative stage be reviewed by the Township. Construction staging for stormwater will be particularly sensitive for this site.*
 - iii. *Denton asked about the drop-off location, traffic flow and handicap parking spaces. Coleman said that they hadn't had the time to review and make a change in the plan since it had been discussed at the site, so they aren't*

reflected in the print displayed at the meeting. However, Coleman said they would be using blue cones to designate additional handicap parking for Sunday service times and how other orange cones would be used to direct traffic flow. Coleman said he's had Barry County Sheriffs assist with traffic to keep it from causing backups on M-37 for a while now. He also thanked the board for the meeting and discussion. He said their goal is to expand the church while being a good neighbor.

iv. Public Hearing:

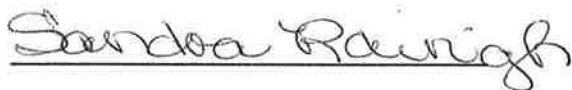
THE PUBLIC HEARING WAS OPENED 7:42 PM

1. Steve Noffke 7031 Cherry Valley – He asked why the print of the proposed plans weren't mailed to him. Gensterblum said it was available for review at the township office. His main concern was the amount of traffic and the noise. He stated that he isn't against the church, but thinks it is big enough. He also doesn't like the loud music on an early Sunday morning. He questioned whether day care and homeschooling are being offered there on a regular basis. Coleman answered no, a co-op group meets on Monday from 9 am to noon but that is all. He also asked how the expansion would be funded. Coleman replied that it would be paid for by members of the church. He also wondered if a right-hand turn lane could be added to help with the traffic. He asked Hansson how many accidents there have been in front of the greenhouse. Hansson replied that since the lane was added there has only been one. Noffke asked if the outside of the parsonage home would be changed. Coleman answered that it wouldn't be. He also asked if there were plans for more signage. Coleman said no.
2. Chris Thompson 6996 Cherry Valley – He stated that he doesn't have anything against the church, but that he doesn't like the plans for a large parking lot right next to his property line. He is concerned about runoff further causing flooding issues on his property. Also, he said it is mostly clay there and that he is concerned about his well. Boerman said that he would be reviewing the plans to ensure that all rain runoff was captured as required and that it shouldn't end up on any neighboring property.

THE PUBLIC HEARING WAS CLOSED AT 8:13 PM

- v. Commissioners: Gasper asked if the parking lot at the parsonage could be made smaller or placed on the south side of the parsonage. Stuive explained they were trying to get to the total number of parking spaces required and they had planned on the north side of the house to allow for a possible future expansion/connection of the two buildings. Chair Kilgore suggested they **TABLE** the Special Use Permit Application until the items discussed were completed (see above.) Planning Commissioners agreed.

7. Unfinished Business: None.
8. Committee Reports: None.
9. Administrator's Report:
 - a. Zoning Ordinance Audit – Gasper asked about the audit. Rairigh stated that there were not enough funds left in the current year's budget to do the audit. It would have to wait until the next fiscal year. She explained that during the transition from Getty to Gensterblum, Williams and Works had been utilized. Gasper reminded the board that it is part of the Master Plan schedule. Gasper asked if the Ordinance Committee could do part of this work. Rairigh said Finkbeiner, Kilgore and herself had done that and sent it to Nathan Mehmed from Williams and Works FOR INPUT.
 - b. Zoning Report – Gensterblum said there are eight new projects and there is one complaint regarding ~~Stimpson~~ Stimson Road.
 - c. Code Enforcement Report – Gasper stated that AT Top Grade on Patterson Rd. the sand mine gates were open on Sunday again. Lettinga's was also open, but they may have been farming.
10. Commissioner Comments: Gasper asked about other special use renewals. Gensterblum said they would be scheduled for next month so that he could send out public hearing notices.
11. Adjournment: **MOTION** by Gasper, **SUPPORT** by Finkbeiner to adjourn at 8:21 PM.



Sandra Rairigh, Secretary



Amy Brown, Recording Secretary

Approved 8/28/2023