

**PLANNING COMMISSION (AMENDED)**  
**Minutes for Regular Meeting of**  
**May 2, 2012**

**PRESENT** Dave Roesler, Tom Thompson, Jan Deur, William Josephson, John Warner, Leslie Sprott and Mark Dykhouse.

**ALSO PRESENT** Zoning Administrator Sandel, Recording Secretary Dion and 7 interested parties.

**CALL TO ORDER** Chairperson Roesler called the May 2, 2012 meeting to order at 7:00 p.m. and led those in attendance in the Pledge of Allegiance.

**AGENDA** **Motion by John Warner, second from William Josephson, *ADOPTED*, to accept the May 2, 2012 meeting agenda as written.**

*7 AYES*

**MINUTES** **Motion by Jan Deur, second from Mark Dykhouse, *ADOPTED*, to accept the April 4, 2012 regular meeting minutes as written.**

*7 AYES*

**NEW BUSINESS**

- 1. Public Hearing on application from Bruce A. VanderBie, 5525 164<sup>th</sup> Avenue, West Olive, Michigan 49460, for a Special Land Use Permit, according to Article XIV SPECIAL LAND USES, Section 14.04 (D) to grow blueberries on vacant parcel number 61-06-127-100-0001-15 located on W. Bard Road in the Rural Residential zoning district.**

**PUBLIC HEARING OPEN – 7:03 p.m.**

Commissioners questioned if he would be aerial spraying, what type of fertilizer is used, what pesticides are used, **what type of irrigation is going to be used**, after trees are cut down will the brush and stumps be removed, will the blueberries be manually or mechanically picked, will he need parking for pickers, will blueberries be sold there, is he leaving trees around border.

To answer the questions Mr. VanderBie advises he is not planning on aerial spraying, it will be mostly ground spraying, a granule fertilizer is mainly used, when pesticides are applied signs are posted and everything is recorded when sprayed, **he will be using drip irrigation and** he will be getting rid of the brush and stumps, they will be chipped and taken away, at this time he is not planning on using a mechanical device but may in the future, no additional parking is needed, and he is planning on leaving trees around the boarder, no blueberries will be sold on site.

Questions were also raised regarding whether this (and the next) application were only Special Land Uses, or whether they were also subject to the Site Plan Review Standards. Zoning Administrator Sandel indicated they were only to be approved as Special Land Uses. He also indicated that the township would be notifying the County Register of Deeds of the Special Land use provisions, if approved.

**PUBLIC COMMENT – None**

**PUBLIC HEARING CLOSED – 7:20 p.m.**

Motion by Jan Deur, second from John Warner, **ADOPTED**, to recommend to the Township Board of Trustees approval of the Special Land Use Permit request as submitted by Bruce A. VanderBie for blueberry farming on parcel number 61-06-127-100-0001-15 located on Bard Road in the Rural Residential District.

**7 AYES**

- 2. Public Hearing on application from Frank Coles, 91 N. Buys, Muskegon, Michigan 49445, for a Special Land Use Permit, according to Article XIV SPECIAL LAND USES, Section 14.04 (D) to grow blueberries on vacant parcel number 61-06-128-400-0002-00 located on W. McMillan Road in the Rural Residential zoning district.**

#### **PUBLIC HEARING OPEN – 7:32 p.m.**

Commissioners questioned if he would be aerial spraying, what type of fertilizer is used, what pesticides are used, **what type of irrigation is going to be used**, after trees are cut down will the brush and stumps be removed, will the blueberries be manually or mechanically picked, will he need parking for pickers, will blueberries be sold there, is he leaving trees around border.

To answer the questions Mr. Coles advises he is planning a couple of aerial sprays towards the end and he does notify the neighbors before its done, when pesticides are applied signs are posted and everything is recorded when sprayed, **he will be using drip irrigation and** the brush and stumps will be chipped and used around the blueberry bushes, at this time he is not sure if he will be using a mechanical picker, he does for his other fields, no additional parking is needed, he is planning on leaving some trees around the boarder, especially along McMillan Road between the Consumers Power easement/lines and the road right-of-way, and no blueberries will be sold on site.

#### **PUBLIC COMMENT**

Doug Brewer, 4103 W. McMillan Road, lives across the road from the proposed blueberry farm, wants to see a tree buffer so he doesn't have to look at blueberry bushes.

#### **PUBLIC HEARING CLOSED – 7:52 p.m.**

Discussion was held on the 8' X 8' accessory building proposed for this site. Mr. Coles asked if he has to go that big, his intention is just to cover the irrigation pump. He was advised he does not have to go that big but can not go any bigger because the site plan will be recommended for approval as submitted. During this same discussion the previous applicant Mr. VanderBie stated he is planning to cover his irrigation pump also but did not indicate that on the site plan and asked if that is going to be a problem. Zoning Administrator Sandel stated that according to Article II, Section 2.19 Definitions – S, Structure – is anything constructed or erected which requires permanent location on the ground or attachment to something having such location, including but not limited to, all buildings and free-standing signs, but not including sidewalks, drives, patios, utility poles and the like. Mr. VanderBie was advised if what he is intending meets the above definition then he needs to revise his site plan before it goes to the Township Board for approval. Mr. VanderBie stated what he is planning will not meet that definition.

Motion by Willie Josephson, second from Jan Deur, **ADOPTED**, to recommend to the Township Board of Trustees approval of the Special Land Use Permit request as submitted by Frank Coles for blueberry farming on parcel number 61-06-128-400-0002-00 located on W. McMillan Road located in the Rural Residential zoning district.

**7 AYES**

**3. Discussion of Article III, General Provisions, Section 3.08 Accessory Buildings and Uses and Article IVa Agricultural Overlay District language as requested by Chairperson Roesler at the April meeting.**

Zoning Administrator Sandel stated he believes bigger parcels should be allowed more than the current 3,200 square feet maximum for 20 + acres. We have some large parcels, good examples would be the golf courses in the township that could very well need more than 3,200 square feet of accessory buildings and at this time they would have to request a variance and we also have some farms that have centennial barns that may not be useable for today's farming that may have to be taken down because of the maximum size requirements.

**OLD BUSINESS**

**1. Article III, General Provisions, Section 3.17 – Excavations, Holes or Ponds (Amend)**

Commissioner Thompson advised that he, Commissioner Dykhouse and Zoning Administrator Sandel have met. They discussed the possibility of ponds over 1 acre in size being a use by Special Land Use. Consensus of all commissioners is to have the sub-committee meet again and come back with proposed language for special land use requirements.

**2. Reports from Sub-Committees**

- **Medical Marihuana Ordinance** – Commissioner Deur advised that Attorney Even does not think we should develop a final ordinance at this time, he believes we should continue to wait for the courts and legislation. Commissioner Deur asked recording secretary Dion to provide the existing moratorium language to all Planning Commissioners for review so that a motion can be made at the next meeting to request the Township Board of Trustees to extend it.
- **Digital Signs** – Chairperson Roesler advised that Commissioner Deur had sent him a link for a book from MTA and that he requested that Clerk Rillema order it. Recording secretary Dion advised the book just came in. Chairperson Roesler suggested that each sub-committee member (himself, Commissioners Thompson and Warner) review it before they meet.

**COMMISSIONERS COMMENTS**

Commissioner Deur advised that the Township Board has approved Commissioner Josephson to be the Joint Planning Commission (JPC) alternate. He also advised the Planning Commission of the County-Wide Planning Commission meeting is to be held on May 30, 2012.

**ADJOURNMENT**

**Motion by William Josephson, second from Jan Deur, *ADOPTED*,  
to adjourn the May 2, 2012, regular meeting at 8:50 p.m.**

**7 AYES**

Respectfully Submitted,

Sally Dion, Recording Secretary