

HOLLAND CHARTER TOWNSHIP PLANNING COMMISSION

Regular Meeting

November 9, 2010

The meeting was called to order by Chairman Hoeve at 7:00 p.m.

Present: Chairman Marion Hoeve, Vice-Chrmn/Secretary Jack VanderMeulen and Members Arlan Hossink, LaVerne Johnson, Ken Bosma, Dennis Gebben and Bill Driesenga. Also present were Zoning Administrator Jon Mersman, Assistant Zoning Administrator Meghann Reynolds and Recording Secretary Susan Working.

Absent: None.

The minutes of the meeting of October 5, 2010 were approved as printed.

Mr. Hoeve explained the hearing and meeting procedures to the assembled audience.

Mr. Hoeve opened the first public hearing to consider a request submitted by Scott Bosgraaf Trust for permission to operate a facility for auto detailing and miscellaneous dealer services, including auto body repair and painting, in a C-2 Commercial zone. The property is located at 156 E. Lakewood Boulevard #30. Present for this consideration was Chris Barrish.

They would like to move the existing business across the lot into this larger unit, which will also allow them to do painting.

Mr. Gebben asked about venting for the spray booth, as well as an air quality permit. The unit is vented and filtered. Mr. Mersman stated that an air quality permit is not necessary for this application.

Mr. VanderMeulen asked if there would be smells or fumes coming from the spray booth. It was stated that the unit is vented out through the roof so there should be no fumes or odors. Mr. Mersman noted that this is a prefab unit, designed for this type of use.

There was no one present to ask questions or object to the request.

It was moved by Mr. Johnson and supported by Mr. Bosma to close the public hearing. Motion carried.

It was moved by Mr. Gebben and supported by Mr. VanderMeulen to approve the request as submitted and presented. Motion carried.

Mr. Hoeve opened the public hearing to consider a request submitted by DVK LLC for permission to operate a vehicle repair service in a C-2 Commercial zone. The property is located at 11308 Lakewood Boulevard. Present for this request was Joe Doody.

Mr. Doody explained that they would like to operate a small vehicle repair facility in part of the building. The operation will be drop-off/pick-up only; there will be no customer waiting room.

In response to questions from Mr. Gebben, Mr. Doody explained that the business will be a two man operation so will of necessity be a small operation. They will do all types of mechanical work. The rest of the building is currently for lease.

Mr. Bosma asked if there were other special uses on the site. Mr. Mersman replied that this site

was approved for the specialty golf cart use.

There was no one present to ask questions or object to the request.

It was moved by Mr. Driesenga and supported by Mr. Hossink to close the public hearing.
Motion carried.

It was moved by Mr. Driesenga and supported by Mr. VanderMeulen to approve the special use request as submitted and presented, with the stipulation that there is to be no outside parking of vehicles in the middle of repair work. Motion carried.

Mr. Hoeve opened the public hearing to consider a zoning ordinance text amendment. The proposed amendment would allow online sales of automotive vehicles as a use by right in the I-1 Industrial zone. Present for this request was Derrick Lamer, who requested the change.

They would like to add another business at their existing facility located in an industrial zone. There will be no clients in or out of the facility and cars will not be parked there. However, in order to get a dealer's license they need zoning approval, so the use needs to be allowed in the industrial zone.

Commission Members discussed the pros and cons of this proposal. There was opposition to its being allowed as a use by right because of the commercial aspect of the use.

There was no one present ask questions or object to the amendment.

It was moved by Mr. VanderMeulen and supported by Mr. Hossink to close the public hearing.
Motion carried.

It was moved by Mr. Gebben and supported by Mr. VanderMeulen to recommend to the Township Board that the proposed text amendment be approved as presented. Motion denied.

It was moved by Mr. Gebben and supported by Mr. Johnson to recommend to the Township Board that online sales of automotive vehicles be allowed as a special use in the I-1 and I-2 Industrial zones. Motion carried.

Mr. Hoeve opened the public hearing to consider text amendments to the home occupation provisions of the zoning ordinance.

Mr. Mersman explained that there were several general-type amendments as well as an amendment dealing with bed and breakfast establishments and medical marihuana.

Mr. Mersman explained the history of the medical marihuana law and the proposed ordinance amendment. He also stated that after further review he felt that home occupation approval would not be the best method and that an ordinance for licensing would be better. Several people were present to voice their objections to the home occupation proposal.

All persons speaking were concerned with losing confidentiality and being singled out and picked on because of their treatment choice. They were also concerned about the potential for being attacked and robbed because of their having a large supply of marihuana in their homes.

Mr. Mersman also detailed the various general amendments and the bed and breakfast provisions.

Commission Members determined to exempt small bakery-type operations from the list of prohibited home occupations. They also felt the temporary use permit required for special events at bed and breakfast establishments should be approved by and not simply reviewed by the Zoning Administrator.

It was moved by Mr. Driesenga and supported by Mr. Bosma to close the public hearing. Motion carried.

It was moved by Mr. VanderMeulen and supported by Mr. Bosma to remove the medical marihuana provisions from the text amendment and to recommend to the Township Board that approval be given to the balance of the amendment, including the further amendments made at the hearing. Motion carried.

In other business Commission Members reviewed proposed changes to the property maintenance ordinance. Mr. VanderMeulen felt that there were some corrections needed to the changes. Commission Members will do further work on this at the next meeting.

Mr. Mersman spoke to the Commission regarding a problem in the industrial zone along New Holland Street west of US-31. There are a couple small parcels with existing residences on them. The property owners cannot refinance because of the nonconforming use.

Commission Members did not feel they should be considering spot zoning to resolve this issue. Mr. Mersman stated that amendments could be made to the nonconforming use provisions of the ordinance to address issues like this, or there may be other avenues to explore.

Mr. Mersman suggested the Commission setting up a joint meeting with the other local municipalities interested in formulating common ordinance provisions for handling medical marihuana. He will coordinate this and get back to the Commission with suggested meeting dates.

The meeting adjourned at 9:15 p.m.

Respectfully submitted,

Susan Working

Recording Secretary