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HOLLAND CHARTER TOWNSHIP PLANNING COMMISSION

Regular Meeting September 9, 2025

Chairman Randy Kortering called the meeting to order at 6:00 pm and asked for a roll call of members present.

Present: Chairman Randy Kortering, Members, Leo Barajas, Doug Becker, Angela Huesman, and Evan Sharp. Also present were Community Development Director Corey Broersma, Assistant Planner/Zoning Administrator Kate White and Recording Secretary Sheila Webb.

Absent: Gretchen Molotky and Jack VanderMeulen.

Public Comment: None.

Minutes:

** It was moved by Sharp and supported by Huesman to approve the minutes of the regular meeting of August 12, 2025. A roll call vote was taken. Yes – 4, No – 0, Absent – 2, Abstained - 1. Motion carried.

Public Hearings

Chairman Kortering opened a public hearing for consideration of a Special Land Use Permit approval for Contractors Facility and Vehicle Repair use approval. Petition is submitted by Rick Taylor of Square Foot Leasing LLC for property located at 11007 Chicago Drive, described specifically as Parcel Number 70-16-23-100-110. The property is zoned I-1 Light Industrial.

Present for this request was Rick Taylor of Square Foot Leasing, 16706 Lunker Lane, West Olive, MI 49460.

Mr. Taylor said he is looking for a special land use permit for one of his units. Chairman Kortering asked for background information. He was wondering what had changed since the buildings have been there for a while. Mr. Taylor responded that other permitted uses on the site include wholesale warehousing, parts assembly, machine shops, sheet metal shops, equipment repair, and cabinet making. He now needs to put an overhead door in one of the units as well as a parking lot piece in the back that Staff noted had never been put in.

Chairman Kortering asked Staff if something has changed since Mr. Taylor is asking for a contractors' facility, and it's already zoned for I-1 light industrial. Staff said that a building permit came in for an overhead door which would allow a contractor's vehicle to go inside for the night. Staff said that's when they realized that the property record had never secured a special land use permit and the suite would need it. Staff suggested applying the special land use for all suites.

Staff asked for clarification regarding how many suites there are and will the special land use apply to all four buildings or just the suite with the overhead door. Staff also had a question about vehicle repair in one of the suites.

Mr. Taylor said the special land use permit would apply to all suites. He also confirmed that there will be no vehicle repair at his facilities as well as no outdoor storage.

Chairman Kortering brought up the fact that overnight stays are not allowed. Mr. Taylor agreed and said that there would be no overnight stays or outdoor storage.

Chairman Kortering asked how hazardous waste would be handled. Staff noted that a restriction could be added if there is concern. Mr. Taylor said that they do not allow hazardous materials. He noted that in his contract it states that paints and solvents are required to be in a cabinet. Mr. Taylor stated that he goes into most of his facilities at least once a year to make sure this is happening. Mr. Sharp asked for other specific examples of items being stored. Mr. Taylor confirmed that paint, such as those in a “rattle can,” and solvents were being stored according to fire and state regulations.

Mr. Becker inquired about the graveled cul-de-sac. Mr. Taylor said that it was being paved.

Staff suggested that given vehicle repair was no longer being considered that the applicant withdraw the vehicle repair portion of the petition. Mr. Taylor agreed.

Chairman Kortering opened up the hearing for public comment. There was no one from the public present to speak to this request.

** It was moved by Becker and supported by Sharp to close the public hearing. All in favor. Motion carried by voice vote.

** It was moved by Becker and supported by Sharp to accept the applicant’s request to remove the vehicle repair portion of the petition. A roll call vote was taken. Yes – 5, No – 0, Absent – 2. Motion carried.

The Commission then reviewed the Special Land Use Standards of Approval

1. The use will be harmonious and appropriate with the existing or intended character and land uses in the general vicinity.

The Commissioners stated that this already exists.

2. The use will be served adequately by public services and facilities, including, but not limited to, streets, police and fire protection, drainage structures, refuse disposal, water and sewer facilities, and schools.

The Commissioners noted that the site is already developed and after clarification of the uses of the buildings, no increase in demand for public services or facilities is expected.

3. The use will not involve operations, materials and equipment that will be detrimental, hazardous, or disturbing to any persons, property or the general welfare due to traffic, noise, smoke, fumes, glare, vibration, or odors.

The Commissioners stated that any hazardous materials would be handled according to state guidelines.

4. The use will be consistent with the intent and purposes of this ordinance and the Holland Charter Township Comprehensive Plan.

The Commissioners feel the use is consistent.

5. **The use will ensure that the environment shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal and topographic modifications, which result in maximum harmony with adjacent areas.**

The Commissioners noted that there will be no change to the environment.

6. **The use will not result in traffic congestion, have an adverse impact on roads, nor cause hazards.**

The Commissioners stated that this is an existing business so no cause for concern.

7. **There is need for the proposed use within the township and the use will not be detrimental to the community.**

The Commissioners agree that there is a need.

** It was moved by Sharp and supported by Becker to approve the Special Land Use Permit for Contractors Facility use within each of the four buildings with the conditions that there shall be no residential presence, including but not limited to, overnight stays within the individual units, the gravel turnaround is paved, and there is no storage of hazardous materials except for paints and solvents. A roll call vote was taken. Yes – 5, No – 0, Absent – 2. Motion carried.

Other Business - None

Tabled Business

12635 Felch Street, Suite 10 – Special Land Use Permit - 70-16-16-100-074 - Requested by Lowe's Home Centers LLC on behalf of Geenen DeKock Properties LLC for Outdoor Display and Sales use approval. The subject property is C-2 Community Commercial. (Tabled July 1, 2025)

** It was moved by Becker and supported by Barajas to untable the request. All in favor. Motion carried by voice vote.

Present for this request was Todd Bartok of Lowes Home Centers LLC, 1000 Lowes Boulevard, Mooresville, NC 28117.

Mr. Bartok stated that he is seeking approval for outside sales and displays on this site as it exists. Chairman Kortering inquired if the floor area calculations were acceptable. Staff agreed that they were. Staff clarified that the fenced outdoor storage area located northwest of the store was not included in the calculation of the outdoor sales due to the way the building permits were issued. Staff went on to say that they are recognizing that it exists, but it is not counted against the area for outdoor sales and displays.

Chairman Kortering noted that, during a separate meeting, a neighboring resident expressed concern regarding late hour shipments. He stated there is a guideline in place so this shouldn't occur. Mr. Bartok said they can't always control when the trucks get in due to traffic, but that it shouldn't happen often.

Chairman Kortering said that there is a discrepancy regarding the storage along the front of the

building. He stated that the Fire Chief had concerns. Mr. Bartok was unaware of this concern. Staff said that it relayed direction from the Fire Chief and Building Official to Lowe's in December 2022. Chairman Kortering said someone was there recently and that they were in violation, and Staff confirmed. Mr. Bartok stated that the outside sales and display area in the front of the store is outside of the loading and fire access road. Staff noted that the displayed items should not be outside of the covered canopy area which contains the sprinklers.

Staff stated the Building Official and Fire Chief said that the display areas should not be expanded outside of the existing covered storage along the east façade or expanded north of the garden center entrance along the east side of the store. Staff said this is consistent with the direction previously provided to Lowe's.

Staff further noted items stored outside shall not be stacked within 24 inches of the ceiling and shall be 10-feet from the store's ingress/egress doors.

Mr. Bartok said that they have shown where the egress is for the garden center along with each exit and entrance so there should be no fire department issues. Mr. Bartok noted that they are asking to put outside sales on this front curb/sidewalk. Chairman Kortering is concerned that this would go against what the Fire Chief is requesting. Mr. Becker stated that the product needs to be under the eaves where the sprinklers are in case of a fire.

Mr. Bartok asked if the plans were submitted and routed through the fire department. Staff stated that the comments were based on a meeting with the Fire Chief and Building Official two weeks ago and are the same comments provided to Lowe's in December 2022.

In regards to barriers, Mr. Bartok noted that there are sheds acting as a backwall and cinder blocks and rails to designate the 80 foot x 300 foot outdoor sales area. Chairman Kortering was concerned about the lack of a barrier in the expanded 30 foot x 40 foot outdoor sales area located south of the Garden Center entrance. Staff stated that a barrier was required with the 80 foot x 300 foot special land use permit and the temporary barrier satisfies that requirement. Staff would not be proposing a permanent barrier due to snow removal.

Staff noted that the Fire Chief suggested extending the temporary barrier to include the 30 foot x 40 foot area. Staff noted that anything north of the garden center entrance should be under a sprinkled canopy.

Staff confirmed that an acceptable proposal is to amend the 80 foot x 300 foot area and add the 30 foot x 40 foot outdoor area as long as they have a consistent barrier from adjacent traffic. Chairman Kortering stated that the outdoor sales area needs to be eliminated to the north of the 30 foot x 40 foot outdoor area. Staff confirmed anything north of the Garden Center entrance and east of the eaves needs to be eliminated.

Mr. Bartok said he would like to return with a solution for the approval of the front apron outdoor sales and display. Mr. Bartok stated that he would like clarification regarding acceptable barriers. Staff said that the temporary barriers that are currently out there are acceptable. Mr. Bartok stated that they would put the barriers up and would contact the Fire Chief.

** It was moved by Becker and supported by Huesman to table the request and keep the public hearing open. All in favor. Motion carried by voice vote.

Zoning Ordinance Text Amendment - Consideration of amendments to Article 9 – Specific Use Requirements, Section 9.14 – Keeping of Farm Animals, Chickens, and Bees. Petition is submitted by Marissa Latchaw and Nicholas Omron. The proposed text is generally described as

permitting chickens on non-farm properties in the AG Agricultural, R-1 Low Density Residential, and R-2 Moderate Density Residential Zoning Districts under certain conditions. (Tabled July 1, 2025)

** It was moved by Barajas and supported by Becker to untable the request. All in favor. Motion carried by voice vote.

Chairman Kortering noted that the applicants haven't provided feedback to the Commission yet. The Commissioners discussed whether it was appropriate to reach out to the applicants and offer help. Staff noted it is not appropriate for Staff to work with an applicant, instead the Commission should be guiding the process.

Staff said that if the Planning Commission is generally in favor of the idea of an amendment, but the content submitted is not correct, it is recommended to deny it and then direct Staff in a very specific way how to proceed. Staff said it may be best to have Staff work with an attorney, get the formatting right, make sure all the cross references are right, and then bring it to the Planning Commission. Chairman Kortering stated that the Commissioners are in support of Staff working with the attorney and that a pilot program of approximately 25 properties is a good way to go.

Staff said it is appropriate to advise the applicant of tonight's meeting. The Commissioners agreed with this conclusion.

**It was moved by Sharp and supported by Becker to table the request and keep the public hearing open. All in favor. Motion carried by voice vote.

11483 Lakewood Blvd – Special Land Use Permit – 70-16-22-271-005 - Consideration of a Special Land Use Permit approval for "Vehicles, Recreational equipment, manufactured homes, heavy equipment sales and rental" and "Vehicle Repair, including outdoor storage of vehicles awaiting repair". Petition is submitted by Dave Timmerman of Union Land LLC. The subject property is zoned C-2 Community Commercial. (Tabled August 12, 2025)

This item is to remain tabled.

Planning Commission Discussion

Wetland Mitigation Bank Ordinance Discussion:

Staff stated that Attorney Bultje said they can limit the credits within the Township. The question then becomes how to enforce that, and how to link that to a bank agreement within the state is still in question. Staff discussed a possible reporting component of the wetland bank not only to the State but to the Township as well, similar to what is done for the City of Holland Harbor Dredge Site PUD. The Commission discussed whether the wetland mitigation bank should be limited to Holland Township residents.

Mr. Matt MacGregor, a Wetland Consultant and an owner of a wetland bank, was present and allowed to discuss wetland mitigation banks. Mr. MacGregor discussed that credits are created by the construction of the wetland and that no property is being sold. Mr. MacGregor stated that credits can only be sold to people who have a permit. Mr. MacGregor said that EGLE reviews a project, after a permit is issued, then credits can be purchased from an approved wetland mitigation bank. Mr. MacGregor stated that those credits can be purchased from any approved bank in the Macatawa Watershed or eco-region affiliated with the bank. Mr. MacGregor suggests not limiting sales to the Township because they would just go to another bank.

Mr. MacGregor discussed the process for seeking approval from EGLE. Mr. MacGregor stated it's very important to restore the wetlands and not create wetlands. Mr. MacGregor noted that the value and function of the wetland is what benefits your township, not the credit. Mr. MacGregor cited some examples of situations related to other wetland mitigation banks.

Staff discussed where else mitigation banks could be proposed in the Township if the intent is to limit the use to the Agricultural zoning district.

The Commissioners discussed the need for a text ordinance and to define the use. Staff pointed out that the draft ordinance could be framed to require a Special Land Use Permit within the Agriculture zoning district, restricted to banks for development within the Township, add the state's wetland mitigation credits definition, and remove the parking space requirement.

The Commissioners discussed Township only versus watershed. The Planning Commission did not see the need to restrict banking credits to development within the Township.

** It was moved by Chairman Kortering for Staff to work with EGLE and the attorney to draft an amendment taking into account Agricultural zoning, a 10 acre minimum area, and the need for a Special Land Use Permit, then to schedule a public hearing. All in favor. Motion carried by voice vote.

Alley, Street (Private and Public), Front Yard definitions:

Staff said they are looking to amend the Zoning Ordinance definitions for alley, street, and front yard given a recent court case. Staff stated that the judge in the recent court case did not believe an area could be considered a front yard due to no direct access off US31. Staff said the Township chose not to appeal the decision, but instead specifically note in a text amendment that the right-of-way associated with US31, I-196, and M-121(Chicago Drive) shall be considered as establishing a front yard.

Chairman Kortering noted that "and serves as principal means of access to abutting property (i.e., road)" is being removed. Staff said that changing the definitions to align with the Township's existing front yard interpretations and to adjust language after a court's decision helps to clearly treat these areas as front yards.

** It was moved by Sharp and supported by Barajas for Staff to formally document the proposed text amendment in accordance with the proposal shown and schedule a public hearing. All in favor. Motion carried by voice vote.

Staff indicated that the Board asked for a couple of clarifications to be added to the Housing Analysis. McKenna has provided those changes and will incorporate them into the ongoing Master Plan updated over the next couple of weeks.

The Planning Commission agreed that a discussion with local developers should be scheduled to better understand the difficulties in providing single-family developments.

The next regular Planning Commission meeting is scheduled for Tuesday, October 7, 2025, at 6:00 pm.

The meeting adjourned at 8:05 pm.

Respectfully submitted,

Sheila Webb

Recording Secretary