

**Minutes of the regular meeting of the Georgetown Township Planning Commission, held
Wednesday, January 18, 2023**

Meeting called to order by Chairperson Samy at 7:00 p.m.

Present: Tom Healy, Josiah Samy, Jeannine Bolhouse, Kelly Kuiper, Jessica Ulberg, Gary Veldink

Absent: Michael Moores

Also present: Mannette Minier, Kevin Austin, Zoning Administrators

#230118-01 – Planning Commission Agenda for January 18, 2023

Moved by Gary Veldink, seconded by Kelly Kuiper, to approve the agenda as submitted.

MOTION CARRIED UNANIMOUSLY.

#230118-02 – Minutes of the [October 19, 2022](#) Planning Commission Meeting

Moved by Gary Veldink, seconded by Jessica Ulberg, to approve the minutes as presented.

MOTION CARRIED UNANIMOUSLY.

#230118-03 – (REZ2301) (Ordinance 2023-01) To change from (RR) Rural Residential to (LDR) Low Density Residential a parcel of land described as P.P. # 70-14-31-200-023 located 4261 Barry St., Georgetown Township, Ottawa County, Michigan. ([staff report](#), [application](#))

Todd Stuive, Exxel Engineering, represented the applicant and presented the request. Todd outlined the goals of the applicant and detailed possible avenues to accomplish what was proposed. Todd mentioned the option to submit a text amendment for Chapter 24 of the Zoning Ordinance District Regulations that could allow a reduction of the lot width in the RR district to possibly as little as 150 feet if the area of the lot was, for example, double the total area currently required in the RR district.

Tom Healy inquired how long the owner of the parcel had been a resident and when the purchase had been made. The applicant responded that the property was purchased not too long ago based on possible future possibilities for development of the site.

Mannette Minier, Zoning Administrator, presented a [staff report](#). She noted that the lots on Barry that did not meet the 200 feet of width as required in the Zoning Ordinance for the RR district were created prior to 1994, which is before the Land Division Act went into effect in March of 1997 requiring municipal approval for any lots created.

Kevin Austin, Zoning Administrator, presented the board with emails received by residents of Barry Street.

Tom Healy asked about the presence of current lots on Barry Street with smaller dimensions than the RR regulations. He then sites the footnotes in Chapter 24 corresponding to lot size for RR and LDR lots serviced by both public and septic/well systems. He believes public water and sewer is not a hold up in this situation given the other LDR lots without the public utilities.

Jeannine Bolhouse remarked that it makes sense to move towards the text amendment that Todd Stuive had proposed to address the issues with this rezoning. She explained that the purpose of the Master Plan was to provide guidance for the Planning Commissioners to use when making decisions

for future development and, in this case, the language of the text requires new development in the LDR to be serviced with utilities. She noted that the current ordinance requirements allow the existing older developments to continue to exist without connection to sanitary sewer.

Josiah Samy would like to gain more information on the practicality and specifics of the text amendment course of action to decide if that is an appropriate course of action in the future.

It was noted that the Master Plan requires any new LDR development to be serviced by sanitary sewer and the current ordinance allows for any LDR developments constructed in the distant past to remain as they currently exist. It was also noted that in the past several years the Township Board has moved in the direction of requiring connection to sanitary sewer when it is available.

Kelly Kuiper stated the following. Bringing public utilities to an area is typically a private expense and that this area does not seem to be ripe for future development to LDR given location and characteristics. The Future Land Use Map gives the idea that this area is intended to be LDR and it sends the wrong message to the public, who doesn't understand that the text of the Master Plan is to be considered. This is 100% consistent with the other lots on Barry. The Zoning Ordinance does not require connection to utilities and this should not be confused with the Master Plan. This site is not capable of becoming a subdivision. However, the Zoning Ordinance amendment makes the most sense, especially if the Township is inconsistent with adjacent communities.

Jessica Ulberg appreciated the comments and thought they should look at the RR standards of the ordinance.

Gary Veldink made note that the parcel could be currently split into two lots that conform to RR required dimensions and said that the Planning Commission should do their due diligences to require connection to sanitary sewer.

It was noted that the Master Plan is a guide for future planning which directs any future development in the LDR to be serviced by sanitary sewer.

Kelly Kuiper stated the following. The public utilities have to be extended at the developer's expense and these parcels do not support a large scale development. The cost to bring the utilities to this location would be expensive and it would be far off.

Tom Healy stated the following. The parcels on Barry are all less than the minimum requirement for the RR district, but meet the width for lots with water and sewer. This may not be the time to rezone this parcel to LDR. A good option at this time would be to look at changing the width requirements.

Moved by Josiah Samy, seconded by Jeannine Bolhouse, to open the public hearing.

MOTION CARRIED UNANIMOUSLY.

Carl Decatur 4176 Barry: He is a 43 year resident on Barry Street who is concerned about how the rezoning would affect the character of the street and also impede the farmers' ability to operate on the street if road construction is required.

Bill Vandermolen 4310 Barry: He is concerned the LDR will decrease the rural flavor of the street. The added expense of hooking up to public utilities is undesirable for the residents of the street.

Jack Monsema 4160 Barry: Questioned whether the 200ft of width in the RR district was for the character of the street or for the space for septic and water. He does not want the increased traffic that LDR uses could cause on the street. It was wrong in the past to make the lots on Barry smaller than required in the ordinance.

Moved by Josiah Samy, seconded by Gary Veldink, to close the public hearing.

MOTION CARRIED UNANIMOUSLY.

Josiah Samy took the opportunity to answer some of the questions raised during public comment regarding utilities and lot widths.

It was noted that the larger size lots in the AG and RR districts were intended to accommodate wells and septic systems.

Tom Healy noted that eight lots had widths less than 200 feet.

Todd Stuive said that adding two home sites to the street would make these lots bigger than the existing lots.

Further Discussion ensued:

Tom Healy believes that all 3 C's, which are the standards in the ordinance that need to be met for a rezoning to be approved, are met and that this is only preventing the addition of 1 new house. He is willing to investigate the text amendment to have another avenue of approval.

Jeannine Bolhouse remarked that changing the zoning district to RR doesn't meet the standards listed in the Zoning Ordinance that are required to be met for the rezoning. She said that the question is whether or not the site is capable of sustaining all the uses within the LDR district, which is supposed to be considered for a rezoning. She was open to an ordinance amendment that would allow flexibility for width based on lot size.

Josiah Samy stated the following. The job of the Planning Commission was to determine if the request met the standards in the ordinance in Sec. 4.2(D) that were required to be met for a rezoning. Question 1: is the requested change consistent with the Master Plan? No, it is not consistent. The goal of the Master Plan is for development in the LDR district to be serviced by public water and sanitary sewer. The property owner could sell the lot in the future if it was rezoned to LDR and the site is not capable of being used for all of the uses allowed in the LDR district. He was in favor of investigating an ordinance amendment to allow a small width if the area was larger than required.

Kelly Kuiper stated the following. It meets requirements of the three "C's" and that the area is not at risk for the type of development that people are fearing. Based on the mechanisms in place, the site is self-regulating and she is confident that the other uses requiring utilities would not go in there. This is the highest and best use.

Jessica Ulberg agrees with Tom and Kelly but would also like to investigate the text amendment approach.

Gary Veldink can't support the rezoning because of its inconsistency with the Master Plan. He doesn't want a precedent for this type of rezoning established and the stance of the Township Board is that LDR development should be connected to public water and sanitary sewer.

Moved by **Jeannine Bolhouse**, seconded by **Gary Veldink**, to adopt the staff report as finding of facts and to recommend to the Township Board to **deny** the request **and to not adopt the resolution** because the proposed zoning **designation is NOT** consistent with the Master Plan because **there are no public utilities to service the parcel**; the **area is NOT capable** of sustaining the uses within the LDR district without additional public funds; the uses allowed within the LDR district **are compatible** with the neighboring uses.

Yeas: Jeannine Bolhouse, Josiah Samy, Gary Veldink

Nays: Tom Healy, Kelly Kuiper, Jessica Ulberg

NO VOTE because it was a tie vote.

Tom Healy recapped the ordinance specific to this application and the findings in the staff report. He stated that the district regulations allow private water and sewer.

Kelly Kuiper described how the Master Plan should be guiding and not binding.

It was noted that in Sec. 4.2(D), the ordinance does require the Planning Commission to consider if the proposed zoning district is consistent with the Master Plan.

Josiah Samy posed the question to the Planning Commission if the application meets the 3 C's. He stated the following. The Zoning Ordinance lists the standards that have to be met for the rezoning to be approved. Although the Future Land Use Map designates the area as LDR, the text states that the LDR development has to be served by public water and sanitary sewer. This request is not consistent with the Master Plan since the site will not be served by public water and sanitary sewer. The property owner should have contacted the Township to obtain more information about the site prior to purchasing it.

Tom Healy stated that he would be willing to deny the application today if there was a motion to engage in a review of the Chapter 24 District Regulations that are preventing this based on lot width in the RR district.

Jeannine Bolhouse stated the following. The issue is that the Zoning Ordinance allows existing property in the LDR district, which was developed in the past without connections to public water and sanitary sewer, to continue to exist without connections to the utilities. However, moving forward, new development in the LDR district needs to be served by public water and sanitary sewer because the text of the Master Plan requires it. Plus the standards in the current Zoning Ordinance require consistency with the Master Plan. As per the Master Plan, all future development in the LDR district has to be served by utilities. The Planning Commission should plan for the future and should require connections to utilities.

Moved by **Gary Veldink**, seconded by **Jeannine Bolhouse**, to adopt the staff report as finding of facts and to recommend to the Township Board to **deny** the request/resolution as follows, because

the proposed zoning **designation is NOT** consistent with the Master Plan because **there are no public utilities to service the parcel**; the area is **NOT capable** of sustaining the uses within the LDR district without addition public funds; the uses allowed within the LDR district **are compatible** with the neighboring uses.

**Georgetown Charter Township
Ottawa County, Michigan
(Ordinance No. 2023-01)**

At a regular meeting of the Georgetown Charter Township Board held at the Township offices on _____, 2023, beginning at 7:00 p.m., Township Board Member _____ made a motion to _____ **(adopt or deny)** this Ordinance because the proposed zoning designation _____ **(is or is NOT)** consistent with the Master Plan and the Future Land Use Map for the area; the area _____ **(is or is NOT)** capable of sustaining the uses within the LDR district without addition public funds; the uses allowed within the LDR district _____ **(are or are NOT)** compatible with the neighboring uses and to adopt the staff report as finding of fact, which motion was seconded by Township Board Member _____:

**AN AMENDMENT TO THE GEORGETOWN CHARTER TOWNSHIP
ZONING ORDINANCE, AS AMENDED, AND MAP**

THE CHARTER TOWNSHIP OF GEORGETOWN (the “Township”) ORDAINS:

ARTICLE 1. The map of the Georgetown Charter Township Zoning Ordinance, as amended, is hereby amended to read as follows:

(REZ2301) (Ordinance 2023-01) To change from (RR) Rural Residential to (LDR) Low Density Residential a parcel of land described as P.P. # 70-14-31-200-023 located 4261 Barry St., Georgetown Township, Ottawa County, Michigan.

Except as expressly modified by the above, the balance of the Zoning Map of the Georgetown Charter Township Zoning Ordinance, as amended, shall remain unchanged and in full force and effect.

ARTICLE 2. Severability. In the event that any one or more sections, provisions, phrases, or words of this Ordinance shall be found to be invalid by a court of competent jurisdiction, such holding shall not affect the validity or the enforceability of the remaining sections, provisions, phrases, or other words of this Ordinance.

ARTICLE 3. Except as specified above, the balance of the Georgetown Charter Township Zoning Ordinance, as amended, and map shall remain unchanged and in full force and effect.

ARTICLE 4. Effective Date. The provisions of this Ordinance shall take effect upon the expiration of seven (7) days from the date of publication after the adoption of this Ordinance or a summary of its provisions in accordance with the law.

The vote in favor of adopting this Ordinance was as follows:

Yeas:
Nays:
Absent:

MOTION CARRIED UNANIMOUSLY AND ORDINANCE DECLARED ADOPTED.

CERTIFICATION

I hereby certify that the above is a true copy of an Ordinance adopted by Georgetown Charter Township Board at the time, date, and place specified above pursuant to the required statutory procedures.

Respectfully submitted,

Dated: _____, 2023

By _____
Ryan Kidd
Georgetown Charter Township Clerk

Yeas: Jeannine Bolhouse, Josiah Samy, Gary Veldink, Tom Healy, Jessica Ulberg
Nays: Kelly Kuiper

MOTION CARRIED UNANIMOUSLY.

#230118-04 – Initiate Review of Chapter 24, District Regulations for the RR District.

Moved by Jeannine Bolhouse, seconded by Kelly Kuiper, to initiate a review of Chapter 24, District Regulations for the RR District.

MOTION CARRIED UNANIMOUSLY.

The Planning Commission directed that a table be provided comparing the width and depth of the RR districts of other communities.

#230118-05 – Communications, Letters and Reports

#230118-06 – Public Comments

People from the public were present and there were public comments.

#230118-07 – Other Business

#230118-08 – Adjournment – The meeting was adjourned at 8:40 p.m.