

**BYRON TOWNSHIP PLANNING COMMISSION**  
**August 16, 2004**

**MINUTES**

**CALL TO ORDER, ATTENDANCE & PRAYER**

Chairman Seymour Gould called a regular meeting of the Byron Township Planning Commission to order at 7:00 p.m. on August 16, 2004, at the Byron Township Offices, 8085 Byron Center Avenue, SW Byron Center, Michigan 49315.

Commission members present were: Seymour Gould, John Stone, Bernie Schuitema Tim Slot, Dutch Zeinstra, Maynard Van Singel and Jeff Gritter. Also present were Township Planner Larry Nix, Township Attorney H. James Telman, Building Inspector Randy Zomerlei and Recording Secretary LaVonne Kuiper.

Prayer was offered by Mr. Dutch Zeinstra

**APPROVAL OF MINUTES**

A motion was made by Schuitema supported by Slot that the minutes of the July 19, 2004 meeting be approved as written. Yes - 6. No - 0. Abstained - 1 Van Singel absent from the July 19, 2004 meeting. Motion Carried.

A motion was made by Zeinstra supported by Stone that the minutes of the joint meeting with Jamestown Township Planning Commission held on August 4, 2004 be approved as corrected. Yes - 7. No - 0. Motion Carried.

The building inspectors report was received and placed on file.

**SITE PLANS**

No site plans were submitted for consideration.

**Set Public Hearing – Abel Vander Woude - rezoning request for the property located at 8390 Clyde Park from R-S Suburban Residential to B-2 General Business.**

An application for the rezoning request for the property located at 8390 Clyde Park Ave. SW was reviewed.

A motion was made by Stone supported by Van Singel to set a public hearing for the next regular meeting to be held on September 20, 2004.

Yes - 7. No - 0. Motion Carried.

**Public Hearing – Maier Homes (Mark Maier) rezoning request to rezone property from R-R Rural Residential to R-S Suburban Residential Planned United Development for the property located at 2092 - 76<sup>th</sup> St. SW.**

Chairman Gould declared the public hearing open for Maier Homes. Bernie Schuitema read the public notice and affirmed that the notice was published twice in the South Advance and mailed to all property owners within 300 feet of the proposed property.

Doug Stalsonburg from Excel Engineering was present on behalf of Maier Homes. Mr. Stalsonburg commented that this property is located along the south side of 76<sup>th</sup> Street, immediately east of the Whistlestop Park entrance. They would like to rezone 9.68 acres from R-R to R-S PUD with the intentions to plat 17 lots. Suitable drainage outlets are a concern. They met with the property owners to the west including Mr. Dan Van Laar from Woodward Baptist Church mentioning the possibility of up-grading the existing pond to a greater depth, which would take care of all the drainage. Mr. Dan Van Laar chairman of the building & ground from the Woodward Baptist Church commented that they could probably make something work.

Mr. Nix reviewed his memorandum dated August 6, 2004 of which a copy is attached and made part of these minutes. Mr. Nix commented that this is consistent with the master plan but the main concern does deal with the drainage. He recommended that maybe these plans should be brought along a little further. Maybe get something in writing stating that the property owners next to the property are willing to cooperate in dealing with the drainage concerns.

Chairman Gould opened the hearing to the public for comments.

**Tim Wiest – 2030 - 76<sup>th</sup> St. SW** commented that he lives east of this property and thinks that the lots are too small in comparison to the surrounding area and that there is not enough green space.

**Arther McDonald – 8760 Burlingame** felt that a lot of money is being spent on developments. What is all this doing to the police dept, school systems and the fire department.

No further public comments were made.

Chairman Gould declared the public hearing closed.

Items discussed among the planning commission members were the lot sizes, green space and the maintenance of those lots, the walkway that is proposed, the setbacks on the lots, street length, and the drainage situation.

Attorney Telman commented that legally before the actual rezoning occurs all issues with the drainage should be worked out.

After some additional discussion a motion was made by Schuitema supported by Van Singel to table this rezoning request until the next regular meeting to be held on September 20, 2004 at that time the applicant is to have a written statement from the church, neighbors and the Kent County Drain Commission stating their cooperation in the drainage issue.

Yes - 6. No - 1 (Zeinstra). Motion Carried. Tabled until September 20, 2004.

**Public Hearing – Marlo Farms rezoning/PUD approval for the property located at: 1810 - 84<sup>th</sup> St. SW, 1946 - 84<sup>th</sup> St. SW, 8661 Burlingame Ave. SW, 1750 - 84<sup>th</sup> St. SW, 8690 Burlingame Ave. SW, 1778 - 84<sup>th</sup> St. SW and 8451 Burlingame Ave. SW.**

Chairman Gould declared the public hearing open for Marlo Farms. Bernie Schuitema read the public notice and affirmed that the notice was published twice in the South Advance and mailed to all property owners within 300 feet of the proposed site.

Mr. Marlan Grubbs was present to explain the request. He mentioned that it is their intent to create a development that harmonizes areas for commercial usage, with single family residential and the office space to be used as a buffer between the residential and commercial areas. The 84<sup>th</sup> Street frontage is the proposed commercial area. The office space that includes a bank and all different uses for what the O-S zoning allows will have a berm with landscaping features in between the two different uses big enough to make it attractive and to separate any noise and activities from the O-S activities and the single family homes. The proposed project promotes the conservation of the natural features of the land using the creeks, preserving the woods, and using the flood plain area for storm water storage. He commented that they did exceed the 10% minimum area requirements for green space. This project will have 6 exists for the traffic. The green space will total 23.8 acres. There are no plans at all for the future condo village shown on the plan.

Mr. Nix reviewed his memorandum dated August 6, 2004, of which a copy is attached and made part of these minutes. Mr. Nix stated that this is a much better plan than what was presented earlier. It is consistent with the master plan and the Planning Commission did stress that they did not want apartments which they did eliminate. This will coordinate and blend very well with the neighboring areas. The plan is consistent with what we are looking for. But due to some concerns, inconsistencies, and the lack of information he suggested to table this request to give the applicant time to address the concerns.

Chairman Gould opened the hearing to the public.

**Dennis Oeverman - 8719 Burlingame Ave. SW** was in favor of this project.

**Timothy Braciak - 1989 Bluffview** was concerned if Bluffview would be opened up into this new development.

**Jenny Kenyon – 1949 Bluffview** was concerned if Bluffview would be opened up for the traffic from the new development. Another concern she voiced was the added traffic that this would create.

**Arther McDonald – 8760 Burlingame Ave. SW** commented about how all these rich builders are coming into Byron Township and the poor people have to pay the higher taxes. How many more malls do we need? Half of them are sitting empty.

Chairman Gould declared the public hearing closed.

Mr. Nix responded to some of the concerns that were mentioned. He stated that he could not deny that the traffic will have some impact on Bluffview. But remember that there will be other exists available.

Items discussed by the Planning Commission members were traffic, detention ponds, proper drainage, the lack of lot sizes and details on the plan submitted.

A motion was made by Slot supported by Gritter to table this request until the next regular meeting at which time all required information must be made available, also the statement “future condominium” be removed from the plan.

Yes - 7. No - 0. Motion Carried. Tabled until September 20, 2004

## **Miscellaneous**

### **Landscaping Regulation –**

Larry Nix commented that Brian Wegner was present and has been working on this project and will explain the changes that have been made on the landscape draft. He stated that his goal is to receive more feedback from the Commission members and would compile another draft for their review.

Discussed were the changes that had to be made and how some of these changes would be enforced.

## **Adjournment**

A motion was made by Stone supported by Gritter that the meeting be adjourned.

Yes - 7. No - 0. Motion Carried

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Bernie Schuitema  
Planning Commission Secretary