

**Minutes of the regular meeting of the Georgetown Township Planning Commission, held  
Wednesday, September 16, 2015**

Meeting called to order by Chairman Honderd at 7:30 p.m.

Present: Greg Honderd, Tim Smit, Richard VanderKlok, Steve Hall, Don Hebel, Donna Ferguson  
Absent: Jeannine Bolhouse  
Also present: Mannette Minier, Zoning Administrator

**#150916-01 – Agenda for September 16, 2015**

Moved by Richard VanderKlok, seconded by Tim Smit, to approve the agenda as presented.

MOTION CARRIED UNANIMOUSLY.

**#150916-02 – Minutes of the regular September 2, 2015 meeting**

Moved by Richard VanderKlok, seconded by Tim Smit, to approve the minutes as presented.

MOTION CARRIED UNANIMOUSLY.

**#150916-03 (SUP1509) Consumers Energy** (with Grand Valley State University), One Energy Plaza, Jackson, is requesting to have a public utility, under Sec. 6.3(P), on parcels of land described as P.P. # 70-10-31-100-026 and 70-10-31-100-025, located at 10136 and 10150 48<sup>th</sup> Ave., in an (AG) Agriculture District, Georgetown Township, Ottawa County, MI ([application](#), [site plans](#)).

Dennis Marvin, Consumers Energy, introduced the request and noted that the following people were in attendance representing the project: Mauricio Pincheira, Consumers Energy; Brian Supko, Nova Consultants; Lindsey Kosner, Consumers Energy; Roger Morgenstern, Consumers Energy; and Terry Pahl, Grand Valley State University.

Mauricio Pincheira gave a [presentation](#).

The Zoning Administrator presented a [staff report](#).

Richard VanderKlok asked about how many houses were powered by one megawatt and the applicant answered about 100 to 150 houses per year.

Tim Smit asked about how long the construction period would be and the applicant answered about 5 months.

Greg Honderd asked about the surface of land upon which the panels will sit.

The applicant answered it previously was used for AG purposes and would remain the same until the project is completed at which time grass would be installed. He noted that there was standing water and the plan included having the water flow off the site because they did not want the standing water by the electricity. He said that the soil would help support the structures.

Don Hebel asked how this was a community project, what was the incentive, what was the life expectancy and what happens when it becomes obsolete.

Dennis Marvin stated the following. This is a voluntary subscription location. GVSU will receive a portion of the supply and the rest is available for a subscription by other customers. In some instances the community owns it and takes the energy. After the energy is generated, a customer could pay the subscription price and get energy credit. More information will be available on it. The life expectancy of the panels was 4 or more years and the inventors was 10 to 15 years. The equipment will operate 20 to 30 years because they have made a commitment and have a contract to maintain the project.

Steve Hall asked if there would be noise and if federal money would be used for the project.

The applicant stated the following. There is a fan in the inventor and the transformer has some level of a hum. This is typical of a transformer, only it is a little bigger and only operates when the sun is out. The reason for the timing is because of a tax credit that has lowered the cost of the complete project.

The chairman opened the public hearing.

Elaine Elzinga, 4680 Luce St., stated her husband, Ronald, was present also and made the following comments. They were concerned with the location and the college has more room on both sides of Pierce St. This is a mistake, will create an eyesore and create problems. A young couple moved into the house by it and this will make their drainage problems worse. The noise will be annoying and they are already annoyed by the light on the big tower. There are drainage problems. Bushes or berms should be installed to block the view. The college may make money off this but it will be a detriment to Luce St.

Greg Honderd said that everyone has the right to use their property in accordance with Zoning Ordinance regulations.

The Zoning Administrator said that the use of a utility was actually exempt from abiding by the zoning regulations; however, the applicants have chosen to comply with zoning regulations. She said that the Zoning Ordinance allows the use of utilities in the AG district with a special use permit and the proposal complies with all zoning standards.

Greg Honderd further explained that the applicants have the right to use their property in compliance with the Zoning Ordinance in the district where it is allowed and that it would not be legal for the Township to deny the application if it is allowed and meets the standards. He said that GVSU owns the property and likely chose this site because it would be easier to transport electricity than students.

Terry Pahl, Grand Valley State University, stated the following. They have been looking a long time for a renewable energy project and this fits. This will create clean energy close to the university. Students will attend classes for this and a curriculum will be developed. This is not too close to other university structures. A lot of students are looking for clean energy and a sustainable life style.

Greg Honderd asked if the students would maintain the site.

Terry Pahl said that the solar garden would be owned, constructed and maintained by Consumers Energy. He said that a curriculum would be developed for the sustainability college.

Dennis Marvin said that this energy project would bring a property tax benefit to the Township.

In response to a question, the Zoning Administrator explained that the Township had a general ordinance pertaining to storm water management and the Ottawa County Water Resource Commission was responsible to review all projects within the Township in regard to the ordinance. She said that a Storm Water Drain Permit was required as a condition of approval for all projects.

Brian Supko said that there was currently standing water and they used a civil design to establish ridge lines to help the water to flow off the site. He showed the design on the map.

Greg Honderd noted again that the Drain Commissioner was responsible for storm water management of the site and the applicants would be required to submit approval from him.

It was noted that the proposed landscaping met ordinance requirements as long as the one tree shown on the neighboring property was moved to the subject site.

Greg Honderd said that they are not going to want a lot of tall trees to block the sun.

Mauricio Pincheira said that he would be happy to meet with the neighbors who were the affected parties.

The Zoning Administrator said that the proposed plan meet ordinance requirements but the applicants can add landscaping if they want.

In response to a question, Mauricio Pincheira said there was no road and no plan for a road to be installed on the site, other than the access driveway.

The chairman closed the public hearing.

Dennis Marvin said that they will work with the adjacent landowners to address their concerns because they want to be a good neighbor.

**Moved by Richard VanderKlok, seconded by Tim Smit, to adopt the staff report as finding of fact and to approve Special Use Permit (SUP1509) Consumers Energy (with Grand Valley State University), One Energy Plaza, Jackson, is requesting to have a public utility, under Sec. 6.3(P), on parcels of land described as P.P. # 70-10-31-100-026 and 70-10-31-100-025, located at 10136 and 10150 48<sup>th</sup> Ave., in an (AG) Agriculture District, Georgetown Township, Ottawa County, MI, based on the findings that all applicable standards of the ordinance have been met including the general special use standards in Sec. 20.3.**

Steve Hall stated the following. The neighbors should realize that it would be better to have the Consumers' project as a neighbor because they could have college dorms or apartments or structures for classrooms on that site, which are planned for the Pierce site. This will be a good buffer for the future development of the campus when that growth happens. The Township cannot violate the law.

MOTION CARRIED UNANIMOUSLY.

**Moved by Richard VanderKlok, seconded by Donna Ferguson, to adopt the staff report as finding of facts and to approve the site plans as presented as shown on the following:**

1. application dated Aug 6, 2015,
2. Sheet GS-001 dated 8-7-2015, Cover Sheet,
3. Sheet GS-101 dated 8-7-2015, Site Plan,
4. Sheet GS-102 dated 8-7-2015, Site Plan,
5. Sheet GS-103 dated 8-7-2015, Grading Plan,
6. Sheet GS-104 dated 8-7-2015, Tree Table,
7. Sheet GS-105 dated 8-7-2015, Array Perspective,
8. Sheet GS-106 dated 8-7-2015, Racking Example Elevations & Image and Sign,

**based on the findings that all applicable standards of the ordinance have been met and with the following conditions:**

1. The parcels shall be combined. To combine the parcels submit a letter signed by the property owner to the assessor requesting the combination of the two parcels.
2. A Zoning Compliance application shall be submitted, along with verification that all conditions of approval have been satisfied, prior to any construction commencing.
3. A Storm Water Drain permit (written approval) from the Ottawa County Water Resources Commissioner's office shall be submitted at the time a Zoning Compliance application is submitted. If none is required, a signed letter from the OCWRC shall be submitted in place of the permit.
4. The area from the pavement of the road up to the right-of-way line shall be hard surfaced.
5. All landscaping fulfilling the requirements of the ordinance shall be located on the subject parcel. One of the required trees is shown on the adjacent property to the south.
6. The fence shall not exceed the height of 6 feet or 7 feet if barbed wire is added.

The Zoning Administrator stated that the parcels have already been combined and the applicants have submitted a letter stating their intention to comply with the conditions of approval.

Steve Hall asked about the tree inventory.

Mauricio Pincheira said that they conducted an inventory of all the trees on site and do not plan to remove all of them. He said that this was part of the surveyor's engineering to determine that the trees were not causing the blocking of light.

Tim Smit said that this was an intriguing project and he hoped they would work with the neighbors.

MOTION CARRIED UNANIMOUSLY.

#### **#150916-04 – Daybreak Church Request**

The Zoning Administrator explained the [request from Daybreak Church](#) to change the ordinance to allow smaller setbacks on 36<sup>th</sup> Ave. for a sign. She noted that the letter had been submitted to the Township Board who had referred the request to the Planning Commission.

She explained the request as follows. A few years ago Daybreak Church requested a variance to have a second sign with 500 square feet in area. The variance was denied; however, the Township subsequently revised the ordinance to allow a property, including Daybreak Church, to have a

second sign if there was frontage on two streets without the corner being part of the property. So Daybreak Church was allowed to have one sign on Baldwin and one sign on 36<sup>th</sup> Ave. because the corner parcel was separate from the church parcel. Just recently the church applied for a sign permit for their second sign on 36<sup>th</sup> Ave. and found that the sign had to be located at a spot 85 feet from the centerline of 36<sup>th</sup> Ave., with the extra setbacks as required in Chapter 24 footnote (b). They asked about obtaining a variance to have the sign closer to the road, but after reviewing the ordinance realized that the request would not meet the seven standards in the ordinance required to be met in order for the ZBA to grant a variance. Consequently, the church has requested that 36<sup>th</sup> Ave. be removed from the list of streets requiring extra setbacks.

She further explained the Zoning Ordinance requirement for extra setbacks on the main streets in the Township as follows. Starting back as far as the 1990s, the Township realized that likely at some point in the future the main streets in the Township would be improved and expanded. Consequently, the Township adopted footnote b in Chapter 24, which is a list of streets that would someday be improved, and continued to revise the ordinance by adding streets to the list as it became obvious they would be major streets. Extra setbacks are required on these streets. The reason is because, much like what took place on Port Sheldon near 40<sup>th</sup> Ave., when the street is widened, additional right-of-way is needed and everything in that area must be moved at the expense of the Township or Ottawa County Road Commission. Also, as happened on Port Sheldon, some parcels lost a lot of front yards resulting in very unhappy people and in very small front yards. Consequently, the Township plans for the future by requiring the extra setbacks for signs and structure so they would be in an acceptable location when the road is improved, to prepare for the future.

Planning Commissioner comments included the following:

- It is a no-brainer because good planning practices dictate that the larger setbacks remain in place for the future road expansion.
- At the time in the future, whenever it may be, the County will have to buy the additional right-of-way and it will be less detrimental if the houses and signs are back where the ordinance now requires them to be.
- This is good planning for the future and is the job of the Planning Commission.
- Many new plats are being constructed off 36<sup>th</sup> Ave. which is allowing the construction of the additional houses in the area.
- Hudsonville schools has school buildings and athletic fields on 36<sup>th</sup> Ave. making the area more congested and it will become even more congested when the additional houses are constructed and the additional families send their kids to school.
- Eastbrook Development will soon reach 36<sup>th</sup> Ave. with even more houses and condos.
- At the last Planning Commission meeting people were present who were angry when Baldwin was widened because they lost a lot of their front yards and if 36<sup>th</sup> Ave. was removed from the list of streets, the Township would just be setting up the same situation to occur in the future when 36<sup>th</sup> Ave. is widened.
- Even though the church offered to pay for the sign to be moved, there would be no way to track that if the Township allowed everyone to do that. Consequently, in the future when the road was widened, there would be no way to enforce that.
- The church has the opportunity to have an electronic sign that meets ordinance standards which can be seen at quite a distance.
- The ordinance should remain as it currently is written.

Moved by Richard VanderKlok, seconded by Don Hebler, to leave the ordinance as currently written and to not revise the ordinance to eliminate 36<sup>th</sup> Ave. from the list of streets requiring the additional setbacks.

MOTION CARRIED UNANIMOUSLY.

**#150916-05 – Other Business**

**#150916-06 – Public Comments**

**#150916-07 – Adjournment**

The meeting was adjourned at 8:35 p.m.