

**Minutes of the regular meeting of the Georgetown Township Planning Commission, held
Wednesday, September 4, 2019**

Meeting called to order by Chairman Smit at 7:00 p.m.

Present: Jessica Ulberg, Tim Smit, Josiah Samy, Tom Healy, Jeannine Bolhouse, Richard VanderKlok, Donna Ferguson

Absent: None

Also present: Rod Weersing, Assistant Manager

#190904-01 – Agenda for September 4, 2019

Moved by Richard VanderKlok, seconded by Donna Ferguson, to approve the agenda as submitted.

MOTION CARRIED UNANIMOUSLY.

#190904-02 – Minutes of the August 21, 2019 meeting

Moved by Richard VanderKlok, seconded by Donna Ferguson, to approve the minutes as presented.

MOTION CARRIED UNANIMOUSLY.

#190904-03 – Public Hearing - (SUP1903) Hudsonville Community Fair Association (Lonnie Vis), 1164 104th St., Byron Center, is requesting to have a Community Fair, under Sec. 6.3(Z) and Sec. 7.3(A), on a parcel of land described as P.P. # 70-14-31-200-052, located at 5391 40th Ave., in a (RR) Rural Residential district, Georgetown Township, Ottawa County ([application](#), [plans](#))

Lonnie Vis, 1164 104th Street, Byron Center, president of the Fair Association, represented the applicant and presented the request. He noted the property will only be used for parking and the reason is to address safety concerns.

The Assistant Manager presented a [staff report](#).

Richard VanderKlok stated that this is similar to what was previously done for the adjacent property in March 2017.

Jeannine Bolhouse said that she remembered the extensive previous discussion and she agrees that this is not different from what was previously approved. She said that this would be a benefit to the community at large and the neighbors to have more parking in the area.

Josiah Samy stated the following. He was not on the Planning Commission at the time of the previous approval but this makes sense. He knows that many people park along the streets and try to cross traffic.

Tim Smit stated the following. He was on the Planning Commission at the time of the previous approval. It is confusing that the request is to have a community fair but they are not looking to have the fair on the property, but rather to have parking only on this parcel, similar to the previous approval.

Donna Ferguson stated the following. She was on the Planning Commission for the previous approval and they spent a lot of time discussing the concerns. It has worked out great and it is run well.

Jessica Ulberg stated that she was not on the Planning Commission for the previous approval but it works out well.

The chairman opened the public hearing.

Jeff Malmberg, 5411 40th Ave., stated the following. He submitted a paper copy. He is an adjacent property owner on the north side. He was not questioning the need for additional parking, but rather the amount of additional parking. The site plan calls for leaving a 10 foot existing tree and vegetation area along the south and west boundary lines for the residents, but not leaving the trees and vegetation along the north boundary which is adjacent to his residential property. The proposal calls for a 31 foot driveway 24 feet from his house. By eliminating 30 to 50 parking places, this existing tree line, which he has maintained for 35 years, could remain as a privacy barrier. He was unable to obtain the parking layout for the property layout in 2017. This shows over 1900 parking places. He had an aerial view and he walked the parking lot every night after grandstand events to get a count of how many parking spaces were being used. The way it was laid out, it was being used for 940. On Monday, no vehicles were parked in the lot. On Tuesday, 84 vehicles were parked in the lot, front area only. On Wednesday 488 vehicles were parked. On Thursday, the big night, 908 vehicles almost filled the lot. On Friday 436 only parked there because of a power outage in the grandstand parking lot and it wasn't being utilized. On Saturday, 162 vehicles used the parking lot. Applying the proposed layout of over 1900 spaces, the busiest night only had 40% of the parking lot used. If the special use permit is approved, this parcel is adding 1350 parking places. Combined with the existing spaces, this would be over 3200 spaces. He knows the fair doesn't want to give up 30 to 50 parking space because it is less walking for a few people, but they are already walking greater distances from the north lot, Hughes Park and various other streets throughout the city. People ask why he is opposed because it is only going to be used for ten days a year. He is not opposed to it being used for parking, but what he doesn't like is the removal of the existing trees and vegetation. He is losing his privacy for 365 days a year for no good reason. With over 3200 parking spaces, there will be more parking than will ever be used. In closing, he would approve a provision that the trees remain as long as he owns adjacent property.

Anita Shepard, 5335 40th Ave., stated the following. She owns the property directly adjacent to the south side. She is not in favor of this. Many of her neighbors are also not in favor. There are other options available such as parking at the high school and using a shuttle. That guarantees the safety of the fairgoers, more so than crossing the street and walking down the sidewalk. The fair has not proven that they can handle the capacity they have. This year was not good with traffic in the road and she was almost hit crossing the road by a man who couldn't wait to race past her. There are power outage issues. This is the second time there was a problem. She owns a commercial property and when they built they were required to put a six foot privacy fence down the entire length of the property with greenery. They were not allowed to use lighting above the fence line. The current parking lot is directly across from the parking lot and they bring in mobile lights and it lights the entire parking lot. There is a lot of noise and traffic. That would bring too much traffic onto their street and it would be unsafe. The other parking spaces in place are better to disperse traffic around the area. It took her husband a long time to drive home. They work their schedules around when they can come home. This is the next domino to fall. They are saying ten days when the fair runs five days. What will the additional five days be used for. This

is another gateway for additional requests. There are not enough safety nets to take into consideration the people who live there. She lives there every day and it is her home.

Christy Malmberg, 5411 40th Ave., stated the following. She has several concerns. For her it is personal. She does not want to live next to a parking lot no matter how many days. She doesn't want to lose her privacy. She will have cars parked and shining lights into her bedroom and living room. She doesn't care if the trees are left or not. She doesn't want it. She doesn't understand why this is being sold to the fair. People can be shuttled from someplace else. It takes her 10 minutes to get from her house to Chicago Dr. She is opposed due to privacy and lights that are so bright. She personally would not take a shuttle. People are not going to stop parking at Hughs Park or in other people's yards or on the street. She is opposed.

The chairman closed the public hearing.

Tim Smit asked about the busy times.

Lonnie Vis stated the following. Wednesday, Thursday and Fridays are the busiest days and Saturday has been getting busier. Monday and Tuesdays are the slowest nights when the parking lot does not get used as much. Some nights they need the parking and the fair is going to go on. If this is approved, some of the Bosgraph property will be eliminated because they are probably going to be selling some of the buildings in the front.

Tim Smit asked him about the vegetation on the north side.

Lonnie Vis stated the following. The tree line was 40 to 50 feet from the property line. They are willing to reconsider where the driveways will be located to accommodate concerns. They are trying to locate the driveway so that the parking arrangements works well with it. The drives could be rearranged. They are trying to keep the traffic flow efficient going in and out.

Tim Smit clarified that this is only for the Hudsonville Fair week.

Tom Healy said that a neighbor was concerned about a flea market locating on the site.

Rod Weersing stated that the special use permit was tied to the site plan which only allowed parking.

Tom Healy clarified that this was only for parking and not any other uses.

Richard VanderKlok stated the following. To clarify about the driveways, if the Planning Commission wants to change something, it could be made as a condition of approval. In terms of the trees remaining, looking at the layout, maybe having the trees remain should be added as a condition of approval. He was not opposed to reducing the number of parking spaces.

Tim Smit said that he agrees and the use could be mitigated with some tree coverage.

Donna Ferguson asked about the number of parking spaces and said she was surprised that some spaces were not being utilized. She asked why there was a need for more spaces.

Dave DeVries, Hudsonville Community Fair board member, stated the following. The reason they initially purchased the property was because the residents on Barry Street were complaining

about vehicular and pedestrian traffic on Barry St. There was also a safety issue. That is why they bought the Bosgraph property. The fair is growing and they have set record numbers each year. This is mainly a parking issue. Many walk down the street and the traffic is heavy. They cross wherever they want and someday someone is going to get hurt or killed. Their proposal for this property is to get the people closer to the fairgrounds to begin with before they have to go into the streets. It can be controlled better with police officers there to direct traffic. Also, the streets of Hudsonville get packed with parked vehicles and a fire truck would not be able to get down the street. The police are thinking of putting no parking signs on many more streets. Those vehicles have to go someplace. This would be the best place for them to go. It is within walking distance and a trail could be installed. This is more of a safety issue than a numbers issue. They don't want anyone to get hurt because of the fair. This is the main reason they are purchasing the property.

Donna Ferguson asked how they would communicate this opportunity for parking to the community and how people will know they can park here.

Dave DeVries stated the following. They do have signs but the entrance to the Bosgraph property is quite a distance from the fair. They go by the Bosgraph property and then they turn around thinking they can find a closer place to park. After they waste time they eventually go into the Bosgraph property anyway. The Bosgraph entrance will no longer be needed. Everything will come out of the new property on 40th Ave. Then they will have more control over where the pedestrians go. They will have plenty of signs so that people will know there is closer parking.

Tom Healy said the following. The sides are required to have a 25 foot greenbelt surrounding the entire parcel. It seems that is what the ordinance requires and the request is to waive in order to have more parking spaces that are not entirely necessary at this time and to increase the driveway.

Lonnie Vis stated the following. Eliminating the greenbelt requirement would allow more parking; however, that is not the real critical issue, at least on the sides and rear. That could be reconsidered. The fair has limited control over safety issues. The Ottawa County police and EMS Service have control. The fair pays the police a significant amount of money to control the streets. Fair employees cannot control the streets. They work closely for safety.

Tom Healy stated the following. The greenbelt could be maintained and it sounds like it wouldn't be a big issue.

Lonnie Vis said that it would not be a big issue because they were already going to leave the green and brush around the 10 to 15 feet perimeter anyway.

Tom Healy said that was ten or fifteen feet. He asked if they still need the side yard setback reduced from the required 25 feet or is 15 feet as good as the 25 in the foreseeable future.

Lonnie Vis said that the 25 feet would be okay for the foreseeable future.

Tim Smit stated to recap that the ordinance currently should requires the 25 feet and the Planning Commission could still require that.

Richard VanderKlok stated the following. If they want the 25 feet, the Planning Commission could direct that there be a 25 foot greenbelt. What is being proposed is to place that aside. The concern is the health, safety and welfare of the residents. Part of the roadway of 40th Ave. is in the

City of Hudsonville and not in Georgetown Township. Some issues the Township has no control over. He was happy to hear about the work of the Ottawa County Sheriff's Department and EMS. In his opinion, some conditions of approval should be added, including the trees and location of the driveway. If he made the motion, he would add them as conditions of approval.

Tom Healy said that if the parking circumstances change dramatically, this issue could be revisited and a request could be made to modify the plan. He said that he certainly understand the concerns about living near there.

Tim Smit stated the following. This is a busy week for those who live on 40th Ave., but the people who run the fair are doing this and purchasing the property as an effort to help with the safety concerns. As far as the entrance on the south side, they may close one.

Lonnie Vis said that they would sell some buildings but would retain the 70 feet of property and they anticipate using that driveway as an exit, but would work with the police about that. He said that they would have access to have people leave.

Josiah Samy stated the following. With waiving of the pavement, he asked if it would be a grass surface and was told yes. Then this will not be an actual paved parking lot. For the lighting, he asked how it would be provided.

Dave DeVries stated the following. They mow the current property weekly and aesthetically it is very appealing. They would do the same thing to this if they purchase this property. They will not be putting any buildings on the property and it will not be used for anything but the fair. People say we are crazy to mow it every week, but they do it for the neighborhood and the aesthetics.

Josiah Samy asked how lighting would be provided.

Lonnie Vis said that it will be portable lighting; but now that they know it is a problem, they can adjust the lights so that they do not shine out as far. He said that for the safety of the people who are parked there they do have to have lighting.

Josiah Samy said that for other developments, the Planning Commission requires that the lighting be downward directing and he asked if that was possible with this lighting.

Dave DeVries said that the lights can be adjusted.

Josiah Samy said that he believes they need to retain the 25 foot greenbelt buffer, even though it is only for one week, it would be for the people who live around there. He asked if they had the ability to plant more trees in the greenbelt.

Dave DeVries asked if it would be sufficient if they left the current vegetation for the 25 feet or do they have to take the current vegetation out and plant new evergreens trees, even though it would be a while before they grow enough to be any good.

Richard VanderKlok asked what vegetation currently existed.

Dave DeVries said that wood lines, brush and some trees currently existed.

Richard VanderKlok said that sometimes the Planning Commission says that what currently exists meets the intention of a greenbelt.

Tim Smit said that they did that with the development on Chicago Dr. and said that what exists meeting the ordinance.

Tom Healy said that it could be left to the Zoning Administrator to determine the adequacy of what exists.

Tim Smit said that the applicant would have to come up with a plan showing the greenbelt and a redesign of the plan.

Dave DeVries said that their main concern is public safety.

Josiah Samy asked if the Planning Commission wanted to look at requiring a berm or fence to protect the neighbors.

Tim Smit said that he was not in favor of requiring that for the use of this for such a short period of time. He said they really just need to figure out the front northeast corner.

Donna Ferguson asked if they should table the request and have them come back with revisions or just include conditions of approval.

Jeannine Bolhouse asked if the setbacks were the only issues or if there were more issues.

The determination was that it was the setbacks and lighting.

Richard VanderKlok said that he was not in favor of tabling the request and they have enough information to make an informed decision. He said that he doesn't think they need to come back with another plan because the one they have is adequate for what they are proposing. He said that conditions could be added to a motion.

Moved by Richard VanderKlok, seconded by Tom Healy, to adopt the staff report as finding of fact and to approve Special Use Permit and to accept the drawing as presented for (SUP1903 Hudsonville Community Fair Association (Lonnie Vis), 1164 104th St., Byron Center, to have a Community Fair, under Sec. 6.3(Z) and Sec. 7.3(A), on a parcel of land described as P.P. # 70-14-31-200-052, located at 5391 40th Ave., in a (RR) Rural Residential district, Georgetown Township, Ottawa County, in a (RR) Rural Residential district, Georgetown Township, Ottawa County, based on the findings that all applicable standards of the ordinance have been met including the general special use standards in Sec. 20.3, with the additional findings:

1. The Planning Commission accepts the drawing as presented showing only the items on the plan.
2. The Planning Commission waives all elements in the Zoning Ordinance that the proposal does not meet, **except for the conditions of approval.**
3. The Planning Commission accepts the applicant's proposal to meet this standard for pedestrian and vehicle traffic.

4. The Planning Commission accepts the applicant's proposal for lighting. As per the special use permit standards, lighting shall be shielded to reduce glare and shall be so arranged and maintained as to direct the light away from adjacent property.

And with the following conditions of approval:

1. The special land use shall occur for a minimum of five (5) days and a maximum of ten (10) days in one calendar year for the fair use.
2. All signs require permits and shall comply with all ordinance standards.
3. All trash and debris shall be cleared from the site immediately following the end of the fair for the year. The site shall be kept in compliance with all property maintenance codes at all times.
4. There shall be no outdoor storage on the site except for up to the ten (10) days per calendar year during the time that the fair is operating (unless in compliance with another legal and approved use).
5. The hours of operation for the public shall be limited to the hours between 7:00 a.m. and 11:00 p.m. No additional vehicle parking is allowed after 10:30 p.m. and all members of the public shall be required to leave commencing at 11:00 p.m.
6. The Planning Commission waives the requirement for pavement and striping on all the parking and drive areas; however, all parking areas shall have a dust-free hard surface, which could include grass. Evidence shall be provided to the Township that any mud or dirt tracked onto the public roadway will be cleared and cleaned at the applicant's expense.
7. Provide approval from the City of Hudsonville for the access from 40th Ave. rather than the Road Commission.
8. The placement of the driveway should be moved to the south of the property.
9. There shall be a 25 foot greenbelt with the current trees and brush to remain.

Josiah Samy said that he is still concerned about the lighting and would like a condition of approval that it is downward facing.

Richard VanderKlok stated that the special use standard already requires that it shall be shielded to reduce glare and shall be so arranged and maintained as to direct the light away from adjacent property.

Tim Smit said that he appreciated the input from the people and their concern is for safety. He said that he understands that fair week is a busy week and the Planning Commission listens to the comments and takes them into consideration.

Tom Healy said that he supports the motion and it seems that although the residents have concerns about traffic issues and volume, the solution is either no fair or add paved roads.

MOTION CARRIED UNANIMOUSLY.

#190904-04 – (REZ1904) Ordinance 2019-05, Food Truck Ordinance

The Assistant Manager presented a [staff report](#).

The chairman opened the public hearing.

There were public comments.

The chairman closed the public hearing.

Moved by Richard VanderKlok, seconded by Jessica Ulberg, to recommend to the Township Board to approve the resolution as presented.

GEORGETOWN CHARTER TOWNSHIP
OTTAWA COUNTY, MICHIGAN
(Ordinance No. 2019-05)

At a regular meeting of the Township Board for the Charter Township of Georgetown, held at the Township Offices on _____, 2019, the following Ordinance/ordinance amendment was offered for adoption by Township Board Member _____, and was seconded by Township Board Member _____, and to adopt the [staff report](#) as finding of fact, and upon recommendation from the Planning Commission:

AN ORDINANCE TO AMEND THE GEORGETOWN CHARTER TOWNSHIP
ZONING ORDINANCE CHAPTER 3

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

Article I. The Georgetown Charter Township Zoning Ordinance, as amended, is hereby amended to revise Chapter 3:

3.25 Temporary Uses or Structures Requiring Zoning Administrator Authorization

C. Mobile food vending.

- (1) The Zoning Administrator, upon receiving an application, may issue a permit for the temporary use of mobile food vending in the OS, NS, CS, and I districts, including PUDs with non-residential components, with written permission of the property owner, unless on public property with approval by the Township Superintendent.
- (2) In considering a request for a temporary permit, the Zoning Administrator must determine that the operation of such a use is seasonal in nature and will not be established as a permanent use.
- (3) Each permit shall be valid for a period of not more than seventy-two (72) consecutive hours in a seven (7) day period. A maximum of 26 permits are allowed per property in a calendar year with a maximum of 3 mobile vending units per permit.
- (4) Each mobile food vending unit shall be parked in a paved parking lot, using only spaces that are not required for another use, and shall not be parked in any road right of way. There shall be sufficient paved ingress and egress. The unit shall meet all setback requirements for the principal building/use.

- (5) There shall be no outdoor storage. All rubbish and litter stemming from the mobile food vending operation shall be removed from the property after each day that the mobile food vending unit is in operation.

~~(C)~~ **(D)** In considering authorization for all temporary uses or structures, the Zoning Administrator shall consider the following standards:

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

Article III. Severability. In the event that any one or more sections, provisions, phrases, or words of this Ordinance/ordinance amendment shall be found to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity shall not affect the validity or the enforceability of the remaining sections, provisions, phrases, or other words of this Ordinance/ordinance amendment, and the balance of this Ordinance/ordinance amendment shall remain unchanged and in full force and effect.

Article IV. Effective Date. This Ordinance/ordinance amendment shall become effective upon the expiration of seven (7) days after the date that this Ordinance/ordinance amendment or a summary thereof appears in the newspaper as provided by law.

The vote in favor of this Ordinance/ordinance amendment was as follows:

YEAS:

NAYS:

ABSENT/ABSTAIN:

ORDINANCE/ORDINANCE AMENDMENT DECLARED ADOPTED.

CERTIFICATION

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

Respectfully submitted,

By _____
Richard VanderKlok
Georgetown Charter Township Clerk

MOTION CARRIED UNANIMOUSLY

#190904-05 – Other Business

#190904-06 – Adjournment

The meeting was adjourned at 8:00 p.m.