

GOLDEN TOWNSHIP PLANNING COMMISSION REGULAR MEETING MINUTES November 30, 2021

Meeting called to order at 7:30 P.M. by Chairperson Coker, Pledge of Allegiance recited.

1. Roll Call: Present; Beaudoin, Terryn, Kramer, Kolenda, Whelpley, Coker, Dykstra, Rob Draper, Zoning Administrator. Absent; None. Members of the public: 13

Agenda Approval: Motion by Beaudoin to approve the agenda as presented. Supported by Kramer, voice vote, all ayes, motion carried.

Approval of the Minutes of the October 26, 2021 Meeting: Motion by Kramer to approve the minutes of the October 26, 2021 meeting as presented. Supported by, Dykstra, voice vote, all ayes motion carried.

Public Comment: None

Correspondence: None

Zoning Administrator Report: 97 Zoning Permits issued to date, 24 new dwellings

New Business:

- a. Public Hearing for Red Cabin Properties PUD
 1. Open the Public Hearing: Motion by Kolenda to open the public hearing. Supported by Kramer, voice vote, all ayes, motion carried.
 2. Zoning Administrator Presentation: Draper explained the application is for a Planned Unit Development Rezoning on Parcels 64-006-027-100-10, 64-006-027-100-11, and 64-006-027-100-12. Proposal is for a wedding venue use.
 3. Mr. Muccio detailed a plan for weddings, reunions, business conferences, and other uses of that nature to be conducted on the properties. Large tents and port-a potties will be used. If warranted by growth, at a later date, buildings will be constructed. The dwelling on site is currently rented as a Short-Term Rental. There are parking areas available for 74-79 cars. There will be an on-site manager for all activities. Capacity will be limited to 150 persons. Liquor will be allowed, 10:00 curfew and midnight exit will be required of all persons not staying on the property.
 4. Correspondence: 3 letters opposed were received from Wayne Mason, Jill Campbell Mason, and Don & Joann Ricks. All read and placed on file. None in favor received. Public Comment: Pro None. Con: Wayne Mason

recapped his letter of opposition. Jill Campbell Mason concerns are noise and the violations of the deed covenants about view, buildings.

5. Rebuttal: Val Du Lakes over the years has had concerts, Hippie Fest, and other loud outdoor activities. This use would be no worse than that.
6. Zoning Administrator Remarks: Parking will be adequate.
7. Motion by Kolenda to close the Public Hearing. Supported by Terry, voice vote, all ayes, motion carried.
8. Deliberation: Kolenda questioned about food service approval from District #10 Health, precautions to control liquor use on-site, lighting, controlling crowd size. Answers were incomplete. Whelpley stated the covenants should be considered, even though the township doesn't have authority to enforce them. Beaudoin is concerned about noise and crowds near the residential uses nearby.

PUD Approval Standards

Find of Fact

1. Use or uses established in a proposed PUD shall be consistent with the township's Master Plan & its Zoning Ordinance. The type of development authorized by the PUD zoning will be consistent with the intent and purpose of the Master Plan, as well as the intent and purpose of the underlying zoning district in which the PUD is located. Motion by Whelpley this PUD will not comply with this standard. The commercial use on this small parcel is not compatible with the AR zoning intent for residential uses. Supported by Kramer, voice vote, all ayes, motion carried.

Will Comply Will Not Comply

2. The proposed PUD will create a recognizable & substantial benefit. The granting of the PUD zoning will result in a recognizable and substantial benefit to the users of the PUD and the township. Such benefits would not likely be realized if the PUD was not granted. Motion by Kramer the PUD will not comply with this standard. No substantial benefit to the township was shown or stated. Supported by Dykstra, voice vote, all ayes, motion carried.

Will Comply Will Not Comply

3. The proposed PUD will not burden public roads, facilities, utilities & services. The use or uses established in the PUD will not result in a material burden on police and fire services, nor on other public services or facilities. Motion by Whelpley the PUD will comply with this standard. No burden on services was found. Supported by Kramer, voice vote, all ayes, motion carried.

Will Comply Will Not Comply

4. The proposed PUD will not materially impact use and development of surrounding property.

The use or uses established in the PUD will not diminish the opportunity for surrounding property owners to use and develop their property as zoned. Motion by Kolenda the PUD will not comply with this standard. The commercial non-residential uses will detract from the residential atmosphere of the neighboring properties. Supported by Dykstra, voice vote, all ayes, motion carried.

Will Comply__ Will Not Comply_X__

5. Single ownership or control required.

The proposed PUD is under single ownership or control. A single person or entity has responsibility for completing the project in conformity with the approved site plan and any conditions of approval. Motion by Whelpley the PUD will comply with this standard. Supported by Kolenda, voice vote, all ayes, motion carried.

Will Comply_X_ Will Not Comply____

6. Incorporation of natural features & environmental amenities required.

Natural features, including watercourses, natural and artificial drainageways, wetlands, floodplains, sand dune areas, lakes, ponds, stands of trees, etc., shall be substantially incorporated into the design and construction of the PUD. The PUD shall be designed so as to require minimal disturbance of the natural topography. Motion by Kolenda the PUD will comply with standard. Supported by Dykstra, voice vote, all ayes, motion carried.

Will Comply_X_ Will Not Comply ____

7. Completion of construction of buildings & improvements.

Buildings and improvements must be completed prior to use and occupancy unless such use and occupancy will not impair the health safety and general welfare of the users or occupants of the PUD, and the users and occupants of adjoining property. The Planning Commission may establish conditions applicable to the completion of building and other improvements. Motion by Kramer the PUD will comply with this standard. Supported by Dykstra, voice vote, all ayes, motion carried.

Will Comply_X_ Will Not Comply ____

8. Performance guarantees.

The Planning Commission may require a performance guarantee cash, certified check, irrevocable bank letter of credit, or other surety) covering the estimated cost of completing the improvements within the PUD. For purposes of this subsection, the term "improvements" means features including roadways, lighting, utilities, sidewalks, storm drainage facilities, screening, and the like deemed by the Planning Commission as reasonably necessary to protect the health, safety, and welfare of the residents of the township and future users or inhabitants

of the proposed PUD. Improvements do not include the entire PUD. Motion by Whelpley the PUD will comply with this standard. No Performance guarantees are needed. Supported by Dykstra, voice vote, all ayes, motion carried.

Needed ____ Not Needed X

Motion by Whelpley to recommend to the township board to deny approval for the Red Cabin Retreat PUD on Parcels 64-006-027-100-10, 64-006-027-100-11, and 64-006-027-100-12 because three of the PUD approval standards are not complied with. Supported by Kramer, voice vote, all ayes, motion carried.

Old Business: None

Ordinance Amendments & Other Reports:

- a. Create a committee for Zoning Ordinance amendments: Coker appointed Whelpley, Dykstra, and Kramer to a committee to work on the Zoning Ordinance amendments presented at the October 26, 2021 meeting.
- b. December meeting: motion by Kolenda to cancel the December 29, 2021 meeting. Supported by Dykstra, voice vote all ayes, motion carried.

Adjournment: There being no further business to come before the commission the meeting was adjourned at 8:40 P. M.

Jake Whelpley, Secretary