

GOLDEN TOWNSHIP PLANNING COMMISSION REGULAR MEETING MINUTES April 26, 2022

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

Roll Call: Present; Coker, Beaudoin, Terryn, Kramer, Kolenda, Whelpley, Dykstra, Ed McNeely, Township Attorney, Rob Draper, Zoning Administrator. Absent; None.
Members of the public: 75+

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

Approval of the Minutes of the March 29, 2022 Meeting: Beaudoin stated “legally our minutes must include actions the commission takes. In light of the volume of comments made at the public hearing I request that a copy of the entire meeting video be put in our records.” Motion by Beaudoin to approve the minutes of the March 29, 2022 meeting as presented. Supported by Kolenda, voice vote, all ayes, motion carried.

Public Comment: 15 members of the public commented, all opposed to the approval of Gemini Resorts Special use application. Comments touched on traffic safety, poor location, disruption of businesses operations, peace and quiet, residential property use, wildlife due to noise. This is the wrong place for this type of use. The fact the Approval Standards and Master Plan recommendations aren’t met and other ordinances are violated.

Correspondence: 66 letters associated with the Special Use Permit application for Gemini Resorts, all forwarded to the commission members.

Zoning Administrator Report: 23 Zoning Permits 9 for new homes and 160 Rental Permits issued to date. Violations will be sent in the next month. Next month there will be Site Plan application for new dune vehicle rentals businesses in the R/C zone.

New Business: None

Old Business: Gemini Resorts Special Use Application:

Review of the Site Plan Approval Standards:

1. YES___NO___ N/A__x___ Compliance with Zoning District Regulations
All buildings, structures, uses and improvements shall comply with the regulations and standards established by zoning district regulations, and all other applicable regulations contained in this Ordinance. Motion by Kolenda this condition is

nonapplicable. Supported by Dykstra. Discussion, there are no new buildings or structures. Voice vote, all ayes, motion carried.

2. YES___NO___ N/A__x___ Organization of Elements

All elements of the site plan shall be harmoniously and efficiently organized in relation to topography, the size and type of the lot, the character and use of adjoining property, and the type and size of buildings. The site shall be developed to not impede the orderly development, improvement, and enjoyment of surrounding property. All buildings, structures, and other improvements shall be designed and located to minimize adverse impacts on adjacent and nearby properties. Motion by Kolenda this standard is nonapplicable. Supported by Whelpley. Discussion, this property is landlocked by roads on all sides. Voice vote, all ayes motion carried.

3. YES__x___ NO___ N/A___ Preservation of Natural Features and Natural Landscape

Natural features (woodlots, wetlands, watercourses, ponds, shorelines, attractive vegetation etc.) shall be preserved and protected to the greatest extent possible. Natural features of the landscape shall be incorporated into the design and layout of the site to buffer it from adjacent incompatible land uses, to preserve the character of the surrounding area and community and to control soil erosion and storm water runoff. Motion by Kolenda this standard is met. Supported by Dykstra. Discussion, there are a few trees and a structure being removed but nothing to cause an issue with the natural landscape. Voice vote, all ayes, motion carried.

4. YES___NO___ N/A__x___ Drainage Provision

Special attention shall be given to proper site drainage so that storm water runoff will not affect neighboring properties, or impact area watercourses. Storm water management systems shall be designed in accordance with professionally accepted principles, and shall provide retention or detention basins designed to hold runoff from a 25-year frequency storm event. Discharge of storm water runoff from any site which may contain oil, grease, toxic chemicals, or other hazardous or polluting materials is prohibited unless measures to trap pollutants meet the requirements of the Michigan Department of Environmental Quality, based upon professionally accepted principles. Motion by Kolenda that this standard is nonapplicable. Supported by Dykstra. Discussion, there are no changes in topography. Voice vote, all ayes, motion carried.

5. YES___NO___ N/A__x___ Soil Erosion

Proposed developments or uses shall not result in soil erosion or sedimentation problems. Motion by Kolenda this standard is nonapplicable. Supported by Dykstra. Voice vote, all ayes, motion carried.

6. YES___NO___ N/A__x___ Screening & Buffering

Screening and buffering, in the form of landscape plantings, existing vegetation, screen fences, and the like, may be required at the discretion of the Planning Commission to assure compatibility between a site and adjoining land uses. Motion by Kolenda this condition is nonapplicable. Supported by Dykstra. Discussion, roads separate the land from other uses. Voice vote, all ayes, motion carried.

7. YES NO N/A Emergency Vehicle Access

All buildings, groups of buildings, and uses shall be arranged to allow emergency vehicle access to all improved areas during all seasons of the year under all weather conditions. Motion by Kolenda this condition is met. Supported by Dykstra. Discussion, Driveway provides access to emergency vehicles. Voice vote, all ayes, motion carried.

8. YES NO N/A Pedestrian and Vehicular Circulation

Proposed driveway entrance and exits, parking areas, service drive and other internal circulation routes shall be located and arranged to assure the safety and convenience of pedestrian and vehicular traffic. If proposed by an applicant or required at the discretion of the Planning Commission, or as otherwise provided in this Ordinance, pedestrian and bicycle pathways, shall be insulated as completely as reasonably possible from the vehicular circulation system. Motion by Kolenda this standard is met. Supported by Dykstra. Discussion, Parking and staging is noted and would have to be approved by MDOT. Voice vote, 3 ayes, 4 nays, motion fails.

9. YES NO N/A Compliance with Applicable County, State and Federal Statutes. Motion by Kolenda that this standard is met. Supported by Kramer, voice vote, all ayes, motion carried.

Motion by Kolenda to deny approval of the site plan for Gemini Resorts on Parcel # 64-006-028-100-09. Supported by Beaudoin. Voice vote, all ayes, motion carried.

Review of Special Use approval standards.

1. YES NO N/A The property subject to the application is located in a zoning district in which the proposed special use is allowed by district regulations. Motion by Kolenda that this standard is met. Supported by Kramer discussion, application is for a commercial business in the Resort Commercial zone. Voice vote, all ayes, motion carried.

2. YES NO N/A The special use will comply with any specific standards applicable to it as listed by appropriate zoning district regulations. Motion by Kolenda that this standard is met. Supported by Dykstra, Discussion, property is zoned Resort Commercial, does comply with the district regulations and appropriate zoning. Voice vote, all ayes, motion carried.

3. YES NO N/A The special use will be constructed, operated, and maintained so as to be harmonious with the character of the general vicinity, and will not change the essential character of the area in which it is located. Motion by Kolenda that

this standard is met. Supported by Dykstra. Discussion operations of equipment used is not harmonious with the character of the general vicinity. Voice vote, all ayes, motion carried.

4. YES NO N/A The special use will be consistent with the intent and purpose of the township Master Plan, as well as the intent and purpose of the zoning district in which it is located. Motion by Kolenda that this standard is met. Supported by Dykstra. Discussion, Voice vote, 5 ayes 2 nays, motion carried.

5. YES NO N/A The special use will not result in a material burden on police and fire services, nor on other public services or facilities, and will be adequately served by public services and facilities, or that the applicant will adequately provide any such service or facilities. Motion by Kolenda that this standard is met. Supported by Dykstra. Discussion, use will not create a burden on police or fire services. Voice vote, all ayes, motion carried.

6. YES NO N/A The special use will not create excessive additional public costs and will not be detrimental to the economic welfare of the Township. Motion by Kolenda that this standard is met. Supported by Supported by Dykstra. Voice vote was not detectable, Roll call vote Kolenda, Dykstra ayes, Kramer, Whelpley, Coker Beaudoin, Terryn nays. Motion failed.

7. YES NO N/A The special use will not diminish the opportunity for surrounding property owners to use and develop their property as zoned. Motion by Kolenda that this standard is not met. Supported by Kramer. Discussion, multiple residents and a business owner have expressed their concern on the future of their properties in this zoning district. Voice vote, all ayes, motion carried.

8. YES NO N/A The special use will be designed, constructed, operated and maintained so as not to negatively impact the character of the land uses in the surrounding area. Motion by Kolenda that this standard is not met. Supported by Kramer. Discussion, equipment used will create a nuisance to residential and business owners. Voice vote, all ayes, motion carried.

9. YES NO N/A The special use will not involve activities, processes, materials, or equipment that will create a nuisance for other properties in the vicinity by reason of traffic, noise, smoke, fumes glare, odors, or the accumulation of scrap materials. The special use will not be hazardous or disturbing to existing nearby uses. Motion by Kolenda that this standard is not met. Supported by Dykstra, Discussion, equipment will create nuisances for other property owners in the vicinity and create nearby disturbances. Voice vote, all ayes, motion carried.

10. YES NO N/A The special use will be harmonious and in accordance with the goals and objectives of the Golden Township Master Plan. Motion by Kolenda that this standard is not met. Supported by Kramer. Discussion, 8) Limit areas of

development to places of minimal conflict with residential uses. Voice vote, all ayes, motion carried.

11. YES NO N/A The special use will be consistent with the intent purposes of this Ordinance, and the standards for site plan approval outlined in Chapter 13.11. Motion by Kolenda that this standard is met. Supported by Dykstra, Discussion, compliance with county, state, and federal statutes. Voice vote, all ayes, motion carried.

Beaudoin requested that a late letter from MDOT be placed in the record for this application. Letter was placed in the record.

Motion by Kolenda to deny the Special Use Permit to Gemini Resorts on Parcel # 006-028-100-09. Supported by Dykstra, voice vote, all ayes, motion carried.

Ordinance Amendments & Other Reports:

Subcommittee recommends the following changes to the zoning ordinance.

1. Section 4.12(2) Remove Modular and manufactured and inset Mobile
2. Section 4.16(3) remove Accessory buildings having a floor area of 200 sq. ft. or less, shall be exempt from provisions of the Oceana County Building Code though and insert Accessory buildings comply with the Oceana County Building Codes and.
3. Section 14.4 Remove (not) after newspaper (and not less than five (5)): after 15
4. Section 13.6(b.) remove everything after business. (c)remove Fox Road after the, and everything after right-of-way.
5. Section 9.6 Special Uses add Wedding Venues and Mini Storage units
6. Section 4.42 after District add except those operating as part of an approved Out-Door Gathering Permit in accordance with Golden Township Ordinance #46.

Motion by Whelpley to start the process to amend the ordinance. Supported by Kolenda. Voice vote, all ayes, motion carried.

Adjournment: There being no further business to come before the commission the meeting was adjourned at 8:35 P.M.

Jake Whelpley, Secretary