

Hopkins Township Planning Commission
Minutes Regular Meeting 4/25/2006

Planning Commission Members: Chair Lori Castello; Tadd Heft; Bob Hoffmaster; Richard King; Lee Murray; Chuck Wamhoff; Fred Morley

Members Present: Lori Castello; Tadd Heft; Bob Hoffmaster; Richard King; Lee Murray; Chuck Wamhoff; Fred Morley

Meeting Called to Order at: 7:30 PM Meeting Adjourned at: 9:50 PM

Attendance: See Roster Roster: Attached

Location: Hopkins Township Hall

Business Conducted:

- Meeting called to order at 7:30 PM by Chair Castello.
- The Pledge of Allegiance was recited.
- Role call of Commission members. Attendance as noted above.
- Guests include: Becky Rininger, Allegan County Drain Commissioner and Mark Evans, Township Supervisor.
- A copy of the Agenda is attached.

Agenda Items

Approval of Minutes from March 16, 2006.

MOTION: A motion was made and supported to approve the minutes of the March 16, 2006 meeting. This motion was approved.

Public Hearings

1. Doug and Cindy Jansen Rezoning Request. This request is to rezone parcel 0310-006-014-10 from R-1 to R-2 zoning. The Jansens have previously had a hearing and requested that the hearing renewal fee be refunded.

MOTION: A motion was made and supported to refund the Jansens hearing renewal fee. This motion was approved.

In their Petition, the Jansens stated that if the Petition is approved, they intend to build one residential dwelling.

During this hearing, the Jansens stated that they will not split this property again.

MOTION: A motion was made and supported to approve the rezoning of parcel 0310-006-014-10 to R-2 based on the condition offered by the Jansens in the hearing that the property will not be split again. To further process this rezoning request, the Jansens must submit a written statement contracting with the Township that the parcel will not be split again. This motion was approved.

2. Thomas Stein Rezoning Request. This request is to rezone parcel 0310-004-016-00 from residential R-3 to commercial C-2. Approval of this request will bring the zoning of the parcel into line with its business use.

Mr. Stein was not present for this hearing. After a brief discussion, including a neighbor to the north of the parcel stating that he had questions of Mr. Stein, this hearing was concluded.

MOTION: A motion was made and supported to table further action on Mr. Stein's rezoning request. This motion was approved.

Mark Evans handed out information on the Zoning Enabling Act Workshop Monday May 15 at Grand Valley State's Eberhard Center in Grand Rapids. The Planning and Zoning Center, Michigan State University will present this Workshop. Those involved in planning and zoning can benefit from attendance. Let Mark know if you will attend.

3. Ny-Ko Excavating Request for Class II Special Use Permit, Major Earth Change. This project was discussed at length at this Commission's Special Meeting March 16, 2006. Subsequent to the March 16 meeting, the petitioner's representative submitted a written response to the questions raised at that meeting. These Q & As were presented at this hearing.

The original Petition was for sand mining 10 acres. The present request is for mining 3.5 acres. Additional acreage would be requested in the future, as needed.

After the opening presentation, the floor was opened for comment and expressions of concern from the public and this Commission. Concerns and comments were expressed about the following: traffic; number of trucks; noise; damage to the road; policing the operation; drying up water wells; proximity to the Rabbit River; Department of Environmental Quality regulations; number of years the site would be operated; dust; fencing; steep slopes; depth of excavation; ditch dug along the west property line; wetland drainage; sinkholes; the need to retain farmland; area to be opened to excavation at any time; hours, days and months of operation; truck loading time; and bonding.

Becky Rininger, Allegan County Drain Commissioner, questioned the drain easement on the property.

These comments and concerns were addressed by the petitioner and others, and/or were included in the conditions contained in the Special Use Permit.

MOTION: A motion was made and supported to approve this Special Use with the following conditions: a bond of \$5325 will be furnished; the approach to 135TH Avenue will be improved as indicated on the plan; the material mined will be used for Ny-Ko Excavating's own projects, and will not be sold to others, or otherwise distributed; the hours of operation will be between 7:00 am and 6:00 pm, Monday through Friday with no operations on Saturday or Sunday; the operation will be in accordance with the plans submitted and dated February 2006 and April 2006, Sheets C1 and C2; trees will not be disturbed; the open area of excavation will not exceed 2000 square feet at any time; and the maximum depth of excavation will be 11 feet. The following is the roll call vote result: Wamhoff-No; Hoffmaster-No; King-Yes; Castello-Yes; Heft-Yes; Morley-Yes; Murray-Yes. This motion was approved, 5 yes, 2 no.

4. James and Joelyn Finkbeiner Rezoning Request. This request is to rezone parcels 0310-032-012-00 and 0310-032-013-00 from Agricultural to R1-A, to create a new parcel. This property is one mile south of Hopkins, near the intersection of 126TH Avenue and 22ND

Street. The Petitioner wants to sell 10 acres and give acreage to their children. The property is wet much of the time. It is currently leased for horses.

Rezoning to residential would be spot zoning and not conform to the existing Master Land Use Plan.

After further discussion, the Petitioner changed their request to rezoning to R-1, not R-1A.

MOTION: A motion was made and supported to approve the rezoning of parcels 0310-032-012-00 and 0310-032-013-00 from Agricultural to R-1, to create a new parcel. This motion was approved.

The next meeting of this Commission is tentatively scheduled for May 23, 2006.

The meeting adjourned at 9:50 PM.

Submitted:

Fred Morley, Secretary
Hopkins Township Planning Commission