

**Courtland Township  
Planning Commission  
October 17, 2006**

The Courtland Township Planning Commission meeting was called to order at 7:00 PM by Chairman McConnon

**Roll Call:** Moeggenberg, McConnon, Davis, Wood and McAvoy

**Absent:** none

**Also Present:** Township Attorney Jim Scales, Township Engineer Chad Sosnowski and Zoning Administrator Frank Buckley

**Approval of the Agenda:**

Davis made a motion to approve the agenda, Wood seconded the motion. All ayes, the motion carried and the agenda was approved.

**Approval of the Minutes:**

Wood made a motion to approve the minutes of September 19, 2006. Moeggenberg seconded the motion. All ayes, the motion carried, minutes were approved.

**Public Comments:** None

**Old Business:**

**Public Hearing:**

**Sketch Plan review for Hidden Shores:** (Approximate location 8715 Whittall, Rockford, MI)

Representative Doug Stalsonburg, P.E. of Exxcel Engineering, presented the site plan to the public. The plan shows 123 acres of property to be developed as a P.U.D. (Planned Unit Development). He described what consists as a P.U.D to the public. It would consist of a 33 acre lake designed for water skiing with two bays separated by a walking trail. The plan includes 23 single family homes. The minimum lot size is 1.2 acres and would have 63% open space which would include the lake, (with out the lake, the open space would be 36%). Mr. Stalsonburg presented a narrative regarding the Special Land Use for Mining of Natural Resources (copy in file), and he reviewed more of the soil boring status. The proposed Public Streets layouts have already been tentatively approved and will be maintained by the Kent County Road Commission, (K.C.R.C.). The plan would include excavating one lake at a time (Phase 1 and then Phase 2). He said the Department of Environmental Quality (D.E.Q.) are the ones in charge of the wetlands and as for the digging of the lakes, it will be subject to their approval. He also spoke of the potential large amount of soil that will have to be removed on Phase 2. He is projecting that with Phase 1, (which will be the Easterly portion of the project it would be a cut-and-fill basis, therefore, no removal of the soil from the site). And when Phase 2 comes into play, it will require the Special Land Use for mining of minerals which would be the removal of the soil, adding, there are ways for him to minimize the amount of soil to be removed. They are planning on all utilities to be under ground. Applicant proposes a community drainfield for half of the development and individual septic systems for the other half. The development

will also have an Association which will be created by the owners. They have not contacted the Kent County Drain Commission (KCDC), but if and when they need approval from them they will be sure to contact them. As for the Kent County Health Department (KCHD), they have received a verbal approval for the 18 soil borings that they performed.

Larry Austin of Aqua Tech Inc. presented to the board a full hydrological report of his study (complete study in file). He gave the public a summarized overall review of his findings.

Chairman McConnon stated that all three of the Public Hearings will be covered as a single hearing.

Davis made a motion to open the Public Hearing at 7:25 PM. Moeggenberg seconded the motion.

#### Public Comments:

Bob Kruse of 8705 Peterson, Rockford, MI commented on his concerns about the affect on the ground water. He also questioned whether or not both the Developer and the Hydrological Study companies have the right qualifications to make these kinds of plans. Later on in the meeting, Mr. Kruse said this type of project is out of character for Courtland Township, it would not be an equal balance with surrounding properties and he wouldn't like to see this type of project set a precedent for the future.

Larry Austin of Aqua Tech explained that he had examined various areas within a 4 square mile radius, along with 5 wells outside of the parameters of the proposed lakes and there was consistent ground water flow and ground water elevation.

Mary Falk of 8902 Whittall, Rockford, MI claimed she has seen the water level very high at times and stated her concern about the water level effects on her property. And not only her property, but what about the effects on surrounding lake levels. She questioned if there was any intent to pump water in to fill the proposed lakes. Later on in the meeting she asked how long would the project take, and added she's not sure this is a good idea and still has some serious concerns about the project.

Mats Hjelm of 8795 Peterson, Rockford, MI asked if the path would be open to the public. He also asked later on in the meeting if there would be another Public Hearing and said he thought the wetland Open Space was a very commendable part of the project. Also, he would like to see some sort of berm placed along Whittall.

Herbert Hagenow of 8455 Peterson, Rockford, MI stated he farms just east of the proposed site and wondered if they got 2 to 3 inches of rain, would the overflow from the lakes drain into Beaver Dam Creek. Later on in the meeting, he said he always felt the same as a lot of people in the room, "not in my back yard", and now he hears the same thing, but he stated he feels that this project has some good potential and what's wrong with another lake out in the area where there are a lot of wetlands already.

In response to the questions at this point, Doug Stalsonburg said the walking path would not be available for public use. He added that before there would be any major effects on surrounding properties, the KCDC would be involved and the Planning Commission could easily put a stipulation on the approval of the project to protect the surrounding areas.

Larry Austin said even if they were to get as much as 6 inches of rainfall, the lakes would hold a

tremendous amount of water before they would run off. And as for property drainage, any run off from the site would run directly into the lake.

Township Engineer Chad Sosnowski stated adequate storage for storm events will be provided to minimize any overflow events. He also presented a copy of a letter from himself to the Township Zoning Administrator, Frank Buckley (letter in file). The letter was reviewed by the Planning Commission and it states the Hydrological report that was prepared by Larry Austin of Aqua Tech was reviewed by Chad Sosnowski and in Chad's letter he made several recommendations regarding the study and the recommendations would have to be met by Courtland Township, Kent County and the State of Michigan.

LuAnn Cormier of 9750 Parmeter, Rockford, MI stated her various concerns, if the housing were big expensive homes, would it affect her property taxes, she also questioned the parameters of the development mostly wondered about the timing of the project and noise levels.

Township Attorney Scales responded taxes are only increased by the rate of inflation, the surrounding housing does not raise your property tax dollars.

Bill Thompson of 10021 Young Avenue, Rockford, MI questioned where they would go to get the water to fill up the lakes. He stated his concerns with the underground water flow that it will flow directly from Stoner Lake and his water table level of the Lake will be lowered.

Township Engineer Chad Sosnowski indicated that from the data provided by the applicant the impact of the water flow will be in areas approximately 400' to 500' to the south and as much as 1000 feet to the west, not all the way from the Stoner Lake area.

Bernie Vlaming of 8980 Peterson, Rockford, MI asked if the Association would allow jet skis, would there be berming to help with the noise levels, would this project affect the clean ground water, with the mining operation, what about the wear and tear on the roads when it comes time to remove all the dirt, would the developer be able to encroach further back into the wetlands and what would be the hours of operation.

Chad mentioned the Developer's have not contacted the DEQ to apply for the necessary permits and he, as well as the Planning Commission have a lot of the same questions.

Dan and Carol Quick of 9101 Whittall, Rockford, MI sent a letter of opposition to the Planning Commission (letter in file). She stated her opposing the entire project and Dan Quick said his well is very deep and he hopes the Planning Commission takes a good hard look at this project before they approve it.

Tim Drayton of 8600 Courtland Drive, Rockford, MI, mentioned his concern about the affect this project would have on the wildlife. He added if the project were to be approved, he would like to see a definite set of rules, similar to no skiing after dark along with the addition of some type of burning.

Gary Fowle of 9151 Whittall, Rockford, MI said he has been on a lot of lakes and wondered if others could use it.

Scott Eggleston (one of the partners who is working with the developers), acknowledged the Porter's and the Planning Commission for their hard work and thanked them. He addressed the public by saying, if the Porter's could farm the area of interest, they would farm it, but it is just

too much wetland to work with. He said he has been looking for a site like this for 12 years. There would absolutely be no jet skis allowed on the lake, only ski boats. The ski boats are engineered to be extremely quiet. There will be no lights, no after hours skiing, only skiing from sunup to sundown, no personal watercraft. The bi-laws will be much regimented. The project is private, you will not be able to use it unless you are an owner or you are with an owner. The lakes are used about 15% of the time. There will be no loud competition or any organized events, and that language will be included in the bi-laws. At this time we are looking at constructing the project in Phases. If the owners were to under sale by 50%, there won't even be a Phase 2. He said they would like to begin construction in the Spring of 2007 and complete Phase 1 by the end of next year. He also stated they are not looking at large monster homes.

Henry Greeb of 5727 11 Mile Rd., Rockford, MI told the Planning Commission if they go ahead and approve this project, they need to develop a sound resolution within the Township's Ordinances and put restrictions that they need to stick by.

Bill Ruhf of 8633 Peterson NE, Rockford, MI strongly stated he is extremely opposed to this development. He questioned both the Developer and the Hydrological Expert if they even looked at the studies of the Allendale Ski Lake Project and if they did, did they do the same type of studies here. He questioned how many of the Allendale lots were sold. He said he felt the Planning Commission should have done their homework, but failed to do so. He claimed there will be some severe ramifications with the water table level if they approve this project.

Member Wood told the audience, no decision has been made by anyone at this time, we are all here to hear what the developers and what the residents have to say.

Becky Coutchie of 8758 Peterson Street, Rockford, MI claimed that in the 1.5 years of the Allendale project only 7 lots were sold.

Michelle Brickey of 10253 Peterson, Rockford, MI said she is very concerned about the rules being broken and with the speeds of the boats going so fast, someone could get hurt.

Sue Oaks of 8810 Peterson, Rockford, MI claimed the same type of situation happened to her Aunt with the flow of ground water and her Aunt is now on her 3<sup>rd</sup> well.

Greg Heskel of 8467 Whittall, Rockford, MI said Chuck Porter is a good Steward of the land and the project which has been presented is a class act project.

No further public comments.

Davis made a motion to close the Public Hearing at 9:15 PM and the motion was seconded by Wood.

**Public Hearing Closed:**

Township Attorney Jim Scales informed the Planning Commission if the developers received a Special Land Use for the processing of mineral mining, the approval would only be good for one year.

Chairman McConnon questioned on the mineral extraction of Phase 1.

Mr. Stalsonburg asked if the Planning Commission were to approve the Special Land Use for mining of minerals to remove the soil, could he get an extension on the approval.

McAvoy questioned the impact of changing the water table when the lakes are filled and asked what effect would it have on the surrounding wells along Whittall, and what about their water supply.

Larry Austin of Aqua Tech stated the majority of the wells are down deeper than 30 feet and there is minimum depth in the wells along Whittall and to the south. He claimed the water level for the wells may only be affected by maybe 2 to 3 feet. He added they have done at least 10 studies for excavated lakes in Ottawa County and they have reported relatively little change if any.

Township Engineer Chad Sosnowski said it was requested for the wells in the general area be monitored for quite a length of time and if during the monitoring they didn't detect any changes and there was no impact on the ground water elevation then that would indicate there maybe little impact on the surrounding wells. As for the monitoring, they would put wells on the edge of close properties and they would mostly concentrate on the shallow wells.

Davis questioned whether or not the group had looked elsewhere for a place to construct this type of development. He also asked where they would get the 129,000,000 gallons of water to fill the lakes and where the water would come from.

Larry Austin of Aqua Tech replied the water will flow from the West until the lake fills up and he estimates it would take approximately one season for that to happen. Mr. Austin explained to the Planning Commission, how the lake would fill.

Davis stated that other lakes in the Township are all hooked up to the sewer and asked if that was a consideration.

Doug Stalsonburg responded by saying, on this particular project, the lots are all quite small and there is plenty of room for a drain field.

Davis asked the developer, what if the project gets started and the hole for the lake is dug and the water doesn't fill the whole and the whole project doesn't work as proposed, who is going to clean up the mess.

Scott Ellis stated it most likely won't happen because the water level is already there and it will fill up the hole for the lake. Furthermore, he has looked in other areas, but has not found any place that is this good.

Township Engineer Chad Sosnowski informed the Planning Commission based on the data submitted by the applicant the water is there and it should fill up. He also reported he is working closely with Larry Austin from Aqua Tech to see how high the water will rise.

Wood asked the P.C. if it would make sense for them to consider an approval for only Phase 1 for now or maybe they could put some type of stipulation into an approval for one phase at a time.

Doug Stalsonburg there would still have to be further discussion in regards to Phase 2 for the removal of sand because the Special Land Use would only be good for one year.

Davis asked what their intentions are with the overhead power lines along Whittall.

Doug Stalsonburg said the lines would all be underground.

Larry Austin said the KCDC and the DEQ have already been on site and at this time they are have preliminary discussions on the ground water flow from Stoner Lake.

Township Zoning Administrator Frank Buckley questioned whether or not they would have a 1 and 4 cut along Whittall, and how deep is the lake going to be on the edge (for safety purposes)

Doug Stalsonburg stated the first 2 feet depth will be 24 feet out into the lakes. He also asked the board that in order to facilitate the project, would it be possible to hold a special work session or possibly create a committee to work on this project so that going through the process of it he could change some items on the plan as they occurred. Then, the results could be subject to a DEQ permit, and he would like to have them involved soon because they will have a lot of say on the project as it progresses.

Upon open discussion from the Planning Commission members, it was unanimous that they all needed more time to absorb the information presented to them that day and evening of the October 17<sup>th</sup> Public Hearing.

Member Wood made a motion to table any action on the Plan, because of the Public Hearing due to the fact they all need more time to absorb tonight's information and an understanding that Larry Austin and Chad Sosnowski will work together to answer issues on the engineering part of the project. McAvoy seconded the motion. All ayes, the motion carried. The Plan tabled to the November meeting.

#### **Zoning Administrator Report:**

Frank Buckley handed out drafts of the newly revised Master Plan and 2 memo's re: their Master Plan status, 1 from Spencer Township and 1 from Oakfield (materials in file).

#### **Township Attorney Report:**

No report.

#### **Township Board Representative Report:**

Davis reported the Township Board has requested that William and Works prepare a comparative Master Plan for the new changes that were made.

#### **Zoning Board of Appeals Report:**

Moeggenberg reported the ZBA had 2 variance requests', both of the requests were approved.

#### **Adjournment:**

Member Davis made a motion to adjourn the meeting. McAvoy seconded the motion. All ayes. The motion carried. Meeting was adjourned at 10:05 PM.

Respectfully Submitted,

Kym Steffes,  
Recording Secretary