Courtland Township Planning Commission

Minutes

October 17, 2023

1. **Pledge of Allegiance and Roll Call:** Wood, Pfeifer, Miedema, McIntyre, and Moore were all present. Also present was Attorney Jim Scales, Zoning Administrator Colleen Brown, and approximately 25 members of the public.
2. **Agenda: Motion to approve as presented by McIntyre. The motion was supported by Pfeifer and carried 5-0.**
3. **Minutes from 9-19-2023: Motion to approve as presented by McIntyre. The motion was supported by Pfeifer and carried 5-0.**
4. **Public Comments for Items not on the Agenda: None.**
5. **Public Hearings:**
   1. **Braeside Holdings LLC – Proposed PUD (Braeside Estates Phase 3).** Attorney Scales provided an overview. 46 single-family units are proposed immediately to the west of Braeside Phases 1 and 2. This is a subdivision. The PUD allows for smaller lots with preserved open space. The plan shown tonight is essentially the same as what we looked at last month. The plan meets the objective standards for PUDs. The Board adopted the change in the zoning ordinance text that allows lot width to narrow to the rear of the lot. Also, the street is too long per the Zoning Ordinance but that can be waived. The Township Fire Chief does not have a concern with the street length. There has been PFAS detected on the site that should be reviewed by the Planning Commission.

Township Engineer Kevin Gritters from Prein and Newhof reviewed a memo he provided to the Planning Commission. The Kent County Health Department has jurisdiction over well permitting. EGLE is still investigating and is finding PFAS in wells to the west and north of the site. When people apply for individual wells, the County consults with the state and eventually decides to permit them (or not permit them). Sometimes the well permits come with specific requirements for casing. They did not give us any indication regarding whether or not the wells would be permitted. PFAS detection is generally found in the upper aquifer and usually in the sandy soils, mostly off the property to the north and the west. There are filtration systems that can be installed in new houses to prevent people from being exposed to it in their drinking water.

Applicant Mike Berg reviewed the project. They have drilled over 200 test wells to identify soils and are confident that the KCHD would approve the drain fields. They are proposing walkouts and daylight basements, which would require 100-120 feet on each side of the street. He reviewed the clearing limits and stated where trees would be preserved and what areas would be cleared.

Chairman Wood opened the public hearing at 7:24 PM.

1. Chris Hekman 5615 Courtland Meadows. Asked which direction the PFAS plumes were heading. Berg stated that it is moving northwest of this site. Also asked about their other projects. Also asked if they were public or private streets. Wood stated they were public streets, which is what is preferred by the Township.
2. Krista Grzeszak 10449 Courtland Drive Wondering why it is not implemented all in one phase? Berg stated it is financially burdensome to do all 46 sites at one time concerning the infrastructure.
3. Chris Hekman asked why they wouldn’t do the project in one phase? Berg stated that it’s more economical to do this on two phases.
4. A letter was received, placed on file and asked to be made part of the minutes from Mary Ann Andersen on October 8 expressing concern over developments occurring in the Township that are near sewer systems, but without any language in the zoning ordinance to incentivize hookups.

Wood closed the public hearing at 7:28 PM.

Scales reviewed the process for platting and how that works with tentative preliminary plat approval and preliminary PUD approval. This is the same process as what occurred to the east of this project a few years ago.

Moore asked Gritters about EGLE’s concern over PFAS contamination in the deeper aquifer by drilling, and asked Berg about the limits of clearing to verify that trees outside of the lot boundaries would not be removed. Berg estimated that there would be about 100 feet between the south property line and the boundary of the project that would remain wooded.

Wood asked if there were deed notifications or restrictions to disclose that PFAS is on the site? Scales said that is done sometimes. Berg felt that would be a requirement when recording the plat.

Scales reviewed the approving resolution. There were a few minor adjustments made with respect to native, non-nuisance tree removal, site grading/tree removal, and off-site soil removal.

**Motion to approve the amended approving resolution by Miedema, supported by Pfeifer. Motion carried 5-0.**

* 1. **Kle-Mac Farms LLC – Proposed PUD (10280 Courtland Drive).** At this time Kim McIntyre recused herself due to a conflict of interest.Scales provided an overview of the project. They are seeking PUD approval with a cluster option on land located between Courtland and Tefft, north of 12 Mile Road. The project consists of 75 lots on 171 acres developed in three phases (7 lots, 33 lots, and 35 lots). The project has more than 40% open space and meets the specific objective standards of the zoning ordinance. It is proposed to have public streets. Sidewalks are not proposed.

Kevin Gritters reviewed his memo. There is not a lot of detail on the plan at this point but he did not see any “deal breaker” items. They are providing drainage in swales and roadside ditches which are not always effective because follow-up maintenance is required and to be kept clean to continue to perform as built.

Engineer Dan Hula and Arn McIntyre representing Kle-Mac Farms LLC reviewed the project, the number of units, the test plan, the drainage plan, wetlands, etc. Wood asked how they justify the extra lots since the parallel plan contains 70 lots and the project contains 75. Hula stated that the density is a benefit, and the open space for the community is also a benefit. Moore also questioned if the extra density is really a public benefit as the extra lots could simply be removed and even more open space could be preserved on the site.

Wood opened the public hearing at 8:49 PM.

1. Tony Henges 10222 Tefft. Question on aquifers (upper vs lower) and if there will be a requirement on well depth? Do they do a hydrologic study to determine if there is enough water to supply all these houses? Will that affect any nearby PFAS plumes or pull the plume toward the development? McIntyre said there is no PFAS on the site.
2. Chris Hekman 5615 Courtland Meadows. Concerns with density and the amount of traffic funneling out of two exits. Hula stated that standard tapers are all that is required. They have run this design past the Road Commission already and they liked the design. Hekman disputed that this would be a good idea. Hula explained that they would be draining water into the detention basin.
3. Katie Scheffler 5945 12 Mile. Question on where all the displaced water will go.
4. Krista Grzeszak 10449 Courtland Dr. Question on the houses with frontage on Courtland Drive, if they will be set back from the road or closer to the road.
5. Steve Despres 11094 Tefft. Concern over traffic at 12 Mile and Courtland and 13 Mile and Courtland. Traffic there will be a nightmare and there will be more accidents.
6. Justin Obermeyer 10170 Courtland. Question on parallel plan and wetland areas. Questioned if the parallel plan is feasible on the site. Could they really get 70 lots on the site if they built the parallel plan?
7. Chad Simkins 10555 Courtland Drive. Asked if this was already approved. Also questioned if this maintains the rural feel. There are a lot of homes right up on the road. This does not preserve the rural look and feel. Contrast that with something like Russett Vista on Myers Lake Ave, which is set way back off the road.
8. Brenda Hayes 5875 12 Mile Road. Stated that they were told by Jim McIntyre that there was a 99-year lease on the property and that would never be developed so this is disappointing. How much of the tree line will be preserved? McIntyre stated that they are trying to develop this as responsibly as possible.
9. Anne McIntyre Harrington. She is one of the owners and didn’t want to develop the land at first. However, she thinks it will be a beautiful project. They want to be responsible with the land.
10. Russ Williams 5833 12 Mile Rd. Asked about drainage on the largest detention basin. McIntyre stated that the entire project is still designed to maintain the current runoff. Williams asked about the open space? Could it be developed further after that? Wood said no.
11. Chad Simkins 10555 Courtland Drive. Concerned about the northerly entrance and the speed of traffic on this street. Thought that the two lots where the northerly entrance meets Courtland Drive should be sacrificed for safety purposes.
12. Chris Hekman 5165 Courtland Meadows. Question on process and if the PC can make changes to the plan. Are the developers willing to make some changes for the property owners to the north on Courtland Meadows? Concerned about design and rural character and traffic impact.
13. Kim McIntyre 9571 Courtland Dr. Stated that the roads in the development will be public roads and everyone will be able to walk on them. Asked Hula to explain the difference between detention and retention pond. The basin to the north adjacent to Courtland Meadows is a detention basin and will drain pretty quickly.
14. Bruce Williams 5830 12 Mile Road. Question on open space. What if people don’t maintain the open space?
15. Krista Grzeszak 10449 Courtland Dr. Question on how it will affect the school district? Parkside is pretty full right now and adding more kids will make it more cramped. Will people in other areas be subject to any of the rules of the development? She was also told this would be in a trust and wasn’t developable.
16. Tony Henges 10222 Tefft. Traffic is crazy. No matter which way you go traffic will be bad. Things are quiet and this might be changing. How could they farm the open space? What do they envision for open space?
17. The following visits/phone inquiries were made regarding the development at Township Hall:
    1. Karen Mackell of 10196 Tefft, who was happy with the proposal.
    2. Kathryn Scheffler 5945 12 Mile Road
    3. Jennifer Hunter of 10465 Courtland Drive, who was not excited about the idea of a subdivision in her backyard.
    4. B. Hayes of 5875 12 Mile Road
    5. Joelle Truszkowski, 10355 Tefft, who was concerned with preserving as much of it as possible and still being able to get as much worth out of it as possible. Likes the open space concept.

McIntyre also stated that they are not planning on any streetlights in the project.

Henges asked if the cul-de-sac design was okay with the fire department?

There was a question about whether the PC could approve fewer lots.

Hekman stated that he was under the impression that Courtland Hills was developed to minimize traffic and create as large of a contiguous open space as possible.

Another resident felt that one of the driveways should be on Tefft instead of Courtland Dr.

**Wood Closed the public hearing at 9:48 PM.**

Miedema thinks there is a lot to think about.

Wood wants Gritters to review the traffic situation with the applicant’s engineer and the County. Also wants more information on the benefit to the Township for exceeding the number of lots on the parallel plan. Also, the additional homesites on the road. Moore stated that he wasn’t convinced that this project was a good idea given the language in the Master Plan. He felt that the project didn’t preserve the rural character that much but appreciated the applicant’s attempts to follow the natural contours of the land and preserve open space. He agreed with Wood on the extra lots (exceeding what is shown on the parallel plan) needing justification, as he was not persuaded by the applicant’s response to that.

**Motion by Miedema to table for a month, and ask the engineer to review the issues involved, and have the applicant submit additional information on the extra lots shown on the parallel plan and how they will address the issues with respect to the houses on Courtland Drive. The motion was supported by Pfeifer and carried 4-0.**

At this point in time, Kim McIntyre rejoined the meeting.

1. **Old Business**
   1. **Master Plan Update.** Williams & Works provided a draft Master Plan document. The Commissioners will review it and offer comments at the next meeting.
2. **Zoning Administrator Report**. Brown reported that there is a rezoning coming up for a property near the corner of 14 Mile Court and Northland Drive.
3. **Township Attorney Report.** No report
4. **Township Board Representative Report.** The board is looking at getting microphones. Work continues at the park. The playground will be getting revamped.
5. **ZBA Representatives Report.** No meeting
6. **Adjournment. Motion by Pfeifer to adjourn. The motion was supported by Wood and carried 5-0.**

The meeting was adjourned at 10:16 PM.

Respectfully Submitted,

Andy Moore, Secretary