

**MINUTES OF THE COOPER CHARTER TOWNSHIP**  
**PLANNING COMMISSION HELD ELECTRONICALLY**  
**TUESDAY OCTOBER 21, 2020**

A meeting of the Planning Commission of Cooper Charter Township was held on Tuesday, October 21, 2020, electronically pursuant to the Open Meetings Act as amended by Public Act 228 of 2020.

Roll Call:

Present - Comm. Boekhoven attending virtually from Cooper Township;  
Present - Comm. Corke attending virtually from Cooper Township,  
Present - Comm. Feil attending virtually from Cooper Township,  
Present - Comm. Fooy attending virtually from Cooper Township,  
Present - Comm. Frederick attending virtually from Cooper Township,  
Present - Comm. Wiersma attending virtually from Cooper Township, and  
Present - Chairperson Asselmeier, attending virtually from Muskegon County.

Members Absent:                   None.

Also Present:                   Michael Homier of Foster, Swift, Collins and Smith, attorneys for Cooper Charter Township; Julie Johnston, Township Planner and Zoning Administrator, and members of the public.

Chairperson Asselmeier called the meeting to order at 7:00 p.m.

Approval of Agenda

A motion was made by Comm. Corke, supported by Comm. Boekhoven, to approve the agenda. Motion carried 7-0.

Review and Approval of Minutes

Members of the Planning Commission reviewed the Minutes of the September 16, 2020 meeting. A motion was made by Comm. Frederick, supported by Comm. Corke, to approve the Minutes. Motion carried 7-0.

Public Comment

Tyrone Fleeman of 3303 East C Avenue stated that he may have questions regarding the draft ordinance amendment concerning agricultural service businesses, but would like to reserve comment until later. Township Attorney Homier responded that this was the time for public comment and it would be at the board's discretion to open the meeting up for additional comments later.

Mr. Fleeman commented that he is concerned with the proposed zoning amendment allowing bulk landscape businesses in the agricultural district. If they were allowed would the landscaping businesses be charged commercial taxes?

Chairperson Asselmeier responded that the Planning Commission does not have the authority to make decisions about property taxes.

Additionally Mr. Fleeman mentioned that Mr. McBain of McBain's lawn service which is operating within the agricultural district recently acquired another property and has been dumping lawn waste and clippings which would potentially be prohibited under the proposed amendment. He asked what enforcement would look like if the Amendment was approved.

There being no further comments public comment was closed.

### New Business

#### Discussion on the Draft Ordinance Amendment to the Agricultural District and development of new agricultural uses

Julie Johnston, Township Planner and Zoning Administrator presented the proposed Ordinance Amendment regarding the possibility of allowing agricultural service businesses and other rural service enterprises, such as landscaping businesses within the agricultural district.

Ms. Johnston stated that according to the Ordinance Amendment, rural service enterprises and agricultural service businesses may be established on a parcel of at least three (3) acres, must be operated by the property owner, and shall not be located closer than 2,640 feet from another such use. Additionally only one business may be allowed per property. Buildings or structures would have a maximum of 5,000 square feet allowed. Buildings must be in keeping with those of the agricultural district with setback limits at a minimum of 75 feet. On site retail sales are prohibited, except for specialty products needed by veterinary clinics. Other requirements included prohibiting outdoor display of goods, and the storage of materials being within a fully enclosed building, unless specifically permitted. Limits on the hours of operation and signage are also included in the proposed ordinance amendment. Buffering between the businesses and residentially zoned or used properties is also required to limit impact on the community.

Comm. Corke mentioned that within the Township multiple residents are running businesses out of their homes. Ms. Johnston commented that the ordinance that is being proposed is meant for a different purpose than regulating home occupations.

Ms. Johnston also commented that additions were made to the description of the agricultural district that would better suit the needs of the Township. Additionally Ms. Johnston outlined the permitted uses of Agricultural Service Businesses and Rural Service Enterprises.

Specifically Agricultural Service Businesses are businesses that support agriculture within the Township. Ms. Johnston stated that Rural Service Providers are typically seen in agricultural areas to support the community with limited impact on the neighboring properties.

The Board agreed to the limit the hours of operation and the storage of materials outside.

Township Attorney, Homier and Township Planner and Zoning Administrator, Johnston discussed the review and approval process as well as the appropriate Board or Commission to handle appeals. Due to the expense of a site plan review, the Commission agreed that an administrative review by the Zoning Administrator would be appropriate and if an appeal was necessary to have it appealed to the Zoning Board of Appeals to keep costs for the businesses at a minimum.

Comm. Boekhoven commented that he had concerns regarding offsite materials being brought to properties for disposal and burning. Township Planner and Zoning Administrator, Johnston stated that she will refine the language to clarify that offsite materials are not allowed to be brought onto properties for disposal or burning.

The Commission discussed the provision regarding driveway access from a primary County Road and amended the language to add as permitted by the County Road Commission.

Tyrone Fleeman was granted time to provide additional comments. He stated that he agrees with the language directing traffic from businesses to the closest County primary road, but is concerned with containing the businesses in order to keep them low impact.

Taking the Commission's discussion into consideration, Township Planner Julie Johnston was asked to revise the proposed Ordinance for review at the next meeting.

### Old Business

#### Draft Amendments to Accessory Buildings

Cooper Township's current Zoning Ordinance that lacks a minimum lot size for each zoned district presents problems when drafting limitations for accessory buildings. Township Planner and Zoning Administrator, Johnston commented that the Township needs to update lot coverage percentages to include a total lot coverage amount.

Additionally she added that large commercial farms accessory and commercial buildings would be regulated by GAMPS and not by the Zoning Ordinance.

Comm. Frederick commented that he thinks the Ordinance presented will fit the needs of Township residents.

Comm. Boekhoven asked about the difference between the building sizes for accessory buildings versus the size allowed for a rural enterprise. Township Planner and Zoning Administrator stated that in the rural enterprise zone the buildings would be for the principal business versus accessory to the principal residence.

Township Attorney Homier mentioned that the Ordinance should be refined to outline how much building space would be allowed for an agricultural property that also has a principal residence and the individual also wishes to run an agricultural service business. Would the allowable building size be the maximum of 5,000 feet, or would it be considered an accessory building.

Taking the Commission's discussion into consideration, Township Planner Julie Johnston was asked to revise the proposed Ordinance for review at the next meeting.

#### Commissioner Comments

Chairperson Asselmeier commented that he was having a technical issue and that Comm. Boekhoven should chair the meeting if he lost connection. Shortly thereafter the connection to Chairperson Asselmeier was lost.

Comm. Corke commented that he will most likely not be able to attend the next month's meeting.

#### Adjournment

There being no further business before the Commission, a motion was made by Comm. Corke, supported by Fooy, to adjourn the meeting. Motion carried 6-0-1.

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