

# Courtland Township Planning Commission

## Minutes

Sept. 19, 2023

1. **Pledge of Allegiance and Roll Call:** Wood, Pfeifer, Miedema, McIntyre, and Moore were all present. Attorney Ron Redick, Engineer Kevin Gritter, and Zoning Administrator Colleen Brown were also present, as were six 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 08-15-2023: Motion to approve as presented by Miedema. The motion was supported by Pfeifer and carried 5-0.**
4. **Public Comments for Items not on the Agenda: None.**
5. **Public Hearings:**
  - a. **Amendment of Section 2.05 related to minimum lot width:** Attorney Ron Redick provided an overview. The amendment would address an issue that requires the lot width to be maintained throughout its depth, which potentially renders a lot of lots nonconforming and results in undesirable development patterns. This amendment would allow the Planning Commission or Township Board to approve lots that narrow down in the rear if certain criteria are met. Wood opened the public hearing.

**Steve Zeboor 5255 Windmill Dr.** Concerned about not receiving a public hearing notice for the Braeside project.

**Arn McIntyre 9571 Courtland Drive.** Stated that this provision only related to cul de sac lots, and didn't think that the amendment was necessary.

Moore felt that the amendment solved the issue concerning lot depth. McIntyre was concerned that the amendment wouldn't allow for curved streets. Moore felt that the revised language addressed the potential problem that was identified and more importantly, removed ambiguity from the ordinance.

Arn McIntyre felt that the amendment was not necessary as it had not been applied that way historically.

Wood felt that the amendment was intended to remove ambiguity. Redick provided additional background on why the amendment was prepared. Brown asked if the amendment would end up reducing the front yard setback. Moore felt that that only applied to width, not the required setback.

Wood closed the public hearing.

Moore thought that the last sentence should end with "...and promotes the efficient use of land and allows for curvature of abutting streets."

**Motion by Moore to recommend approval to the Township Board with the changes noted above. The motion was supported by Pfeifer and carried 5-0.**

## **6. New Business**

- a. **Braeside Estates Phase 3:** Jeffrey Van Laar from Exxel Engineering was present. There have been more than 220 test borings conducted on the property so far. The KCDC will have jurisdiction over the drainage system. The KCRC will accept the roads. PFAS substances were detected in a creek on this site, and also in two shallow monitoring wells, although a deeper well (140 ft) on the property was tested in 2020 and was nondetect for PFAS. A well was drilled near the proposed entrance that came back clean at ~110 feet down and there is a thick clay barrier between the shallow water table and the deeper water table. There is a meeting with EGLE tomorrow to address the PFAS issue. Asking for tentative preliminary plat approval.

Redick provided an overview of the platting and PUD process. This being a plat and a PUD, the Township Board has final approval authority over the project. Redick also noted that the applicant provided a parallel plan as required. The PUD and plat approval would be contingent upon the recently recommended zoning ordinance amendment to section 2.05 becoming effective. More information may come forward if based on the meeting with EGLE tomorrow.

Wood noted that there are 45 lots shown on the parallel plan and the plan shows 46. Wood said the ZO requires there be separate findings must be made that the benefits of the provision of open space justify the additional lot gained by the PUD approach.

Kevin Gritters noted that phase 1 would result in a very long road with only one way out until the second phase is completed. Gritters did not think that septic tanks would be an issue. Drinking water might be an issue and it would be wise to get input from KHCD to ensure that they would permit residential wells on the property. Gritters also provided a map from EGLE that showed wells in the area that exceeded EGLE standards for PFAS. Most of these are fairly shallow. Wood asked what direction the groundwater flowed and Gritters was not sure.

**Steve Zeboor 5255 Windmill Drive** asked why the proposed Eagle Nest Court heads south toward his property instead of to the west where it leaves more space and is more respectful of the neighbors to the south. This led to a lengthy discussion regarding street layout, tree clearing, site drainage, etc.

**Paul Brower 5995 11 Mile Road** asked if there would be a traffic study for the intersection or the area near 11 Mile and Courtland Drive.

**Arn McIntyre 9571 Courtland Drive** commented on the PFAS situation. The KCHD may make people drill into the lower aquifer and install a different type of well that will add \$20-\$25k to the well.

Kim McIntyre wanted to know if something could be done near the southern property line to protect the property owners. Wood felt that it would be prudent to wait until we heard from EGLE before we did anything. Wood also wanted to make sure that everyone got their notices and ensure the process was right.

There were comments on street lights and the commission agreed that street lights were not necessary. Moore noted that they have one lot beyond was it is the parallel plan and wondered if it was adequately justified. Moore asked Van Laar to bring a preliminary grading plan so we can see the clearing limits on the site. The Commission also wanted to know more about the PFAS concerns and wanted to double-check the notice issue to make sure the process was followed correctly.

**Motion by Wood to table the application for one month. The motion was supported by Moore and carried 5-0.**

**7. Old Business:**

- a. **Master Plan Update.** The Commission reviewed the draft future land use map. There were discussions related to the lake residential designation, the country residential designation, solar energy systems, and agricultural preservation. No changes were made to the future land use map, although commissioners will continue to consider whether we should keep the country and low-density residential designations if they would not be implemented. Also, the consultant will be directed to add some language in the implementation chapter to the effect of “amending the zoning ordinance to provide for and regulate solar energy systems.”
- 8. Zoning Administrator Report.** Plans submitted for KleMac Farms to be considered at Oct. 17, 2023 meeting.
- 9. Township Attorney Report.** No report.
- 10. Township Board Representative Report.** McIntyre provided a brief report.
- 11. ZBA Representatives Report.** No report.
- 12. Adjournment. Motion by Wood to adjourn. The motion was supported by McIntyre and carried 5-0.**

The meeting was adjourned at 9:17 PM.

Respectfully Submitted,  
Andy Moore, Secretary