CITY OF NORTON SHORES
PLANNING COMMISSION MEETING
October 8, 2019

A regular meeting of the Norton Shores Planning Commission was called to order on Tuesday, October 8, 2019 at 5:30 p.m. in the community room of the Norton Branch Library, 705 Seminole Road.

Present: Chairman Westgate and Commissioners Bush, Drier, Lowe, Morano, Otto, Sipovic, Trygstad; also, Ted Woodcock, Shelly Stibitz, Doug Hughes and Jerry Bartoszek

Absent: None

19-P31 Minutes

Commissioner Morano moved to approve the minutes of the August 13, 2019 Planning Commission meeting. The motion was supported by Commissioner Trygstad and carried unanimously.

19-P32 Special Use Permit/Site Plan Approval – 735 E. Ellis Road, EarthTronics

Ms. Becky Page of Holland Engineering spoke on behalf of EarthTronics, describing the 42,000 square foot proposed facility that will have frontage on both Airport Place and Ellis Roads. Ellis Road will serve as the entrance for employees and customers while Airport Place on the south side of the site will have an entrance for deliveries. There is a 30-foot greenbelt proposed in areas around the site and Holland Engineering has been working with the Fire Chief to locate fire lanes. A drainage plan per the Muskegon County Drain Commission requirements has been submitted. Ms. Page confirmed for Commissioner Morano that a land division request will be submitted following approval of the special use permit. Commissioner Drier asked if fire access lanes are still under review and City Planner Ted Woodcock relayed, per the Fire Marshal, that the updated plans provided to Commissioners are consistent with what is needed. The overlap of the greenbelt was a concern but is now a sufficient distance away from residential areas.

A public hearing was held. Ms. Angela Ouellette, 645 E. Ellis Road, told Commissioners that for 27 years she had been told there was a 150-foot buffer zone between the industrial park and adjacent properties but the proposed building goes right through the buffer zone and butts up against residential property only leaving a 25 foot clearance. She stated that property owners were promised that if anybody would ever build on the buffer zone that the residential properties would be bought out. She feels that nearby residential properties are already unsellable due to area manufacturing facilities and the proposed site plan will get rid of the buffer zone for two properties and eventually eliminate it for remaining properties.

Commissioner Trygstad asked who promised the buffer zone to property owners and whether that was in writing. Ms. Ouellete stated that the City, over the years, had promised that they would never build on the 150-foot area behind their property lines

unless the property owners were bought out. She stated that every City Planner and City Board gave her this information verbally including Mr. Woodcock.

Mr. Mark Smith, 747 Ellis Road, now owns the house he grew up in that is adjacent to the proposed facility. He said his mother told him that there is a 100-foot safety easement. He is concerned about the new facility manufacturing chemicals or anything that would be unsafe for his children and has safety concerns about the proposed new building almost butting up to his rear fence. Mr. Kevin Youngquist of EarthTronics addressed these concerns and told the Commission that the company manufactures lighting products and will only do light assembly, have a one shift operation during the daytime, the company doesn't handle chemicals, their production process is a quiet operation and they anticipate between 12 and 20 employees over the next couple years.

Commissioner Sipovic asked about lighting on the building that could impact neighbors and was assured that lighting will be reflected onto the building and the parking lot which is away from residences. Commissioner Morano asked if there is room to shift the building to the south and Ms. Paige stated that because of the drainage system that there is not.

Ms. Carol Hosko, 685 E. Ellis Road, asked to have the placement of the building explained and Mr. Younquist showed her that the drive to the north was across from the AMG building driveway.

Ms. Brandy Smith, 747 E. Ellis Road, said that the area has changed from residential to industrial since she's lived there. She is concerned that the height of the proposed building will allow for a view directly into their home and the project will mean that her family is stuck because no one will ever buy their home.

Commissioner Drier made a motion to recommend to the City Council that special land use approval be granted to EarthTronics to construct a 42,000 square foot general industrial facility on the property at 735 E. Ellis Road as per the submitted plans for the following reasons: 1) everything on the plan meets current setbacks and 2) all approvals have been met. The motion was supported by Commissioner Bush. Commissioner Trygstad stated that the Planning Commission makes recommendation to the City Council based on whether the request fits the Master Plan and meets setback requirements and Council will take the adjoining property owners' concerns into consideration when acting on the request. Commissioner Sipovic asked if anything can be found that there were promises made regarding the buffer zone and Mr. Woodcock responded that there had not been. Commissioner Bush asked if anyone had reviewed title work to see if any restrictions were recorded and Mr. Woodcock stated that he had seen title work and nothing indicated what the property was to be used for and, in answer to Commissioner Morano responded that the title work reviewed included all of the Airport Business Park Phase II and did not mention a buffer of any sort. Commissioner Morano noted the fence proposed between the site and the residential

properties and Mr. Woodcock stated that the site plan shows it to be 6 feet high which Ms. Page confirmed.
Commissioner Drier amended his motion to recommend to the City Council that approval be granted based on the following: 1) The request is fitting with the Master Plan; 2) Current setbacks have been met; and 3) Zoning requirements are correct for an industrial park; and, also, to include the following condition: 1) Some type of landscape buffer be approved to allow for separation from the large building in the residential property owners' backyards. The amended motion was supported by Commissioner Bush and carried 8/0 on a roll call vote.

19-P33 Commissioner Drier made a motion recommending to the City Council that the site plan for the special land use application be approved to EarthTronics for the proposed 42,000 square foot general industrial facility on the property at 735 E. Ellis road as per the submitted plans based on the following: 1) The request is fitting with the Master Plan; 2) Current setbacks have been met; and 3) Zoning requirements are correct for an industrial park; and, also, to include the following condition: 1) Some type of landscape buffer be approved to allow for separation from the large building in the residential property owners' backyards. The motion was supported by Commissioner Bush and carried unanimously.

19-P34 <u>Accessory Structure Ordinance Amendment</u>

Commissioner Morano made a motion recommending that the City Council consider an amendment to the Ordinance to increase the square footage of detached accessory buildings on larger parcels. The motion was supported by Commissioner Trygstad and carried unanimously.

Meeting adjourned at 6:21 pm.

Shelly Stibitz, City Clerk