

Ganges Township Planning Commission
Public Hearing Minutes FINAL for June 29, 2010
Glenn Community Center
6953 114th Avenue
Fennville, MI, Allegan County

Call to Order and Roll Call

Chair **Howard** called the Public Hearing to order at 7:05PM.

Roll Call: Chair: Sally **Howard** – Present
Secretary: Phil **Badra** – Present
Commissioner: Ed **Reimink** – Present
Commissioner: Ross **Wightman** - Present
Zoning Administrator Tasha **Smalley** was present.

Vice Chair: Barry **Gooding**- Present
Board Trustee: Terry **Looman** - Present
Commissioner: Jackie **DeZwaan** – Present

Howard opened with comments explaining the process of why, how and what was involved in working on the Zoning Ordinance Updates. The Updates hopefully make the Zoning Ordinances easier to use, expanded on the definitions, and making it all more organized. The Planning Commission hired the company **LSI LSL** to help in accomplishing this task. It is still in process. Sheets are available to show the current ordinance and the proposed changes and a second page to show items that have been found by the Planning Commission that need to be changed since this last draft was done.

Howard explained that our goal is to be done by 10:00PM each night, and each speaker will be limited to three minutes, in order to give everyone a chance to speak. She asked that each speaker give their name and address, if comfortable doing so, and also paper is available if that is preferred. Tonight we will be covering the changes made in general, with Wednesday, 30th, concentrating on the Commercial District.

The process went by sections, with the following results:

#1 Definitions -

Ann Gray, 1974 68th – She stated that she was impressed with the extensive definitions.

Howard mentioned that one area to address was Sexual Oriented Businesses- which the the Planning Commission tried to take out, but were advised by the Township Attorney to keep it in.

#2 General Provisions-

These remain basically the same as the current Provisions. The biggest changes were made in the signage and fence areas.

Neil VanLeeuwen, 6751 119th Ave., under Excavations, Mineral Mining there seems to be a duplication of the ordinance. Howard acknowledged this and it will be fixed.

Bill Johnson, 6957 Lakeshore Court, flooding is still a problem in his area, wanted to know what will be in the ordinances to help control this problem.

Neil VanLeeuwen, 6751 119th, back to the definitions - Ordinance concerning access to property on Lake Michigan, will it also be associated with Hutchins Lake.

There was a comment about the Ground Water Protection Overlay- will that be done and will the public get a chance to review. **Howard** answered yes.

Badra said in reference to **Mr. VanLeeuwen's** question, the Hutchins Lake Ordinance will be included.

#3 Districts - Zones (current) and Districts (proposed) are referring to the same thing. **Howard**
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stated that in general the PC tried to be more expanded in this area. A Special Land Use just has additional requirements compared to the general definition of a District.

Neil VanLeeuwen pointed out as far as Railroad Boundaries- there are no railroads in Ganges Township.

Susan Pierson, 6944 Lakeshore Court, Thanked the Planning Commission for being able to voice concerns. Density is a big concern. She urged the PC to consider protection for all residents concerning wells, septic systems, wetlands, dunes, etc.

Ann Gray, 1974 68th Street, some things are not pertinent, she assumed that things like Migrant housing, Wind energy, were based on State Regulations.

Article 6 – Truck Maintenance Business – not incidental, should not be allowed in Res/Ag or with restrictions, Special Land Use giving minimum sizes. Semi truck parking should have a minimum lot size looked at.

Non-Commercial wind towers- neighbors should be able to give comments.

Agricultural District - Teresa Warren, 1722 68th, read a letter she had written.

There are conflicts with State requirements and Township, and inherent conflict with Industrial and Agricultural Districts next to each other. Some concerns are run-off, trespassing, traffic, spills and litter. She presented this letter to Chair **Howard**.

Ann Gray, 1974 68th St., in the definitions Agriculture is defined as tilling the soil, she pointed out that many times now farmers use the no till method, this may need to be added.

A comment was made there are different ways of farming now such as hydroponics.

Dawn Soltysiak, 6322 113th, noted there was an increase in acreage, but three acres is still small, she referred to GAMPS requirements, small lots are not protecting farm land. Michigan Land Use refers to 10 acres, but no less than five to preserve farm land.

Residential and Res/Ag Districts – Howard mentioned the Table of Uses, there are no big changes.

There was a question about Lake Front property- 4 to 1 exception, and how this is applied to Lake Michigan frontage or Hutchins Lake frontage.

Manufactured Housing- this is required by the State.

Neil VanLeeuwen, stated this seems to give one spot preferential treatment, resulting in spot zoning.

Commercial/Mixed Use District – Neil VanLeeuwen questioned the intent and purpose, single family residence not allowed, also under Ag Produce retail produced where grown and not produced where grown.

Dawn Soltysiak, the original intent was for various commercial uses that are not there now, a conflict with the land, that there needed to be a “shut off valve”.

Howard explained that when this started there was the thought that there would be two Commercial districts based on intensity of use, but as it progressed it was found that Ganges Township would not support the intense use.

Ann Gray- stated that she hoped all were aware that once the Ordinance Update was passed it is not set in stone and changes can be made to it where needed.

Dawn Soltysiak, asked if there were building size requirements. There are maximum site coverage requirements.

Neil VanLeeuwen, stated that the Agricultural areas are being pushed out of the Commercial District.

John Gottlick, 2342 Lakeshore Drive, stated ordinances change from time to time, if there is a contest over use this involves litigation, added attention restricting land firms up constitutionality.

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A comment was made regarding Special Land Use and how it will be deemed to meet
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the requirements. Our commercial area directly impacts residents, we are not like other Townships.

Howard mentioned that the Groundwater Protection Overlay was looked at by the Planning Commission committee, who came up with requirements that are listed extensively, but this was missed being placed in the draft. This will be corrected.

Patti Birkes, 2344 70th, when will the information gotten tonight be available to public. **Howard** said that the input will be taken, probably to subcommittees, come back to the Planning Commission with changes or if it remains as hopefully by the next Regular Meeting in July.

Several attending said that they were unable to get the Draft from the internet. This is a big concern to many since they were not aware of the meetings nor were they able to access the information needed. **Ann Gray** stated that she felt the local papers should be giving better coverage of these meetings.

Howard said that the cost of coping the draft was about \$12.00 per copy, which is prohibitive, but with much concern about having access it was suggested that many would be willing to pay the cost of printing in order to have a copy to look at. Other concerns were voting dates, maybe sending letters to each resident, getting comments in to the PC. **Howard** said the next Regular Meeting is on Tuesday, July 27 at 7:00PM. Comments can be brought to the PC at that time also. Public input is important. There was a question about more Public Hearings after changes have been made. According to the Township Attorney if there are substantive changes it will need to go back to public, if not it will go on to Allegan County and the Township Board.

Bill Johnson asked who determined if it is substantive.

Citizens need to be able to get information, need better community awareness.

Ann Gray stated that work on this update began in 2008, every month the meetings are open to the public and usually poorly attended. It was noted that many were unhappy with the availability of information.

Resource Protection District- was missed will be put back in.

Robin Allison, 6458 113th, had question about Mixed use/Commercial use in home.

DeZwaan went over how PC tried to incorporate Cottage Industry and Home based/"home occupation" businesses, looking at size, scope and affect on the area.

Article 10, Planned Unit Development District- same as existing

Neil VanLeeuwen questioned the additional district.

Article 11, Industrial, this will probably be discussed at the Wednesday meeting along with the Commercial District.

Neil VanLeeuwen, commented on non-conforming people with uses already there, felt single family dwelling should be allowed.

Susan Pierson, on PUD, she appreciates having the PUD- is there flexibility based on type of land where it is located, felt it seemed to be locked in a formula. PUD is written to preserve wetlands/ density.

Jim Birkes, 2344 70th, Private roads are not allowed in the Industrial District, this could create long skinny parcels, maybe should allow the private roads.

Article 12 – Site Plan Review – is formatted differently.

Article 13 – site Development Requirements- just information required.

Article 14- Special Land Use – additional information required over general requirements.

Ann Gray asked about the specific length of time on SLU requirements. Some uses are

temporary.

Darrell Scurio, 1450 Scurio Lane, had a question on the Truck Maintenance guidelines.

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He was referred to page 14-29.

Neil VanLeeuwen, asked about semi truck parking, how will this impact farms that are getting larger. Farmers are covered under GAMPS.

Bed and Breakfast SLU- not required under any District. This was missed.

Article 15 – Non-Conformities- refers to not matching current District use.

One major change from current ordinance which now states that repairs to a building can not exceed 50% of value is now proposed to get rid of that restriction allowing complete rebuilding.

Article 16- ZBA – no changes.

Neil VanLeeuwen- commented in the Ag District that trucking was Special Land Use.

Article 17 – Administration and Enforcement – changes giving more leeway to Zoning Administrator to approve minor changes. Also gives when, what and where to get permit.

General Comments:

Bob DeZwaan, 2259 68th, concerning donation of land – Cemeteries in Residential District, if this is donated it should be allowed. Tourism- if land is donated to access beaches and parks would it be allowed? Drive thru banking – at first the Planning Commission did not want to allow, then at the May 18, 2010 meeting it was allowed. He questioned the difference between a bank or any other drive-thru. Maybe it should be a Special Land Use to determine where it is allowed and where not.

There was a question **Several people questioned** about the Commercial District along Lake Michigan, it was pointed out that it is the mobile home park next to the County Park.

John Gottlick, again asked about getting copies of the Ordinance Draft. How, when it will be available, who to contact. **Howard** will contact **Clerk Yonkers**. Citizens can contact her at the Township office on Thursday. It was then suggested that people sign up after the meeting to get an idea as to how many copies are needed. It is available on the Website. Changes or corrections probably will not be available for a couple months. It was suggested that people try to get word version instead of PDF.

Ann Gray – Asked if a second set of hearings was possible since there were many not prepared due to lack of information available.

Bob Johnson – asked if the revised version would have regulations to help take care of water problems.

Jim Birkes – in regards to development of driveways, will it be part of the review process.

Robin Allison – asked about perk tests being done prior to building. Any plans are approved contingent on those perk tests. This is controlled by the County, not the Township.

Howard stated she will talk to the Township Clerk about getting copies.

The Public Hearing was closed at 8:55PM.

Respectfully Submitted,
Diana VanDenBrink

Ganges Township Recording Secretary