

Ganges Township Planning Commission
Regular Monthly Meeting Minutes for March 28, 2017
Ganges Township Hall
119th Avenue and 64th Street
Fennville, MI, Allegan County

I. Call to Order and Roll Call

Chair **DeZwaan** called the meeting to order at 6:58PM.

Roll Call: Chair: Jackie **DeZwaan** — Present

Secretary: Phil **Badra** — Present

Vice-Chair: Roy **Newman** — Present

Commissioner: Charlie **Hancock** — Present

Commission Trustee: Barry **Gooding** — Present

Zoning Administrator: Tasha **Smalley** — Present

II. Additions to the agenda and adoption

Motion was made by **Gooding** to accept the agenda, as presented. Motion was seconded by **Newman**. Motion passed.

III. General Public Comment — None

IV. Correspondence and upcoming meetings/seminars

DeZwaan has *presented* a copy of the Annual Report ~~to present~~ to the Township Board. **DeZwaan** also has letters from the Department of Environmental Quality (DEQ) and reviews from Federal Emergency Management Agency (FEMA) regarding the ongoing process of updating the Floodplains and Wetlands map. **DeZwaan** had no seminars to report on.

V. Public Hearing — Opened at 7:02PM

1. Glen Vineyards LLC (Jaime and Carol **Gonzalez**) – 6889 114th Ave.
14.01 Special Land Use (SLU), 14.06 FF Winery
Parcel # 03-07-011-013-00 – 2122 62nd St.

Gonzalez presented himself as the owner of the property and introduced his representatives Chris **Allen**-Architect and Todd **Robbins**-Consultant. **DeZwaan** inquired as to what their intentions were, so people would have an idea of what the project looks like. **Robbins** stated that they would like to start a new winery at the aforementioned location; smaller than what is in the immediate neighborhood. This boutique winery would produce approximately 1,000 cases the first year, maturing to a 3-5,000 case volume within 5-10 years, in comparison to Fenn Valley Vineyard's output of 60-80,000 cases per year.

Audience Comments:

Kent **Ayers** – 2095 62nd St, questioned if there is a relationship between Glen Vineyards and Fenn Valley. **DeZwaan** responded that the submitted documentation did not indicate any connection. **Ayers** inquired about the total acreage and **DeZwaan** responded, approximately 77 acres.

When **Robbins** was questioned as to the winery's proposed opening date he responded that they would ideally like to be open the Autumn of 2017. When **Robbins** was questioned about whether or not there would be vineyards on the site he replied in the affirmative. **DeZwaan** explained that it was a staged project that has tentative dates set out in the application packet that had been presented to the Planning Commission (PC) and are available to review at the Ganges Township clerk's office.

Smalley stated the plans are also available for review at the Michigan Township Services (MTS) office, in Allegan.

Close Public Hearing at 7:07PM

VI. Approval of August 23, 2016 minutes

A motion was made by **Badra** to approve the August 23, 2016 regular meeting minutes, with corrections. **Hancock** seconded the motion. Motion passed

VII. Old Business – None

VIII. New Business

a. ELECTION OF OFFICERS

Badra made a motion to keep the same officers, nominating **DeZwaan** as Chairperson, **Newman** as Vice Chair, and himself as Secretary. **DeZwaan** asked if there were any other nominations.

Hancock supported the motion. Motion passed.

b. Special Land Use – Glen Vineyards LLC

Badra had some housekeeping questions for **Gonzalez** concerning the correct spelling of his last name and the correct ~~address for the site~~, name for the LLC, which is 6889 114th Ave; and the Office for both LLCs is – 1758 S. Morning Glory Road, Fennville MI 49408. **DeZwaan** asked if the PC had any questions.

Badra inquired why the Allegan County Tax Equalization and Assessor records did not reflect the sale of the property. **Gonzales** stated that it had only transferred ownership a month, or so, ago. **Smalley** remarked that she had requested proof of ownership and formal authorization letter

for **Robbins** to be the Representative. **DeZwaan** explained that the PC would need that documentation. **Robbins** submitted the necessary documentation.

Badra remarked that the county records showed the 6881-114th Ave parcel as vacant but the application stated that there is an existing barn that will be used for hazardous material storage, and questioned if the structure was actually on the neighboring parcel. **Gonzalez** stated that the structure was on the ~~77~~ 34 acre parcel, and went on to say that the two parcels in question had now been combined.

Gooding questioned **Robbins** affiliation with Fenn Valley. **Robbins** responded that they may be strategic partners with Fenn Valley but Fenn Valley would not be directly involved in the Glen Vineyard's operations. **Robbins** stated he would however remain employed by both entities.

Gooding questioned where the grapes were going now. **Robbins** explained that Fenn Valley has purchased some of the grapes to process into a custom wine that will be available in the Glen Valley Tasting Room(s). **Gooding** asked if the Baroda grape grower / vineyard management service that had initially planted the vineyard were still involved. **Robbins** stated that they were not involved either.

Hancock asked if there would be any animals. **Robbins** responded that they had considered the possibility. **Hancock** wondered if they could potentially endanger any guests. **Gooding** pointed out that the animal pen in question was in a hollow, well away from the barns and parking area. **Robbins** explained that any animals on the site would have the appropriate fencing and would not be near any areas open to the general public.

Hancock inquired as to the location of the Handicapped Accessible Parking and Restrooms.

Allen indicated these areas on the plan pages SP 2 and 4.

DeZwaan questioned where the existing residence's well was located. **Robbins** stated that it was NE of the residence. **Robbins** went on to say that the existing well had been inspected by Koop's Well Drilling, but was old and would only be used for irrigation purposes. **DeZwaan** replied that it must be shown on the map, if it was going to be used and not capped off.

DeZwaan asked what kind of farm animals would be on site. **Robbins** explained that he would ~~potentially~~ eventually be living on site, in the Residence, and he would be moving his personal pets on site as well (goats, miniature donkey, mini pig, etc.). **Smalley** inquired if the intent was to have a petting zoo. **Robbins** stated no. **Hancock** remarked that they would then be pastured in the aforementioned pen. **Robbins** stated yes.

DeZwaan remarked that the narrative showed some of the proposed building dimensions as To Be Determined (TBD). **Robbins** explained that they had shown the proposed building size ranges, which would not be exceeded. **DeZwaan** questioned the total combined square footage of the tasting rooms. **Robbins** explained that there would be two tasting rooms, the Tasting Room Addition (new construction) and the Barrel and Private Tasting Room (in the existing Pole Barn); the temporary tasting room, shown on the plan, would not operate simultaneously

with the other two. **Smalley** stated that the tasting rooms, along with Ancillary retail areas, cannot exceed 5,000 square feet.

Hancock asked how far away any animals would be from the tasting room. **Smalley** pointed out that they would be 100's of feet of separation. **Robbins** agreed that they would not be readily accessible to the public.

Badra asked if they would be producing wine in the greenhouse. **Robbins** explained that they would use an area of the greenhouse to dehydrate some the harvested grapes, for a special style of wine.

Badra asked if there would be any other types of activities, especially those types including food preparation or service. **Robbins** assured the PC that if/when any of these types of events are planned that they would be catered. **Hancock** wondered if a food prep area should be on the plan. **Smalley** stated that certain Health Department requirements (like a 3 compartment sink) must be met, but no cooking facilities are part of the application.

Badra stated that the new 5" well has a stated capacity of 69 gallons per minute. That usage combined with the existing well's irrigation output could put them over the 70 gallon per minute State required reporting benchmark. **Robbins** stated that Koop's had suggested that the applicants size the new well to stay below the reporting thresholds while still providing an adequate supply. **Badra** wondered if the existing well's irrigation output had been factored in.

DeZwaan explained that the average usage calculation should be for the entire site, not per well. **Robbins** assured the PC that the usage would be well below the 70 gallon per minute threshold. The PC agreed that regardless, the applicants should keep a well log and adhere to the MDARD and/or MDEQ water use reporting requirements, to meet the standards of the site plan review.

Badra questioned what and how much would be composted on site and whether the volume of composting would require it to be registered with ~~the United States Environmental Protection Agency (EPA)~~ *Michigan Department of Agriculture and Rural Development (MDARD)* as a composting facility. **Badra** also discussed what Michigan Agriculture Environmental Assurance Program (MAEAP) and/or Generally Accepted Agricultural and Management Practices (GAAMPs) were being implemented. **DeZwaan** also questioned where and how any chemicals were being stored on site and reminded the applicants that any hazardous products must be securely stored with the appropriate Material Safety Data Sheet (MSDS). **Robbins** agreed.

Hancock asked if the applicants were rezoning the entire 77 acres to which **DeZwaan** responded that this was not a rezoning request but a SLU application, for the entire parcel.

DeZwaan then reviewed the 37 Site Plan Submission Requirements, finding that all of the applicable requirements were met.

Badra moved to approve the SLU, with the following conditions.

1. All food events must be catered and must obtain a temporary food service establishment license from the State of Michigan and/or the Allegan County Health Department. No food trucks or commercial kitchens are allowed.
2. A copy of all permits from the Allegan County Health Department, Allegan County Road Commission, Michigan Department of Agriculture and Rural Development (MDARD), Michigan Department of Environmental Quality (MDEQ) and other regulatory agencies shall be provided to Michigan Township Services (MTS) within 15 days of issuance.
3. All chemicals used on site must be stored and secured in the existing buildings, future buildings or sheds. This would include chemicals used for dishwashing and general cleaning of the facility, oxidizers, pesticides, and organic compounds. Any area using chemicals must display the required Material Data Safety Sheets (MSDS).
4. Solid waste and waste water disposals must comply with the Generally Accepted Agricultural & Management Practices (GAAMP) guidelines for Nutrient Utilization.
5. The facility must comply with the GAAMP guidelines for Pesticide Utilization and Pest Control.
6. Water usage must adhere to the MDARD and/or MDEQ water use reporting requirements.

DeZwaan added that any new construction must meet Americans with Disabilities Act (ADA) and Michigan Building Code Requirements. **DeZwaan** also mentioned that the SLU must be recorded with the Register of Deeds, within 90 days. **Smalley** added that she would walk the applicants through the process of recording the SLU.

Motion was seconded by **Hancock**. Motion passed by roll call vote. *DeZwaan — Yes*

Badra — Yes

Newman — Yes

Hancock — Yes

Gooding — Yes

c. Site Plan Review-Bayberry Cottage (Gwen **DeBruyn**)

Change of Use from Residential to Retail

Parcel # 03-07-004-003-10 – 6666 124th Ave.

DeBruyn presented herself as the owner of the property and introduced the PC to her proposed “Destination Store” idea. **DeBruyn** added that the Retail store has a projected opening date in the Spring of 2018 and would operate year round with a low impact to any neighboring properties.

Badra had some housekeeping questions for **DeBruyn** regarding whether or not the property will still be recorded as ALLES LLC, and where to send correspondence. **DeBruyn** replied that it would no longer be under the ALLES LLC name and that any correspondence should be mailed to -510 Phoenix, South Haven MI 49090.

DeZwaan commented that the submitted septic pump out log would not be sufficient proof that the *well and septic* was approved for Commercial Use and that the *well and septic* would require approval from the Allegan County Health Department. **Smalley** stated that the approvals will have to be submitted before a building permit is issued for the Change of Use.

DeZwaan asked if the barn had its own electric service meter and what purpose the chimney had. **DeBryun** replied that the barn's electricity is currently being fed from the garage and that the chimney was for a wood stove.

DeZwaan asked if the barns would be for storage or commercial purposes. **DeBryun** replied that they would be for storage use only.

DeZwaan asked if there would be Events on site. **DeBryun** replied that the retail use would include vendors who could have mini-seminars and/or other types of local artisan events, inside the house. **DeZwaan** explained that any outdoor events would require approval from the Township Board and that no food trucks would be allowed.

Hancock questioned whether there would be enough parking for these events. **DeBryun** replied that it wouldn't be an issue because there was plenty of lawn. **Hancock** wondered whether this overflow parking would be near the well or septic and **DeZwaan** explained that all of the parking must be retained on site, not on shoulder of the road. **DeBryun** stated that there was lots of open land, and that it should not be a problem.

DeZwaan stated that any and all refuse containers must be placed in the garage, to which **DeBryun** agreed.

Hancock inquired about the proposed rope lighting for the parking area. **DeBryun** explained that it would be attached to railroad ties, lining the parking area, and would not present any hazard.

DeZwaan remarked that the Americans with Disabilities Act (ADA) and Michigan Building Code Requirements must be met before a Certificate of Occupancy could be obtained. **Smalley** stated that the applicants were currently working on meeting those requirements.

Hancock asked if there was only one driveway entrance. **DeZwaan** stated that there was a 2nd driveway, to the barn, proposed for future use.

DeZwaan then reviewed the 37 Site Plan Submission Requirements, finding that all of the applicable requirements were met.

Badra moved to accept the change of use, with the following conditions.

1. All food events must be catered and must obtain a temporary food establishment license from the State of Michigan and/or the Allegan County Health Department. No food trucks or commercial kitchens are allowed.
2. A copy of all permits from the Allegan County Health Department, Allegan County Road Commission and other regulatory agencies shall be provided to Michigan Township Services (MTS) within 5 days of issuance.

3. All accessory buildings shall be for storage only.
4. All refuse containers must be placed in the garage.

Smalley wanted clarification on whether it needed to be designated that the storage was for residential or commercial use. **DeZwaan** replied that the only concern was that the applicant would not be expanding the retail space beyond what had been applied for.

Motion was seconded by **Newman**. Motion passed by roll call vote. **DeZwaan** — *Yes*

Badra — *Yes*

Newman — *Yes*

Hancock — *Yes*

Gooding — *Yes*

Badra asked if Bayberry Cottage was an LLC to which **DeBryun** replied that it was a Corporation.

IX. Administrative Updates

Township Board-

- a. **Gooding** stated that the Board discussed the Allegan County Road Commission's plans on dust control and graveling 123rd Ave., near Pier Cove with a rate of (1,000 yards of gravel per mile at \$5-8,000 per yard) as well as repairs that need to be made to a culvert at 114th/Pier Rd., west of Glen; at a cost of \$215,000. **Gooding** stated that there would be three coats of dust control for the gravel roads this year, rather than two, with first two costing about \$6,000 apiece and third one being quite a bit cheaper. **Hancock** asked when the first dust control application would be. **Gooding** replied it would be in July. **Gooding** also stated that the Township had talked to the Road Commission about the timing of Dust Control applications and resurfacing of roads. The Board would prefer not have these projects occur in the fall because they aren't as effective.
- a. **Gooding** gave an update on the Pat Foster court case, in regards to the Blue Goose subdivision on Hutchins Lake. **Gooding** informed the PC that since the Township had won the court case they would be counter-suing to try to recoup some of the costs
- b. **Gooding** also updated the PC as to the progress of the Dr. Bastow's project, stating that the Township had cleaned up everything outside, that Dr. Bastow's hadn't already been moved to his Casco Township address. **Gooding** and **Smalley** also discussed the progress of the interior renovation with **Gooding** stating that the Board was still considering getting a court order to complete the project if Dr. Bastow does not have the project completed by a certain date, as yet TBD. **Smalley** stated that Dr. Bastow was very close to having all of the corrections made.
- c. **Gooding** also informed the PC that two new helicopters will be available to the Township for medical emergencies and more of the Police Cars will be equipped with Automated External Defibrillators (AED) equipment.

Zoning Board of Appeals (ZBA)-

- a. **Newman** stated that the ZBA had approved the DuPree's revised Dimensional Variance – Side Setback Request at 2209 Hutchins Lake Dr. which would allow additions to be made to second story of the dwelling.

Zoning Administrator-

- a. **DeZwaan** stated that the Virtue Farm maps had been received.
- b. **DeZwaan** also stated that she had received the Top Grade Mining Reports and **Smalley** stated that she had performed the annual inspection.
- c. **DeZwaan** asked about the progress with Mr. Craycraft. **Smalley** responded that Mr. Craycraft had agreed to install the fence and the gate, and that she had sent a memo giving an April 30th deadline to do so, but they are not installed, as of date.
- d. **Gooding** questioned why the Lavery Lane building permit was so expensive for a "Foundation Only" permit to which **Smalley** explained that the permit had been amended to include the installation of a Manufactured Home. **Gooding** also questioned if the "tiny house" that was previously located on the property had been removed. **Smalley** responded that she was not aware of any such structure being on the property.

X. Future Meetings Dates

The future dates of the PC Regular meetings will be Tuesday, April 25th, 2017 and May 23rd, 2017.

XI. General Public Comment

- a. Frank **Conklin**, and many of the other attendees, thanked the PC for helping to get Dr. Bastow's property cleaned up. **DeBryun** thanked the PC for their approval

XII. Adjournment

Motion was made by **Gooding** and supported by **Badra** to adjourn. Motion carried unanimously. Adjourned at 8:35PM.

Respectfully Submitted

Jennifer Goodrich

Ganges Township Recording Secretary