

**Ganges Township Planning Commission
Special Meeting Minutes FINAL for May 18th, 2010
Ganges Township Hall
119th Avenue and 64th Street
Fennville, MI, Allegan County**

I. Call to Order and Roll Call

Chair **Howard** called the meeting to order at 7:00PM.

Roll Call: Chair: Sally **Howard** – Present Vice Chair: Barry **Gooding**- Present
Commissioner: Jackie **DeZwaan** – Present Board Trustee: Terry **Looman** - Present
Commissioner: Ed **Reimink** – Present Secretary: Phil **Badra** – Present
Commissioner: Ross **Wightman** - Present
Zoning Administrator Tasha **Smalley** was not present.

II. Additions to Agenda and Adoption

Badra suggested that Approval of the 2011 Budget be added as number IV, and the **Martinson** Site Condo Application Revisit added as number V. Motion was made by **Badra**, supported by **Looman**, to accept the Agenda with changes. Motion passed.

III. General Public Comments

Shirley Newman, 6621 121st Avenue, After looking at the 11/09 draft, she was wondering why drive-thru establishments were not allowed. She felt this would be good for the community and there is already traffic at the exit ramp on M-89. Could be a good tax base, also jobs and tourists would use it. Also she did not see where convenience stores are included in the ordinances. **Howard** said we could talk more in depth later in the meeting.

Jim Birkes, 2344 Lakeshore Drive, Asked about the availability of the latest draft of the Zoning Ordinance. He also asked about the allowance of a trucking business in Res/Ag if it is no larger than 5 trucks. He felt it gave preferential treatment to this type of business.

IV. Proposed 2011 Budget

Members had a copy of the Proposed 2011 Budget. After discussion about the needs for this next year concerning Contracted Services, Salaries, the requirement of looking at a document concerning the Planning Enabling Act/Zoning Plan and future Special Meetings, a motion was made by **Gooding** to accept the 2011 Budget Draft as presented and move that Draft on to the Township Board. **Badra** seconded the motion. Motion was approved. **Howard** will forward the Draft Budget to the Township Board.

V. Martinson Site Condo Application Revisit

Badra stated that **Mr. Martinson** appeared at the Board meeting and stated that he would like to continue with his application process. There seems to have been a miscommunication between **Martinson** and **Smalley**. The Township Attorney has advised that if there were no objections to his application that it could move forward. **Badra** made a motion that the April 27, 2010 denial of the **Martinson Site Condominium** plan be rescinded so that the preliminary site plan review can continue provided that the fully completed application is submitted to the Zoning Administration at least 21 business days and is received by the Planning Commission at least 14 business days prior to a regularly scheduled Planning Commission Meeting. **Gooding** seconded the motion. Discussion: There is a need to be sure that all are aware this is being done because of the miscommunication, that all information needs to be given in a timely

manner, that this is a continuation of the preliminary, and that all parties know what has been decided at this meeting. **Badra** will send a letter stating what was given in the motion to the **Martinsons** and **Smalley**. Roll Call vote was as follows:

| | | |
|----------------------|----------------------|-----------------------|
| Looman - Yes | Badra - Yes | Reimink - Yes |
| Howard - Yes | Gooding - Yes | Wightman - Yes |
| DeZwaan - Yes | | |

Motion was approved. It was stressed again that this is because of a miscommunication between the parties. It was also stated that it could be July before it would be on the agenda again.

VI. Zoning Ordinance Workshop

The letter from the Township Attorney was not received in time for the Planning Commission members to be able to look at his suggestions until coming to this meeting. There also was not enough time for members to go over the information that **Smalley** submitted.

Howard asked for concerns that members had. Discussion/changes are as follows:

Anti-~~Keyholding~~ Keyholing, page 3-29 Section 3.22 This really applies more to the Lake Michigan shoreline. ~~It was suggested that we keep the old section concerning Hutchins Lake as it was.~~ *It was suggested that we replace Section 3.22 with our current Hutchins Lake Frontage and Use Restriction Ordinance and the Lake Michigan Frontage and Lot Use Restrictions Ordinance as written.*

Frontage-page 2-13 Definitions for a lake are different than along a road. ~~Set backs are determined parcel by parcel looking at the erosion along the lake. Accessory buildings can not be put between a structure and the lake.~~ *Change can be made to Section 3.08C on page 3-15 to add except at Hutchins Lake.*

Setbacks – Section 3.14B add to end of sentence *except in high risk erosion areas on Lake Michigan where setbacks shall be determined by permit from the Michigan Department of Natural Resources and Environment. In non-high risk erosion areas on Lake Michigan setback shall be measured landward from the lakeward facing slope of the dune or bluff.*

Site Condominium – Section 3.18 – ~~can't have a Site Condo to avoid the requirements for land splits.~~ *Our old Site Condo section was to be incorporated into this.* Section 3.18 should subsection D. in Section 7G.03 to read *the Site Condominium will not be approved if it is used for the sole purpose of increasing density, increasing intensity of development or avoiding land division requirements.*

Illegal Dwellings – Section 3.17C Take out the last sentence “Well, electric service, and septic systems are not permitted on a parcel solely for the purpose of supporting a recreational vehicle.”

Accessory Buildings and Structures – Section 3.08E There was a question about the 30” height but it was determined to be correct.

Equine boarding stable – page 14-14, #5 There was a question about spreading manure, but it is covered under this section.

Special Land Uses – page 14-11 The numbering seems a little confusing but it is correct if you look at pages 14-7 thru 14-11.

Definition of Building Envelope - **DeZwaan** asked if we had received that information from **Smalley**. **Howard** will ask her about this.

Animals -**DeZwaan** and **Smalley** had worked on a less complex chart. **Howard** asked for discussion concerning large animals. If 5 acres is needed in Residential, which is the most restrictive this should work in all areas, except Mixed Use. It was decided to use the following:

5 acres - 1-3 animals allowed
7 acres - 5 or less

10 acres - 7 or less, after which GAAMPS would apply.

Fences – page 3-16, 3.09D Add “single-strand” between Barbed wire or electric fencing.

Public input:

Drive-In Establishments – Question was asked in the General Comment section, by **Shirley Newman**, why these establishments were not allowed anywhere in the Township. **Howard** said at the time it was felt that these did not fit in with keeping the rural character of the township.

Wightman stated that the old drive-ins could fit in the Commercial area. Concerns would be traffic, noise and lights. It was decided to allow Drive-In Establishments in Special Land Use/ Mixed Use areas.

Howard reminded everyone that the Planning Commission needs to take ownership of this Zoning Ordinance Draft as a whole. Changes will not be made at the public hearings, but we need to thank the public for their input and assure them that their suggestions will be considered.

Newman's second question had been about convenience stores and why they are not listed, this is included in Article 8 in the Table of Uses in the Retail, General (less than 2,500 sq ft).

There was a question about what constituted a Special Land Use. **Howard** explained that it is a way to say a particular use in a particular zone requires more stringent guidelines than already present, but still be able to allow it.

Jim Birkes had a question concerning the Zoning Ordinance Draft being available on line. The Attorney for the Township currently had the Zoning Ordinance Draft and the Commission did not want to post it until they had received his comments/recommended changes. **Birkes** also questioned allowing a trucking business in a Residential **Res/Ag** area. This is limited to five or less trucks (page 14-24) but the township has already had trouble with the noise of trucks running. **Howard** explained that being in a rural area truckers need to be able to park at home. **Birkes** wondered if a trucking business is allowed why not some other business. This may need to be addressed after the Public Hearings.

Letter from Township Attorney - Scholten-Fant suggestions:

Defined main building as Principal Structure.

DNR/DEQ is now DNRE

Drive-thru Establishments – add definition

Cleaned up the lot area

Sexually Oriented Business needs more clarification added.

Deleted the Off Premise Sign section

3.02 - eliminated specific penalty for violating ordinance, eliminated the language: non-conforming, and references to grafts that don't exist.

5.06(1) Zoning Enabling Act: clustering – talking about multiple dwellings on one parcel.

Howard will contact the Attorney with questions about this.

13.01D Stacking Spaces- This will need to be discussed further.

13.02 Loading Requirements – Table in Section C needs to have 20,000 and greater GFA, spaces required added.

The Township Attorney is sending two versions of the draft: one that is red-lined with changes and one with the changes incorporated into it. These are being sent to the Township Office, so **Howard** will call to see when they can be picked up. At the next meeting, May 25, 2010, the Commission needs to accept the red-lined version and get this available to the public.

DeZwaan asked about signs, like political signs and the requirement for their removal in a timely manner, this was left in the draft.

The information received from **Smalley** will be gone over at the next Regular PC meeting on May 25th.

Howard then went over her opening remarks for the Public Hearing. They included:

introductions, a brief statement on the Planning Commission in general, the updated ordinance and goals, the date started, LSL as the consultants used, the current draft that has been seen by the Township Board and it's Attorney, and now at the Public Hearing stage. She will go over the rules for voicing comments, that this is not a place for arguments, but to take comments to be considered, taking those comments and incorporating those that need to be changed. The draft will then go to the County before it goes back to the Township Board for final approval/adoption.

Badra said that the Commission needs to go over the Commercial part of the draft, this will be done at the Regular Meeting on May 25th.

VII. Future Meeting Dates

May Regular Meeting will be on Tuesday, May 25, 2010 at 7:00PM at the Ganges Township Hall. At that time dates will be discussed for the Public Hearings, hopefully to be held in June.

VIII. General Public Comment

Jim Birkes, 2344 Lakeshore Dr. - At the Public Hearing people need to understand that the Ordinance Draft was put together for the Township, by us for us. Some may see this as a conflict with property rights, but the planning and zoning is done to protect those property rights. Also during the Hearings the Commission needs to remember the Hearings are not a place to debate or defend decisions, but to take comments and thank the public for their input.

Bob DeZwaan, 2259 68th Street – in regards to the 30” requirement, the Commission may want to check with State/Fed/HUD regulations. Petting zoos, these come and go and need to be regulated. On Off Premise signs, these are signs for one company that are not located at that site, and about the truck businesses, these can very noisy, five trucks can be very loud and that noise can travel. All things that need to be considered.

IX. Adjournment

Motion was made by **Looman** and supported by **Howard** to adjourn. Motion carries unanimously. Adjourned at 9:50PM.

Respectfully Submitted,
Diana VanDenBrink
Ganges Township Recording Secretary

