

**Ganges Township Planning Commission**  
**Regular Monthly Meeting Minutes for October 24<sup>th</sup>, 2023**  
**Ganges Township Hall**  
**119th Avenue and 64th Street**  
**Fennville MI, Allegan County**

**I. Call to Order and Roll Call**

Vice Chair **Pierson** called the meeting to order at 7:00 pm

Roll Call: Chair: Jackie **DeZwaan** – Absent

Vice Chair: Dale **Pierson** – Present

Secretary: Phil **Badra** – Present

Commissioner: Edward **Gregory** – Present

Commission Trustee: Dick **Hutchins** – Present

Zoning Administrator: Tasha **Smalley** – Present

Recording Secretary: Jennifer **Goodrich** – Present

**II. Additions to the Agenda and adoption**

**Gregory** made a motion to approve the agenda, as presented. **Badra** seconded the motion.  
Motion passed.

**III. General Public Comment – None**

**IV. Correspondence and upcoming Seminars**

**DeZwaan** has Email from **DeZwaan** to **Bouchard** Re: printing of the new Master Plan

Emails from **Badra** to **DeZwaan** Re: typos in the new Master Plan

Email from **Badra** to the PC Re: Map of soil suitability from the USDA

Email from **Badra** to the PC Re: MSU extension Planning & Zoning for solar farms  
relating to farm land preservation & Agrivoltaic uses

Email from **Bouchard** to **DeZwaan** Re: New MP for website & **Badra** response

Email from **Badra** to the PC Re: record retention

Email from **DeZwaan** to PC Re: the State of MI taking away local governmental control of large solar & wind farms with responses from **Pierson** and **Badra** - info Rec'd from State Representative Andrews

Email from **Bouchard** to PC Re: Zoning Ordinance updates for 10/26/23 meeting

Email from **DeZwaan** to PC Re: Absence and rescheduling December PC meeting date with responses from **Badra & Smalley**

**V. Public Hearing** – None

**VI. Approval of Prior Minutes**

**Gregory** made a motion to approve the September 26th 2023 Regular Monthly Meeting minutes, with corrections. **Badra** seconded the motion. Motion passed.

**VII. Old Business -**

Danielle **Bouchard** of McKenna explained to the PC that she was at tonight's meeting to present the proposed changes that she has for Articles 1-3 of The Ganges Township Zoning Ordinance.

Article 1:

- Title, Purpose, Scope, and Legal Basis

No proposed changes

Article 2:

Section 2.01 Rules Applying to text

- Remove the last sentence E. Gender related words, such as “he” and “him” include “she” and “her,” or other similar uses of gender.
- Remove G If the meaning of this Ordinance is unclear in a particular circumstance, then the Zoning Board of Appeals shall construe the provision to carry out the intent of the Ordinance, if the intent can be discerned from other provisions of the Ordinance or law. – Redundant, also in ZBA Section 16.02A
- Re-letter the remaining rules to reflect the removal of G.

Section 2.02 Definitions A– continuing September 26<sup>th</sup> discussion.

- Updated all of the Adult Foster Care Definitions to reflect the State of MI definitions. PC would like “as amended by the State of MI regulations.” to be added to the text.
- Added a definition of AGRIVOLTAICS – Agrivoltaics is the use of land both for agriculture

and solar photovoltaic energy production.

- Amended Antenna definition. See WIRELESS COMMUNICATIONS TOWER, COMMERCIAL. Communications equipment that transmits or receives electromagnetic radio frequency signals used in the provision of wireless services.
- Badra would also like a definition for *Assembly Accessory* Building to be added.

#### Section 2.03 Definitions B-

- Moved Microbrewery definition to M
- Amended Brewpub definition to add “Regulated by the State of Michigan, a brewpub is a...” to the beginning of the text.
- Buildable area definition may need updating to include ravines and bluffs as unbuildable areas. A definition for a Bluff may also need to be created. And/or the lot coverage definition may also need to be updated. Further discussion will be required before a decision is made.
- Definition for Banquet Hall?

#### Section 2.04 Definitions C-

- Changed the Campground Definition to the State of MI Definition. CAMPGROUND – Campground means a parcel or tract of land under the control of a person in which sites are offered for the use of the public or members of an organization, either free of charge or for a fee, for the establishment of temporary living quarters for 5 or more recreational units. Campground does not include a seasonal mobile home park licensed under the mobile home commission act, PA 96.MCL 125.2301 to 125.2349.
- Changed the Family Child Care Home, Foster Family Group Home, Foster Family Home, and Group Child Care Home Definitions to the State of MI definitions. PC would like “as amended by the State of MI regulations.” to also be added to the text.
- Moved Church Definition to Religious Institutions
- Changed Cider Definition to CIDER - Cider means an alcoholic beverage made from the fermentation of juice from primarily apples or pears, or both, which contains not less than ½ of 1% and not more than 8.5% of alcohol by volume. Cider may be still or carbonated and may contain other fruits, spices, botanicals, or other flavors.
- Created a Definition for CAFO replacing Intensive Animal Feeding Operation. CONCENTRATED ANIMAL FEEDING OPERATION (CAFO) – CAFO as defined by United States Department of Agriculture (USDA) is an intensive animal feeding operation

(IAFO) in which over 1,000 animal units are confined for over 45 days a year.

- Removed the regulatory language on the Cottage Food Industry Definition “These small-scale operations without consumption must comply with the Cottage Food Law and are allowed in all districts”
- Removed the regulatory language on the Cottage Industry Definition “A Special Land Use is required”.

#### Section 2.05 Definitions D-

- Updated the Deck Definition to remove “more than fore 4 inches”
- Under Dwelling, or Dwelling Unit, removed Townhouse definition. Not allowed

#### Section 2.06 Definitions E-

- Changed the Definition of Excavation to The removal or movement of soil, sand, stone, gravel, or fill dirt, except for common household gardening, farming, and general ground care.

#### Section 2.07 Definitions F-

- Changed the Family Definition to the State of MI Definition. FAMILY - A collective number of individuals domiciled together in one dwelling whose relationship is of a permanent and distinct domestic character, with a demonstrable and recognizable bond characteristic of a cohesive unit, and who are in fact cooking and living as a single nonprofit housekeeping unit.
- Changed the Farm Definition to the State of MI Definition. Badra did not like the language ~~especially the from the USDA Definition, since it required a dollar amount to be considered a Farm. Asked Bouchard to come up with another definition that is more in accordance with the~~ Badra requested Bouchard use the Right to Farm Act Definition - Farm means the land, plants, animals, buildings, structures, including ponds used for agricultural or aquacultural activities, machinery, equipment, and other appurtenances used in the commercial production of farm products.
- Removed the regulatory language on the Farm Market Definition “Farm markets must be located on property where zoning allows for agriculture and its related activities”
- Removed the Flood Base Elevation, Flood Hazard Boundary Map, and Flood Insurance Study Definitions; since they were not mentioned anywhere else in the Zoning Ordinance.

- Removed the regulatory language from the Food Truck or Mobile Food Vendor Definition. “Must comply with Section 3.34”.

#### Section 2.08 Definitions G-

- Changed the GENERALLY ACCEPTED AGRICULTURAL AND MANAGEMENT PRACTICES (GAAMPS) Definition to the one used by Michigan Department of Agriculture & Rural Development (MDARD) – GAAMPS are guidelines for farm management that help promote a positive image of Michigan agriculture. Farms that follow GAAMPS are afforded a certain level of protection if a nuisance complaint is filed against them. There are GAAMPS for Manure Management, Pesticides, Nutrients, Care of Farm Animals, Cranberry Production, Site Selection and Odor Control, Irrigation Water Use and Farm Markets.
- Smalley would like the Greenbelt Definition to be elaborated on, especially in the Solar Ordinance. Smalley believes the language in the solar Ordinance is intended to be more for screening, instead of open land.

#### Section 2.09 Definitions H-

- Removed the regulatory language from the Home Based Business definition. The home-based business shall be conducted entirely within the dwelling, garage and /or accessory building. There shall be no outside display or storage in connection with the home-based business.

#### Section 2.10 Definitions I-

- Removed Intensive Animal Feeding Operation Definition.

#### Section 2.11 Definitions J- Reserved, No changes

#### Section 2.12 Definitions K-

- Changed the Definition of Kennel. KENNEL – A kennel shall mean any establishment which keeps or boards dogs for profit, whether for breeding, sale or sporting purposes.

#### Section 2.13 Definitions L-

- Removed the Definitions of Livestock and Living Space, since they were not mentioned anywhere else in the Zoning Ordinance.

- Lot Coverage Definition to be discussed further as part of the Buildable Area Definition discussion.
- Amended the Definition of Lot Width to The continuous distance perpendicular to the side lot lines, measured at the front setback line.

#### Section 2.14 Definitions M-

- Removed the words” ...or business entity...” from the Manufactured Housing Community Definition.
- Removed the Marina Definition.
- Moved the Massage Establishment Definition from the Sexually Oriented Business Definitions.
- Amended the Microbrewery Definition to include “Regulated by the State of Michigan, a microbrewery is a ...”

#### Section 2.15 Definitions N- no changes

#### Section 2.16 Definitions O-

- Changed the Definition of Open Space, removing the last sentence “Undeveloped land not part of any required yard which is set aside in a natural state or for an agricultural use”.

#### Section 2.17 Definitions P-

- Removed the Planning Commission and Pond Definition. Adding a new Definition for Ponds. PONDERS – Small, still land based bodies of water formed by pooling of water inside a depression occurring naturally or artificially. Ponds have a maximum surface area of 12 acres, maximum depth of 16 feet and less than 30% of emergent vegetation.

#### Section 2.18 Definitions Q- Reserved, No changes

#### Section 2.19 Definitions R-

- Created a Definition for Religious Institutions. RELIGIOUS INSTITUTIONS – Religious institutions primarily provide meeting areas for religious activities. They may be associated with a convent (group housing) or provide caretaker housing or a parsonage on site (as an accessory use

#### Section 2.20 Definitions S-

- Moved the Massage Establishment Definition to M.
- Added a Definition of a Site condominium. **SITE CONDOMINIUM** - A tract or parcel of land that has been subdivided under the requirements of Act 59 of the Public Acts of 1978, as amended. Badra did not like the Definition stating that the MSU extension described it as a form of Ownership and questioning if it should be in the Definitions. Smalley stated that it was a way to circumvent the Land Division Act and should probably remain. Further discussion will be required.
- Changed the Definition of **STATE LICENSED RESIDENTIAL FACILITY** – Any structure constructed for residential purposes and licensed by the State of Michigan pursuant to Michigan Public Act 116 of 1973 (the Child Care Licensing Act) or Michigan Public Act 218 of 1979 (the Adult Foster Care Facility Licensing Act), including adult foster care facilities, foster family homes, foster family group homes, family day care homes, and group day care homes.

#### Section 2.21 Definitions T-

- Removed Tool & Die Shop Definition, since it was not mentioned anywhere else in the Zoning Ordinance.
- Removed Township and Removed Township Board Definitions

#### Section 2.22 Definitions U-

- Added a Definition for **UNDEVELOPED STATE** – Undeveloped state means a natural state preserving natural resources, natural features, scenic or wooded conditions, agricultural use, open space, or a similar use or condition. Land in an undeveloped state does not include a golf course but may include a recreational trail, picnic area, children’s play area, greenway or linear park. Land in an undeveloped state may be, but is not required to be, dedicated to the use of the public.

#### Section 2.23 Definitions V-

- Amended the Definitions of **VEHICLE REPAIR COMMERCIAL** to **VEHICLE MAINTENANCE COMMERCIAL** – Repairs and maintenance of vehicles for compensation

and is open to the public. Removing: Permitted in commercial and industrial districts only; and VEHICLE REPAIR NON-COMMERCIAL TO VEHICLE MAINTENANCE NON-COMMERCIAL – Repairs and maintenance of vehicles by the vehicles’ owner that usually would not include major repairs such as collision service or painting. Adding: Repairs and maintenance are not conducted for compensation. and Removing: This would be permitted in all districts.

Section 2.24 Definitions W-

- Amended the Definition of WINERY – A facility for the processing, bottling, and selling of wine which is the product made by the normal alcoholic fermentation of the juice of sound, ripe grapes, or any other fruit with the usual cellar treatment, and containing not more than 21% of alcohol by volume, including cider made from... adding: any fruit, and removing: apples or pears, or both... which contains at least ½ of 1 % alcohol by volume, or mead or honey wine made from honey, fruit juices other than grapes, and mixed wine drinks
- Section 2.25 Definitions X- Reserved, No changes
- Section 2.26 Definitions Y- No changes
- Section 2.27 Definitions Z- No changes

❖ Will Work on Article 3 at the next meeting November 28<sup>th</sup>, 2023

VIII. **New Business** – None

IX. **Administrative Updates**

a. **Township Board**

**Hutchins** reported they had held a Public Hearing regarding the plans for Pier Cove Park, which are moving ahead and are still in the design phase. Hutchins also reported that the Township had purchased the 66’ of property to the north of the Park.

b. **Zoning Board of Appeals**

**Pierson** reported that the ZBA had three applicants at their October 2<sup>nd</sup> 2023 meeting.

1. 7018 Crawford – #07-140-037-00. The ZBA approved Mr. McIntyre’s request for relief from the west and east side yard setback, to remove/rebuild a deck.
2. The ZBA postponed their decision on the Cell Tower variance requests for Ronald and Rhonda Naumann at 6851 114th Ave – #07-029-049-00, requesting

additional information.

3. 2237 Recreation Dr. – #07-460-020-00. The ZBA approved the Koop’s request for relief from the north and south side setback, to construct a garage. The ZBA also approved the Koop’s request for relief from the maximum lot coverage; existing is 39% and they were approved to increase that to 45%. The owners will be removing some of their driveway and hardscaping to diminish the impermeable surface area of the property.

**c. Zoning Administrator**

**Smalley** reported that she should have a Private Road Site Plan variance request on the Agenda for the ZBA’s November 16<sup>th</sup> Meeting.

**X. Future Meeting Dates** – Nov 28<sup>th</sup> and Dec 11<sup>th</sup>

**XI. General Public Comments** – None

**XII. Adjournment**

**Gregory** made a motion to adjourn the meeting, **Hutchins** seconded the motion. Meeting was adjourned at 9:30

Respectfully Submitted

Jennifer Goodrich

Ganges Township Recording Secretary