

Ganges Township Planning Commission
Regular Monthly Meeting Minutes for September 26th, 2023
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 7:00 pm

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

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 **Bouchard** to **Hebert** Re: the Zoning Ordinance update

*Emails from **Bouchard** to **DeZwaan** Re: the Zoning Ordinance update*

Emails from **Phelps** to the **DeZwaan** Re: the Master Plan update

Emails from **Phelps** to the **DeZwaan** Re: the Zoning Ordinance update

Email from **Badra** to the Board Re: Master Plan updates

Email from **Badra** to the PC Re: MTA info for the open meetings act

Email from **Badra** to the PC Re: renewable energy regulation legislation

Email from **Badra** to the PC Re: Zoning Ordinance Definition updates

Email from **Pierson** to **Smalley** Re: Private Road *Design* Regulations & *response*
Email from **Pierson** to PC Re: SLU standards for Solar Farms
Email from **Pierson** to PC Re: Shoreline resiliency/protection
Email from **Smalley** to PC Re: Zoning Ordinance Update
Email from **Gregory** to the PC Re: Zoning Ordinance Update
Seminar in October (Township Planning & Zoning Team Retreat at Harbor Springs MI)

V. Public Hearing – None

VI. Approval of Prior Minutes

Hutchins made a motion to approve the August 22nd 2023 Regular Monthly Meeting minutes, with corrections. **Badra** seconded the motion. Motion passed.

VII. Old Business - None

VIII. New Business –

Danielle **Bouchard** of McKenna explained to the PC that she was at tonight’s meeting to present the proposal to assist Ganges Township with a Zoning Ordinance (ZO) update, the to-do list of amendments, and her memo re: the ZO update process. Bouchard delineated the process of going through the to-do list, section by section, night by night, until they had addressed everyone’s suggested corrections. Bouchard suggest that they start with the Definitions section at next month’s meeting and then work their way through the General Provisions in month two, completing the review and implementing the Master Plan (MP) changes over 5 budgeted meetings.

Gregory asked if Bouchard would send a list of the next month’s discussion topics before the next meeting. Bouchard responded that she could do that. Badra asked what they would be discussing tonight. Bouchard replied that they were going to discuss the process and timeline, and expectations.

Gregory asked how many hardcopies of the updated ZO were in the budget. Bouchard responded that they had budgeted for a copy for each Board member and Planning Commissioner. DeZwaan suggested that a copy for the Township Attorney and Zoning Administrator (ZA)

should also be included. Badra responded that the Attorney and ZA could purchase their own copies as they were employed by other companies.

Gregory asked how people could obtain a hard copy of the ZO. DeZwaan explained that they could be purchased at request to the Township Clerk. Gregory asked if the online version would be searchable by key word. Bouchard explained that you could use the Find function or the embedded hyperlinks but it would not be searchable like the muni-code.

Although Bouchard explained that this meeting was not part of the 5 budgeted meetings that the Board had approved for the ZO updates the PC members wanted to start the Definitions discussion at this meeting. DeZwaan remarked that up to 3 sections will need to be discussed per meeting to stay in budget. Hutchins responded that he was confident the Board would approve the cost of additional meetings, if necessary. Smalley added that some of the to-do list was more clarification questions, rather than suggested changes.

Bouchard clarified that her goal was remove any irrelevant and/or inconsistent definitions, updating them with modern terminology, and removing anything that conflicts State Law. Smalley wants to clean up the unused Definitions. Badra asked if she had a list of any problematic language in the Ordinance. Bouchard apologized that she was not prepared for any analysis since she was intending this meeting for planning purposes rather than update discussion.

The PC discussed the first 8 definitions listed on the to-do list. Decks: Clarify the construction type of any structure built in the area between grade and 4" above grade; anything above grade is considered a deck. Excavation: Remove the ambiguous terminology "to hollow out". Intense Animal Feed Operations: Outdated - Replace with the term Concentrated Animal Feeding Operation (CAFO). Kennel: It was questioned whether they should be regulated by a Special Land Use (SLU) or defined by Allegan County Regulations – further discussion required. Lot Width: Suggested that they add the word "perpendicular" distance and a graphic, to better explain. Manufactured Housing Community: leave alone. Open Space: Badra explained that the Michigan Zoning Enabling Act defines "Open Space Preservation" which entitles a landowner to meet residential density requirements specified in the ordinance for the entire parcel on not more than 50% of such parcel and restrict the balance of the parcel to remain in an "undeveloped state" in perpetuity as defined by the statute. The intent of an undeveloped state was discussed and Bouchard reminded the PC that these open spaces were allowed to have recreation areas like pathways, tennis courts, and playgrounds so some state of development from the natural state has to be allowed. More discussion will be required. Pond/Wetland: Badra stated that Michigan

Department of Environment, Great Lakes, and Energy (EGLE) does not define ponds. The Township ZO defines a pond as a body of water with a natural bottom which holds water for an extended period of time. What is an extended period of time? Bouchard commented that, typically, any amount of time less than 30 days is considered temporary. Pierson concluded that they should clarify any definition meanings that could be debatable.

The PC also discussed Bouchard's Memo Recommendations. The new Glenn Hamlet Mixed Use District Rebranding and residential development requirements in that area were considered; like implementing light road design requirements and reviewing the Open Space standards. The rebranding could also implement Commercial District Recommendations like the confining the RMU/PUD district to the Hamlet Area Creating a schedule of regulations for the mixed use, and creating district standards regarding building and site design. Agricultural District recommendations like prohibiting the development of Private Roads and Planned Unit Developments, deterring and discouraging rezoning requests, and standards related to Agri-tourism were debated. A suggested Industrial District recommendation was to include innovative and flexible land uses. Other Zoning Recommendations Bouchard included in her memo were to review the provisions pertaining to wind and solar energy facilities, Supplementary standards pertaining to Shoreline Protection, and non-Agricultural and/or Residential uses to ensure the townships regulations reflect the MP. Other best practices that Bouchard would like to review and update, if necessary, include Global Recommendations, creating supplementary provisions to specific land uses that have a higher nuisance potential, landscaping standards for the Commercial and industrial Districts, examining the sign ordinance for appropriateness, provisions relating to the Pc's role and responsibilities, expanding the information relating to the process for site plan review and PUD modifications, as well as reviewing resource protection/flood drainage prevention ~~overly~~ *overlay* districts and parking standards, and SLU review and approval criteria.

IX. Administrative Updates

a. Township Board

Hutchins reported another successful tire collection day in the books.

b. Zoning Board of Appeals

Pierson reported that the ZBA denied the applicants request to deviate from the road frontage and Private road requirements at last month's meeting but had suggested a solution to the problem, a life lease, which was well received. Pierson also reported that there are 3 variance requests on the agenda for the next ZBA meeting on October 2nd 2023

c. Zoning Administrator

Smalley had nothing to report

X. Future Meeting Dates – Oct 24th and Nov 28th

XI. General Public Comments –

Hutchins asked Smalley why a mechanical permit was required for an LP tank installation. Smalley responded that it is required by the Michigan Building Code.

XII. Adjournment

Badra made a motion to adjourn the meeting, **DeZwaan** seconded the motion. Meeting was adjourned at 9:04

Respectfully Submitted

Jennifer Goodrich

Ganges Township Recording Secretary