

Ganges Township Planning Commission
Regular Monthly Meeting Minutes FINAL for September 28, 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
Secretary: Phil **Badra** - Present Commissioner: Jackie **DeZwaan** – Present
Commissioner: Ed **Reimink** – Present Board Trustee: Terry **Looman** - Present
Commissioner: Ross **Wightman** – Absent
Zoning Administrator Tasha **Smalley** was also present.

II. Additions/Changes to Agenda and Adoption

Howard suggested moving the **Sutherland** request for extension from VII. New Business to letter c under VI Old Business, moving Next steps on Zoning Ordinance updates to letter d. Motion was made by **DeZwaan**, supported by **Badra**, to accept the Agenda with these changes. Motion passed.

III. General Public Comments

Don Karaus, 2025 Brookhill- voiced his approval of the Passmore building in Glenn, said it was great that this parcel is finally going to be used.

IV. Correspondence, including upcoming meetings/seminars

There were several correspondence:

Letters from **Kay and Frank Conklin** in support of the Passmore's request

Smalley had documents that she was asked to work on- time line for Applications being submitted, also information on sewer/wells.

Martinson's letter from his attorney.

Badra's email concerning Outdoor furnaces.

Information on Watershed Projects/Watershed management plan.

News article concerning wind turbines

Email from **Zachary Bossenbroek** concerning WECS.

DeZwaan had a letter and email **from** *about Mr. Passmore's project from the Allegan County Health Department.*

Letter from the Township Attorney.

Badra had **18** 9 letters from residents *that own all 18 lots* on Sunset Manor re: driveway.

Sutherland letter requesting extension.

V. Approval of Prior Minutes, 8/24/2010 and 9/8/2010

August 24, 2010 – Motion by **Badra** to approve the minutes of the August 24th Regular Meeting with corrections. Seconded by **Looman**. Motion was approved.

September 8, 2010 - Motion by **Gooding** to approve the minutes of the September 8th Special Meeting with corrections. Seconded by **DeZwaan**. Motion was approved.

VI. Old Business

A. Martinson Site Condo application

Howard stated that she had talked with **Supervisor Hebert** and that payment still had not been received from **Mr. Martinson** for the Attorney fees from the February 12th meeting. Without payment the PC has been instructed not to proceed with the **Martinson** application. **Mr. Martinson** explained that he has been trying to get a detailed billing from the Township for the meeting which he agreed to pay. He has not been able to get that detailed billing. **Mr. Martinson** had several emails between himself and the Township Supervisor trying to clarify this issue. He had received an email from **Hebert** with an amount of \$871 which he is willing to pay and stated that he had the check to pay this with him. The Planning Commission could not accept this check as it is against policy. **Mr. Martinson** stated that he attempted to pay the Township Clerk but was instructed that he needed to contact the Township Treasurer. He expressed his frustration at having to continue to wait for his application to be heard since he has been attempting to get a detailed billing since February and still has not received it. He stated that he had contacted an attorney and was paying this bill against his attorney's advice. **Mr. Martinson** asked if the PC would go over his application since he could show them the check for payment of this bill and then table his application, but was told that until the Board receives this payment the PC has been instructed not to proceed. **Howard** told **Mr. Martinson** that while understanding his frustration, the PC could not move forward at this time. **Looman** stated that he had talked with the Board officials and **Hebert** advised him that when payment was received the PC could move forward. **Mr. Martinson** said he would contact **Cindy Reimink** and pay this bill, but asked **Howard** if she could help him in getting the detailed billing. **Badra** made a motion to table the **Martinson** application until the check has been received by the Township Board, seconded by **Reimink**. **Looman** supported. Motion passed.

B. Passmore Site Plan Review

The Planning Commission members had received new information concerning **Mr. Passmore's** application. There were also letters of support from neighbors of **Mr. Passmore**. **Mr. Passmore** hired land surveyors, **Mitchell and Morse** to draw up the detailed information that had been requested. He stated that it was greatly simplified, with no running water, bathroom, or signage. He stated that this building would be used for personal storage. **Frank Conklin** spoke about the easement question. In checking the deeds he found that in 1947 a 16-1/2 foot easement was granted to the **Rogers**. In 1954 when it was deeded again the easement is not mentioned. The Community Center does not need the easement. **Mr. Conklin** stated that he is very pleased that this property will be built on. **Gooding** questioned about the well on the property and if it could be used for watering plants/grass. This is a question that **Mr. Passmore** would need to contact **Mr. Johnson** at the Health Dept.. **Howard** said that the sewer was really the issue on this property. **Reimink** asked about the building being on commercial property but will be used for personal storage. **DeZwaan** also asked for clarification of this not being used for commercial use, but as an accessory building. **Passmore** stated that he needed the storage, but if there was extra space it could be rented. **Howard** proceeded to go over the Final Site Plan Review. **DeZwaan** asked about a porch that was on the original plan, **Mr. Passmore** clarified that it was missed in the drawing, but the roof would extend the full length of the building. The Commission members went over the information that had been presented. **DeZwaan** asked about the floor drain. **Mr. Passmore** stated that he still intended to put in the floor drain. **Howard** asked **Mr. Passmore** if he had talked with **Mr. Johnson** as this will need approval from the DEQ. **DeZwaan** stated that in talking with **Mr. Johnson**, **Mr. Passmore** will need a Soil Erosion Permit/Earth Change Permit and that the drain will also need approval. **Howard** asked the Commission if there were any conditions that needed to be addressed. They

are: Soil Erosion permit, **Smalley** stated that this will be needed because of the excavation within 500 feet of the County Drain.

Parking spaces – four are to be developed and the rest can be provided at a later date.

DeZwaan asked about the office space and that the building will need to be **ADA American with Disabilities Act** compliant. **Passmore** stated that he did not intend to have an office space, he had not noticed this before on the plans. The Commission asked **Mr. Passmore** to update the drawings that had been presented. Two copies will be needed for signatures, one for **Mr. Passmore** and one for the Planning Commission. **Reimink** asked if there would be any outside storage area, **Mr. Passmore** stated there would not.

The Performance Bond was waived. There was discussion about having **Mr. Passmore** get the information back to **Smalley** by the October 14th Special Meeting for signatures. **DeZwaan** pointed out that this was not policy to take care of this during a Special Meeting. A Motion was made by **DeZwaan** to approve the **Passmore** Site Plan with the revisions discussed, contingent on SESC permit from the Allegan County Health Department and **MDMRE DNRE** for the floor drain, seconded by **Looman**. Discussion: **DeZwaan** asked again about the parking spaces and clarified that there would be no sign. The Motion was reworded to include that there would be no signage “at this point”, four parking spaces developed and have the SESC permit and floor drain approval from **MDMRE DNRE**. **Looman** seconded the motion with changes. “**Howard** and **Badra** will incorporate.” Roll call vote was:

Looman – Yes	Badra – Yes	Reimink - No
Howard – Yes	Gooding – Yes	DeZwaan – Yes

Motion passed. Corrections were made to the drawings presented to the Commission as requested and copies were signed. **Mr. Passmore** received one, PC received the second copy.

C. Sutherland request for extension

Badra recused himself as he has property adjacent to **Mr. Sutherland**. The last time that **Mr. Sutherland** was before the PC he had received a preliminary approval to proceed. Since that time property has been sold to the north of his property and there has been an issue discovered concerning the property lines. **Mr. Sutherland** had received clear title from Chicago Title, but has since learned that this is not correct. It was discovered when the surveyor found an overlap on the properties involved. **Mr. Sutherland** has talked with an attorney and with Chicago Title. Chicago Title advised him to file suit against them. This problem may take some time to rectify, so he is asking for an extension in hopes that this will be corrected soon. This problem of overlapping is not just on his property but could affect several properties in the Township. **Gooding** made a motion to give **Mr. Sutherland** an extension of one year from the application final approval. It was seconded by **Howard**. Discussion: this would be an extension from the original date of approval under the current rules. Motion Passed. **Badra** returned to the meeting.

D. Next steps on Zoning Ordinance updates

Howard stated that the Commission completed their review up to Article 12, Site Plan Review. She felt that Articles 12 and 13 could be completed in the next Special Meeting. SLU may take 1-1/2 meetings to complete, using the October Special Meeting and finish in the November Regular Meeting. **Badra** would incorporate the changes into the Ordinance Draft and then she would like to schedule another public hearing in December. **DeZwaan** said that the Ground Water Protection information is split between Section 12 and General Provisions. **Smalley** had an email from **Zack Bossenbroek** concerning the wind energy ordinance changes. It was decided to talk about this at a later time. The Site Plan Time line will be addressed at the October Special Meeting. A date for the Public hearing and how and when the changes will be

available to the public will also be discussed at that time.

VII. New Business

There was no New Business.

VIII. Administrative Updates

A. Township Board – **Looman** had nothing to report.

B. Zoning Board of Appeals – **Gooding** had one report concerning **Greg and Ann Shaw**, 2210 Lakeshore, a request for an addition on the west side of the garage, 20' front relief, 10' side relief. Request was approved.

C. Zoning Administrator – **Smalley** had information on Septic/well and Site Plan Review.

IX. Future Meeting Dates

October Special Meeting will be on Thursday, October 14, 2010 at 7:00PM at the Ganges Township Hall.

October Regular Meeting will be on Tuesday, October 26, 2010 at 7:00PM at the Ganges Township Hall.

November Special Meeting will be on Thursday, November 11, 2010 at 7:00PM at the Ganges Township Hall.

November Regular Meeting will be on Tuesday, November 23, 2010 at 7:00PM at the Ganges Township Hall.

X. General Public Comment

Bob DeZwaan, 2259 68th Street – The 16-1/2 foot easement on the **Passmore** property did not just go away. If it is not on the papers that were just signed by the Commission tonight then this may need to be looked at. With the problems that **Sutherland** is going through, a 5-6 foot variance shouldn't be allowed. It's the Planning Commissions job to make sure things are aligned.

Jim Birkes, 2344 Lakeshore – on the **Martinson** issue, he felt **Mr. Martinson** should have had his own attorney and not talked to the Township Attorney. This could cause a conflict of interest. Also the PC is to have some independence from the Township Board. He felt that the Commission should have dealt with **Martinson** differently. **Smalley** stated that **Mr.**

Martinson had not submitted all the information that was requested of him. **Birkes** said this should be the reason for tabling his application. **Looman** stated that he wanted the minutes to show that there was information not submitted by **Mr. Martinson** that had been asked for in February and in April.

Dan Sutherland, stated that he would like to see a Repository for information allowing others to be aware of line issues. There could be many in our township. **DeZwaan** said that the Assessor has some of this information and communicates known issues to the ZBA. Every year the assessor get new maps.

Jim Birkes, stated that this problem is not just in our Township, the east side of Michigan also has problems. It has been looked at but to have all areas surveyed would be cost prohibitive.

XI. Adjournment

Motion was made by **Looman** and supported by **Howard** to adjourn. Motion carries unanimously. Adjourned at 9:07PM.

Respectfully Submitted,

Diana VanDenBrink

Ganges Township Recording Secretary