

**Ganges Township Planning Commission**  
**Regular Monthly Meeting Minutes **DRAFT** for November 25, 2014**  
**Ganges Township Hall**  
**119<sup>th</sup> Avenue and 64<sup>th</sup> Street**  
**Fennville, MI, Allegan County**

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

Chair

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

Roll Call: Chair: Jackie **DeZwaan** – Present Secretary: Phil **Badra**-Present  
Vice-Chair: Roy **Newman**-Present Commissioner: Charlie **Hancock** –Present  
Board Trustee: Barry **Gooding**-Present  
Administrator Tasha **Smalley** present.

Zoning

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

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

**III. General Public Comment**

**DeZwaan**

opened up the General Public Comment section with the comment that this would be the time for any Old Business comments to be brought to the Commission.

**Mr. Valentine** asked if the Planning Commission members were able to see the information that had been dropped off at the Township Hall. Members stated that they had. There were no further Public Comments.

**IV. Correspondence and upcoming meetings/seminars**

A Copy of the letter sent to **Medrano**

A letter from **George and Bonnie Klein** opposed to the **Valentine** SLU.

A letter that was sent to the Township Board from **DeZwaan** for the Annual Planning Commission report.

**V. Public Hearing – None**

**VI. Approval of September 23, 2014 minutes** - Motion by **Gooding** to approve the September 23, 2014 regular meeting minutes as presented. **Newman** seconded the motion. Motion passed.

**VII. Old Business**

The adjourned deliberation regarding the SLU request for **Valentine Excavating LLC** was continued. **Badra** asked **Mr. Valentine** for any new updates since the last meeting. The soil erosion permit has been obtained. There was a question about wetlands in the area of **Valentine's** property, Mr. Valentine stated that they did not find any within 500 feet of his property. **Mr. Valentine's** engineer had gotten a map. Blue indicates water, but the pond on **Valentine's** property does not show in the map. **DeZwaan** stated that the wetlands should show wetlands on the north boundary. She has a map at home showing this, but did not bring it to the meeting. It was asked if **Mr. Valentine** had made an application to the DEQ. He stated that there are several groups within the DEQ and he would need to check and would apply for what-ever was required, and make appropriate measures. **DeZwaan** again stated that the National Wetlands is not within **Mr. Valentine's** property but is adjacent to the north.

Discussion was continued regarding the request to recycle concrete. **Badra** read from Article 3 of the General Provisions and crushing concrete is not a permitted use. It is not designated in any part of Ganges Township. There would need to be an ordinance change to make this a permitted use. **DeZwaan** said if this is what **Mr. Valentine** was asking for it is not a permitted use according to Pg.3-1,b. Valentine stated that others had used a mineral mining allowance, but PC members stated that this is different. He then asked what needed to be done to change the Ordinance and was told that there would have to be a Public Hearing and a good reason to have it changed.

**Badra** read from 14.03a, #3 which states that the special land use shall not be hazardous to adjacent property, or involve uses, activities, materials or equipment which will be detrimental to the health, safety or welfare of persons or property through the creation of hazardous or potentially hazardous situations or the excessive production of traffic, noise, odor,

smoke, dust, fumes, glare or site drainage. Crushing cement would involve several of these hazards and even though it may be zoned Commercial with residential uses it would not be compatible. **Smalley** stated that she had included this information in the packet that she had sent to **Valentine** concerning the SLU. She stated one interpretation could possibly us Accessory Use from Article 2.02, but that would still not apply as crushing cement is not normally an ancillary use to excavating. The Ordinance does not permit crushing cement, therefore it is not allowed.

With the excavating business any demolition materials would need to go to a landfill. The excavating business would involve storing equipment and the SLU would be acceptable except for the concrete crushing. **Hancock** asked about separating materials, which **Mr. Valentine** stated is already done. He stated that the concrete crushing was something he had hoped to make more readily available in this area. **DeZwaan** asked about the re-rod and what is allowable by the DEQ. **Hancock** asked about what would be required for the crushing. **Valentine** stated that he believed it would involve a DEQ air quality permit and checking of the decibel levels. **Badra** read from a letter that the DEQ had sent to **Mr. Valentine** concerning the re-rod, which stated that the concrete could not include exposed reinforcing bars. It was asked if any current concrete could be removed from the site. **Mr. Valentine** stated that some could be buried there according to DEQ allowances.

**Badra** asked about the site plan items that were written in red, a culvert in the ditch that runs north/south near the **Klein's** property. The ditch cannot be blocked and would need to be maintained. **Mr. Valentine** stated there would be a culvert with a catch basin and driveway that would go over the ditch. **Gooding** stated that he was mistaken at the last meeting regarding the trout stream, which is actually farther away, so it should not present a problem.

The Commission looked at Section 14.03 Basis of Determination and after part A. it was decided that the conditions set forth in numbers 1-6 could not be met. **Mr. Valentine** stated that this property was used as a blueberry receiving station with many trucks, dust and noise. He felt that his business would generate far less dust and noise. **DeZwaan** stated that Ordinances have changed since the receiving station had been there and we now need to abide by the new standards. **Valentine** stated that his trucks are more efficient and a truck terminal is a permitted use. He stated that his trucks would be less than a terminal and that his equipment is out of town most of the time, they move from one job to the next, this would be a transient stop, a home base for equipment. The concrete crushing was taken out of the SLU request.

**Badra** made a motion that the **Valentine Excavating** SLU be approved with the following conditions: That recycling of concrete not be permitted, that the soil erosion and sedimentation control plan is done, that the pump and haul septic system be installed with connections to the building floor drains, that no dumping of demolition materials is allowed. Motion was seconded by **Newman**. There was further discussion about having no office, and delineating between the Commercial and Res/Ag areas, something physical on the property, maybe markers to show the separation. The sand pile also needs to be moved and there needs to be a time frame as to when this all needs to be completed. **Badra** amended his motion as follows: Motion was made to approve the **Valentine Excavating** SLU with the following conditions: That recycling of concrete not be permitted, that the soil erosion and sedimentation control plan is done, that the pump and haul septic system be installed with connections to the building floor drains, that no dumping of demolition materials is allowed, that 4 property markers be placed delineating the Commercial from the Res/Ag property, “ that the drainage ditches on the property are to be maintained”, that the above work be done by May 2015 and that sand and/or gravel can be placed on the property. **Newman** again seconded the motion. Roll call vote was: **Hancock** – yes, **Badra** – yes, **Newman** – yes, **DeZwaan** – yes, **Gooding** – yes.

Motion passed. PC members signed the site plan map. **Smalley** will take the map, make a copy for **Valentine** and send it to him.

b. **Mendrano** SLU non-compliance. **Mendrano's** property has been seen in non-compliance on November 1<sup>st</sup>, 10<sup>th</sup>, 15<sup>th</sup> and is still in non-compliance. **Smalley** stated that she has not heard from him but that he did sign for the registered letter that was sent to him concerning the non-compliance issue. The letter had included the conditions by which **Mr. Mendrano** had agreed to the SLU. **DeZwaan** stated that she felt that **Mr. Mendrano's** SLU needs to be revoked. **Badra** stated that the extra tractor is not the issue, **Mr. Mendrano** agreed to the conditions of the SLU and if he agreed to them he needs to abide by them. **Smalley** stated that he originally came under the old ordinance, but now there are provisions to help deal with these matters. A Public Hearing will need to be held to revoke **Mendrano's** SLU. If the SLU is revoked then it would be the Township Board who would need to prosecute. It was agreed to set a Public Hearing

for the month of March, 2015 due to members being gone. **Smalley** will send out the notification for the Public Hearing on March 24<sup>th</sup>, 2015.

**Badra** stated that the Planning Commission Minutes are now available on the Township website. These are required to be updated if the Township has a website.

#### **VIII. New Business – None**

#### **IX. Administrative Updates**

- a. Township Board-**Gooding** stated that the Township Board met twice since the last Planning Commission meeting. Mainly the **Felker** issue was dealt with. He has been getting things done and had been granted an extension to November 19<sup>th</sup>.
- b. Zoning Board of Appeals – **Newman** stated there had been a meeting earlier this evening and a variance was granted for 1404 71<sup>st</sup> street.
- c. Zoning Administrator – **Smalley** had nothing to report.

#### **X. Future Meetings Dates**

The future dates of the PC Regular meetings will be Tuesday, December 23rd, 2014 and Tuesday, January 27th, 2015. The December meeting could be canceled if there is no business. At the January meeting the election of officers will be held.

#### **XI. General Public Comment – None**

#### **XII. Adjournment**

Motion was made by **Newman** and supported by **Gooding** to adjourn. Motion carried unanimously. Adjourned at 8:25 PM.

**Respectfully Submitted,**  
**Diana VanDenBrink**  
**Ganges Township Recording Secretary**