

**GANGES TOWNSHIP PLANNING COMMISSION**  
**Monthly Meeting Minutes FINAL for July 25, 2006**  
**Ganges Township Hall**  
**119<sup>th</sup> Avenue and 64<sup>th</sup> Street**  
**Fennville, MI, Allegan County**

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

Roll Call: Chairman Barry **Gooding** – present  
Secretary Jim **Birkes** – present  
Commissioner Jackie **DeZwaan** – present  
Commissioner Dortha **Earl** – absent  
Commissioner Ed **Reimink** – present  
Commissioner Dawn **Soltysiak** – present  
Board Trustee Terry **Looman** – present

**PUBLIC HEARING**

**Cottage Home Suequehanna Condominium Development**

The public hearing was opened to the floor at 7:02 PM. Jeremy Van Eyk, representing Cottage Home, stated that the plans had not changed since the preliminary site plan review (see June 27, 2006, Planning Commission meeting minutes). Van Eyk issued water and septic plans to the Planning Commission (P.C.) and summarized Cottage Home's plans for the public:

- there will be four (4) individual parcels, with lots 1 and 2 having Lake Michigan frontage, and lots 3 and 4 spaced out as they go toward the road (71<sup>st</sup> St.)
- the site is low-density residential
- there will be many grassy and meadow areas, keeping as many larger trees as possible
- there is approval from the P.C. for a private road
- all four (4) lots have beach access
- signage will be low profile
- there will be a small, rustic gate at the entrance
- there will be a pond
- there will be a community well system
- there will be a community septic system, for which the condo association will be responsible

Chairman **Gooding** asked for comments from constituents in support of the proposed site condominium. (Responses from Van Eyk are in bold type.)

Frank Conklin, 7009 Crawford Ave., described how the plans initially were for a regular land division into four (4) parcels, then the plans were changed to the site condominium, which will make it easier to maintain the septic and water systems and the private road.

PG Walter, 1471 71<sup>st</sup> St., pointed out that the developer could actually have had more lots on the 6-acre property, and that the planned four (4) lots will not overburden the road traffic on 71<sup>st</sup> St.

Fred Statler, 1485 71<sup>st</sup> St., stated that he owns the property south of the proposed site condominium and that the layout is well-conceived—he has no problems with it.

Richard Coleman, 7103 116<sup>th</sup> Ave., stated that he owns property 300 yards north of the proposed site condominium, and it is approximately the same size. He asked if developments like the Suequehanna development will be available to other owners of similar properties on 71<sup>st</sup> St., and if so, would they have to go through the same process (site plan review, etc.). The P.C. responded that he could develop his property, and he would have to go before the P.C. with his plans.

Beverly David, 1479 71<sup>st</sup> St., asked the following questions:

- How many families will the housing be for? **There will be four (4) single-family dwellings constructed.**
- Will the water treatment plant be near the pond? **It is a community system, not a plant, and it will be near the pond.**
- Where is the septic system? **Not sure exactly where it is.**

- How many homes are required in order to have a water treatment plant? **Gooding** clarified that it is not a treatment system, but a community septic system that has a big drain field, and that it is approximately 800 ft. plus from the shoreline.
- What happens if more houses are built? **Birkes** stated that only four (4) units could be approved at this time.

Judy Jensen, 1415 71<sup>st</sup> St., asked if the development has been approved by the Allegan County Health Department. **The State of Michigan approves the septic system, and Cottage Home is requesting that the P.C. approve the site condominium contingent upon the State approving the septic system.**

Betsy Gruss, 1504 71<sup>st</sup> St., representing her parents, Richard and Jocelyn Hodgman, asked the following questions:

- What is the purpose of the pond? **Primarily for aesthetics.**
- How deep will the pond be? **Not sure.**
- Will the pond tie into the well or septic system? **No.**
- How much water can the well provide the four (4) lots without depleting the neighbors' wells, and who will test it? **Cottage Home has been working with Koops Well Drilling.**
- What is funneling? **Gooding** described the requirements for amount of beach frontage per property.
- Does the zoning have to be changed for the site condominium? **No.**

Gruss also expressed concern that this development will be out of character with the surrounding properties, citing the example of other developments along Blue Star Hwy. that have large rocks with lights on them for signage. Also, she is concerned about a lot of digging and disruption of the environment. Van Eyk assured her that Cottage Home will keep it as natural as possible.

Beverly David, 1479 71<sup>st</sup> St., asked if there will be asphalt and street lights. **There will be a minimum of asphalt and no street lights.**

Michael O'Connor, 6635 118<sup>th</sup> Ave., stated that Camp-It, his business, owns an Advantech filter system (the same system for the Suequehanna development) and described how it accelerates the biological process and produces clean water.

Beverly David, 1479 71<sup>st</sup> St., stated that the Zoning Ordinance requires 100 ft. beach frontage per house, and questioned if there were enough frontage for four (4) lots. **Birkes** clarified that the required 100 ft. per house is for street frontage, and that it is a PUD being considered, not four (4) separate parcels.

Holly Statler, 1485 71<sup>st</sup> St., stated that she has lived at this residence for over 25 years and preferred that there only be two (2) houses on the property. She asked how large the pond will be and expressed concern that it will breed mosquitoes and attract animals. She asked if the pond could be deferred. Van Eyk did not know the size of the pond, and **Gooding** recommended that it be treated. Conklin reminded all that the pond can be used by the fire department.

Richard Coleman, 7103 116<sup>th</sup> Ave., expressed surprise at Walter's earlier comment that there is not much traffic on 71<sup>st</sup> St., stating that there has been increased traffic since the 1950s and 1960s and increased litter along the road as well. He requested that the P.C. consider the future of 71<sup>st</sup> St.

Linda Wilcox, 6274 122<sup>nd</sup> Ave., asked if all four (4) sites had to pass a perk test, and if the community septic system goes awry, what the lot owners will do. Van Eyk stated that he was not sure if the sites had to pass a perk test, but all of the lots were checked and could have individual septic systems. **Soltysiak** added that there is enough reserve space for another community drain field.

Beverly David, 1479 71<sup>st</sup> St., asked who takes care of the pond, septic system, and other community property. **The association does.**

Pam Hodgman, 1506 71<sup>st</sup> St., asked how long the development will take—ongoing for years? **If approved, development will begin in August 2006 and be completed next spring, when house construction will begin.** (Note: the Suequehanna narrative issued to the P.C. documents that the completion of road and landscaping and the beginning of home construction will be in November 2006.)

Beverly David, 1479 71<sup>st</sup> St., asked if the houses will be spec or design homes, and what the time frame will be for building after one purchases a lot. **People will purchase the lot, then build the house.** Conklin explained further that Cottage Home will have the design of the house completed and all the specs before selling a lot, and a contract on the house will be signed at the time a lot is purchased.

Judy Jensen, 1415 71<sup>st</sup> St., asked what the square footage of the houses will be and if there will be a minimum. **It will be compliant with the current zoning, and no minimum has been determined.**

Chairman **Gooding** closed the public hearing at 7:40 PM.

## **PUBLIC COMMENTS**

No public comments.

## **CORRESPONDENCE**

Letter dated July 17, 2006, from the P.C. to Ronald Conklin approving his private road construction application with contingencies.

Letter (no date) from Fred and Holly Statler to the Ganges Township clerk relaying several concerns, yet stating that the Suequehanna development layout appears to be well-conceived.

Letter dated July 15, 2006, from Richard and Jocelyn Hodgman to the Ganges Township clerk expressing concerns about the proposed Suequehanna development; in general, that the development fit into the character of the neighborhood and be compliant with the Zoning Ordinance.

## **ADMINISTRATIVE UPDATE**

### **Ganges Township Board**

Trustee **Looman**, liaison, reported that the Board is debating whether central air conditioning or a window air conditioner should be installed at the township hall. He suggested that the P.C. send correspondence to the Board in support of central air conditioning. **Looman** also relayed a request from Cindy Yonkers, township clerk, to make sure the door between the back office and hall area in the township hall is locked after each meeting.

### **Zoning Board of Appeals (ZBA)**

**Gooding**, liaison, reported that three (3) variance applications were before the board on July 18, 2006:

- Kevin Rynbrandt requested a variance for a garage on parcel #0307-460-024-00—approved.
- Donald Ryder requested a variance for a private road on parcels # 0307-007-006-00 and #0307-007-012-00—approved.
- Timothy Brinks requested a variance for a garage on parcel #0307-320-020-00—denied.

### **Zoning Administrator Report**

New zoning administrator (ZA), Tasha Smalley, reported that she has made several site inspections and had many phone calls regarding the Ryder property (variance request) and land divisions. She stated that she is addressing the Mel Davis issue at this time, regarding compliance with the Zoning Ordinance.

## **BUSINESS SESSION**

The following additions were made to the July 25, 2006, agenda:

- add *Air Conditioning for the Ganges Township Hall* under *New Business*
- add *ZBA Discussion* under *New Business*

**Looman** moved to approve the July 25, 2006, regular meeting agenda with amendments; **Soltysiak** supported; motion carried.

### **Final Site Plan Review—Suequehanna Condominium Development**

Discussion among the P.C. and Van Eyk, Cottage Home representative, included the following issues:

- The Suequehanna condominium association will be responsible for maintaining the private road, community wells and distribution systems, and community septic system.
- There are two (2) drain fields for the septic system—one will be the initial field and the other a reserve field. The permit for the septic system from the State of Michigan is pending.
- **Birkes** asked about the ownership of the individual lots and the common areas. Van Eyk explained that it is one (1) parcel of land, legally divided under the master deed, with ownership of each lot, and common elements of the parcel shared. This is covered in the association bylaws. It was emphasized that there are no land divisions occurring.
- Signage will consist of an illuminated rock set off the drive, parallel to the road (71<sup>st</sup> St.), in such a manner that it does not look like a subdivision.
- There will be no mercury vapor lights on the private road; situation unknown for each individual house.
- **Birkes** noted that approval is being sought without knowledge of the type of structures that will be built. Van Eyk described them as general single-family houses of standard construction. Conklin stated that they will probably range from 1700 to 2700 sq. ft. in size. **Soltysiak** questioned if the P.C. legitimately has the authority to authorize the site plan at this time since the Zoning Ordinance has specific structure requirements. **Birkes** pointed out that the difficulty is that the P.C. is adjudicating this plan under a PUD ordinance, not a site condominium ordinance; therefore, parts of the ordinance may not apply.

**Soltysiak** moved to approve the site condominium plan for Cottage Home for the Suequehanna community with the following contingencies:

- receipt of State approval of the community septic system
- review of the association bylaws by the township attorney that, among other stipulations, must state:
  - there be no lawn greater than 10,000 sq. ft. per unit
  - the signage be no more than 3 x 5 ft. (high) of carved rock, with illumination by one landscape light
- proof of a soil erosion permit from Allegan County
- receipt of a copy of a contract for purchase to show ownership
- receipt of a brief statement from the financial institution that financing can be obtained

And the following under Section 7A.8 Final Site Plan Content do not apply, and are therefore waived by the P.C.:

- A.12, loading and unloading facilities—for commercial use
- B, preliminary architectural sketches
- F, gross area in buildings and parking ratios—for commercial use

**Reimink** supported and motion was carried by roll call vote: **DeZwaan**—yes; **Birkes**—yes; **Gooding**—yes; **Soltysiak**—yes; **Reimink**—yes; **Looman**—yes (6/0).

#### **Approval of Prior Minutes**

**Looman** moved to approve the June 27, 2006, regular meeting minutes as presented; **DeZwaan** supported; motion carried.

**Soltysiak** moved to approve the July 12, 2006, special meeting minutes with two (2) modifications on page three; **Birkes** supported; motion carried.

#### **OLD BUSINESS**

##### **Master Plan Development**

The P.C. decided to wait before contacting the Board regarding whether or not they have authorized the updated Master Plan to be sent to other townships.

##### **Ciesla Mineral Mining Reports**

The P.C. reported that the Ciesla mining reports are up to date, having been found in Shamblin's files. **DeZwaan** noted at this point that the P.C. should have received copies of these reports when first submitted. **Reimink** noted that outdated (incorrect) forms had been used and informed Smalley, ZA, that there are new forms to be used. Smalley will send the updated report form to Ciesla. At this time, **Soltysiak** recused herself from any further discussion.

**Reimink** then expressed doubt regarding the report dated January to March 2006, stating it would have been difficult to do any reclamation during this time of year. The P.C. then revisited the motion made at the special meeting on July 12, 2006 (page 3), and **DeZwaan** moved to rescind this motion for revocation of the Ciesla sand mining permit, and requested that the ZA inspect the site and report back to the P.C. on the progress of reclamation; **Reimink** supported. **Birkes** amended the motion to: rescind the previous motion to which the P.C. agreed to initiate the revocation process, and request that the ZA inspect the site and report back to the P.C. on the progress of reclamation. There were no objections to the amendment, and motion carried.

#### **NEW BUSINESS**

##### **Committee Reports**

##### **Zoning Enabling Act**

The committee did not meet—no report.

##### **Zoning Map Update**

The committee, consisting of **Birkes**, chairperson, **Gooding**, and **Looman** met July 19, 2006, at the Ganges Township hall and determined that the zoning of two (2) land areas needs to be investigated and that another property is depicted incorrectly on the 2004 zoning map.

Discussion ensued regarding the 1999 base map, with **DeZwaan** contending that it is not accurate in response to the statement that this map will be the one from which to update, and documented changes that occurred after that date are to be made on it. **Birkes** responded that no inconsistencies on the 1999 base map had been found. **Looman** suggested that the confusion regarding accuracy stemmed from tax bases changing, but not the zoning. In conclusion, all P.C. members agreed that the 1999 base map is an accurate reference point. **DeZwaan** did request that the committee address the accuracy of the different zone descriptions.

##### **PUD Ordinance**

The committee, consisting of **Soltysiak**, chairperson, **Birkes**, and **Reimink** met July 24, 2006, at the Ganges Township hall. They determined that the following issues need to be discussed further:

- creating separate provisions for some allowable uses currently within the PUD ordinance
- updating definitions
- revisiting the list of permitted uses for PUDs
- combining similar uses and establishing standard for these subsections
- defining where certain PUD types would be allowed to be located

The committee is in the process of obtaining and reviewing existing ordinances at this time.

#### **Future Meetings Schedule**

The P.C. regular meeting is scheduled for Tuesday, August 22, 2006.

#### **Air Conditioning for the Township Hall**

**Looman** relayed that someone had suggested installing a window air conditioning unit in the back office. **DeZwaan** pointed out how bad it is during elections and questioned if the window unit would suffice. **Looman** maintained that the new furnace will handle a central air conditioning installation, and **Soltysiak** pointed out that it would be more cost-effective than a window unit. **Birkes** moved to send a letter to the Board with the P.C.'s suggestion that central air conditioning be installed, improving work production; **Reimink** supported; motion carried. **Soltysiak** also acknowledged that more tables and an amplification system are needed. **Looman** stated that a sign stating that room capacity is ~~49~~ **50** persons needs to be posted to comply with the fire code.

#### **ZBA Discussion**

**Reimink**, in reference to the recent variance issued to Ryder by the ZBA, suggested that the applicant should have gone before the P.C. before requesting a variance from the ZBA. He maintained that the way the Zoning Ordinance is written, the ZA presents the application to the P.C., then, if there are any problems, it goes before the ZBA. **DeZwaan** agreed, stating that the application needed to be denied by the P.C. before going before the ZBA with a variance request.

**Soltysiak** and **Birkes** disagreed, asking why the cost of an additional meeting should be incurred, and **Gooding** pointed out that it would take longer to get a decision. Sally Howard, ZBA member, reminded all that the ZBA did not approve a private road, just a section of it. And **Birkes** maintained that the Zoning Ordinance clearly states that the ZA can rule on the administrative questions and interpretations, determining if a request would be noncompliant and should first go before the ZBA with a variance request; **Soltysiak** concurred. Howard warned that sending applicants through "a bunch of bureaucratic crap" would be a disservice to the community.

**DeZwaan** suggested that the P.C. get clarification from the attorney of the Zoning Ordinance's interpretation of the ZA's role. **Gooding** suggested asking the attorney if the P.C. has the right to give the ZA authority to determine if a variance should be applied for before going to the P.C. with an application. After further discussion, it was concluded that the ZA has the authority to review applications and determine if they go directly to the P.C. or if a variance should be sought first. Smalley stated that if she has any questions regarding the application, she will seek a recommendation from the P.C.

#### **Other Business**

None.

#### **Land Divisions Review**

None.

#### **PUBLIC COMMENTS**

Phil Badra, 2230 70<sup>th</sup> St., in an attempt to clarify the P.C. and ZA involvement in the application section of the Zoning Ordinance, stated that the word *and* was put in there (referring to the Zoning Ordinance, Section IV, section 7F.03A, page 106) by the P.C. so that decision making regarding private road applications would not rest solely with the ZA.

PG Walter, 1471 71<sup>st</sup> St., thanked the Board for the decision to hire Smalley as the new ZA, stating that there is now a cohesiveness between her and Al Ellingsen, which should help with communication.

#### **ADJOURNMENT**

**Looman** moved to adjourn; **Birkes** supported; motion carried unanimously. Meeting adjourned at 9:48 PM.

Respectfully submitted,  
Elaine I. Troehler  
Ganges Township Recording Secretary

