

GANGES TOWNSHIP PLANNING COMMISSION
Special Meeting Minutes FINAL for February 15, 2006
Ganges Fire Department
6957 114th Avenue
Fennville, MI, Allegan County

Chairman **Gooding** called the meeting to order at 6:58 PM.

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

PUBLIC COMMENTS

Chairman **Gooding** prefaced the Public Comment portion by encouraging all comments and recommending that all remain until the end of the meeting, stating that the Planning Commission (P.C.) did desire everyone's input in developing the Master Plan.

Ann Gray, 1974 68th St., presented to the P.C. a petition consisting of 266 signatures (5 questionable due to address listed) of land owners, residents, and taxpayers. She stated that it was advisory in nature, requesting that the board halt the proposed land use plan as of February 15, 2006. She further stated that the present zoning ordinance is a viable plan, and that Ganges Township is regulated enough.

Linda Anderson, 1624 68th Ave., thanked the P.C. for their work on the Master Plan. She encouraged the P.C. to be proactive in promoting the present rural atmosphere by controlling commercial growth along Blue Star Hwy.

Joe Kiss, 6720 119th Ave., asked if the map (posted at this meeting) is what the P.C. is working to develop toward, and asked the reason for eliminating all of the commercial use along M-89 and Blue Star Hwy.

Phil Badra, 2230 70th St., commended the past and present P.C. members for their work. He reminded all that updating the Master Plan is mandated by state law and stated that he supports the draft update land use plan and map. He further stated that public input for the Master Plan update has been solicited in the past by means of the survey, citing the return percentages, and also by the four (4) previous public meetings the P.C. has held. He encouraged the P.C. not to dissolve this update plan as a result of the negative comments received at the January 30th Open House, and that the P.C. should continue with this forward-looking process.

Kathleen Schwegel, 6385 120th Ave., stated that she did not want chain stores (McDonald's, Walmart, etc.) in this community. She stated this is what differentiates this township from others and makes this area attractive, and this difference is what makes our economy thrive.

Allen Meeusen, 2381 62nd St., thanked the P.C. for their work. He requested that his farm and neighboring land remain commercial, stating that this area historically has promoted commercial use. He further stated that he hopes to continue in that direction by placing a large windmill on his property.

Carmen Behn, 2276 68th St., stated that no one has considered the present township infrastructure. She noted that developing an infrastructure to support commercial use along Blue Star Hwy. would benefit a few, while the tax burden would be tremendous for the community as a whole, giving the recent extension of water and sewer along Blue Star Hwy. in Casco Township as an example.

Ann Gray, 1974 68th St., commented on the small area located on the Hudson farm that has been designated for single-wide mobile homes. She stated that Dick Nagy, farm manager, has no intention of selling this land. Gray asked if it were the P.C.'s intention then to eliminate single-wide mobile homes, and felt that this part of the plan would open the township up for litigation. She advised that the P.C. choose another location.

Ted Broe, 1817 64th St., stated that his property is presently commercial and asked why it needed to be changed. He requested that it remain as it is, and stated that it makes sense to have Blue Star Hwy. commercial.

Susan Smith, 6247 122nd Ave., gave her support for the present update land use plan, stating that she moved to this area because she liked the rural community, but that she has also witnessed how development can "eat up" the rural areas. Smith also requested that the P.C. address the grandfather clause.

Mike Perkins, 6166 124th Ave. (**business property**), stated that he lives next to Allen Meeusen and that he does not want his commercial property taken away.

Lon Woodruff, 1673 68th St., stated that he bought all his property as commercial and some of it is for investment.

Joe Kiss, 6720 119th Ave., stated that he understands keeping expansion under control, but advised keeping the commercial property as it is now and stipulate later what kind of commercial use be allowed.

Robert **Goodell**, 6844 121st Ave., stated that he signed the petition and that Blue Star Hwy. and other areas should remain as they are. He declared that to do otherwise would take people's investment away from them.

Carmen Behn, 2276 68th St., countered that she did not sign this recent petition, but she signed one two (2) years ago to change Blue Star Hwy., being concerned about the growth. She further stated that not everyone along Blue Star Hwy. lives there to make a profit. Behn cited an example of urban sprawl south of Holland on Blue Star Hwy. and warned that the same could happen in Ganges Township.

Mary DeBenedetti, 1782 70th St., pointed out that Blue Star Hwy. and M-89 receive primary attention and maintenance from the road commission and that there is a higher electrical grade along these corridors, which should be considered when determining where commercial use is allowed. She also stated that the present infrastructure cannot support a strip mall or McDonald's.

Allen Meeusen, 2381 62nd St., noted that there appears to be a lot of room for compromise, and recommended that those whose land is presently commercial be allowed to remain so if they choose.

The Public Comments portion ended at 7:21 PM.

CORRESPONDENCE

From Dick Nagy to the P.C., stating that he attended the Open House and that as a property owner and manager of the Hudson farm, he would like things to remain as they are.

From Michael O'Connor, stating that the P.C. has many good ideas; however, he does not agree with several of them. He wrote that growth and expansion, existing commercial uses, and new small businesses should be encouraged everywhere in the township where commercial use already exists, not just in the villages. He emphasized that small businesses generate revenue and jobs for the township. O'Connor also inquired about ag preservation and the protection of rural agricultural areas.

From John Hebert, Ganges Township Supervisor, stating that there is a good chance for compromise. He suggests allowing what is presently commercial to remain so, but to then have different classifications of commercial.

Anonymous, requesting that the P.C. preserve the rural atmosphere from large businesses and industry, and stating that the update land use plan is going in the right direction.

From Nelda Warren, stating that farms need to be protected and housing be limited to single-family dwellings (as opposed to condominiums). Also, the clearing of trees should not be allowed, and public lake access should be allowed at the end of dead-end roads.

From Teresa Warren, requesting that the P.C. keep the rural character of the township, preserving farm land and green spaces. She states she has lived here her entire life and does not want large commercial and industrial businesses, but agrees that small "mom and pop" businesses are beneficial.

From Robert DeZwaan, stating that he attended the Open House and has concerns. He submitted that those who want commercial use along Blue Star Hwy. do not reside there. DeZwaan related his experience with sewer crossing his property and the subsequent difficulties he had with the Department of Environmental Quality, as well as well contamination. He contends that the government cannot be relied upon for land or aquifer protection. He states that the P.C. is on the right path to make homes safe for future generations.

Anonymous, requesting that the update land use plan be implemented as soon as possible.

From Bob and Erna ~~Schmitt~~ **Schmid**, requesting that the rural atmosphere be maintained.

BUSINESS SESSION

Approval of Agenda

Birkes moved to add *agenda approval* to the agenda; **Soltysiak** supported; motion carried.

Soltysiak recommended adding discussion of the proposed Lee Township landfill to the agenda.

Looman moved to approve the February 15, 2006, agenda with the addition of *Approval of Agenda* and *Discussion of the Proposed Lee Township Landfill* (under Section IV.C.); **DeZwaan** supported; motion carried.

Review and Discussion of Master Plan Open House

Catherine Kaufman, planner with McKenna Associates, stated that it was the most-attended Open House she has been to. She reported that all the comments were typed up and presented to the P.C., advising that they process the comments as a group and determine what, if any, changes be made. She noted that these comments are broader in their content than what was heard at the Open House. Kaufman offered options for amending the draft land use plan:

- establish setback standards
- preserve existing vegetation
- expand uses in residential and agricultural zones to home-based businesses and agritourism
- develop different levels of commercial use

Kaufman addressed Gray's earlier concern regarding the designated land for single-wide mobile homes, asking if the P.C. wanted to encourage that there be availability of land for single-wides. She also advised developing different commercial zoning classifications as opposed to piecing together commercial and residential uses along Blue Star Hwy. The plan could reflect mixed use in the township, developing "hybrids." Quantifying (qualifying?) this in text would define what the P.C. and constituency want.

DeZwaan reported that 106 comments were received from the Open House and tabulated them as follows:

- 35 expressed opposition to the draft land use plan
- 24 had general comments about the plan or Open House
- 24 expressed support for the plan
- 23 expressed mixed opinions about the plan

From these results, **DeZwaan** suggested that there is room for compromise and that the P.C. needs to further refine the plan.

Both Kaufman and **DeZwaan** have received requests for Master Plan information, and **Birkes** reported that the comments and maps will be placed on the Web site.

Gooding stated that there is too much "straight" agricultural use designated on the draft plan. He stated that having high-density ag operations abutting residential areas would not be wise, and that these straight ag land use areas should be kept in the southeast corner of the township. **Gooding** also suggested moving the high-density farming use away from Hutchins Lake. **Reimink** followed by suggesting that sections 1, 11, and 12 on the map be kept as ag/res land use.

Kaufman asked if the P.C. were interested in ag preservation, which would involve increasing the minimum lot size significantly. **Gooding** responded that the farmer's equity is in his land and equipment, and that ag preservation would penalize him. **Earl** agreed, stating that the minimum of 30 acres per house would not be viable in this township.

Kaufman proposed developing three (3) different ag zones: agricultural (ag); agricultural/residential (ag/res); and rural residential (rural/res). She suggested that this may help protect farmers in maintaining farm operations and activities, as **DeZwaan** stated that some farmers are interested in protecting their land from developers.

Birkes suggested making a list of the major issues that need "fleshing out" in order for the P.C. to move ahead with the Master Plan. **Soltysiak** recommended forming committees to work on aligning the issues and defining terms. **DeZwaan** agreed, stating that it would be arbitrary to draw lines tonight and that information received from the Open House needed to be sorted out. **Looman** concurred and suggested that the P.C. meet with the township board during this process.

One committee, consisting of **Birkes** (chair), **Earl**, and **Soltysiak**, will address the commercial issues—use along Blue Star Hwy. and M-89, spot zoning, mixed use, home-based businesses, and the I-196 interchanges.

The other committee, consisting of **Gooding**, **Looman**, and **Reimink** (chair), will address the agricultural issues—different zoning levels and their definitions and the need/desire for ag preservation.

The committees are **planning** to present their research on and ideas and recommendations for the above issues at next month's special meeting, scheduled for March 8, 2006, at 7:00 PM (location to be determined). The P.C. determined not to involve the township board or any government departments at this time.

Other concerns expressed were community septic systems and the grandfather clause as it is presently defined. **Reimink** submitted that the way the township handles community septic systems will impact township development, and subsequently influence all zones. **DeZwaan** suggested that the present grandfather clause may not protect existing businesses; therefore, the P.C. may want to redefine *nonconforming*.

DeZwaan asked for legal clarification on whether the township is required to provide for every land use in its Master Plan. According to **Birkes**, Lohrsdorfer, Ganges Township attorney, has stated in the past that it is not necessary as long as it can be demonstrated that there is land zoned for a use within a reasonable distance. Kaufman warned that this does not always stand up in court, subsequently recommending that the P.C. plan for the I-196 interchanges.

Gooding concluded this portion of tonight's meeting by emphasizing that the P.C. wants the update land use plan to reflect the needs and desires of the Ganges Township constituency.

Discussion of the Proposed Lee Township Landfill

Soltysiak reported that there is a proposal for a landfill in Lee Township, to be on a 320-acre parcel located at 113th Ave. and 58th St. The business applying is Chef Container out of Holland. The public meeting to discuss the proposal is scheduled for Monday, February 20, 2006, at the community center (formerly Village Market) in Pullman. **Soltysiak** stated that Lee Township has no ordinances, affirming Ganges Township's efforts in updating the Master Plan.

PUBLIC COMMENTS

Robert DeZwaan, 2259 68th St., asked for a legal definition for the term *grandfather in*, and suggested that it be written in the zoning ordinance. Kaufman responded that the term means *nonconforming use*. She further explained that if a person is legal when a zoning ordinance is adopted or changed, he/she can continue as when first established, even if it is sold, and can do so until there is an abandonment of the original use.

Ann Gray, 1974 68th St., expressed further opposition to the designated location (Hudson farm) for single-wide mobile homes, stating it would detract from the rural character. She also expressed appreciation to the P.C. for their work this evening, stating that compromise could be possible.

Carmen Behn, 2276 68th St., reminded all that there is a large area south of M-89 zoned industrial that includes Hudson farm, and believed that this is excessive.

Lon Woodruff, 1673 68th St., expressed concern with the present grandfather clause specifications and suggested that it be redefined.

Vern Beilfuss, 1705 Lake Michigan Dr., pointed out that no one on the P.C. discussed the petition presented tonight, and stated that the P.C. should consider it.

Several people in the public audience expressed concern that the P.C. were basing their planning solely on the survey, which some in the audience alleged they did not receive. **Soltysiak** assured them that the survey is only one part that the P.C. considered in developing the update land use plan. Other factors are: the comments from the Open House; P.C. members talking and listening to people out in the community; input received from previous (special and regular) meetings and tonight's meeting; and proper planning.

Ann Gray, 1974 68th St., stated that those who attended the Open House were led to believe that the P.C. was relying only on the survey in developing the Master Plan. **Earl** acknowledged that this had mistakenly occurred. Gray further expressed her expectation that the P.C. continue to listen to the constituency. **Soltysiak** reminded all that this process has been on-going for the past two (2) years, and that much information has already been compiled and considered in developing the updated Master Plan. Gray asked about future public hearings, to which Kaufman responded that one (1) more is required by law, and that special meetings will continue to be held for the public to attend.

Joe Kiss, 6720 119th Ave., asked again why the P.C. wants to eliminate all commercial use along Blue Star Hwy. to which **Birkes** responded that the P.C. does not want to eliminate it. Kiss further asked why the P.C. was rushing the process, and if there is a time frame. **DeZwaan** responded that the P.C. is two (2) years behind regarding the deadline. Kiss then suggested presenting the present Master Plan to the county, advising that the P.C. ignore any county concern (which occurred in the past when this was done). The P.C. deferred this suggestion, stating that it is best for the community to continue developing the plan.

Susan Smith, 6247 122nd Ave., affirmed that many important things came out of this evening's meeting, with much community input. She stated that change will occur whether it is desired or not, and that the township cannot rely on support from the government or courts. Smith encouraged all to keep communication open and not to overreact.

Robert DeZwaan, 2259 68th St., requested that the creeks be removed from any commercial use, because they are susceptible to being polluted.

Dick Hutchins, 6326 118th Ave., advised that the P.C. have John Johnson from the Department of Health attend a public hearing to explain the requirements for a commercial septic system.

Ann Gray, 1974 68th St., reminded the P.C. that the township is regulated by the DNR, state, county, etc., and that the P.C. should take their regulations into consideration, suggesting that the P.C. may need to consult with other agencies and not act independently of them.

ADJOURNMENT

Looman moved to adjourn; **Soltysiak** supported; motion carried unanimously. Meeting adjourned at 9:25 PM.

Respectfully submitted,

Elaine I. Troehler
Ganges Township Recording Secretary