

Ganges Township Planning Commission
Regular Monthly Meeting Minutes for October 26th 2021
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

Secretary: Phil **Badra** — Present

Vice-Chair: Charlie **Hancock** — Absent

Commissioner: Dale **Pierson** — Present

Commission Trustee: Barry **Gooding** — Present

Zoning Administrator: Tasha **Smalley** — Present

Recording Secretary: Jennifer **Goodrich** — Present

II. Additions to the agenda and adoption

Motion was made by **DeZwaan** to move Private Roads to the first discussion in Old Business and add discussions regarding accessory buildings and the November meeting date to the agenda. Motion was seconded by **Badra**. Motion passed.

III. General Public Comment — None

IV. Correspondence and upcoming meetings/seminars

DeZwaan stated that she had received an e-mail from **Badra** regarding his unavailability to attend the upcoming meetings in December, January, and February; and an email Re: the upcoming Zoning Class in Frankenmuth.

V. Public Hearing — None

VI. Approval of September 28th, 2021 minutes

A motion was made by **Pierson** to approve the September 28, 2021 regular meeting minutes, with corrections. **DeZwaan** seconded the motion. Motion passed

VII. Old Business - ORDINANCE UPDATE 2021 Draft 4

1. Private Roads: **DeZwaan** asked **Smalley** if she had met with the Township attorney to discuss private road maintenance agreements. **Smalley** reported that she had met with the attorney and had determined that he was not opposed to a template or sample document being created to help applicants create their road maintenance agreements. He also stated that it is not a requirement that he review these documents. **DeZwaan** explained that she had been making it a requirement to protect the Township from any liability.

Badra asked if it was a requirement that all parties have notarized signatures, **Smalley** responded that the Register of Deeds requires that.

Badra asked if additional text should be added to the private road ordinance regarding the removal of obstacles like trees and snow, **Smalley** responded that they could change emergency vehicles to all vehicles.

2. Signs: **Badra** stated that the MTA attorney had an issue with adding text that allows the removal of signs based on ~~whether they were temporary or not~~ *the subject of the signs*. **Pierson** stated that you don't have to read them to make that determination, it could be based on the style of construction. **DeZwaan** believes such language would be an unenforceable nuisance and the fact that they would be unmaintained would cover the removal of such.

DeZwaan suggested limiting the size of the sign(s) to the property size. ~~**Pierson** would like to see the size based on the property's road frontage.~~ Discussion was also had on basing the size on the District or Use.

3. Changes already discussed at PC meetings and agreed to:

- Renumber pages 4-1 to 4-7 to read pages 3-45 to 3-51.
- Move the start of Article 4 from page 3-51 to page 4-1 (the old 4-8) and renumber page 4-9 to read page 4-2.
- Pages 7-6 to 7-8 should be 7-1 to 7-3
- Pages 5-2, 6-2, 7-6, 8-2, 11-1 add to Commercial Small *Cell* Communication facility (subject to Section 3.36)
- Page 12-4 C.9. ...as determined by a staked land survey bearing the seal of the ~~licensed professional engineer or~~ surveyor preparing the Site Plan. Eliminate C.18.
- Page 16-5 B.4. Add – A staked land survey of the parcel bearing the seal of the licensed professional surveyor preparing the land survey must accompany the variance application along with appropriate property markings on site to indicate the location of the variance request.

- Wedding barns/event centers are not allowed since they are in conflict with the Master Plan page 18 Rural Character and page 19 Agriculture/Residential Section 2. The Master Plan would allow value added Ag related uses. The Right to Farm Act and Farm Market GAAMPS do not consider wedding barns/event centers Ag related uses, are not protected by the RTFA and are subject to local control. Also, Webster Township v. Waitz June 7, 2016 found that wedding barns are not accessory uses to a residence or farm operation. We decided the issue should be discussed when the Master Plan is reviewed.
- Page 3-3 D. Change to read - A dwelling unit shall have no side less than 24 feet at the time of manufacture, placement or construction.
- Page 3-5 D. First sentence was supposed to be removed at the last ordinance update but wasn't.
- E. Change to read – Accessory buildings less than 200 square feet shall have the front of the detached accessory building placed even with or behind the front building line of the main structure.
- Private Road Ordinance add to D.10 – Notarized signatures of the owners of the parcels served by the private road are required in order to record the agreement. *C.18 – Change emergency vehicles to all vehicles*
- Tasha's draft # 4 of the Private Road Ordinance approved
- Sign definitions Pages 2-27 & 2-28
 - Add A. Abandoned Sign: Any sign, including its supporting structure, erected in conjunction with a particular use, for which the use has been discontinued.
 - Change A. Awning to B.
 - Change B. Awning Sign to C.
 - Eliminate Current C. D. F. I. and K.
 - D. Becomes Canopy.
 - E. Becomes Directional Sign.
 - F. Becomes Ground Sign: A sign resting directly on the ground or supported by poles not attached to a building or wall.
 - G. Becomes Portable Sign.
 - H. Becomes Sign – Change definition to read – A lettered, numbered, symbolic, pictorial, or illuminated

visual display designed to identify, announce, direct, or inform that is visible from a public right-of-way.

- I. Becomes Temporary Sign.
- J. Becomes Wall Sign.
- K. Becomes Window Sign.
- Page 4-2 Sign Ordinance.
 - H. Change to read – The light source for illuminating signs must be external and directed in a manner that will prevent light from shining onto traffic or neighboring properties. Light source(s) shall be fully shielded, directed towards the sign face, and designed to concentrate all light on the sign copy area.
 - J. Add – and road right-of ways.
 - Add K. Maintenance - Maintenance standards include prohibiting the display of damaged or structurally unsound signs, signs with chipped paint, rust, cracking and damaged or faded lettering. Signs that do not meet these conditions are subject to the following:
 - A. The township Zoning Administrator shall have the authority to determine whether a sign is unlawful or has been abandoned. Such determination is subject to appeal by an aggrieved person to the zoning board of appeals. The township Zoning Administrator may order the removal of such signs in accordance with the following procedure:
 - Determination. Written notification of the determination and any order for removal shall be provided by certified mail to the owner, operator or person having beneficial use of the property upon which the sign is located.
 - *Removal.* Abandoned or unlawful signs shall be removed within sixty (60) days after notification of a determination and order for removal by the township Zoning Administrator. All support structures and components shall be completely removed.
 - B. Signs determined to be in a damaged condition by the Zoning Administrator shall be repaired or removed within sixty (60) days after notification by certified mail. If such action is not taken by the owner, operator or person having beneficial use of the property where the sign is located, the building official shall have the authority to order the repair or removal of the damaged sign. The owner shall reimburse the township for repair or removal costs, or the township may place a lien on the property for such expenses.
 - C. Unsafe signs. The Zoning Administrator shall attempt to contact the sign owner to request that the unsafe condition be corrected. However, the Zoning Administrator may order the removal of any sign

determined to be unsafe without prior notice. After removal, the building official shall notify the property owner by certified mail of the action taken and the reasons for the action

- Page 3-10 Section 3.14 D. Add - Stairs not attached to a structure or building shall meet the setback requirements of the main building.
- Guest Cottage page 3-6 Add to I. 1. Only one guest cottage is allowed per parcel.
- Page 8-2 major typo.
- Page 2-17 Lot Coverage – Add - ...driveways and parking lots paved or unpaved.

4. Issues to be discussed at the November 30, 2021 meeting:

- Sign ordinance purpose statement, unlit and illuminated signs. Sign height and dimensions. On and off premises signs.
- ~~Page 16 5 B.4 Pierson suggested adding along with appropriate property markings on site to indicate location of the variance request.~~
- Template for the private road maintenance agreement.
- Should we add signs as an accessory use subject to Section 3.28 in the table of uses?
- Should we add L – No sign may be erected unless it is expressly authorized by this ordinance?
- Should we add – Signs less than 2 square feet are exempt from this ordinance?
- Should J. say public right of ways?
- Should poles say post?

5. **DeZwaan** questioned why accessory building as large as 200 square feet were allowed in the front yard.

Smalley responded that line D should have been removed in the last ordinance update. **Smalley** added that they could change the text to state that any accessory building be even with or behind the main structure and shall meet the setbacks of the zoning district.

6. **DeZwaan** stated that she would be unable to attend the November 23rd meeting, the PC decided to reschedule for November 30th.

VIII. New Business — None

IX. Administrative Updates

Township Board-

Gooding reported that the Township has had numerous new houses constructed this year demonstrating good growth and development in the community.

Zoning Board of Appeals (ZBA)-

Pierson reported that 6016 Cedar St. has not provided re-revised plans (minimizing their variance requests).

Zoning Administrator-

Smalley had nothing to report.

X. Future Meetings Dates

The future dates of the PC Regular meetings will be November 30th 2021 and December 28th 2021

XI. General Public Comment — None

XII. Adjournment

Motion was made by **Gooding** and supported by **DeZwaan** to adjourn. Motion carried unanimously. Adjourned at 8:535PM.

Respectfully Submitted

Jennifer Goodrich

Ganges Township Recording Secretary

