

Ganges Township Planning Commission
Regular Monthly Meeting Minutes APPROVED for May 24, 2016
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 7:00PM.

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

Zoning Administrator Tasha **Smalley** was also present.

II. Additions to the agenda and adoption

DeZwaan wanted to add Non-Conformities to the Old Business section. Motion was made by **Badra** to accept the agenda with the addition to Old Business. Motion was seconded by **Hancock**. Motion passed.

III. General Public Comment

Eric Sikkema, 2080 Lakeshore – asked about the property next to him and what he feels has turned into a resort rental. He wanted to share his concerns and ask the Planning Commission for advice. **DeZwaan** stated that this has been brought up to the **PC** and that it is an enforcement issue, which the Township Board would need to enforce. **Smalley** stated that it is a single family dwelling and that she could look into building codes to make sure there are no problems there, but advised **Mr. Sikkema** that the **Township Board** meets on the second Tuesday of each month. **Badra** also advised that he should write to the **Board** or go to the **Board** meeting with his concerns.

Eric Pennebaker, 1776 68th Street – asked about having multiple commercial uses on the same property. **PC** members stated that it would depend on what it was. If it is a permitted use and the requirements of that use were met there would not be any way to stop that use. The Master Plan is reviewed every five years and that could change some areas of use.

IV. Correspondence and upcoming meetings/seminars

DeZwaan had a letter from the **Township Attorney**, a memo from **Smalley**, and there was GOODING SHARED an invitation to the County Park's open house/dedication that will be held on June 2, 2016 at 2:00PM.

V. Public Hearing – Zoning Ordinance Amendments

The Public Hearing was opened at 7:11PM by Chairperson **DeZwaan**. Items reviewed were:

1. Suggested GAAMPs Changes – **DeZwaan** read the proposed changes in Section 3.18 Domesticated Animals, 3.31 Farm Market, 3.32 Equine Boarding Stable and/or Training Facility, and 3.33 Raising of Fur Bearing Animals or Game Birds. There were just a couple of word changes, but no other comments.
2. Fences – After **DeZwaan** read the proposed changes to Section 3.09 there were no comments.
3. SIGNS Section 3.28 – **DeZwaan** read all of the proposed changes and there were no comments.
4. Zoning Board of Appeals Amendments – **DeZwaan** read the proposed changes and there were no comments.
5. Guest Cottage – Section 3.08 – **DeZwaan** read the proposed changes. **Smalley** asked about a utility sink. It was the consensus of the **PC** members that this would not be a problem. There were no other comments.
6. Brewery definitions, Special Land use Brewery Microbrewery Brewpub – **DeZwaan** read the proposed changes. **Smalley** had a question about #6. After some discussion it was decided to have it read as: Access to the lot shall be located according to County or State “road” requirements as applicable. #12 needs to have “or Industrial” deleted. It was asked by the public if Breweries and Wineries couldn't be addressed in the same manner in the Res/Ag with added requirements to keep the focus on being agricultural. It was felt that the different requirements for Breweries and Wineries only adds to the inconsistencies. With the amount of barrels allowed these operations could be quite large. Other concerns from the Public Comments were that the approach being

taken is narrow and more confusing and needs to be more general where food production is being taken into consideration. **Badra** stated that the information on the barrels allowed comes straight from the Liquor Control Commission. Tiered zoning affects the hours of operation with residential next to a business so hours of operation need to be in place. The State specifies BrewPub requirements, and the food production has nothing to do with being a part of the farm.

7. Winery Amendments- Section 14.06 - **DeZwaan** read the proposed changes and there were no comments. There were several Other Suggested Ordinance Changes for pages 2-4, 3-5, 3-7, 3-32, 5-2, 6-2, 8-2, 14-5, 14-10, 14-11, 14-12, 14-30 and 16-4, all dealing with typos or other small changes.
8. Non-conformities – after looking at the **Township Attorney’s** response to this question it was felt there are no changes needed. The Public Hearing was closed at 7:50PM.

VI. Approval of April 26, 2016 minutes – Motion by **Gooding** to approve the April 26, 2016 regular meeting minutes with corrections. **Badra** seconded the motion. Motion passed.

VII. Old Business-Zoning Ordinance Amendments

GAAMPs – add the small “s” and “or” on second page. Motion by **Newman**, seconded by **DeZwaan** to present the amendments for GAAMPs to the **Township Board** for approval. Motion passed.

Fences- Gooding stated he would like to see more than one strand of wire along Class A roads. **Smalley** looked it up and the new fence ordinance addresses this, but if before 2011 it would have been grandfathered in. Anything after 2011 would be an enforcement issue. The changes that are being discussed in this amendment addresses front yard fences. Motion by **DeZwaan**, seconded by **Newman** to present the amendments for fences to the **Township Board** for approval. Motion passed.

Signs – **Badra** made a motion to present the amendments for signs as discussed to the Township Board. Seconded by **Hancock**. Motion passed.

ZBA Amendments – Motion by **Newman**, seconded by **Badra** to present the amendments for **ZBA** to the **Township Board** for approval. Motion passed.

Guest Cottages – Motion by **Badra**, seconded by **Newman** to present the amendments for Guest Cottages to the **Township Board** for approval. Motion passed.

Other suggested changes – **DeZwaan** stated that she had found other typos, and numbering changes that will need to be made. She gave a list of these to **Badra** so that they can be added to what will be presented to the **Township Board** for approval. Motion was made by **DeZwaan** and seconded by **Badra**. Motion passed.

Wineries- DeZwaan looked at the Master Plan. With the 200’ setback and tiered zoning a minimum of 5 acres in Commercial would be required, with 10 acres in the Res/Ag. Wineries in Commercial would be a SLU.

Breweries/Meaderies would require a two acre minimum with 50’ front and side setback, and 30’ rear setback.

Badra stated that to do a brewery in Res/Ag one would need to ~~do rezoning request~~ APPLY FOR CONDITIONAL REZONING. **DeZwaan** stated that the small acreage in the Commercial district goes with the Master Plan. **Smalley** said that any wedding/reception or outdoor event would need a permit issued by the Township Board. **Badra** will type up changes discussed for Wineries/Breweries and give them to the **Township Clerk** to be presented to the **Township Board**. Motion by **Badra** to amend the Winery Ordinance and proposed Brewery amendments ~~to be Wineries will need 10 acres in the res, Res/Ag zones, will maintain 200’ setback, still require product to be grown on property, a 2 acre minimum would be required in Commercial. Breweries/Meaderies would be allowed in the Commercial district with 50’ front and 30’ rear setbacks and does not require that product be grown on the property. Neither Wineries/Breweries are allowed in the Industrial district, but would~~

ORDINANCE SO THAT WINERIES LOCATED IN AG OR RES/AG DISTRICTS WOULD REQUIRE TEN (10) ACRES, REQUIRE TWO HUNDRED FEET SETBACKS FROM RESIDENTIAL DISTRICTS OR USE AND REQUIRE FRUIT TO BE GROWN ON THE FARM THE WINERY IS LOCATED ON. WINERIES IN THE COMMERCIAL DISTRICT REQUIRE A TWO (2) ACRE MINIMUM LOT SIZE WITH SIDE AND FRONT YARD SETBACKS OF FIFTY (50) FEET AND REAR YARD SETBACK OF THIRTY (30) FEET. BREWERIES AND MEADERIES ARE ONLY ALLOWED IN THE COMMERCIAL DISTRICT WITH A TWO (2) ACRE MINIMAL LOT SIZE WITH FRONT AND SIDE YARD SETBACKS OF FIFTY (50) FEET AND REAR YARD SETBACK OF THIRTY (30) FEET. PRODUCT IS NOT REQUIRED TO BE GROWN IN THE COMMERCIAL DISTRICT. WINERIES, BREWERIES AND MEADERIES ARE NOT ALLOWED IN THE INDUSTRIAL DISTRICT AND ALL FACILITIES require a SLU. **Gooding** seconded the motion. Motion passed.

All of these will be presented to the Township Board for approval. A roll call vote was as follows: **Hancock** – Yes, **Badra** – Yes, **DeZwaan** – Yes, **Gooding** – Yes.

The **Township Board** has the authority to approve or throw out any items being proposed. **Gooding** asked **Newman** if he felt that the **ZBA** needed to have five members instead of the three currently. **Newman** felt that it has not created any issue to date, so he felt it was fine with the three.

VIII. New Business-None

IX. Administrative Updates

a. **Township Board-Gooding** stated that the Township Board met on May 10, 2016 and discussed **Cranes** and **FennValley's** outdoor entertainment permits, which were approved. Crushed concrete will be used to fill in some holes -at the dump site. They also discussed the **Foster** lawsuit. Correspondence will be sent to the **Township Attorney** concerning this lawsuit. Also discussed was the Hutchins Lake Board representative.

b. **Zoning Board of Appeals-Newman** stated that there had not been any meetings to report.

c. **Zoning Administrator – Smalley** reported on several items:

ToDo LLC has not responded, **Smalley** stated that she will send a memo. **KLC** has not responded so a second notice will be sent and then a citation. **Dr. Bastow** now has a building permit. Three tickets were issued and he is ~~achieving~~ ATTEMPTING to comply but has not complied as of this date. He has 15 days to reply to the Court. If he does not the **Township** can ~~DO~~ DO what needs to be done and bill **Dr. Bastow** through attaching the cost to his tax bill to be reimbursed to the **Township**. **Ganges Junction** has not responded to **Smalley's** letter, but any new tenants would have to apply for a Site Plan Review. **DeZwaan** asked that copies of any letters sent be forwarded to herself and **Badra**. **Smalley** stated that she is aware of a possible Site Plan Review that will need to be done at next month's meeting.

X. Future Meetings Dates

The future dates of the PC Regular meetings will be Tuesday, June 28th, 2016 and July 26, 2016.

XI. General Public Comment

Eric Pennebaker-1776 68th Street, asked for a clarification of the change from 200' setback to 50' for wineries. He also commented on the definition for a Bed and Breakfast, he felt this could be a problem in the future along the lake shore. It was stated that these kind of problems are an enforcement issue and that B&B's are regulated by the State.

XII. Adjournment

Motion was made by **Newman** and supported by **Gooding** to adjourn. Motion carried unanimously. Adjourned at 8:40PM.

Respectfully Submitted

Diana VanDenBrink

Ganges Township Recording Secretary