

Ganges Township Planning Commission
Regular Monthly Meeting Minutes *Corrected* for January 28, 2020
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** — Absent

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

Commissioner: Dale **Pierson** — Present

Commission Trustee: Barry **Gooding** — Absent

Zoning Administrator: Tasha **Smalley** — Present

Recording Secretary: Jennifer Goodrich – Present

II. Additions to the agenda and adoption

A motion was made by **DeZwaan** to move the election of officers and establishing the regular meeting dates of the Planning Commission (PC) from New Business to before Old Business. The motion was seconded by **Hancock**. Motion passed.

III. General Public Comment

Julie **Cowie** - 876 ½ Blue Star Hwy: representing Rural Gig, a local wireless broadband internet LLC remarked that the 75' towers discussed in the proposed draft ordinance are not tall enough to solve their line of sight problem. For a direct line of sight connection they need 90-100' towers. **Cowie** also brought up concerns she has regarding the fall zone requirements on smaller lots and the 12 month window to remove an unused tower.

Mark **Osowski** – 1806 Morning Glory: presented why the 32 members of the Lakewood Beach Association would like to benefit from the Rural Gig Technology. **Osowski** described how upgrades like natural gas and a community well have been made to the neighborhood since it was developed in the 1970's, but internet capabilities are a chronic problem. Frontier and Hughes Net are unreliable and have slow download speeds.

Comcast is not available in the area. **Osowski** explained that the Association has room on a back lot to place a tower but they do not want to cut down any trees to try to improve the line of sight for a 75' tower.

Steve **Renberg** – 6537 120th Ave: expressed his hope that another 25' in height would not be a big concern; especially when it would help more rural areas homes to be able to connect to the broadband internet that they need.

IV. Correspondence and upcoming meetings/seminars

DeZwaan has the 4th Quarter report from Top Grade Mining

A memo from Badra Re: meeting discussion notes

A memo from David & Ann DeGroot, and Robert Bastini Re: the Morse Private Road Agreement

V. Public Hearing – None

VI. Approval of August 27, 2019 minutes

A motion was made by **DeZwaan** to approve the November 26, 2019 regular meeting minutes, with corrections. **Pierson** seconded the motion. Motion passed

VII. Election of Officers

A motion was made by **DeZwaan** to nominate **Badra** as Secretary. **Pierson** seconded the motion. Motion passed

A motion was made by **DeZwaan** to nominate **Hancock** as Vice Chair. **Pierson** seconded the motion. Motion passed

A motion was made by **Pierson** to nominate **DeZwaan** as Chair. **Hancock** seconded the motion. **DeZwaan** abstained. Motion passed

VIII. Regular Monthly Meeting Schedule

A motion was made by **DeZwaan** to approve that the regular monthly meetings be scheduled on the 4th Tuesday of the month, at the Ganges Township Hall, at 7pm. **Hancock** seconded the motion. Motion passed

IX. Old Business

- a. Revised Morse Private Road Agreement for Harmony Lane

DeZwaan questioned the “as built” letter that Wightman & Assoc. had provided for the new road; wanting to know why the ditch that had been shown on the original plan had not been installed.

Morse stated that the engineers had determined that it was not necessary due to the topography of the area. **DeZwaan** asked **Smalley** if changes like this and/or the change in the size of the aggregate (23A instead of 22A) could be made on site, or does the road have to be built as

originally approved. **Smalley** responded that the engineer has the experience and knowledge to determine what was required to be installed or not... but that a new plan showing what the finished project actually looks like could be requested. **DeZwaan** also asked about the Fire Department approval. **Smalley** responded that *although* a verbal approval had been given she has requested that it be put into writing.

Pierson asked where the water goes, if not into a ditch. **Morse** responded that it either percolates into the sandy soil or flows just as it always has; without infiltrating the neighbor's property(s). **Morse** also commented that there is drainage nuisance language in the road maintenance agreement. **Pierson** inquired as to what the complaint process would be if an issue did arise. **Smalley** responded that any problems should be addressed to her, the Zoning Administrator, and that they would then be relayed to the owner.

DeZwaan then discussed the concerns brought forth in the neighbor's memo. **DeZwaan** does not think that it is the responsibility of the PC to mandate details like majority votes, budgets, accounting for expenditures, buy-in costs, etc. **Morse** is aware that resolution of those concerns will likely become a civil matter, stating that he has already had a discussion with his attorney regarding any adverse possession and/or easement by necessity claims that may be levied against him.

DeZwaan moved that the Morse's Harmony Lane Private Road Easement Rights and Responsibilities Agreement be approved with following conditions:

1. The PC would accept the changes made by Wightman & Assoc. contingent upon written approval from The Fire Department.
 2. That the Private Road Maintenance and Easement Agreement must be recorded with the Allegan County Register of Deeds and provided to **Smalley** within 30 days.
- Motion was seconded by **Pierson**. Motion passed.

b. Discussion of Cell Towers

Badra's memo mentioned that he believes towers over 75' should still require a Special Land Use (SLU). **DeZwaan** explained to everyone that any zoning ordinance changes would apply to any and all future applicants, not just Rural Gig. **DeZwaan** responded to **Cowie**'s public comments regarding the fall zone size, stating that there is no way of knowing which way the tower would fall so it needs to have a completely clear radius beneath it to avoid any structures, utilities, etc. **DeZwaan** also explained that the 12 month time *period* to remove unused towers was pretty standard and the same as some of the neighboring jurisdictions ordinances.

Cowie was asked if there would be a propane tank on site to power a generator. **Cowie** replied that the towers usually draw approximately 7 watts of power from a nearby home and use car batteries for backup power. A discussion was had questioning whether or not the fall zone could be bigger than the lot size, if the signal could be boosted to increase connectivity, and if there would be any noise created by the equipment.

Cowie explained how line of sight works. One of the two main towers, located on 111th and 68th or the Scenic View Dairy Farm, needs to be able to see over the tree line to a 90-100' tower and then down to a group of homes. Then, anyone who still couldn't see the community tower could get line of sight from a neighbor's antenna or hardwired via cable from the next closest home. However, the signal cannot be increased to penetrate trees. No noise would be created.

The language of a new definition for Wireless Internet Towers was also discussed, **Smalley** explained that it should be different the existing Cell Tower text. **DeZwaan** questioned if towers less than 75' would require additional approvals if they were located near the private airport. Site plan requirements like map size, the number of copies to provide with the application, if the site plans and construction documents would need to be sealed by an architect or engineer, and how much the SLU and site plan review fees would be were also discussed.

Cowie asked that the PC try to keep the process and costs involved as manageable as possible so that it wasn't too burdensome on their small company. **DeZwaan** reminded everyone that whatever they allowed would apply to any other applicants as well. **Pierson** is concerned about the obtrusiveness of 100' towers and the fall zone requirements for that size tower, especially when you add in the 30' setback measurement. More discussion was *proposed* about the site plan requirements regarding everything within a 300' radius being included. A possibility of lessening that to include just the adjacent properties or even just the fall zone was proposed. No decisions were made at this time. Further discussion will be had at the next regular meeting.

X. New Business

- a. Discussion Commercial Table of Uses

Smalley proposed changing the Commercial Table of Uses by adding a definition of General Retail, that includes the Building Code Mercantile Use definition, and then removing all of those individual uses from the Table. This would limit all "General Retail" or Mercantile uses to 2500 sq. ft. building sizes. **Smalley** also discussed the Ag District and creating an Ag Products Retail definition that could restrict the size of the building too. **Smalley** also pointed out that there was no definition for a Cluster Use Development in the Zoning Ordinance.

XI. Administrative Updates

Township Board – None

Gooding Absent

Zoning Board of Appeals (ZBA) – **Pierson** reported the ZBA had not met since October 8th, 2019

Zoning Administrator – **Smalley** reported that the Craycraft Public Hearing would be on the March 24th Agenda

XII. Future Meetings Dates

The future dates of the PC meetings are February 25th, 2020 and March 24th, 2020

XIII. General Public Comment – None

XIV. Adjournment

Motion was made by **DeZwaan** and supported by **Pierson**, to adjourn. Motion carried unanimously. Adjourned at 8:52 PM.

Respectfully Submitted

Jennifer Goodrich

Ganges Township Recording Secretary

Minutes approved 5-26-20 with corrections; in italics

Corrected by: Tasha Smalley, Zoning Administrator