

Ganges Township Planning Commission
Regular Monthly Meeting Minutes for July 25, 2017
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: Roy **Newman** — Present

Commissioner: Charlie **Hancock** — Present

Committee Trustee: Barry **Gooding** — Present

Zoning Administrator: Tasha **Smalley** — Absent

II. Additions to the agenda and adoption

Motion was made by **Gooding** to accept the agenda, as presented. Motion was seconded by **Newman**. Motion passed.

III. General Public Comment — None

IV. Correspondence and upcoming meetings/seminars

DeZwaan has PC letters to: Mr. Kramer
 TO DO LLC
 Mr. Harrington
 Cottage Homes
 Mr. Robbins

DeZwaan also has the Quarterly Mining Report and a ~~notification~~ *letter of intent to plan* ~~plan~~ *renew and update the Master Plan*, from Manlius Township.

DeZwaan had no seminars to report on.

V. Public Hearing — none

VI. Approval of August 23, 2016 minutes

A motion was made by **Newman** to approve the July 25, 2017 regular meeting minutes, with corrections. **Hancock** seconded the motion. Motion passed

VII. Old Business

a. Postponed deliberation - Site Plan Review – To Do LLC (Jon **Kramer**)

Mr. **Kramer** apologized to the Planning Committee (PC) for his inability to attend last month's meeting. **Badra** asked if correspondence should be sent to the Douglas PO Box. **Kramer** replied to the affirmative.

Badra asked if the well shown on the site plan was active. **Kramer** responded yes. **Badra** asked if it would be used for the Nursery. **Kramer** was unsure at this time. **Hancock** asked if there were any other wells on the site. **Kramer** stated that he was not aware of any other wells on the site. **DeZwaan** asked if there is any proposed well location(s). **Kramer** explained that it was too early to tell.

DeZwaan asked where the electric was located. **Kramer** explained that the only power source on site was a ground level outlet supplied by an underground feeder. **DeZwaan** asked if the power for the well was underground as well. **Kramer** responded, yes. **Newman** asked about the well size. **Kramer** was unsure, since they have never used it.

Badra asked if the pre-existing portable office building would be moved to the front, near the display area. **Hancock** asked if the office included a restroom or handwashing facilities. **Kramer** replied that they would relocate it there, after some renovations had been completed, and that the business would continue to utilize the porta-potty, as previously approved.

Badra explained that the Drew Accounting Building must continue to be operated under its grandfathered business office use, or the To Do LLC-Kramer Services site plan approval would be negated; due to the property having two businesses operating on the same parcel. **DeZwaan** reiterated that two businesses operating on the same property is defined by zoning ordinance as a business center, which is not an allowed use. Paul **Hitchcock** asked if this was why **Smalley** had asked for the Accounting Building to be separately designated on the site plan. **DeZwaan** explained that the PC had requested that change and elaborated that, as far as she was aware, this was the only parcel in the Township where this non-conforming use has been allowed, due to the long history of this property operating more than one business, contiguously.

Gooding asked if the businesses would be allowed to share the M-89 Hwy driveway. **DeZwaan** explained that since this was not a Private Road, but a shared driveway; and the use as such is authorized by the property owner, so it would be allowed. **Badra** added that this use was grandfathered, since it existed before the 2012 ordinance was created which prohibits it.

DeZwaan asked that any approval be conditional on Michigan Department of Transportation (MDOT) approval of the M-89 Hwy driveway entrance. **Kramer** explained that the driveway was

previously approved. **DeZwaan** requested that proof be provided to Michigan Township Services within 15 days of site plan approval. **Kramer** responded that that the driveway was not currently in use and asked if the approval could be provided at a later date, when the driveway was reopened. **DeZwaan** explained that postponing the MDOT approval created an enforcement issue where the township would have to constantly monitor the entrance to ensure that it was not being used. ~~Ryan Volgelzang~~ **Josh Harrington** remarked that he believed the driveway was on the previously approved site plan. **DeZwaan** clarified that it was on the plan but not mentioned in the provided narrative, as part of the operation. **DeZwaan** went on to explain that the unapproved use of the driveway was what had generated **Smalley's** request to discontinue the use of said driveway until the new revised site plan was approved.

~~Volgelzang~~ **Harrington** asked where the original approval and narrative would be available for review. **DeZwaan** responded that any interested parties should contact **Smalley** at Michigan Township Services (MTS). ~~Volgelzang~~ **Harrington** asked what the next step would be if the driveway had been previously approved and **Kramer** wondered what the MDOT approval process entailed. **DeZwaan** explained their course of action.

Hancock asked if the display area would be handicapped accessible. **Kramer** described the gravel parking lot and navigable hard-surface areas of the display area which would ~~also demonstrate their abilities~~ *be handicapped accessible*. **Kramer** went on to explain that the landscaping business was mostly transacted in the yard, rather than the office, with the customer rarely even leaving their vehicle. **DeZwaan** asked for some clarification on the office vs. display shed location on the site plan. **Kramer** pointed out the specific locations.

Hancock asked where any waste materials from landscaping projects would be stored. **Kramer** stated that waste materials would be properly disposed of, off site, while any material that could be reused or repurposed would be neatly displayed at the Landscaping Supply Yard.

Badra asked if equipment sales would be part of the business. **Kramer** replied that occasionally used equipment may be displayed for sale but it would not be a permanent part of his business operation.

Hancock asked if there was a business sign on M-89 Hwy. **Kramer** replied no, that the business sign was at the Blue Star Hwy entrance with an additional whiteboard that displays the business days and hours of operation. **Kramer** asked if these signs were in compliance with the zoning ordinance. **DeZwaan** referred him to **Smalley** to determine conformity.

DeZwaan asked about the proposed location of any future security lighting. **Kramer** stated that the locations were undeterminable at this point. **DeZwaan** reminded **Kramer** that any lighting design and installation would need to be approved by the Zoning Administrator & MTS.

DeZwaan asked about the landscaping business' hours of operation. **Kramer** replied that they were currently operating 8am – 5pm Mon-Fri and 8am – 1pm Saturdays, closed on Sunday.

DeZwaan inquired if an 8am – 8pm restriction to hours of operation would hinder Mr. Kramer’s Business. **Kramer** asked if it could be 7am- 8pm.

DeZwaan remarked that any approval should be limited to the 6 hoop houses that had been requested in Mr. **Kramer**’s narrative. **DeZwaan** also requested that the applicant comply with any MDOT, Michigan Department of Agriculture and Rural Development (MDARD) and/or Michigan Department of Environmental Quality (MDEQ) requirements, including a well log; and submit any permits and/or approvals to MTS within 15 days *of issuance*.

Gooding commented that the Kramer had done a good job of cleaning up the property, located along Ganges Township’s corridor to the lakeshore. **DeZwaan** observed that **Kramer** had addressed all of the issues brought forth by the PC at last month’s meeting. **DeZwaan** requested that the office building be moved within a 15 day timeframe. **Kramer** asked why such a limited time, as this was the busy time of the season and the trailer needs some work before it is placed into operation again. **Kramer** asked for a May of 2018 deadline for the office work to be completed. **Newman** thought that was a reasonable request. **Gooding** asked if the pine trees had been planted along the south side of the site, as per the previous approval. **DeZwaan** stated that they had been planted, and doing well as additional screening behind the storage bin dividers.

DeZwaan stated that the revised site plan met all 37 of the applicable Site Plan Submission Requirements.

Badra moved that the site plan amendment for To Do LLC-Kramer Services, for the portion of parcel # 03-07-005-001-00 at 6802 M-89 Hwy/124th Ave., be approved for a landscaping business and nursery, as it complies with Zoning Ordinance Sections 12.03 Site Plan Review Requirements; with the following conditions.

1. The applicant shall comply with the Michigan Department of Agriculture and Rural Development’s (MDARD) licensing and inspection requirements for nurseries.
2. That the storage of pesticides and other chemicals used on site follow the Michigan Department of Environmental Quality (MDEQ) guidelines including posting the appropriate Material Safety Data Sheets.
3. That the applicant complies with the MDARD and/or MDEQ water use reporting requirements.
4. Waste landscape materials may not be stored on site.
5. Any shed used on the property may not be used as an office.
6. The applicant obtain approval from MDOT that the driveway off M-89 is adequate for a landscape business.
7. The hours of operation shall be from 7:00 am to 8:00 pm.
8. That the portable office building be moved and be in place by May 2018 with porta potty.

9. That copies of any required permits or licenses shall be provided to Michigan Township Services within 15 days of issuance.

10. That the applicant and owner of the parcel acknowledge that the Drew office building's use as an office predates the Ganges Township Ordinance's restriction on two businesses occupying a single parcel. It is therefore grand fathered in as a nonconforming use but any other use of the Drew building other than for an office will make the landscape business a nonconforming use and in violation of the Ordinance. This would rescind the Site Plan for the landscape/nursery business.

Motion was seconded by Newman. Motion passed by roll call vote. DeZwaan — Yes

Badra — Yes

Newman — Yes

Hancock — Yes

Gooding — Yes

VIII. New Business

a. Master Plan Review

DeZwaan commented that residents were already receiving census reviews for the upcoming 2020 census report. **Badra** questioned if the demographic information in the master plan needed to be updated. **Badra** also questioned whether or not the maps and tables needed to be updated or even included, as part of any potential update. The PC agreed the Master Plan was the backbone of the Zoning Ordinance and needs to be ~~ambiguous/vague~~ *a general view of the future land use of the township*, so that it doesn't have to be constantly amended. The PC members also agreed that the current Master Plan is consistent with the township's vision, with a timeless preface and unchanged goals/objectives.

Badra moved that the Master Plan vision statement hasn't changed and fits with the character of Ganges Township so no changes would be needed to be made at this time.

Motion was seconded by **DeZwaan**. Motion passed by roll call vote. DeZwaan — Yes

Badra — Yes

Newman — Yes

Hancock — Yes

Gooding — Yes

IX. Administrative Updates

Township Board-

a. **Gooding** stated that the Board met on July 11th, 2017 at 7pm and discussed a complaint Re: Republic Disposal Service at Pier Cove. Specifically, an incident where the dumpster was serviced at 4:30am.

a. **Gooding** gave an update on the Banaszak property and the recovery of the cost involved in cleaning it up. It has been determined that these costs can no longer be applied to the tax bill and

now need to be recovered as a lien against the property. Correspondingly, the Township is now working towards recovering the costs from the Dr. Bastow cleanup.

- b. **Gooding** also updated the committee on the costs of some road repairs and some additional funding provided by the state to offset the cost of the square concrete tube being placed under 114th Ave. at Pier Cove.

Zoning Board of Appeals (ZBA)-

Newman had nothing to report

Zoning Administrator-

Smalley was absent but there was discussion among the board members regarding Dr. Bastow possibly living in his partially renovated doctor's office in Glen, and the progress with the Craycraft-KLC Transport fence.

The PC decided not to sign the Della-Ray site plan until the SESC permit had been obtained.

The PC also discussed rescinding the Glen Vineyards LLC Special Land Use (SLU) because it had not been recorded with the Register of Deeds within 90 days. **DeZwaan** suggested that the PC postpone rescinding the SLU until the August 22nd meeting. Motion was seconded by **Badra**. Motion passed.

X. Future Meetings Dates

The future dates of the PC Regular meetings will be Tuesday, August 22nd, 2017 and September 26th, 2017.

XI. General Public Comment - none

XII. Adjournment

Motion was made by **Gooding** and supported by **Hancock** to adjourn. Motion carried unanimously. Adjourned at 8:48PM.

Respectfully Submitted

Jennifer Goodrich

Ganges Township Recording Secretary