

Ganges Township Planning Commission
Regular Monthly Meeting Minutes **DRAFT for August 27, 2013**
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: Chairman: 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 present.

II. Additions to the agenda and adoption

Motion to accept the agenda as presented by **Badra**, seconded by **Gooding**. Motion passed.

III. General Public Comment

None

IV. Correspondence and upcoming meetings/seminars

DeZwaan stated that there were several letters given to members of the Planning Commission. One letter concerned the issue of medical marijuana that was forwarded to the members by **Badra** after a question was presented to him. Another letter “that will be addressed in” **addressing** the administrative updates, and two from **Neil VanLeeuwen** concerning “non-conformance” and how to determine a person's employment by the Township.

Badra replied regarding the questions raised by **Neal**, first the status of the Zoning Administrator as an employee vs. independent contractor is a matter for the Township Board and the Township attorney to determine, not the **PC**. “**DeZwaan** asked **Gooding** to take this issue to the Township Board”
Second, as to the amendment to the Nonconformity Ordinance involving dwellings, **Mr. VanLeeuwen** requested that the **PC** show him the correspondence from the Township attorney approving that amendment. The attorney's opinion was addressed to the **Township Supervisor** and not the **PC** so only **Mr. Hebert** can disclose that client/attorney privileged information.

V. Public Hearing - None

VI. Approval of May 28, 2013 minutes - Motion by **Badra to approve the May 28, 2013 Regular Meeting minutes with corrections. **Newman** seconded the motion. Motion passed.**

VII. Old Business -None

VIII. New Business

A. Site Plan Review Parcel #07-005-003-00, 6810 124th Avenue.

It was felt that **Newman** should recuse himself since the property being looked at has a family connection. All paperwork has been finished concerning the sale, but to keep even a perception of conflict of interest **Newman** left the room during the discussion. A quorum was still available. **Brian Bosgraaf**, a residential home builder for about twelve years stated that his business would like to renovate the present building on the property into office space, with a conference room and kitchen that would also display some of their work.. They currently have office space in Holland and they would like to consolidate to this property. They do a lot of work along the lakeshore and this would give them a place to meet, show some of their work and landscaping. They would need parking for staff meetings. They would have a cabinet shop where they would only build the cabinets. No finishing would be done at this location, as that is done on the building sites. He stated that he was asking for the preliminary and final site approval at this time. He stated that they would

be able to use the current well as it has been tested and approved by the Health Dept. Koops Well Drilling has also tested the well. The Drain Commission has also conducted boring tests. **Bosgraaf** has posted a bond with MDOT.

The PC was then allowed to ask questions. **Hancock** asked about the well. It currently is pumping at 7 gallons per minute, but Koops said it had pumped at 30 gallons earlier. They felt it would improve with use. It is a 4" well, 285' deep. This well is located in an area He has posted a bond with MDOT and has liability insurance as required by MDOT at the cost of \$10,000. **DeZwaan** asked about a loading dock. The loading dock would go with the grade away from the shop building. Currently they would not need a loading dock usable by a semi as they only use trailers. There is a storage room in the cabinet shop with a lunch room which could be used as a meeting room. Bathrooms would go to the approved septic tank/field. **Smalley** has the permits. The tank was omitted from the drawing. It is located left of the drain field. The 20'x20' drain field should have the "reserved" crossed out. It was brought up that this would be a commercial application and requires a reserved drain field.

Smalley will clarify before permits are issued. **Badra** asked what the future building would be used for. **Bosgraaf** stated that there are no current plans for the future building. **Bosgraaf** stated that he felt any future building would need permits at the time it was built. **Hancock** asked about vehicles that would be on the property. **Bosgraaf** stated that they have two vans, six ½ ton pickups and two cabinet trailers. Some are taken home by employees, others would be stored inside if there is available room. **Bosgraaf** stated that with the grade of the land most vehicles would not be visible from the road, and they would have a fence with gate and surveillance equipment on the property. **DeZwaan** asked about the gate, if fire/rescue would have access. **Bosgraaf** stated that it would be accessible. **Badra** asked about solvents. **Bosgraaf** again stated that no solvents would be used and there would be no outside storage. There was more discussion about the well. Is the water potable? **Smalley** looked at the information she had from the Health Dept. but it did not specifically state that the water is potable. It was tested before closing and was "good drinkable water". PC members felt it needs to be tested again before occupancy. This area has been supplied with bottled water due to contamination and it would probably continue to be. **DeZwaan** stated that there is no back property line showing on the Site Plan. She felt this needed to be shown. Any future building could be approved now but will need to go to **Smalley** if another drain field is needed. Accessory building can be approved by **Smalley** with proper permits.

Gooding made a motion to approve the Site Plan application for 6810 124th Avenue with the changes asked for including the showing of the septic tank and the back property line on the site plan map.

Hancock seconded the motion. After discussing when the map could be signed, it was decided to have **Bosgraaf** make the changes on the map that was presented so that the PC could sign the map tonight.

Badra made a motion to accept the map with the changes penciled in and initialed. **Gooding** seconded the motion. Roll Call vote: **Hancock** – Yes **Badra** – Yes
DeZwaan – Yes **Gooding** – Yes Motion carries.

Bosgraaf made those changes with his initials and two copies of the map were signed. He will have the revised site plan when he gets the building permits.

B. Table of Uses discussion

Badra had sent copies of changes to each member. Several SLU need to be looked at. The SLU needs to be applied more consistently. The Table was going to be looked at but wasn't. Now it is part of the Ordinance and can not be changed without a Public Hearing. **Smalley** was made aware of the issue. When the next Public Hearing "for the Zoning Ordinance" is held this will need to be addressed.

C. Side Yard setback discussion

Smalley had sent a letter to the PC members in July 2013 after getting input from the ZBA. She is asking for a more uniform setback between Commercial and residential districts. The PC members said that the reason for the different setbacks between districts was intended to make a buffer. **Badra** stated it would require a Public Hearing to change the setbacks. **Smalley** will need to study to make sure what the uses are when a variance is requested or when permits are issued.

Smalley also asked if twelve copies are still required when a Site Plan review is done. Since the size of the PC is less, could fewer copies be made. It was decided that ten copies would be sufficient, which is another issue that will need to be addressed at the next Public Hearing "for the Zoning

Ordinance”. **Bosgraaf** asked about the Ordinance requiring that permits need to be obtained before the Site Plan Review. Is it possible to get approved contingent on permit approval? Smalley read from the Ordinance 12.07d, and 3.01 Application of Regulations. It could be done with a Preliminary and then would need to come back for the final.

IX. Administrative Updates

- A. Township Board-**Gooding** stated that the Township Board addressed the “Friends of Blue Star Trail” which goes from Saugatuck to M-89 now and our Township will be responsible from M-89 to Glenn. The Township attorney will draw up the paperwork stating that the Township will pay for the engineering at a cost of about \$2,000. Other issues were the repairs to the 121st Avenue wash out that were completed, a new drain district on Walker Road, a fireworks ordinance is being worked on, and **Rex Felker** was issued a last notice to anchor the house that was moved onto his property on 62nd Street.
- B. Zoning Board of Appeals – **Newman** stated that there were two variance requests concerning setbacks brought to the ZBA at their last meeting. Both were denied.
- C. Zoning Administrator – **Smalley** stated that her information was addressed under the New Business portion. **Smalley** stated that she has received the quarterly report from **Ciesla**. **DeZwaan** asked that she inform the **PC** members when this is received. She had a letter from the **Smiths** concerning the **Medrano Special Use** permit given in 2008. It was felt that he has been violating this permit. **DeZwaan** felt that **Smalley** needed to send a letter to **Mr. Medrano** that he is not in compliance. He was approved for two vehicle and one additional commercial vehicle. If he violates again the Special Use permit will be revoked. **Badra** made a motion to send the letter reminding **Mr. Medrano** what he agreed to. If more complaints or he violates then a Public Hearing will need to be held. **Hancock** seconded the motion. Vote was 4 yes with 1 no vote. Motion passed.

X. Future Meetings Dates

The future dates of the PC Regular meetings will be Tuesday, September 24, 2013 and Tuesday, October 22nd, 2013.

XI. General Public Comment

Bob DeZwaan, 2259 68th Street – voiced concern about Bosgraaf's well being good drinking water, but the State keeps changing the parts per million that are considered safe. Jackie DeZwaan stated that we have to go by the regulations as they are now. Side yard footage change- live for one year next to a commercial business. There are more items going to the ZBA. It is buyer beware. Permits – Getting the permits before the Site Plan review makes sure they are more serious.

Jim Birkes, 2344 70th Street – **Bosgraaf** is working from an old copy of the Ordinances, are there new copies available? **Smalley** stated that **Clerk Yonkers** has a digital copy of the text available, but is waiting for the maps before making it available on the web site. Concerning the **Medrano** issue, the Township is somewhat to blame since this should never have been allowed. They used the SLU to try and work the problem out. **Mr. Medrano** was running a trucking business out of his home. Don't ignore the Ordinance.

XII. Adjournment

Motion was made by **Gooding** and supported by **Badra** to adjourn. Motion carries unanimously. Adjourned at 9:30PM.

Respectfully Submitted,
Diana VanDenBrink
Ganges Township Recording Secretary

