

Ganges Township Planning Commission
Regular Monthly Meeting Minutes **DRAFT for March 24, 2015**
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**-**Absent** “Present”

Vice-Chair: Roy **Newman**-Present Commissioner: Charlie **Hancock** –Present

Board Trustee: Barry **Gooding**-Present

Zoning

Administrator Tasha **Smalley** was also present. **DeZwaan** addressed the public attending about when questions could be presented **during the two General Public Comment sections** and “explained there were two opportunities during the General Public comment section and anyone with comments regarding the Public Hearing would have an opportunity at that time.” **also** “She” asked for anyone speaking to state their name and address for the record.

II. Additions to the agenda and adoption

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

III. General Public Comment - None

IV. Correspondence and upcoming meetings/seminars

DeZwaan said that she had received the **Ciesla** report and a memo from the **Township Attorney**.

V. Public Hearing –Revocation of SLU issued to Cruz Medrano

The Public Hearing began at 7:02PM. Speaking for **Mr. Medrano** was **Attorney Fernando DeBevia** “Bedevia” from Holland. **DeZwaan** explained the SLU revocation process. Three letters had been sent to **Mr. Medrano**. He was **given an opportunity to address this issue at the** “notified in writing” November 2014 **meeting but did not** “that the Planning Commission would schedule a Public Hearing to revoke the SLU during the March, 24, 2015 regular meeting”. **Attorney DeBevia** “Bedevia” explained that **Mr. Medrano** had ongoing medical issues since 2012. He had undergone surgery to remove a brain tumor in May of that year and has had four additional surgeries since that time. He had been in rehab in 2013. He stated that there was no willful intent to ignore this issue. Other people had been trying to help with the trucks, but they too have left to find employment, which left trucks on the property. A neighbor had informed **Mr. Medrano** around **January** “March” of this year that there was a notice posted about the revocation. Since **January** “March” they have removed a truck from the property and will be getting rid of the last truck since **Mr. Medrano** is not capable to work on them anymore due to his illness. **Attorney DeBevia** stated that **they were asking for help** “his client is in compliance” at this time **to stay in compliance** “and asked that the SLU be allowed to continue”.

DeZwaan asked for any public input either for or against this issue.

Rusty Nally, 6550 122nd Avenue, felt that given the circumstances that we should show some compassion.

Vanessa Rameriz, 122nd Avenue also asked for compassion for the **Medrano** family, as did **Mr. Medrano’s brother-in-law**.

There were no comments supporting the revocation. The Public Hearing was closed at 7:10PM.

VI. Approval of January 27, 2015 minutes - Motion by **Newman** to approve the January 27, 2015 regular meeting minutes with the correction. **Hancock** seconded the motion. Motion passed.

VII. Old Business- None

VIII. New Business

a. Revocation of SLU to Cruz Medrano

Badra stated that as of now **Mr. Medrano** was in compliance. The family is trying to get rid of all of the rigs. **Mr. Medrano** will not be able to continue his work due to his illness, but the SLU does go with the land. **Hancock** stated that there is a potential for a business even if it is not running at this time and future use would have to be considered. **Gooding** and **Newman** also agreed with the public comments that **Mr. Medrano** needed some help at this time.

Hancock asked if there was anyone to help keep the business going. **Attorney DeBevia** “Bedevia” stated that there has been an accountant consulted and he personally was helping with some other issues, but **Mr. Medrano** was not able to run the business. The SLU was granted for **Mr. Medrano** to work on his own trucks and was not a license to run a business. The family is trying to dissolve the business. There is a truck on the property at this time but it is in need of repair in order to move it.

Badra made a motion that since **Mr. Medrano** is now in compliance with the conditions of the Special Land Use placed on 2186 64th Street, Fennville, Parcel# 0307-010-004-00, that the SLU remain in effect but if in the future **Mr. Medrano** violates the conditions of the SLU, the SLU will be revoked without additional warnings or meetings. The motion was seconded by **Gooding**. A roll call vote was taken:

Hancock – yes **Badra** – yes **Newman** – yes **DeZwaan** – yes **Gooding** – yes

Motion passed.

b. Discuss the Planning Commission Bylaws.

DeZwaan said she just wanted to clarify that according to the Bylaws the election of officers is to take place the first regular meeting of the year, but that does not necessarily mean that it has to be done in January if there is no other business to conduct. All members were in agreement.

IX. Administrative Updates

a. Township Board-**Gooding** stated that the Township Board continued their discussion of road graveling and blacktopping at the last meeting. At this time graveling will be done on stretches of 120th and 121st Avenues, blacktop on 60th including Cedar by Hutchins Lake. There will not be any graveling done in October giving the roads time to settle before winter plowing. Also there is a Group for Better Internet system for Allegan County currently looking internet capabilities. There will be meetings that some of the Board members will attend.

b. Zoning Board of Appeals – **Newman** stated there had not been any meetings, but one was coming up on April 13th.

c. Zoning Administrator – **Smalley** had nothing to report.

DeZwaan told **Mr. Medrano** and **Attorney DeBevia** Bedevia” “that **Mr. Badra** would send them each a copy of a letter concerning the decision made at the meeting in regards to **Mr. Medrano’s** SLU.

X. Future Meetings Dates

The future dates of the PC Regular meetings will be Tuesday, April 28th, 2015 and Tuesday, May 26th, 2015.

XI. General Public Comment

Rusty Nally – voiced concern that with the way the motion was worded on the **Medrano** SLU that even with one person pulling into **Mr. Medrano’s** yard with a rig that it could make him non-compliant. **Badra** stated given the history of illness, “and” that this has been an issue since 2009 “before his history of illness”, and with the assurances given “by his attorney” that the trucks would be gone he did feel this would be the case. The Planning Commission is not given to policing these issues. If a complaint was made it would now have to go to the Township Board to enforce.

Vanessa Ramirez- asked about the letters that were sent to **Mr. Medrano**, if they were sent bilingual. The letters were only sent in English, but **Smalley** stated that when the application was made that she tried to make sure that he understood. **She** “Smalley” also stated that she had talked with **Mr. Medrano** and he never indicated that there was any difficulty in understanding. “**DeZwaan** stated that there did not seem to be any difficulty at the time of the SLU request and during the Public Hearing.”

Mr. Medrano’s brother-in-law had questions about the specifics of the SLU. **DeZwaan** read what the SLU originally entailed, that it was strictly for storage. **Mr. Medrano’s** property is not in a commercial zone and that is why he needed the SLU. **Smalley** can help with any other questions.

XII. Adjournment

Motion was made by **Newman** and supported by **Gooding** to adjourn. Motion carried unanimously. Adjourned at 7:40 PM.

Respectfully Submitted,
Diana VanDenBrink
Ganges Township Recording Secretary

