

**Ganges Township Planning Commission  
Regular Meeting Minutes DRAFT for May 27<sup>th</sup>, 2008  
Ganges Township Hall  
119<sup>th</sup> Avenue and 64<sup>th</sup> Street  
Fennville, MI, Allegan County**

I. Chairman **Birkes** called the meeting to order at 7:00 PM.

<b>Roll Call:</b>	Chairman	Jim <b>Birkes</b> – Present
	Vice Chairman:	Barry <b>Gooding</b> – Present
	Secretary:	Jackie <b>DeZwaan</b> – Present
	Commissioner:	Sally <b>Howard</b> – Present
	Commissioner:	Ed <b>Reimink</b> – Present
	Commissioner:	Dawn <b>Soltysiak</b> – Absent
	Board Trustee:	Terry <b>Looman</b> – Present

Also present was Zoning Administrator – Tasha **Smalley**

II. **General Public Comment**

Don **Karaus Jr.** (2025 Brookhill Drive) read & submitted a letter to the Ganges Township Planning Commission (**GTPC**) dated May, 27<sup>th</sup>, 2008 expressing his concern regarding findings in the Local Observer regarding the Gertrude **Baker** re-zoning issue, and the inclusion on the agenda of “Future Land Use Map” item D.2 on tonight’s agenda.

Theresa **Wiley** (6633 121<sup>st</sup> Avenue) expressed concern regarding the May 15<sup>th</sup>, 2008 GTPC Meeting where a motion was made to not have appeals go to the Zoning Board of Appeals (**ZBA**) suggesting that it be disbanded.

Jerry **Schorle** (2152 68<sup>th</sup> Street) asked **Birkes** why he went to the Allegan County Planning Commission (**ACPC**) meeting.

Ann **Gray** (1974 68<sup>th</sup> Street) agreed with T. **Wiley** regarding the ZBA, noting that it would be interesting to know what their job description includes & if it includes coming to them with appeals and the GTPC voted not to allow that anymore, she too would like to see the ZBA disbanded also, if the public is not allowed to use them.

Jan **Schroeder** (6944 Lakeshore Court) and Dr. Frank **Alfieri** attended the ACPC meeting and she offered copies of the minutes to those in the audience. After talking to Judy **Graff** ACPC representative to the area, she requested to be added to the agenda which she was granted under #6 Public Participation (ACPC Draft Minutes – May 12, 2008), her concern is regarding the contamination of 17 wells in that area.

Marsha **Maslanka** (1811 66<sup>th</sup> Street) asked if the decision was reversed regarding the Gertrude **Baker** residence (6810 124<sup>th</sup> Avenue) **Birkes** explained that the Ganges Township Board (**GTB**) voted to grant the Zoning request to re-zone from RES/AG to Commercial.

Rick **Vorel** (2315 Forest Trail Circle) supported comments made by **Schroeder**, stating that contamination in the area is one of their key areas of interest. Further concern arose while attending the GTB meeting, when a board member mentioned that it was not their concern whether there was contamination or not. **Vorel** stated that he’s not sure that’s accurate (concern regarding contaminated wells) based on documentation within the township papers, the Master Plan etc. He added that our township is on wells, and he feels that this should be one of the number one things that both the GTPC & the GTB should consider.

Theresa **Wiley** (6633 121<sup>st</sup> Avenue) noted that she is currently building a home in Pier Cove, and **Koops Well Drilling** administered the required well testing, and they pass with flying colors.

### III. Correspondence

1. Newspaper article, "State bill helps small distilleries", The Herald-Palladium, April 12, 2008
2. Newspaper article, "Senate passes water withdrawal Bill", paper & date unknown.
3. Memo from **Birkes** to GTB – GTPC Report for March, 2008
4. Memo from **Birkes** to GTB – GTPC Report for April, 2008
5. **ACPC** Disapproval of action of the Township Planning Commission (regarding the request for re-zoning by Gertrude Baker) dated April 1<sup>st</sup>, 2008 and **ACPC** Correction dated April 22, 2008
6. County of Allegan, Planning Commission Draft Minutes for April 14<sup>th</sup>, 2008
7. Letter from Zoning Administrator **Smalley** to "To Do LLC" regarding an Advisory Notice to Stop Work to Mr. **Harrington** regarding parcel #0307-005-001000.
8. Memo from Zoning Administrator **Smalley** – Monthly Report dated April 22, 2008
9. County of Allegan Planning Commission Draft Minutes for May 12, 2008 meeting
10. Letter submitted during "General Public Comment" from Don Karaus, Jr. dated May 27<sup>th</sup>, 2008

### IV. Administrative Updates

#### A. Township Board – Terry Looman – None

#### B. Zoning Board of Appeals – Barry Gooding

**Gooding** reported that the ZBA reviewed a request from Alan & Sally **Enderle** (2086 70<sup>th</sup> Street) who own a non-conforming existing home, in which they wanted to put an addition onto their existing home. The homeowner wanted to add on more than 50% in their addition, thus requiring approval from the ZBA. The addition met all other requirements and was approved by the ZBA.

#### C. Zoning Administrator – Tasha Smalley

##### **Dexter Gauntlett – Private Road**

**Smalley** explained that she had received a request from a realtor representing Dexter **Gauntlett** regarding the GTPC approval of a Private Road application explaining that **Gauntlett** would like to reverse the original request and the buyer would now like to purchase the parcel as a whole and not divide it. The fire Chief deemed the new request sufficient for fire truck access, and she added that it would meet all other zoning requirements. The GTPC agreed that the applicant needs to come back to GTPC with a new application.

##### **Suequehanna Site Condo**

**Smalley** reported that she had sent word to the Building Inspector requesting that he not issue occupancy or any further building permits until all zoning approvals had been obtained by her office. She heard from the owner of **Cottage Homes** earlier that day (May 27<sup>th</sup>, 2008) and they are sending her the additional items necessary to satisfy the original approval with contingencies regarding the **Suequehanna Site Condo** project.

##### **Dan Ceisla**

**Smalley** will present the yearly report regarding Dan **Ceisla's** sand mining at the June GTPC meeting.

##### **Vin Terra Winery**

She noted that the **Vin Terra Winery** public hearing is on hold for the special use permit. The GTB will review the proposed text update at their June meeting, and she hopes to have the public hearing at the July GTPC meeting.

**Smalley** added that she will report on Ordinance Conflicts in her next monthly report.

## V. Business Session

### A. Approval of prior minutes

Motion by **Gooding** to approve the DRAFT minutes dated March 25<sup>th</sup>, 2008 with corrections as noted. Seconded by **DeZwaan**. Motion carries unanimously.

Motion by **Howard** to approve the DRAFT minutes dated April 7<sup>th</sup>, 2008 with corrections as noted. Seconded by **Looman**. Motion carries unanimously.

Motion by **Reimink** to approve the DRAFT minutes dated April 22<sup>nd</sup>, 2008 with corrections as noted. Seconded by **Looman**. Motion carries with **Howard & DeZwaan** Abstaining.

Motion by **Gooding** to approve the DRAFT minutes dated May 5<sup>th</sup>, 2008 with corrections as noted. Seconded by **Howard**. Motion carries with **Birkes** Abstaining.

### B. Approval of Agenda

Motion by **Howard** to approve the Agenda for the May 27<sup>th</sup> meeting with the addition of 5/15/08 minutes under V.A. "Approval of Prior Minutes". Seconded by **Looman**. Motion carries.

### C. Old Business

#### 1. Zoning Ordinance Amendment – Wineries

**Birkes** explained the winery language was approved by the **ACPC** on May 12<sup>th</sup>, 2008 and will now be reviewed by the Township Board at their next monthly meeting.

#### 2. Zoning Ordinance Update Project

**Birkes** noted that when previously discussed the GTPC was going to meet with contracted Principal Planner Brenda **Moore** for 2 meetings, and then meet on their own for a meeting allowing the opportunity for further discussion. **Gooding** explained at the last meeting, the GTPC did not get through as much material as originally planned so it was agreed to meet again to complete that section prior to the GTPC meeting without her. In an effort to assure completion at the next meeting the GTPC will meet at 6:00 pm (see future meetings below).

#### 3. Zoning Map Update

**Birkes** in a 1 person committee reviewed a map that Bob **Simonds** had dated August 21, 2000 that showed the ~~**Bandel Building**~~ **Brandl Parcel** as Industrial which is also described as Industrial in the Zoning Book. However, the **Ameco** Building (across the street and south of the **Bandel** Building) is not shown on the map as Industrial but is described in the Zoning Book as Industrial. After further discussion it was agreed that **Looman** and **DeZwaan** will join **Birkes** in doing further research.

### D. New Business

#### 1. Lakeshore Landscape Supply Site Plan Review

Josh **Harrington** explained that the purpose for the business is to provide landscape supplies available for retail sales to the public.

**Smalley** explained that she had sent a letter to Mr. **Harrington** in July, 2007 requiring him to submit a site plan review for an allowed use retail sales of landscape supplies. On April 17<sup>th</sup>, 2008 she issued an Advisory Notice to Stop Work due to violation of the Ganges Township Zoning Ordinance specifically Section 7D.01 When Site Plan Review is required.

**Howard** asked the applicant ~~is~~ *if* he plans to keep the temporary trailer as his office, or if there were plans for an actual building that will be constructed there. **Harrington** explained that he had no plans to build at this time; however he understands if he does he will need to go through the approval process.

**Birkes** inquired about the use of two signs “**Uncle Toms Used Cars**” and “**Landscape Supply**” hangs below, **Harrington** clarified that Uncle Toms is not part of this application, and is a hobby of his uncle and father. Further **Birkes questioned if acknowledged** the “Existing Rip-Rap Piles” ~~shown on the site plan is not~~ **are** for sale. **Harrington** explained that its existing from when the highway went through, and is not necessarily for sale.

**DeZwaan** explained that the setback of the portable office requires 93’ to comply with setbacks (50’ from the highway, and the right of way in that area is 43’) resulting in an additional 8’ required.

**Birkes** noted that the application item #5 reads “Commercial Use” should read Landscape Supplies and Retail Sales. Further, the plan does not show dimensions; but according to the scale of 1” = 60’ there could be potentially a small strip of land in the back of the property that is zoned Res/Ag.

**Howard** suggested site improvements suggesting buffering. **DeZwaan** added her concern of product spillover into the neighboring property. Suggested buffer could include trees, fence, etc. on the South Side. Further clarification is requested by **DeZwaan** that the application reflect a second sign on the big rock.

Motion by **Howard** to approve the Site Plan for **To Do LLC**, Landscape Supply with the following conditions:

1. Buffer on the south side including a combination of concrete and a natural landscape at the applicant discretion
2. Trailer to be moved west a minimum of 7’ to comply with the setback requirements
3. Application be corrected to include a second sign being used around M-89 where the large rock is (unless applicant decides to discontinue the use of the second sign)
4. Application to show “Retail Landscape Supply Materials” business
5. Business to stay within 500’ of center line for commercial business
6. Applicant encouraged to use natural landscape materials as to help make the entrance to Ganges Township look as nice as possible

Seconded by **Gooding**. Roll call vote to approve with noted conditions stated above:

**Looman** – Yes, **Howard** – Yes, **Gooding** – Yes, **Birkes** – Yes, **DeZwaan** – Yes, **Reimink** – Yes. Motion carries unanimously.

## 2. Future Land Use Map Update

**Birkes** explained that the Future Land Use Map needs to reflect the re-zoning of the **Baker** property which was originally incorrectly depicted on map as being zoned Commercial, which with the request for re-zoning being approved it is now actually being depicted correctly.

**Birkes** added that the **ACPC** explained that when there is a topic on their agenda regarding the GTPC that there should be a representative of the GTPC present at their meetings, adding that any future business going before the **ACPC** from the GTPC there will be representative appointed to represent the Commission.

**Birkes** will manage having the Future Land Use Map amended by adding the statement “Refer to Master Plan Text for Confirmation”, and showing the **Baker** Property as Zoned Commercial.

## 3. Other business that may come before the Commission - None

## VI. Work Summary & Future Meeting Dates

Advanced Academy for Certified Planners will be held June 18<sup>th</sup> & 19<sup>th</sup> at MSU.  
Wind Energy Symposium will be held on June 5<sup>th</sup>, 2008 Free but must RSVP by May 30<sup>th</sup>.

If there is interest in attending continuing education courses commissioners need to personally contact Township Clerk Cindy **Yonkers**.

Motion by **Howard** to adjust the start time of the next Special Meeting to 6:00 pm. Seconded by **DeZwaan**. Motion carried unanimously.

The next scheduled "Special Meeting" will be on June 19<sup>th</sup>, 2008 beginning at 6:00 pm.

## VII. General Public Comment

Jerry **Schorle** (2152 68<sup>th</sup> Street) asked **Birkes** to answer his question, "why he went to the ACPC meeting"? **Birkes** answered that he had talked to Judy **Graff** (Ganges Township Representative on the ACPC), and she suggested that he attend because of an Agenda item requesting zoning ordinance change to allow wineries as Special Use being on the agenda. **Birkes** noted again, that any future items that go before the ACPC need to have a PC member appointed to represent the GTPC at the County meetings. **DeZwaan** supported, citing the minutes of the ACPC, which if this Commission wanted their decisions to be represented that we needed to have a representative at their meeting (which is not something that the current GTPC had ever been made aware of).

**Birkes** added that he is not going to respond to any allegations, and that if someone thinks a review needs to take place, that there is a process to follow in that regard.

**Schorle** added 4 – 5 years ago the PC was told by the Township Board that any time someone wanted to seek legal counsel or to attend another meeting that permission was required.

Ann **Gray** (~~974 68<sup>th</sup> Street~~) (**1974 68<sup>th</sup> Street**) earlier in the meeting the map you were referring to shows the Commercial Property on M-89 seemed to be 1000 feet deep, she thinks it's a mistake, because the Industrial property was 1320 feet deep.

Walt **Johnson** (2122 62<sup>nd</sup> Street) asked what the process is for the Public Hearing for the changes to the map. **Birkes** explained that in order to make changes to the Future Land Use Map it's part of the Master Plan, State Law dictates the process, which includes laying out what the changes are, have a Public Hearing to get comments of what those changes are, and then the GTPC votes, then it goes before the ACPC, and then finally to the Ganges Township Board.

Motion by **Looman** to adjourn this meeting at 9:03 pm. Seconded by **Howard**. Motion approved unanimously.

**Respectfully submitted,**  
**Ronda J. Hall**  
**Ganges Township Recording Secretary**