
COUNTY OF ALLEGAN

PLANNING COMMISSION



TOM VOGELER, Chairman
3283 – 122nd Avenue, County Services Building
Allegan, Michigan 49010-1350
email: ptvbucky@aol.com

MINUTES

Meeting Date: May 12, 2008
Meeting Time: 1:30 P.M.
Location: County Services Complex at Dumont Lake
Human Services Building, Karl Zimmerman Room

1. Call to Order.

The regular monthly meeting of the Allegan County Planning Commission was called to order by Chairman Tom Vogeler, at 1:30 P.M.

2. Roll Call.

Members present: John Bouterse, Dawn Buist, Terry Burns, Judy Graff, Rich Haugh, Ken Pardee, Fritz Spreitzer, Maury Stahl, Kelle Tobolic, Tom Vogeler, and Marv Voss.

Also present were, Sandra Lauer, Recording Secretary, Valdis Kalnins, LIS Director, Bill Hinz, Health Department, Bev Green, Deputy Drain Commissioner, Jim Burkes, Chairman of Ganges Township Planning Commission, Jan Schroeder, Ganges Township, and Frank Alfieri, Ganges Township.

3. Approval of Agenda.

Vogeler added one item to the agenda: Finding a Voice for the Black & Paw Paw River Watersheds (9c.). Motion by Voss, seconded by Haugh to approve the agenda as amended. Motion carried unanimously.

4. Approval of Meeting Minutes from April 14, 2008.

Motion by Haugh, seconded by Pardee to approve the minutes. Motion carried unanimously.

5. Approval of Expenditures as of May 5, 2008.

Motion by Stahl, seconded by Burns to approve the expenditures. Motion carried unanimously.

6. Public Participation.

Schroeder apologized for missing the April meeting because she was unaware of it taking place since the notice is posted in the Allegan County News and she only subscribes to The Observer and The Commercial Record. She brought a signed petition of neighboring residences who object to the rezone of the property. Schroeder stated that they were not opposed to rezoning to commercial, but wanted to postpone the rezoning because of the overlay at the intersection that states what types of businesses can locate there as they do not want a truck stop. There are also contaminated wells in the surrounding area and would like the County Planning Commission to reconsider their decision. Alfieri, a local resident of Ganges Township lives just across the overpass. Alfieri said it would be premature to change the zoning without the overlays and changed zoning. Burkes indicated that he was in attendance to address changes in zoning ordinance text later on the agenda rather than this rezoning issue and as such, was hesitant to speak on behalf of the Ganges Township Planning Commission. Vogeler asked if Burkes would be at least willing to provide some information in regards to this issue. Burkes acknowledged that the Ganges Township Planning Commission is working on more detailed zoning classifications. He also stated that the future land use map was in error and the map was published in the master plan with the error. The Ganges Township Planning Commission did not realize that the error was present until after the master plan was approved and had not taken action on changing the map because the Commission was using the map as a general guideline and deferring to the text to make their decisions on rezoning requests as opposed to the future land use map. Burkes said that parcel number 07-005-003-00 was intended to be zoned as Ag/Res on the future land use map and not as Commercial. He indicated that past township planning commission minutes support the intended Ag/Res zoning for this area because the township did not want the typical highway businesses in this area according to the master plan. Their general intent was to protect the property from the high scale commercial businesses: gas

stations, hotels, etc. The cost of getting municipal water to that location would be extremely expensive and they wished to put some restrictions in the area to protect the groundwater. A motion by Haugh, seconded by Pardee not to revisit the Allegan County Planning Commission's original decision failed by a vote of: Ayes: 5; Nays: 6; Absent: 0; Abstaining: 0. Burns stated that the Allegan County Planning Commission should wait to make a decision and Spreitzer agreed. Graff asked whether we could have tabled the decision for a month. Haugh stated that the 30 day limit is from the day the request is sent to the County Planning Commission and not when the County Planning Commission meets to discuss. Bouterse said that the Allegan County Planning Commission took action on the limited information that was presented at that time and it was the responsibility for any interested parties to know about and attend the meeting. Burkes stated that he had been under the impression that decisions made by the County Planning Commission were based on the county master plan not the local master plan. However, the County Planning Commission bases its decisions on the information provided by the Township Planning Commission in reference to the township's current Future Land Use Map. Graff stated that if in fact the map was in error then the Allegan County Planning Commission should not make a decision on an incorrect map. A motion by Pardee, seconded by Haugh to approve the action of the township planning commission passed by a vote of: Ayes 7; Nays 4; Absent 0; Abstaining 0. The County Planning Commission reversed its original decision (disapproval of the action taken by the Ganges Township Planning Commission on April 14, 2008) for the following reasons: 1) it has come to light that the Ganges Township master plan text appears to be in conflict with their future land use map, 2) it appears that the error is in the map while the true intended future land use is expressed in the text and documented in the Local Planning Commission Meeting Minutes where the master plan was discussed prior to adoption, 3) although the Ganges Township Planning Commission has not initiated a formal process to fix the error on the map, it is being considered, 4) the map was used by the County Planning Commission as the main tool for decision making regarding this request, 5) given the above to be true, the County Planning Commission felt that reversing its decision was justified as the commercial zoning would not conform to the intended future land use of the area based on the master plan, and 6) the County Planning Commission urges Ganges Township to resolve the conflict between the master plan text and future land use map and provide more supporting documentation for potentially controversial rezoning requests so that the County Planning Commission has all of the facts needed to make an informed review and decision.

7. Discussion and Presentation Items:

None.

8. Commission Business:

- a. Re-elect for another term (3 year term) – Tobolic, Pardee, Burns, Vogeler.
All are interested in serving another term. Motion by Spreitzer, supported by Stahl to re-elect Tobolic, Pardee, Burns, Vogeler for another term. Motion carried unanimously.
- b. Rezoning Request Form
Voss requested that that the header be omitted from the second page. Motion by Voss, supported by Haugh to approve the new form with changes. Motion carried unanimously. Kalnins stated that a letter will be drafted and sent to the local units.
- c. Michigan Planning Enabling Act Signed Into Law as PA 33 of 2008, Planning & Zoning News, Vol. 26 No. 6, April 2008
- d. Significant Changes to the Structure for Local Planning as a Result of the Michigan Planning Enabling Act, PA 33 of 2008, as amended, M.C.L. 125.3801 et seq, Vol. 26 No. 6, April 2008
- e. Membership to MAP
 - Cost is \$625
 - Benefits of Membership: Regional and On-site Workshops, Michigan Planner Magazine, Publications, Networking Opportunities, Web site, AICP and MSU Master Citizen Planner Credits, Sponsorship and Advertising.

No interest.

9. Continuing Education:

a. Michigan Planning Enabling Act & the Updated Michigan Zoning Enabling Act

- \$115 per person; \$105 per person for MCP's; \$100 per person for a group of 4 or more
- Registration deadline: Grand Rapids, May 25, 2008; Kalamazoo, May 31
- Grand Rapids, Michigan, June 4, 2008; Kalamazoo, Michigan, June 10, 2008

Buist requested approval to attend the training program in Grand Rapids. Motion by Haugh, seconded by Spreitzer for approval to attend. Motion carried unanimously

b. Annual Growing Communities Conference: Building on our Success, Shaping our Future

- \$75 per person; \$85 postmarked after May 26, 2008
- Grand Rapids, Michigan

No interest.

c. Finding a Voice for the Black & Paw Paw River Watersheds

- \$5 per person per session
- May 22, 2008 and June 19, 2008
- South Haven, Michigan

No interest.

10. Communications:

None.

11. Final Actions Received:

None.

12. Received for Notice:

- a. Notice of Intent to Amend Land Use Plan, Barry County

13. Received for Information:

- a. Revenue Receipts - 2008 Planning Workshop

14. Received for Review:

None.

15. Saugatuck Township Rezoning Request – Burns

Change zoning from C-2 and R-1 to R-1 for Parcel Number 20-003-058-00, 6420 Washington Road. Approved by the Township Planning Commission on March 24, 2008.

Reasons for action taken:

- Complies with the Township Master Plan.
- This adjusts the boundary between commercial and residential zones to a parcel boundary, which is recommended in the 2005 Tri Community Master Plan.

Ayes 4; Nays 0; Absent 3; Abstaining 0

A motion by Burns, seconded by Haugh to approve the action of the township planning commission passed by a unanimous vote.

16. Ganges Township Zoning Ordinance Amendment – Graff

An ordinance to amend the Ganges Township Zoning Ordinance in order to permit wineries as a special land use in the Residential/Agricultural and Agricultural zoning districts; and to repeal all ordinances or parts of ordinances in conflict herewith. Approved by the Township Planning Commission on April 22, 2008.

Ayes 5; Nays 0; Absent 2; Abstaining 0

Graff stated that Ganges Township wants to add the ability to add wineries to the agricultural and residential zoning to support the master plan which supports agri-tourism. This is subject to land use for a period of evaluation. A motion by Graff, seconded by Burns to approve the action of the township planning commission passed by a unanimous vote.

17. Dorr Township Zoning Ordinance Amendment – Bouterse

These amendments to the Dorr Township Zoning were approved to combine the provisions of the C Local Business and D Commercial Zoning Districts into one local commercial district known as the C & D Local Commercial District. The minutes also provide for some additional uses that are permitted by right, some additional uses that are permitted by special use permit and provisions allowing residential dwellings above retail and office space, modifications to front yard requirements, rear yard requirements, lot area and width requirements, and facades of commercial buildings. A copy of the proposed amendment is being submitted with this Notice.

Approved by the Township Planning Commission on April 15, 2008.

Ayes 6; Nays 0; Absent 1; Abstaining 0

Bouterse stated that they wanted to offer more clarification on the wording. A motion by Bouterse, seconded by Voss to approve the action of the township planning commission passed by a unanimous vote.

Standing Committee Reports:

18. L.I.S. – Valdis Kalnins, Director

Completed interviews for a GIS Analyst and have given a conditional offer. The new tax maps will be ready within two weeks.

19. Growth Management Plan Committee – Vogeler

Finished Chapter 8 today. Kalnins sent in a RFA. The Board of Commissioners had their meeting last thursday. Burns said it was moved to an action item for their meeting May 22, 2008.

a. Update on proposal summary – Kalnins

Will send Request for Proposals in draft form to several local planning agencies and a letter of intent to the local units. The committee will start working on Chapter 11 and 12 at next month's meeting. Each revised chapter will be presented to the Planning Commission meeting for review and approval.

20. Work Program Committee – Pardee

The committee will work on bylaw changes following this meeting.

21. Dept. of Public Works – Rininger

No report.

22. Parks Commission / Recreation & Tourism – Spreitzer

They are working with CSX to build a structure that goes under the railroad to keep debris from falling on people crossing under the bridge. CSX stated that they did not have an easement. Master Plans for Littlejohn and Silver Creek are coming along. Kanoe the Kazoo is May 31, 2008. The trip goes from 126th Avenue to New Richmond. Contact the Parks Department to sign up for this event.

23. Region 8 – Burns

No report.

24. Resource Recovery – Hinz

No report.

25. Board of Commissioners – Burns, Spreitzer

Burns stated that construction was started on probate court downtown. They were given emergency management DVD's to give to the townships. County Mental Health sent out a letter to the newspapers stating that they would send out a waiting list to non-eligible Medicaid recipients.

26. Education – Buist

As of May 6, 2008 there were five operating millage renewals.

27. Discussion and Presentation Items:

None.

28. Public Participation:

None.

29. Round Table:

Burns said there was a fundraiser for Sylvia's Place at the What Not Inn on May 5, 2008.

Buist mentioned that they should car pool to the next Michigan Planning Enabling Act & the Updated Michigan Zoning Enabling Act Workshop.

Pardee said that their first intergovernmental meeting was held at Wayland Township. Zoning was ranked as the number one concern and parks were third.

Haugh attended the M40/M89 corridor committee. The bridge over the Rabbit River in Hamilton will be closed to one lane of traffic. Nothing will be done with the truck stop in Holland. In July there will be repaving in Plainwell.

30. Adjournment:

Motion by Stahl, seconded by Voss to adjourn the meeting at 3:35 P.M. The next regular meeting of the Allegan County Planning Commission will be held on Monday, June 9, 2008 at 1:30 P.M., in the Human Services Building, County Services Complex, 3255 – 122nd Avenue, Allegan, Michigan.

Minutes submitted by Sandra Lauer, Economic Development and Planning Assistant and Recording Secretary for the Allegan County Planning Commission.