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# COUNTY OF ALLEGAN

## PLANNING COMMISSION

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KELLE TOBOLIC, Chairperson  
3255 – 122<sup>nd</sup> Avenue, Ste 103  
County Services Building  
Allegan, Michigan 49010-1350  
email: kelle623@sbcglobal.net

## Minutes

**Meeting Date:** November 10, 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, Kelle Tobolic at 1:28 P.M.

**2. Roll Call.**

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

Excused Absent: Judy Graff

Also present were: Ronda Foreman, Recording Secretary; Valdis Kalnins, LIS Director; and Bill Hinz, Environmental Health Director.

**3. Approval of Agenda.**

A motion by Buist, seconded by Pardee to approve the agenda as presented. The motion carried unanimously.

**4. Approval of Meeting Minutes from October 6, 2008.**

A motion by Bouterse, seconded by Haugh to approve the minutes as presented from October 6, 2008. The motion carried unanimously.

**5. Approval of Expenditures as of November 5, 2008.**

Voss reported there were two additional line item expenditures for the month of October; Kelle Temporary Services for Foreman's wages and \$442 in travel expenses for the Planning Commission's mileage reimbursement. Questions were raised regarding expenditures for Kelle Temporary services coming out of contractual services where funding had been appropriated for the Master Plan Update. Kalnins explained that he had already notified the finance director of the potential issue, but believed it was a minor one that could be easily resolved. Kalnins stated that he was waiting to hear back from the finance director. A motion by Voss, seconded by Haugh to approve the expenditures as presented. The motion carried unanimously.

**6. Public Participation.**

Patrick Hudson attended as an observer of the meeting only.

**7. Discussion and Presentation Items:**

None.

**8. Commission Business:**

None.

**9. Continuing Education:**

MSU Extension: Wind Energy Siting and Policy Issues, Workshops for Michigan's Renewable Energy

- \$55 Registration Fee; \$45 MCP

- Registration deadline: Benton Harbor, December 2, 2008; Grand Rapids, December 3, 2008
- Benton Harbor, Michigan, December 9, 2008; Grand Rapids, Michigan, December 10, 2008

Bouterse, Pardee, and Haugh requested to attend the Wind Energy Workshop in Grand Rapids on December 10, 2008. A motion by Buist, seconded by Vogeler to approve the request and pay for the participant's registration fees. The motion carried unanimously. A motion was made by Buist, seconded by Vogeler to approve the participant's mileage expenses to and from the workshop. The motion carried unanimously. Foreman will complete the registration requirements for those attending the workshop.

**10. Communications:**

None.

**11. Final Actions Received:**

None.

**12. Received for Notice:**

None.

**13. Received for Information:**

Thank you letter from Ganges Township Planning Commission to Saugatuck Township Planning Commission dated September 25, 2008 in regards to the proposed Central Lakeshore Subarea Plan.

**14. Received for Review:**

None.

**15. Hopkins Township Rezoning Request – Buist**

Change zoning from AG to Conditional R-1A for Parcel Number 0310-003-006-00, located on the southeast corner of 18th Street and 136th Avenue. The Hopkins Township Planning Commission approved the requested rezoning of the applicants' property in October of 2007, but the Allegan County Planning Commission recommended against the rezoning due to the parcel's location in the Hopkins Township Agricultural Preservation Zone in the Hopkins Township Master Plan. The request was subsequently denied by the Township Board.

The present request was approved by the Township Planning Commission on October 20, 2008.

Reasons for approval:

- No impact on the land.
- Meets the intent of the Agricultural Preservation Zone.
- No future Land Divisions permitted.
- It will not limit the use of the available farm land.
- It is not spot zoning as there are residential parcels across 18th Street.
- The dwelling is existing and the Rezone will create no new dwellings.

Reason for denial:

- This Rezone could question the integrity of the Agricultural Preservation District.

Ayes 3; Nays 1; Absent 3; Abstaining 0

Buist stated this is a confusing request since it had been initially denied by the Township Planning Commission a year ago, and they have now approved it upon receiving the second request. Haugh interjected he was present at the Preservation meeting where Mr. Harnish, the owner of the property in question, was in attendance asking for their help to get his request passed through the Township. He and his wife currently live in an assisted living complex and can no longer take care of the home on the property. Their intentions

are to sell the home along with two acres and retain the remaining acreage with no future plans of division or development. They have an adjustment parcel and it turns out to be more just a gaffe in zoning than anything else and Haugh's opinion is to be compassionate with these types of issues. A motion was made by Buist, seconded by Haugh to approve the request of the Township Planning Commission. The motion passed with a unanimous vote.

**16. Saugatuck Township Rezoning Request – Burns**

Request to rezone the north portion of Parcel Number 03-20-010-066-10 from C-2 Local Commercial to R-1 Residential. The property currently has two zoning classifications of C-2 and R-1.

The request was approved by the Local Planning Commission on October 27, 2008. The Commission found the proposed zoning complies with the Local Unit Master Plan, specifically on page 13-4 of the 2005 plan, we are charged with "examining zoning boundaries and appropriate range of permitted usages, including mixed usage of property along Blue Star Highway".

Ayes 4; Nays 0; Absent 3; Abstaining 0

Burns reports this parcel is located next to a road that was just recently paved near I-196/US31. It is a small road that leads to nowhere, and the property owners want to make it all residential. Burns believes changing the zoning to all R-1 would make much better use of the property than how it currently stands. A motion was made by Burns, seconded by Haugh to approve the request of the Local Planning Commission. The motion passed unanimously.

**17. Leighton Township Zoning Ordinance Amendment – Tobolic**

An ordinance to amend the Leighton Township Zoning Ordinance for the purposes of adding certain permitted and special land uses to the I-1 Industrial, AG Agricultural, and R-1 Rural Estate Districts; to add zoning provisions relative to location and operation of wind energy systems and solar panels, and to make various other related changes.

Approved by the Township Planning Commission on October 8, 2008.

Ayes 6; Nays 0; Absent 1; Abstaining 0

Tobolic reports the Township Planning Commission is requesting to amend the Leighton Township Zoning Ordinance to add certain permits and special land uses to various districts; and to address the standards for wind energy systems and other related changes. A motion was made by Tobolic, seconded by Vogeler to approve the ordinance amendments as recommended. The motion was carried unanimously.

**18. Dorr Township Zoning Ordinance Amendment – Bouterse**

The Township Planning Commission determined that changes to the text of Chapter XI, E Commercial Zoning District were appropriate. This included adding some new permitted uses in Section 11.02, some new special uses in Section 11.03, changes to the area regulations in Section 11.05, additional regulations in Section 300.536 concerning structural facades and a reworking of the adult entertainment business section of the ordinance. Please note that the draft ordinance, which was approved erroneously, includes two sections designated as 300.536 and Section 11.06. This was discovered after the planning commission had approved the amendments, and the numbering will be corrected when it is submitted to the Township Board.

Approved by the Township Planning Commission on October 21, 2008.

Ayes 6; Nays 0; Absent 1; Abstaining 0

Bouterse stated that Dorr Township is making recommended amendments in an effort to make it easier for businesses to come into the district by cleaning up and clarifying the verbiage. A motion was made by Bouterse, seconded by Vogeler to approve the text amendments as recommended. The motion passed unanimously.

## **Standing Committee Reports:**

### **19. L.I.S. – Valdis Kalnins, Director**

Kalnins stated that the flood mapping project has finally gained some momentum. Our contracted engineering company, FTC&H has completed the bulk of their field surveying and is now working on several hydrologic models. They will be providing training to LIS in November on floodplain redelineation. This involves taking the current floodplain boundaries shown on the old FEMA flood maps and redrawing them on our county-wide elevation model to improve their horizontal accuracy. Draft maps should be available for local review next summer.

### **20. County Master Plan Committee – Vogeler**

Vogeler reported the County Master Plan Committee had a meeting this morning. A request for proposals was recently sent out to obtain bids from consultants to work on the Master Plan. Four consultants responded with proposals. The master plan committee evaluated the proposals and found all four respondents had met at least the minimum requirements needed to carry out the work. The cost proposals were also opened. Based on the evaluations of the proposals and taking costs into consideration, the Committee felt that two of the four proposals stood out. These were submitted by LSL Planning for \$9758 and Williams & Works for \$9590. The Master Plan Committee will interview representatives from both companies on the morning of December 8<sup>th</sup>, and bring their final recommendation to the Planning Commission at the regular meeting on December 8<sup>th</sup>. The Master Plan Committee is hopeful the Planning Commission will approve the Master Plan Committee's recommendation allowing the recommendation to go before the County Board of Commissioners for final approval. It is projected the Master Plan will be completed by July of 2009.

### **21. Work Program Committee – Pardee**

Pardee wants to reserve a room for the County Planning Commission Seminar scheduled for March 31st, 2009, but does not know who to contact. He stated that Sandra Lauer reserved the room last year and asked if anyone is aware of who he should contact. Pardee also questioned why the Bylaws have not yet been approved. Foreman updated the Commission by informing them she had contacted Becky Blaine in Administration within the last two weeks, and Blaine confirmed she had sent the RFA to the Board of Commissioners in August but had yet to see it added to their agenda. Spreitzer stated he would contact Rob Saaro to have the RFA for the Bylaws expedited.

### **22. Dept. of Public Works – Rininger**

None.

### **23. Parks Commission / Recreation & Tourism – Spreitzer, Tobolic**

Tobolic updated the Commission on the recent Parks Commission meetings by stating the Silver Creek Master Plan was presented in October and there were many public participants; many of whom were unhappy with the proposed improvements. Spreitzer interjected that the Master Plan will be up for approval during the December meeting and added it would be years down the road before completion.

Tobolic continued by stating the purchase of the Leader's Marine property by the Parks Commission will not be happening due to concerns that were raised during the discussion. She also reported the parks 2008 revenues were down over last year because of bad weather and high gas prices which affected the sales of season passes and number of boat launches. Spreitzer finished the Parks Commission update by reporting the contract bid had been approved by the Board of Commissioners for the New Richmond Bridge project which will be completed by the end of September.

### **24. Region 8 – Burns**

Burns stated there will be another Region 8 meeting in December. He also reported that Laketown Township is trying to gain access from Graafschap onto 196, although they do not have any policies in place to approve the request.

**25. Resource Recovery – Hinz**

Hinz reported on an article he read in USA Today regarding the health effects of those living next to wind energy systems. The article suggested people not live closer than a mile and a quarter to a turbine due to reports that suggest the constant noise is causing health problems.

**26. Board of Commissioners – Burns, Spreitzer**

Burns reports the West Michigan Airport Authority voted to form an authority in Fillmore Township and is in need of another member. Burns questions whether an authority should even be formed and since the airport is in Allegan County, he feels it should be up to us to make the decision. A multimillion dollar terminal expansion is being planned at the Tulip City Airport in Fillmore Township, and something will probably end up coming before the Allegan County Planning Commission. Burns plans to keep informed of the situation and will report on it monthly.

Spreitzer also reported that funding for the jail was discussed at the Board meeting. They are trying to determine if any millage would suffice or if bonding is the answer. He senses it will probably be a combination of the two options.

**27. Education – Buist**

Buist has been working with the Allegan Vo-Tech Center on an award that will be given to an area student for a winning design concept. Their creations will involve metal, wood and other materials.

Tobolic questioned Buist on the state of the Martin schools; she has heard they may be hurting for students and are possibly in dire straits. Buist stated, although she is unsure, they may be in trouble due to their location along with other schools in the area. With businesses closing and people losing their homes, there is nothing to draw families into the districts and she believes the schools need to focus on what they do best. Her opinion is if things don't change soon, public education will be in trouble. Buist reports though that not all the schools are having problems; she knows that Hopkins' schools are doing very well.

**28. Discussion and Presentation Items:**

Voss reported on the M40/M89 Corridor Committee meeting he attended on October 28 with the following updates for construction proposed for the summer of 2009:

- April 13 – Bridge over the Kalamazoo River on M222 near Ace Hardware and Village Market
- June 15 – Rabbit River Bridge in Hamilton, a signal will be installed
- Date not set – M89 bridge over Kalamazoo River
- Date not set – M40 bridge in Allegan
- Date not set – M89 new pavement and passing land in Otsego between Grant St. and Jefferson Rd.

Haugh asked the Commission's permission for Voss to attend all future M40/M89 meetings on behalf of the County Planning Commission instead of him. Haugh has been having scheduling conflicts and Voss has agreed to take his place, since he already attends all the meetings. As it stands Haugh claims per diem and mileage reimbursement from the Commission to attend the meetings. Both Haugh and Voss attended the October M40/M89 meeting, although Haugh was only able to stay for half the meeting. A motion was made by Spreitzer, seconded by Graff to appoint Voss to attend all future M40/M89 meetings on behalf of the Allegan County Planning Commission and to pay for his per diem and travel expenses to attend; and to approve the per diem and travel expenses incurred for both Haugh and Voss to attend the October 2008

M40/M89 meeting. The motion carried by all present. The 2009 schedule for the M40/M89 Corridor Committee meetings are as follows: January 27, April 28, July 28, and October 27.

Haugh reported on the Farmland Preservation meeting by stating the RFA was to be submitted by October 30 to receive funds from the DNR to further develop the program in conjunction with the DNR's Healthy Waters Act.

**29. Public Participation:**

None.

**30. Round Table:**

Spreitzer reported he had a visit with a representative from Perrigo a couple of weeks ago and was able to set an appointment for the Board of Commissioners to take a walk-through of the plant on November 20. Since Perrigo is the largest employer in Allegan County, Spreitzer said it should be very interesting and beneficial to take the tour. He asked if anyone from the Planning Commission would like to take a separate tour; if interested, he would have to set it up with Perrigo first and come back with the details.

Tobolic reminded everyone of the Veterans Day holiday tomorrow.

**31. Adjournment:**

A motion was made by Vogeler, seconded by Bouterse to adjourn the meeting at 2:49 P.M. The motion carried with a unanimous vote.

The next regular meeting of the Allegan County Planning Commission will be held on Monday, December 8, 2008 at 1:30 P.M., in the Human Services Building, County Services Complex, 3255 – 122<sup>nd</sup> Avenue, Allegan, Michigan.

Minutes respectfully submitted by Ronda Foreman, Recording Secretary for the Allegan County Planning Commission.