
COUNTY OF ALLEGAN

PLANNING COMMISSION



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

MINUTES

Meeting Date: June 8, 2009
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 1:32 P.M.

2. Roll Call.

Members present: John Bouterse, Ken Pardee, Kelle Tobolic, Marv Voss, Tom Vogeler, Judy Graff, Sam Dykstra, and Dawn Buist

Absent: Rich Haugh, Fritz Spreitzer, and Terry Burns

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

3. Approval of Agenda.

Voss requested an addition to the agenda under item 9. Continuing Education; 9a. Advanced Citizen Planner Academy. A motion was made by Vogeler, seconded by Bouterse for the addition of 9a. Advanced Citizen Planner Academy and approval of the agenda as presented. The motion carried by everyone present.

4. Approval of Meeting Minutes from May 11, 2009.

A motion was made by Buist, seconded by Pardee to approve the meeting minutes from May 11, 2009 as presented. The motion carried by everyone present.

5. Approval of Expenditures as of June 2, 2009.

Voss stated the only item worth noting on the expenditure report was \$3793 under Contractual Services which are funds applied towards the work on the Master Plan Update project. A motion was made by Voss, seconded by Dykstra to approve the expenditure report printed on June 2, 2009 as presented. The motion carried unanimously.

6. Public Participation.

None.

7. Discussion and Presentation Items:

Continue review and discussion of the Michigan Planning Enabling Act 33 of 2008, the Michigan Zoning Enabling Act 110 of 2006, and the Review of the Michigan Planning Enabling Act 33 of 2008.

Tobolic requested this discussion be postponed until Spreitzer is present since he is absent from today's meeting and was expected to bring his personal notes regarding the various Enabling Acts. The Commission suggested contacting Spreitzer to request his notes be distributed to the members for their review prior to the next meeting.

8. Commission Business:

a. The election of Buist and Spreitzer for a three year term was approved by the Board of Commissioners on May 28, 2009.

b. Election of Officers

A motion was made by Buist, seconded by Vogeler to nominate Tobolic to serve as the Chairperson of the Allegan County Planning Commission and Tobolic accepted the nomination. After Tobolic asked for additional nominations from the Commission, a motion was made by Voss, seconded by Vogeler to close the nomination and asked for a unanimous vote to elect Tobolic as the Chairperson of the Allegan County Planning Commission. The motion passed with a unanimous vote. Tobolic will serve as the Allegan County Planning Commission Chairperson through June 8, 2010.

A motion was made by Graff, seconded by Bouterse to nominate Buist to serve as the Vice Chairperson of the Allegan County Planning Commission and Buist accepted the nomination. After Tobolic asked for additional nominations from the Commission, a motion was made by Graff, seconded by Bouterse to close the nomination and asked for a unanimous vote to elect Buist as the Vice Chairperson of the Allegan County Planning Commission. The motion passed with a unanimous vote. Buist will serve as the Allegan County Planning Commission Vice Chairperson through June 8, 2010.

A motion was made by Buist, seconded by Vogeler to nominate Voss to serve as the Treasurer of the Allegan County Planning Commission and Voss accepted the nomination. After Tobolic asked for additional nominations from the Commission, a motion was made by Buist, seconded by Vogeler to close the nomination and asked for a unanimous vote to elect Voss as the Treasurer of the Allegan County Planning Commission. The motion passed with a unanimous vote. Voss will serve as the Allegan County Planning Commission Treasurer through June 8, 2010.

A motion was made by Buist, seconded by Vogeler to nominate Bouterse to serve as the Secretary of the Allegan County Planning Commission and Bouterse accepted the nomination. After Tobolic asked for additional nominations from the Commission, a motion was made by Buist, seconded by Vogeler to close the nomination and asked for a unanimous vote to elect Bouterse as the Secretary of the Allegan County Planning Commission. The motion passed with a unanimous vote. Bouterse will serve as the Allegan County Planning Commission Secretary through June 8, 2010.

9. Continuing Education:

a. Advanced Citizen Planner Academy – Voss

Voss stated this is an advanced workshop ‘Placemaking for Prosperity: Practical Education for the New Economy’ offered once a year through the MSU Citizen Planner Advanced Academy to be held at the Kellogg Hotel & Conference Center in East Lansing on June 25, 2009. Since June 1, 2009 was the early deadline to register at a discounted course fee of \$95, Voss has already registered and paid for the workshop. Voss is asking the Planning Commission’s approval for a reimbursement of his expenses to attend the workshop. A motion was made by Buist, seconded by Pardee to approve Voss’s reimbursement of \$95 and expenses to attend the MSU Citizen Planner Advanced Academy workshop ‘Placemaking for Prosperity: Practical Education for the New Economy’ on June 25, 2009 in East Lansing. The motion carried by everyone present.

10. Communications:

None.

11. Final Actions Received:

None.

12. Received for Notice:

a. City of Plainwell

The City of Plainwell is initiating the process of adopting a new Master Plan.

b. Hopkins Township

Special Hearing requested by Fleet Services to be held on Monday, June 15, 2009 at 7 P.M. to rezone their parcel from Industrial to C-2 to qualify them for a state license for vehicle sales.

13. Received for Information:

State of Michigan – Department of Agriculture

Annual packet of new / modified / terminated Landowner Farmland and Open Space Preservation Act of 1974 contracts from the State of Michigan.

Voss asked Kalnins if the County has a list of all the PA116s currently in effect. In terms of process, PA116s are made at the Township level and the County Planning Commission reviews and writes a letter of support for the Township. The Township then forwards them to the State and once approved, the Township receives immediate notification but not the County. The Planning Commission will receive notification only once a year and the majority of them are renewals. It is possible that the County Clerk receives more current information as Kalnins believed these contracts are recorded by the County Clerk. In terms of mapping, the process was complicated by the need to map each contract since some contracts covered portions of a parcel and others included multiple parcels. While County Equalization is mapping some of them for assessment purposes and Land Information Services had done three townships so far, there was no coordinated effort. Kalnins said L.I.S. was in a good position to coordinate the mapping process and maintain the G.I.S. layer but it was not a high priority. Once the layer is initially mapped, Kalnins stated that it would be relatively easy to maintain the layer current.

14. Received for Review:

None.

15. Overisel Township PA116 – Buist, Pardee

Acreage in cultivation is 37.667 for Parcel Number 18-015-001-00.

Buist stated Haugh reviewed the Overisel Township PA116 for Parcel Number 18-015-001-00 and recommended approval by the Allegan County Planning Commission; the Township has already approved it and Haugh sees nothing out of the ordinary. A motion was made by Buist, seconded by Voss to approve the Overisel Township PA116 as recommended by the Township. The motion passed unanimously.

16. Fillmore Township Rezoning Request - Buist

Change zoning from A-2 to R-1 for Parcel Number 03-06-011-022-00. The request was approved by the Local Planning Commission on May 18, 2009.

Reasons for action taken:

- Complies with land use plan.
- No objections by neighboring residents.
- Required to split family farm into parcels smaller than 10 acres.

Ayes 5; Nays 0; Absent 0; Abstaining 0

Buist reported this is a rezoning request that complies with the Township’s future land use plan and there are no objections by neighboring residents. A motion was made by Buist, seconded by Pardee to approve the rezoning request for Parcel Number 03-06-011-022-00 from A-2 to R-1 as recommended by the Township. Graff asked if the request complies with the text of the township’s master plan. Buist stated there was no indication that the change did not comply with the text and the Local Planning Commission had no objections to passing the request. The motion passed with a vote of seven to approve and one to deny the request. Graff stated she objected because as planners, do we agree to pass requests just because the Townships approve

them. Bouterse stated until there are rules in place of what information is expected from the Townships regarding the requests they submit, the Allegan County Planning Commission must base their decisions on the information that is provided.

Ayes 7; Nays 1; Absent 3; Abstaining 0

17. Gun Plain Township Rezoning Request - Vogeler

Change zoning from R-2 to C-1 for Parcel Number 03-08-019-005-10. The request was approved by the Local Planning Commission on May 20, 2009.

Reasons for action taken:

- Complies with the current and future Master Plan.
- Is not spot zoning; property was previously used for commercial purposes and was also zoned commercial.
- To promote development for the area.

Ayes 7; Nays 0; Absent 0; Abstaining 0

Vogeler reported this rezoning request is next to US 131 south of the 106th Street exit near the Plainwell Airport. They want to change the zoning for Parcel Number 03-08-019-005-10 from R-2 to C-1 and the request complies and is not in conflict with the narrative of the current and future Master Plan. The property had previously been zoned commercial until about seven years ago. A motion was made by Buist, seconded by Bouterse to approve the rezoning request as recommended by the Township. With Vogeler abstaining from the vote to avoid conflict of interest, the motion passed with a vote count of seven in favor of the request.

Ayes 7; Nays 0; Absent 3; Abstaining 1

18. Wayland Township Master Plan Update – Tobolic

On January 12, 2009 the Allegan County Planning Commission reviewed and approved Wayland Township's Draft Master Plan Update. Since then, the Township has made changes due to comments from neighboring communities affecting some of the borders shared with the City of Wayland and Leighton Township. The 2009 Master Plan was adopted by the Wayland Township Planning Commission on February 11, 2009.

Tobolic stated she was present for the Township meeting when the proposed changes to the Master Plan were discussed; the City of Wayland was concerned about the area surrounding Rabbit River and the additional traffic that may result from a mobile home park. Tobolic went through the Allegan County Master Plan and the Wayland Township Master Plan trying to determine whether there were any conflicts and stated the two Master Plans are very difficult to compare. The revisions made addressed the issues and concerns from the neighboring communities. A motion was made by Tobolic, seconded by Bouterse to approve the Wayland Township Draft Master Plan Update as presented. The motion carried by everyone present.

Ayes 8; Nays 0; Absent 3; Abstaining 0

Standing Committee Reports:

19. L.I.S. – Valdis Kalnins, Director

Kalnins updated the Commission on the Aerial Imagery Project stating everything is going very well. Land Information Services has received payment from approximately 80% of the participating townships; all local units, with the exception of one or two, are participating in the project. Delivery of a pilot area is expected in

June with final delivery due in October. Once reviewed and accepted, L.I.S. will begin distributing the imagery to local units in November.

The F.E.M.A. flood map modernization project is also going well; L.I.S. has asked for an extension and continues to complete and submit hydrologic, hydraulic and redelineation studies to the M.D.E.Q. as part of the update.

20. County Master Plan Committee – Vogeler

Vogeler stated the County Master Plan Committee met with L.S.L. this morning; five chapters have now been reviewed with some minor changes still expected. By the July meeting, L.S.L. will have all six chapters completed. The County Master Plan Committee still has three more chapters they are working on which should be finished in the next two or three months. Kalnins stated everything is coming together very nicely and once L.S.L. submits the final draft of their chapters, the Committee will submit them to the Planning Commission for review. If something is found to be factually incorrect, let someone on the committee know as soon as possible; hopefully, all the chapters will be completed by the fall. Bouterse asked, once we get the final draft and if revisions are necessary, will L.S.L. charge more money for the changes. Kalnins stated we will have the ability to make the necessary revisions ourselves.

21. Work Program Committee – Pardee

Pardee stated the Committee is meeting again today following the Planning Commission meeting so he has nothing to report at this time.

22. Dept. of Public Works – Rininger

None.

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

Tobolic gave an update on the progress at New Richmond Bridge Park; the water has receded and construction on the fishing pier and boardwalk is near completion. The plans for the boat launch were compromised due to the condition of the soil; A.P.E.X. must now drill deeper than originally expected to reach the solid base necessary to sustain the launch. This may add an additional \$20,000 to the project. To help cover the added expense Parks is anticipating a reimbursement from C.S.X. since their engineer, who showed up on site and reviewed the plan, found the work scheduled for the project would not require flagmen as originally budgeted and this expense could be eliminated from the project. Tobolic reported the Equestrian Trail Lease has been executed and the F.A.C.E.T.S. Agreement has been signed; marking of the trails will begin soon. Kanoë the Kazoo held on May 30, 2009 was a huge success; over 50 canoes participated which was the largest turn-out to date and the majority of them were new to the event. Tobolic ended her update by stating there is a real concern about Lake Michigan being on the rise; it is up 16” over last year.

24. Region 8 – Burns

None.

25. Resource Recovery – Hinz

None.

26. Board of Commissioners – Burns, Spreitzer

None.

27. Education – Buist

Buist stated school is out for the summer!

28. Discussion and Presentation Items:

Tobolic stated someone from Wayland Township had asked her about the process of sending rezoning requests or ordinance amendments back to the townships once there is a decision made by the County Planning Commission; they had received one back but had no idea which request it was for. Foreman stated the same form the requests are received on is filled out with the County's decision, signed, and mailed back to the townships. Kalnins looked up the Wayland Township request in question and found that the Township had failed to enter descriptive information about the request on the request form as this was included in attachments. Tobolic stated she would inform Wayland Township to be thorough when filling out the request forms in the future.

29. Public Participation:

None.

30. Round Table:

Pardee asked if Graff will be staying on for a couple more meetings since her replacement has not yet been found. Tobolic stated Graff had made the offer to do so but since her resignation was accepted by the Board of Commissioners, she was unsure if this would be possible and Graff probably would not receive mileage or per diem either. Regarding if anyone has applied for the two openings, no applications have yet been received. Graff stated she informed Ganges Township there is an opening on the Planning Commission.

Bouterse reported Dorr Township had their Emergency Management Planning on Saturday that went very well; there were many simulated dead bodies lying around, and they even brought in a helicopter and had to extricate accident victims from a van. Bouterse also stated he has new contact information and will forward it on to everyone.

31. Adjournment:

A motion was made by Vogeler, seconded by Dykstra to adjourn the meeting at 2:25P.M. The motion passed with a unanimous vote.

The next regular meeting of the Allegan County Planning Commission will be held on Monday, July 13, 2009 at 1:30 P.M., in the Human Services Building, County Services Complex, 3255 – 122nd Avenue, Allegan, Michigan.

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