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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 9, 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 1:30 P.M.

**2. Roll Call.**

Members present: Kelle Tobolic, Ken Pardee, Marv Voss, Jackie DeZwaan, Sam Dykstra, John Bouterse, Dawn Buist, Terry Burns, and Fritz Spreitzer

Absent: Tom Vogeler

Also present were: Ronda Foreman, Recording Secretary; Valdis Kalnins, LIS Director; Bill Hinz, Environmental Health Director; and Sally Howard, Ganges Township Planning Commission Chairman.

**3. Approval of Agenda.**

A motion was made by Buist, seconded by Voss to approve the agenda as presented and emailed. The motion carried by everyone present.

**4. Approval of Meeting Minutes from October 5, 2009.**

A motion was made by Bouterse, seconded by Dykstra to approve the revised meeting minutes from October 5, 2009 as presented and emailed. The motion carried by everyone present.

**5. Approval of Expenditures as of November 3, 2009.**

Voss stated the only expenditure on the report is for the subscription renewal of \$360 for the monthly periodical, Planning and Zoning News. A motion was made by Voss, seconded by Pardee to approve the expenditure report as presented. The motion carried by everyone present.

**6. Public Participation.**

Sally Howard, the Ganges Township Planning Commission Chairman, is present for the discussion of item 17 on the agenda, Ganges Township Rezoning Request; the Planning Commission agreed to proceed with the discussion at this time.

**7. Discussion and Presentation Items:**

Allegan County Planning Commission Bylaws update.

Tobolic stated the committee will meet today following the PC meeting; there is no update at this time.

**8. Commission Business:**

None.

**9. Continuing Education:**

DeZwaan will attend a free workshop tomorrow in Shelbyville that is hosted by the Allegan Conservation District titled “Cost-Share for Wetland Restorations”. Tobolic asked DeZwaan to give the Planning Commission a report on the workshop at next month’s meeting.

**10. Communications:**

None.

**11. Final Actions Received:**

None.

**12. Received for Notice:**

**a. City of Allegan – Spreitzer**

Notice of Master Plan update.

**b. Hopkins Township – Dykstra**

Notice of Public Hearing on Tuesday, October 27, 2009 at 7:00 P.M. in the Hopkins Township/Village Hall. The purpose of the hearing is to receive public comment on a proposed rezoning request and zoning ordinance amendments.

Dykstra attended the Hopkins Township public hearing and stated that after three hours of discussion, the proposed rezoning request was tabled. Dykstra commented although the rezoning request appears to be a nice setup, the owner of the property failed to obtain the proper permits and site plans.

**13. Received for Information:**

**State of Michigan – Department of Agriculture**

Landowners who have completed contracts with the State of Michigan under the Farmland and Open Space Preservation Act of 1974.

**14. Received for Review:**

None.

**15. Martin Township PA116, Boerson Farms Inc. – Vogeler, Pardee**

**a.** Total acreage is 11 for parcel numbers 15-017-009-20 and 15-017-009-10.

**b.** Total acreage in cultivation is 93 for parcel numbers 15-028-012-00 and 15-021-011-20.

**c.** Total acreage in cultivation is 57 for parcel numbers 15-036-008-30, 15-036-008-60, 08-001-013-00, and 15-036-008-80.

**d.** Total acreage in cultivation is 220 for parcel numbers 15-013-008-00, 15-013-001-00, and 15-012-019-00.

Pardee stated after his and Rich Haugh’s review, everything appears to be in order for the farmland agreement applications in question. Spreitzer questioned the total number of acres in cultivation for the parcels listed under 15.a.; he believes there are certain requirements that must be met for applications that are under 40 acres. Foreman brought to the Planning Commission’s attention that page two of the application was missing from 15.a.; page two specifies the land eligibility qualifications for the applications.

A motion was made by Buist, seconded by Spreitzer to table the Martin Township PA116s until the township can provide the missing information for the Planning Commission’s review. The motion carried by everyone present.

**16. Wayland Township PA116, Paul Lettinga – Tobolic, Pardee**

- a. Total acreage in cultivation is 65 for parcel number 24-003-013-00.
- b. Total acreage in cultivation is 52 for parcel number 24-001-001-00.

Upon their review, Pardee and Tobolic both agreed the farmland agreement applications for Paul Lettinga’s property is in order and they have no objections to the applications. A motion was made by Tobolic, seconded by Bouterse to approve the Wayland Township PA116 as presented. The motion carried unanimously.

**17. Ganges Township Rezoning Request – DeZwaan**

Change zoning from Residential/Agricultural to Preliminary Residential PUD for Parcel Number 03-07-005-057-00. The request was approved with conditions by the Local Planning Commission on October 27, 2009.

Reasons for action taken:

- Proposed plan meets the intent of the ordinance.
- Proposed rezoning complies with the Local Unit Master Plan.
- Proposed plan is eligible for Residential PUD status.

Conditions for approval:

- Plan must show 30% open space.
- Road width restrictions.
- Deed will restrict parking in designated areas.
- Lake Michigan access.
- Plans for water retention and drainage.
- Only single family residences will be included in the PUD.

Ayes 6; Nays 0; Absent 0; Abstaining 0; Recused 1

DeZwaan stated this is the first rezoning request of its kind to come before the Ganges Township Planning Commission. The proposed plan meets the intent of the ordinance and complies with the local master plan. The township approved, with conditions, the request to rezone the parcel from Residential/Agricultural to Preliminary Residential PUD. DeZwaan explained the word “preliminary” is used to get the proper documents in place so the engineers can proceed with the development of the plan. Spreitzer asked if DeZwaan foresees any problems with the request at the township level. Tobolic also questioned whether any public hearings were held to get the communities input. DeZwaan stated the public hearings were held and there are no disputes she is aware of. Howard was given the opportunity for additional comment and had nothing further at this time.

A motion was made by DeZwaan, seconded by Spreitzer to approve the PUD rezoning request as recommended by the local planning commission. The motion carried with DeZwaan abstaining from the vote.

Ayes 8; Nays 0; Absent 1; Abstaining 1

**Standing Committee Reports:**

**18. L.I.S. – Valdis Kalnins, Director**

Kalnins reported the aerial imagery is coming along and should be here next month. The floodplain maps are still ongoing; they are trying to finish up the studies for the hydrology and hydraulics and then will start the

actual delineation of the floodplains. The project is expected to be completed sometime next year. Kalnins had nothing further to report at this time.

**19. County Master Plan Committee – Vogeler**

In Vogeler's absence, Voss stated the Committee met this morning and worked on intergovernmental cooperation and finished the village portion of the master plan. He stated they should be able to complete the master plan in the next couple of meetings or so.

**20. Work Program Committee – Pardee**

None.

**21. Dept. of Public Works – Rininger**

None.

**22. Parks Commission / Recreation & Tourism – Spreitzer**

Spreitzer stated the Parks Commission has approved an increase to the camping and day rider fees beginning in 2010, and will present the proposal to the Board of Commissioners for their approval. The current rate for camping is \$10 per night regardless the number of horses, and \$2 per horse for day riders. The Parks Commission is proposing to increase the camping fee to \$12 per night with an additional \$3 per horse; the day rider fee would be raised to \$5 per horse. The season pass will remain at \$25 annually and can be used for both day riding and the \$3 per horse fee for campers; the season pass is not applicable toward the overnight camping fee. It has been many years since any of the rates have been increased, and the County now holds a lease for the 50+ miles of equestrian trails they have been clearing and marking all summer. The Parks Commission also has plans to add equestrian campsites to Ely Lake and Pine Point campgrounds in the spring of 2010. In light of the recent budget cuts and the addition of equestrian trails and campsites, they have determined the fee increases are imperative for them to maintain the improvements. On the other hand, they are proposing to eliminate the entrance fees for Littlejohn Lake and Gun Lake parks where attendance is down and the park attendant's salaries outweigh the fees collected. The Parks Commission also approved to forego their paid per diem and mileage reimbursement to attend the Parks meetings through 2010 in order to retain the boat launch attendants at Dumont Lake and Gun Lake parks; the two boat launches are very busy throughout the summer and the attendants positions would have been eliminated due to the budget cuts to the department. Spreitzer also reported the New Richmond Bridge Park project is 98% complete; Kevin Ricco plans to meet with the contractor with a punch list to finalize any loose ends, including follow-up in the spring. Other than some missing signage, the equestrian trails are practically done with Silver Creek being the last area to get worked.

**23. Region 8 – Burns**

Burns stated the next Region 8 meeting will be next Friday. On another subject, he attended the Saugatuck Township Planning Commission meeting where the zoning of the McClendon property was discussed; the property was formerly owned by Dennison and is protected sand dunes located along the Lake Michigan coastline. McClendon would like to develop the property and has requested the zoning be changed. The plan includes a miniature golf course, three story condos, single-family homes, and a marina among other proposed amenities. Burns stated it will be quite some time before the whole thing is settled; they have a lot of red tape to go through first.

**24. Resource Recovery – Hinz**

Hinz informed the Commission that on November 21, 2009 from 9 A.M. – 1 P.M. at the City of Allegan Police Department, there will be a drive to collect expired or unwanted medications so they can be properly disposed and not flushed or misused; flushing them poses environmental concerns whereas storing them or throwing them into the trash provides the opportunity for misuse. There will be a pharmacist onsite who must

log any controlled substance collected before being turned over to the police for disposal. For more information, visit [www.alleganmeth.com](http://www.alleganmeth.com).

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

Burns recently attended a subcommittee meeting in Lansing where tourism and agriculture were discussed. The two biggest draws on this side of the state are tourism and agriculture, and the state has cut back tourism funding; he learned that for every \$1 spent on tourism, \$2.94 is expected in return. Burns is perplexed by why money would be taken away from a good investment. Allegan County was ranked number one in the state and in the top one hundred in the country for agriculture; we grow a variety of over a hundred and forty products.

Spreitzer reported on the 9-1-1 surcharge cap that was passed during last week's election; the newspaper reported the surcharge of \$2.80 would take effect immediately, which is false. The current surcharge of \$1.63 will be evaluated in April when the Board of Commissioners have more information on the needs of Allegan County Central Dispatch.

**26. Education – Buist**

Buist reports all the schools are struggling with their budgets and are looking at all options. Some schools may be forced to eliminate busing for their students and may face even more cuts next year. They are also considering a countywide superintendant and possible change in borders for some schools, which would impact the community.

**27. Discussion and Presentation Items:**

**a. M-40/M-89 Corridor Committee Meeting – Voss**

Voss stated the scale used by truckers at the Tulip City Truck Stop on M-40 near 196 has been moved back from the road to help prevent accidents in the future; there have been some fatalities in recent years. The project in Otsego should be finished in the next week or two, and a new job will start next year at the intersection of Eastern and M-222 to address safety issues.

**b. Bauer Power DVD on solar and wind energy – Pardee**

The Planning Commission viewed a good portion of a DVD provided by Bauer Power on solar and wind energy systems. Pardee asked the Commission if they would like to have this gentleman as a presenter for the Planning Commission Workshop held annually in March. Although they felt the subject matter is a great idea, some wondered if it would turn out to be more of a sales pitch than provide pertinent zoning information. Pardee asked the Commission to give it some more thought and the discussion will be revisited at a later date.

**c. Open Meetings Act (OMA) – DeZwaan**

The Open Meeting Act handout was included with today's agenda; DeZwaan wanted to share the information on page 21 in regards to how decisions are made. She reported that while attending a meeting that included the Michigan Township Association, they stated a "reply to all" should not be used when it comes to responding to emails because it may cause a situation that violates the OMA by giving the appearance of having a quorum. Although emails are okay for relaying information, we must be careful not to elevate a discussion or give feed-back that could be mistaken as either polling or having a round table discussion outside of a regular meeting. Tobolic thanked DeZwaan for bringing this to the Commission's attention; although PC business is not discussed via email, "reply to all" can sometimes be a habit when responding to information and she never even thought about it being mistaken as having a quorum.

**28. Public Participation:**

None.

**29. Round Table:**

DeZwaan recently met with Bruce Barker from Casco Township, and he never received the document that has the seven rezoning questions; the questions were approved during last month's meeting and Foreman emailed the document to all the township clerks. DeZwaan asked if the document could be added to the Planning Commission's homepage where the rezoning request and ordinance amendment forms are located. Foreman clarified the zoning questions were not to be made a part of the rezoning request form; they are to be used for consideration by the townships when they submit a request to the County. Foreman stated she would get with Information Services regarding the best way to post the document.

**30. Adjournment:**

A motion was made by Dykstra, seconded by Bouterse to adjourn the meeting at 3:19 P.M. The motion passed with a unanimous vote.

The next regular meeting of the Allegan County Planning Commission will be held on Monday, December 14, 2009 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.