

Vergennes Township

PLANNING COMMISSION MINUTES

April 8, 2002

A meeting of the Vergennes Township Planning Commission was held on April 8, 2002 at the Township Offices. At 7:00 PM the meeting was called to order by Chairman pro tem Gillette. Also present were Commissioners Mastrovito, Medendorp, Nauta, and Richmond. Absent was Chairman Jernberg and Read.

APPROVAL OF MARCH 4, 2002 MINUTES: Motion to approve by Nauta, seconded by Medendorp. All approved.

APPROVAL OF/CHANGES TO AGENDA: Motion to approve as written by Nauta, seconded by Richmond. All approved.

1. PUBLIC HEARING: Planning commission initiated rezoning properties from RA to R1.

Open Public Hearing at 7:04 p.m.

– Gary Knottnerus: wants to know the effect on his horse farm on Vergennes, esp. if his barn were to burn and he wanted to rebuild, or he wants to sell – if there is an effect, he wants to stay RA. Gillette: no effect on tax. In RA, horses are permitted based on the amount of land he owns. Uses permitted in RA is permitted in R1, per another person. Per Tim Wittenbach, he spoke with Doezema today and Gary is “all set.”

– Ed VanTimmeren 1275 Burroughs: what was the purpose behind the Planning Commission making this recommendation? / Gillette: To follow the Master Plan of Vergennes Township to take this land from RA to R1 / Nauta: in order to provide a transition zone, or buffer situation.

– Mark Gilbert: 11060 Vergennes: are zoning maps available? / Jeanne: B&W are free, and color 11x17 are \$2

– David Toombs, 11909 Vergennes: what would be the duration of staying R1 versus when it might bump to R3? / Gillette: A Master Plan lasts around 10 years and if the community changes it might be subject to change earlier. The goal is to retain rural atmosphere and this would create a transition. Don’t really know how long something like this will last, it’s a crystal ball depending on what the community wants.

– Fred Meier, 681 Alden Nash: will this affect our taxes? How so? / Gillette: does not affect taxes. /

– Fred Meier: what happens if the Landon proposal is turned down and they take Vergennes Township to court, if they have the track record of seeing the Planning Commission change zoning. / Gillette: what is indicated by the Master Plan is looked at by the courts.

– Bob Gordon 12494 Vergennes: would like land stay to RA. May not be profitable to them if it stays as RA zoning.

– Bob Coffee 585 Forstrom: you make the change now, you grease the skids, don't do that. Or is that what you want?

– James Telman, representing Wege parcel: opposed to change of zoning for the mobile home park under consideration. Would support change to R1, supports position of reasonableness of conforming to Master Plan, might help in event of a suit.

– Mark Gilbert 11060 Vergennes: Would a failure to rezone everything as proposed to R1 make it more likely for Landon to prevail? / Telman: hard to answer. If Master Plan calls for low density, the more easy not to see it as arbitrary or capricious. / Gilbert: is doing this a protective mechanism? / Telman: not necessarily, but it is reasonable.

– Penny Roezema, 511 Alden Nash: speak also for husband, supports the plan.

– Gilbert: is it necessary to move to rezone everything per the Master Plan. Is it possible only to rezone only a portion? / Gillette: it's not a large area. Half of sections 33 and 34

– Bob Coffee: challenged Landon people to produce revenue figures / Will talk about that when we get to that on the agenda.

– Gilbert: rezone the Landon R1 and leave everything else RA to get us where we need to be, but will preserve more of the nature of our township.

Close Public Hearing: 7:18 pm

Discussion and motions by Planning Commission:

Gillette: Introduced Mr. Tim Johnson who is representing the Township as Planner during the Landon application process. Nauta: What are Tim Johnson's thoughts? / Johnson: you're allowed to initiate rezoning, with a reason why you're picking the property being changed. Could deviate from what was advertised but publicly state why.

– Question: is a change to R1 an advantage to Landon? Does it make their case stronger? / Johnson: The township attorney has recommended doing this rezoning request. He

referred to Telman's earlier summary as accurate.

– Telman: the worst thing would be if we had a lot of different opinions. What can we do to support the Planning Commission? / Gillette: Do what many people have done, voicing their support in the public hearing. If you're objecting to the manufactured housing, you need to write the legislature, because they write those laws.

– Gillette: there's an RA to R1 on the table, we need to discuss that point. / Medendorp: so, what we're doing here is to recommend (or not, or table) this proposal to the Township Board? / Gillette: yes.

– Medendorp: if we zone less than what was brought to the PH is that allowable / yes, because it's less. / Medendorp: what if we were to rezone the north 1/2 of Sec 34 and just the NE 1/4 of Section 33 (east of the high school), and leave the remainder for future growth?

– Maryann Menger, 433 Alden Nash: question? re:Master Plan, has it been discussed when other re-zonings would happen? Might they not even happen? / Gillette: possibly. It's like a blueprint for the community where we project growth to occur. A guideline via research & community input for this commission.

– Nauta: concerned about private property rights, because landowner should have the right to do what is most advantageous as long as it's good for the community as well. Makes this a hard decision. I know a lot of these people and we all go back a long time, and in making this decision, I don't want to make a decision that would hurt anybody. Perhaps there are other ways Jim & Berdie Cook could derive income from this parcel, that's part of the decision making process.

– Medendorp: seems a reasonable change, fits the Master Plan

Motion by Medendorp to recommend to the Township Board to approve the changes in the zoning from RA to R1 in the area described in the notice of public hearing because it follows the Master Plan and it's a reasonable time to do it as the township grows. Seconded by Richmond. All approved by voice vote.

2. REZONING REQUEST - LANDON COMPANIES. Gillette invited Tim Johnson to go over his report. Johnson, report dated March 27. Board requested him to review this from a land use perspective. Analyzed the request. Factual information: traffic situation. 2-lane county roads would accommodate 8000-12,000 trips/day. Gave figures (in report). Mastrovito: we are having fewer traffic runs than an earlier report. 10 trips/household/day is what is gauged from statistics, and the Landon development would push those limits.

Wants more input. Gillette: a consultant can create better numbers.

Johnson: relevant zoning regulations, new zoning regulations: lot size under ordinance would require 5500 sq ft / pad = 7.92 units/acre (but 15-20% would be subtracted.) MP plans 1-2 units per acre, so R3 zoning does not comply with what Master Plan calls for.

Johnson asked can property be reasonably used as zoned? 90 acres = 30-33 home sites, or farming. Three-acre lot size is reasonable. R1 density of one unit per acre is also OK, transitions well from the city, so R1 is appropriate.

Is the proposed rezoning consistent with Master Plan? Basically, with housing not exceeding 2 units/acre, 450 dwelling units is what they propose but it could be more. It's physically possible up to 7.92 units per acre.

Johnson: Master Plan on page 51 identifies low density characteristics, typified by single family homes preserving rural character of the area. Design possibilities of a mobile home park, it's hard to preserve rural character. High densities are allowed in certain places. Landon site does satisfy some of the Master Plan criteria. But going back to the plan preserving rural character, 620 sites would be quite visible going against the Master Plan. Master Plan is general, not precise in regard to property borders and any future uses.

Johnson: sufficient supply of R3 land which would accommodate mobile home park construction. Applicant and zoning administrator know the other eligible sites. Could they be used? Some are in problem areas. Some can change. For example, conservation programs that could be withdrawn from with financial penalties.

Public utilities & services, including schools, township administrations, etc. Landon's impact studies were conducted professionally in Johnson's opinion, including impact to police, fire, and schools. Impact on roads would be real.

Water/sewer: there is a question about capacity. Right now there's capacity for 350 new homes. Onsite sanitary disposal is unknown. Question needs consideration.

Johnson: Summary: plan did not envision mobile home development on this property. Have to look at what the Master Plan is trying to accomplish? Three options: recommend to approve, deny, or table tonight to seek more information. Know reasons and state why, if you approve or deny.

– Mari Stone: correction on Landon report - would have severe impact on the township office, not sure where they got their information. Would have to go to a fulltime staff with that much influx. It would also increase the need for another larger township building sooner than planned.

– Tim Wittenbach: straighten out Landon statements: I wouldn't commit to any number, but they gave a number and put my name on it. (Joseph Katz' report for Landon is the report being discussed and disputed.)

– Jason Wagner on behalf of Landon Development: Finds it interesting that their application has had a public hearing and yet the R1 went through and we disagree with that move and we'd like our application decided on tonight as well. The traffic concern: Planning Commission hired a planner to review our R3 application but I haven't seen a report on the impact of rezoning to R1. Might be similar to our application. / Gillette: the other decision tonight is the result of a year-long study during the Comprehensive Master Plan / also there were other unanswered questions tonight on your proposal.

Inga Moore 590 Wildview: Don't make a decision on this tonight. Have ducks in a row. / Gillette would like to keep this a discussion among Planning Commission tonight.

– Nauta: It has been recommended for this land to go to R1, so do we deny or table this?

Motion by Nauta to postpone (table) a decision until after the Township Board reviews tonight's recommendation to rezone the land R1. Seconded by Medendorp. All approved by voice vote.

3. REZONING REQUEST – PAUL BARRON. Requests a rezoning to commercial for his land on the southeast corner of Lincoln Lake & Vergennes. It's one 3-acre parcel.

Motion by Nauta to schedule a public hearing for May 6. Seconded by Richmond. All approved by voice vote.

4. ORDINANCE AMENDMENTS FOR:

SIGNS Medendorp went through the ordinance and put their thoughts to it but haven't sent anything to Jay Kilpatrick. The committee felt setbacks could be reduced for signs and that some sign restrictions were restricted in terms of area but needed more restriction in terms of height, esp. in commercial areas. Gave specifics.

– Jeanne: did put some language together. Passed out a handout with proposed changes. Some recommendations come from existing legal decisions, and chose numbers based on averages from other places.

– Nauta: how about a meeting with Jay or Jeanne, or meet with her and present it to Jay for his review and then bring it back here.

REAR-YARD SET-BACK Jeanne did the same process, passed out handouts. Rear-set-back of 30 feet is about average. ZBA recommended that you and the TB consider a change (didn't recommend a number).

Motion by Nauta to accept the change as Jeanne has presented and that we include it in the other public hearing for amendments next month. Seconded by Medendorp. All approved by voice vote.

MANUFACTURED HOME DEVELOPMENT PROCEDURES AND STANDARDS. It has been approved by the MHC with one small change. It's ready for a public hearing.

Motion by Nauta to schedule this ordinance change for a public hearing next month.

Seconded by Medendorp. All approved by voice vote.

General Public Comment: Jim Cook: thank you for a better-run meeting this month, and to Vern for mentioning property rights, and noted that 3000 other township residents not in attendance either don't care or are unconcerned about the manufactured home development proposal.

Motion to adjourn by Richmond. Seconded by Nauta.

The next meeting is May 6, 2002

The meeting was adjourned at 8:35 p.m.

Respectfully submitted,

Kate Dernocoeur, Recorder