

Vergennes Township

PLANNING COMMISSION MINUTES

April 10, 2006

A meeting of the Vergennes Township Planning Commission was held on April 10, 2006 at the Township Offices. At 7:02 PM the meeting was called to order by Vice-Chairman Gillett. Also present were Commissioners Mastrovito, Medendorp, and Makuski. Absent were Jernberg, Kropf, and Nauta. Assisting the commissioners were Jeanne VanderSloot, Township Zoning Administrator and Jay Kilpatrick, Township Planner.

APPROVAL OF MARCH 6, 2006 MINUTES: Motion to approve as is by Mastrovito, seconded by Medendorp. All approved.

APPROVAL OF/CHANGES TO AGENDA: Motion to approve as is by Makuski, seconded by Medendorp. All approved.

1. SITE CONDOMINIUM - DON BLAIN. Paul Henderson of Rosein representing Don Blain presented. Applicant is proposing a conventional site condo, a single family residential development of nine parcels on Burroughs between Lincoln Lake and Flat River Drive. Site is currently vacant, a wooded site draining east to west, surrounded by single family homes. Zoned R1. The submitted plan meets all minimum standards for R1. Proposing a private road. Lots to be served by individual septic and well. Storm water drains designed for two 100-year events. Soils are sand and gravel. County likes drive as shown. Water drainage contained on site. There are no grades approaching maximum levels anywhere on the property.

Jay K: the only action needed tonight would be for the Planning Commission to set a private road public hearing; could set a public hearing for May. Some details, such as private road maintenance agreement, are still missing from the plan. Also there are some drainage comments from the township engineer which Jay expects to see resolved; the applicant has received the report and will address the issues before the next meeting.

Motion by Mastrovito to set a public hearing for the May meeting. Seconded by Makuski. All approved.

2. PRIVATE ROAD - EVAN DUFENDACH. Evan Dufendach presented. Property is adjacent to township offices by south end of Bailey Lake. Applicant was proceeding under an understanding that he could put in two separate drives as approved by County Road Commission, but there was a miscommunication with Township Zoning Administrator in February, so applicant is now changing from private drives to a private road. Applicant acknowledges the application is not yet complete, but is putting the details recommended by the township engineer and hopes for a public hearing in May.

Jay: Reviewed application today. It is a relatively incomplete application. There is a question of drainage for storm water - no elevations on the design, difficult to see how

it would function. Best to wait to schedule a hearing until that information is available. Otherwise, if there were a difficulty in the drainage design, no one would see it in advance.

Applicant: Everything to the west drains onto the property. There is standing water now. Is working on the plan. Not sure what the process is to get the plan before the public. / Gillett: the information has to be available when the public notice is posted. / Jay: could tentatively schedule a hearing pending submission of a complete application, and if the materials were unavailable by the deadline, then the hearing could be put off.

Rosein representative: would like to expedite. Would support a contingent public hearing and try to get everything ready. This is not a regulated wetland.

Jeanne: Needs everything 5-15 days ahead of posting the hearing. OK to ask for public hearing set for May 8 - due to the miscommunication, would like to try but if the application is not ready by the time it has to be published, could reschedule.

Motion by Medendorp to set a hearing contingent that materials requested by the Township are available by April 24. Seconded by Makulski. All approved.

3. DISCUSSION: COMPREHENSIVE PLAN REVIEW. Last updated 2001. Some interest in the township among ag owners to take advantage of PDR, and certain information needs to be in the master plan to make it feasible for them to apply. State statute also requires the community to review its master plan every five years. Policy is still pretty streamlined; this is just an update, not a complete rewrite. There will likely be other issues to address, esp. in communities like ours which are facing urban growth. Not needing a lot of public input, except perhaps farmers. Would eliminate the two-part plan. Right now there's a 1999 version plus the 2001 appendix. State has also set new approaches to Master Plans requiring coordination with surrounding municipalities, and a 90-plus day opportunity for people to review. This proposal would accomplish all that. Or, if the PC wants to make targeted changes, it could do that and it would cost less. Kilpatrick happy to work with the PC and Board to do what is most desired.

Discussion: Gillett: the township has to do this, it's a streamlined process. Hasn't been a need for radical change at this point, but we do have to update it to the changes in the law. Makulski: might want to await the others, with only 4 commissioners here. Jay: the more expensive option would bring greater discussion. Policy guidance would be greater with the expanded option. The less expensive would be very targeted. Time for the more expensive one adds maybe two months to the process. Relevant to open the plan and take a good look. Wittenbach: May 11 educational discussion is coming up; will address the growth area around the high school and waste water concepts. General agreement; good to look at this now and without the pressure of proposed changes. Good to think ahead. Gillett: we need to do the complete one, and it'd be a mistake not to. Chance to readdress these issues. A Master Plan is an effective tool and something to keep up to date.

Motion by Makulski to table a final decision until the May 11 meeting. Seconded by Mastrovito. All approved:

4. RESIDENTIAL LIGHTING ORDINANCE DRAFT. (March 29 version). Mikulski: by

adopting this ordinance, could someone blame a lack of lighting on the township if they were hurt? Medendorp: the proposed ordinance doesn't limit the amount of lighting, it limits the type of lighting. There is some degree of immunity if you're acting in good faith. Mikulski: likes the simplicity. Ag is exempt because this is a residential ordinance intended for residential structures, no matter what zone they're in. Grey areas, but trying to keep it simple. This would be handed to those applying for building permits with the other educational tools mentioned at prior meetings.

Jeanne:

§ in the intent and purpose, seems to include more information than needed.

§ On #1: needs definite statement about "site" / depends on the situation. / Jay: intention is to keep light on the parcel, would mostly be individual lot or site condo unit. On a large acreage piece, it's a different story. This is grey area with the wording, but only a modest chance of being a problem. / how about "building site"?

§ On #3, re: the fourteen foot limit - has always thought it's too low. Jay's original version was 20 feet. Needs clarity at end of this section. Medendorp: purpose was for second-floor decks, so for higher-level situations, it would be for that walking surface. Jeanne: recommends adding "... (such as a deck or patio)." / General agreement.

§ #4, re: "brightness" – a prior version mentioned foot-candle measurements / general agreement not to get into "foot-candle" measurements.

§ question about walk-way lights that are solar - should those be exempt? / Discussion: the intention is to try to avoid exception areas.

§ #6: re: add a date when the ordinance was adopted

§ #7: "objectionable glare" is rather judgmental. / Gillett: it's tricky to keep this simple. Someone who gets this upon building will hopefully understand the intention. Tom's done a good job keeping this simple.

§ If it's going to be an ordinance, needs ordinance-type structure/numbering.

Baird: how many complaints have there ever been about lighting? (One.) Gillett: trying to educate people building new homes to create downward light. Mastrovito: we could just make a recommendation versus passing an ordinance. Mikulski: need to have recommendations in the ordinance to get people to conform. Gillett: might happen rarely where there's an issue. Mastrovito: do we need all this? Medendorp: this is specific as far as light trespass; key issues are light trespass. Without criteria, doesn't do any good. Why would anyone follow it? / Mikulski: this will come into play with future developments.

Motion by Mikulski that Tom Medendorp should to make the revisions recommended by Jeanne and have the PC revisit it next month. Seconded by Medendorp. All approved.

5. DISCUSSION: ORDINANCE AMENDMENT (FARM B&B). Novajean Casler from Morning Glory Farm presented. Handed out a business outline description. Jeanne: the Township Board visited with Casler at their last meeting and likes her idea, wants to have Planning Commission consider sample language to make an ordinance amendment that

would include making this idea OK. Casler: wants to fit the township before buying land here and building her business. It is an agricultural business; has a similar business in Ionia, had 1,200 people through last year. Group luncheons and meetings, also B&B - one group at a time. Applicant is outgrowing her 1830's farm, needs more room. Wears period clothing, food is raised on the farm, very authentic. Period recipes. Raises chickens; all meat is organic. Tours and classes and craft shows, shop where heritage arts are sold (blacksmithing and wheat-weaving – old arts done by the settlers). A lot of business revolves around the gardens and she needs to know whether to start planting.

Wittenbach: difference with this is that it's more of a commercial business. Jay: applicant's handout breakdown shows retailing, B&B, and public assembly activities. Need to craft language where this is an acceptable type of use, but still treat it as a special exception use to fit it to a particular site. Could call it agri-business or agri-tourism. The B&B piece is small. Casler: two types of accommodation is the B&B and a wall tent with a floor. Working with Kerry in the Fallasburg area. Very popular idea. Historical farm stays are the #1 request among tour industries.

Jay: worked on sample language earlier, without the applicants handout. Township would want something in the ordinance, but not particularly tailored to one use. Might find other similar things like corn-mazes or hayrides that are also traffic generators, which the Planning Commission would want to be able to regulate. What Jay has written isn't quite right, would like to refine it and bring it back to the May meeting with specific language which could be sent to the June meeting.

Gillett: there's a lot to look at. We need to study this some and have Jay look it over. / Tim: the Board loves the idea. / Putting together an ordinance needs to also consider other businesses coming in that the township wouldn't want, so need to be careful. Applicant was told the idea is appealing, but was given no promises.

Jeanne: at the same time, since B&B aren't in the ordinance, maybe this would be a good time to add some language for regular B&Bs.

Jay: this is a good use for the RA but probably not R1 or R2 – recommends to applicant to look at the zoning map and make sure her possible land purchases are in RA.

General Public Comment Time: Dernocoeur: the Open Space Committee art show is hung, and people are encouraged to come to the reception Wednesday, April 26 at 6:15 pm and stay for the discussion about Ground Water by Dr. Al Steinman of GVSU's Water Resources Institute at 7:30 pm.

Motion to adjourn by Mastrovito. Seconded by Medendorp.

The next meeting is May 8, 2006

The meeting was adjourned at 8:30 PM.

Respectfully submitted,
Kate Dernocoeur, Recorder