

Vergennes Township

PLANNING COMMISSION MINUTES

April 11, 2005

A meeting of the Vergennes Township Planning Commission was held on Monday, April 11, 2005, at 7:00 p.m. Chairman Jernberg called the meeting to order. Also present were Commissioners Gillett, Kropf, Mastrovito, Medendorp, Nauta and Richmond. Also present was Jeanne Vandersloot (Township Zoning Administrator).

APPROVAL OF MARCH 7, 2005 MINUTES: Motion to approve by Medendorp, seconded by Nauta. All approved.

APPROVAL OF/CHANGES TO AGENDA: None needed. Motion to approve by Gillett, seconded by Medendorp. All approved.

1. LONE PINE DEVELOPMENT - REZONING REQUEST. Presentation by Jack Barr with Nederveld Associates representing the developer. Here with Steve Hansen, developer. Asking for conditional rezone of 25 acres, has provided landscaping and elevation plan. This is a “conditional rezone” request, not a regular R-2 rezone request offered voluntarily by the developer per the new legislation. Applicant has answered questions raised in prior discussion. Plan is to develop 25 acres with 38 lots (about 1.5 units/acre) compared to R-1 and R-2 densities - it ends up closer to R1 than R2 with this plan, similar to a PUD. Plans include using public water main, individual onsite septic, enclosed storm sewer system. Will be all private roads (street names being proposed to Road Commission). Would have street trees and lighting shown, entry landscaping, etc. Applicant is seeking a recommendation to the Township Board to approve this plan, feels it is consistent with the Master Plan for this piece of property and section of the township.

Medendorp - all storm water detention is on the south end of the property? / Yes.

Jernberg: explain SW lot lines, which give an appearance that back lot lines are on a gravel road? / That’s an existing easement recorded for ingress/egress for Pheasant Valley private road that is part of the existing property.

Nauta: Jay suggests a letter from the applicant spelling out the nature of the agreement - will need that letter if we’re going to pursue this.

Issues: # of units on the road/street lighting (comes at time of site plan)

How much of it are we approving tonight for contract zoning? Part of the site plan review process is where we head next. The rezoning request in contract zoning ties this plan to this zoning request.

Steve Hansen: this plan is preliminary not final, after this we go into further detail to get to the final plan - the details are not set in stone until PC agrees to the general concept as presented. Recommendation is for preliminary approval, with details to be agreed upon. There will be no more units – with soil boring, there may be less.

Public comment: Is the PC aware of water problem on Pheasant Valley road? / Jernberg - the public hearing has been done. At this stage the Planning Commission is making a decision

separate from public comment tonight. The developer's retention basin has to leave the property at the same rate as natural flow by state law. Ordinance requires drain commission approval.

Jeanne: referred to letter/email from the Planner, Jay Kilpatrick, saying that if the Planning Commission recommends approval, the motion should be contingent upon also receiving a signed letter from the developer to the state act regarding contract zoning that this proposal is being made under, and that the final plan should be "substantially the same" as what is presented here, once Township approval is given. A site plan public hearing would be held at the appropriate time, when the developer comes back for site plan review. That is the time when details are figured out about lighting, drainage, etc.) If there is a rezoning recommendation for approval, the motion should state that the Planning Commission is not approving the site plan, but that the final plan should be substantially similar to what is shown here tonight.

Jernberg: with notes from Township Planner, one of biggest criteria before moving forward would be to receive the letters put in writing and signed by the developer. Not ready to make an approval for this layout until we see something written closer to a contract. This is the next step we asked for, but the language from the township planner requests those written communications to lock in some of the criteria.

Hansen: what you see here could be put into letter form, but what's presented here is nothing different from what the letter would discuss. We didn't put a letter together because we had to present this to you. Barr: the Township Board would have the letter before their vote. / Gillett: we need to be able to see or review this letter before we make a recommendation to approve because this contract zoning is out of the norm. / Nauta: would like to have a specific letter to review first.

Hansen: letter would simply be attached referencing back to these exhibits. Jay's memo recommends approval of what has been presented. Hoping for approval today. / Jernberg: without Jay, we would want to push this back until he could be here. Apologizes for taking more time, but being out of the norm, and based on new legislation, the comfort level needs to be better before taking a vote and presenting this concept into the community.

Motion by Gillett to table this application until the letter with the information from the applicant is available for review in order to proceed correctly through this new process, with appropriate review by Township Attorney and Planner. Clarification items: storm water detention and how storm water leaves the property; street lighting and its impact on neighbors; number of houses on a private road; whether lots on Pheasant Valley area can legally include easement to count for lot size; future sewer hook-up options if public sewer becomes available. Seconded by Medendorp. All approved.

2. PUBLIC HEARING: ELITE AUTO BODY.

Applicant Presentation: Presentation by Larry Marvel and Paul Barron, owners. In February there was a fire at the shop that burned into the wall. The fire burned the header part of the building, took out three rafters, so repair will require pulling part of the roof and taking out the front wall. Taking the wall down will interrupt their business and expose them to some security risk. Instead of working with those risks, applicant wants to come out 15 feet (by 28 feet) to give the builders adequate room to work in an enclosed area where all they have to do in the end is take out the old wall and move the garage door. All painting prep is done in that area, and some additional room for mixing paint, prepping, etc., would be helpful. Applicant property

has three acres, could expand to the back, but this plan would give a comfort zone for builders to put in a new wall without interrupting a busy business. Nothing would expand toward the north property line. Will be reshingling the entire roof, getting rid of the half that is a tin roof. Front will be cedar stained wood as it is now. Lighting the same (low lighting). The current plan will extend 13 feet into the setback.

Public Comment: Open at 7:53 PM. None. Closed at 7:53 PM.

Planning Commission discussion/motions: Jernberg - why 15 feet? Could go 10? Or another number? - there's a new slab of cement put in last fall that happens to be 15 feet. It would be nice to use as part of the shop floor. Does construction team need the full 15 feet? If encroaching on the setback, might be worth looking at what the best number of feet to push out would be. Applicant: it's flexible. Trucks are getting longer, too. Further discussion. Any kick out will invade the setback, so would like to gain the most room possible.

Kilpatrick's memo about this application found nothing regarding road commission rules being violated, listed some issues to be answered, etc. Applicants discussed drainage, etc, everything staying the same except for the small addition.

Motion by Nauta to recommend to the Township Board to grant the request as presented. Seconded by Gillett. Point of order (Medendorp): the site plan does not include all township ordinance items for site plans. All approved.

3. DISCUSS AGRICULTURE BUILDINGS.

Motion by Gillett to table this discussion, and for Planning Commissioners to review their material for the next meeting. Seconded by Richmond. All approved.

General Public Comment Time: Question about AT&T/Noall property situation. Township Board held a public hearing and a recommendation was made to approve the tower but move it 150 feet to the east.

Motion to adjourn by Nauta. Seconded by Richmond.

The next meeting is May 9, 2005.

The meeting was adjourned at 8:22 PM.

Respectfully submitted,
Kate Dernocoeur, Recorder