

Vergennes Township

PLANNING COMMISSION MINUTES

August 1, 2005

A meeting of the Vergennes Township Planning Commission was held on August 1, 2005 at the Township Offices. At 7:08 PM Chairman Jernberg called the meeting to order. Also present were Commissioners Gillett, Mastrovito, Medendorp, Nauta and Richmond. Absent was Kropf. Also present: Jeanne Vandersloot (Township Zoning Administrator) and Jay Kilpatrick (Township Planner)

APPROVAL OF THE JULY 11, 2005 MINUTES: Motion to approve by Nauta, seconded by Gillett. All approved.

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

1. AGRICULTURE BUILDING ORDINANCE AMENDMENT. Presentation by Jay Kilpatrick, recapping last month's discussion in his absence. Idea to permit buildings on agricultural land without residences but with some limitations to avoid misuse. Suggestion is to allow special exception uses for freestanding buildings of bona fide Ag buildings, but without allowing a change of use later without further site plan approval by Planning Commission. Two provisions are not in conflict; just needs a site plan approval for other permitted uses. Jernberg: discussion last month centered on not having buildings popping up that are not really for Ag use. Medendorp: there was some concern that Section 10-C might be in conflict with what's already in the ordinance about farm markets; Kilpatrick feels it does not conflict. Nauta: could a special exception use go right to the Board? /Kilpatrick: yes, or the Twp Board could bump it back to the Planning Commission if a question arises (or to ZBA if requesting a variance that does not comply with the ordinance). One objective standard is that these freestanding buildings have to be sited on 20 acres or more; in hopes of encouraging that the use will more likely be for agriculture. Question about the size of the minimum lot size. Public hearing was last month, this month's discussion was to clarify, and nothing has been substantively changed. Questions are answered.

Motion by Gillett to recommend to the Township Board to recommend this change in the ordinance. Seconded by Medendorp. All approved.

2. PRIVATE ROAD APPLICATION - LANGLOIS. Presentation by Bruce Langlois. Commissioners have been given the plat map – showing his ownership of two lots. Langlois wants to put road and splits on the 12.4 acre lot, the plan being to put the private

drive and splits as shown. Lots 7 & 8 would have access on Lincoln Lake with the rest off the private road. Parcel 5 is his current residence. Issue: still need a proper layout with elevations, etc. Wants to be able to access his back 30+ acres to bring in hay (hay, cattle and barn back there currently). Jernberg: explained the need to have a sense for the owner's future plans for development regarding what sort of private drive to approve. Langlois: states he has no intention to develop that. Willing to stipulate that if it were developed over 20 lots he'd improve the road, but has no current intention to develop it. Jernberg: what language needs to be on the site plan map regarding that road and its use on to the landowner's additional acreage? Kilpatrick: could be a deed restriction, but would be onerous, or have a maintenance agreement making it clear that whoever buys that 36.9 acres would be totally responsible for proper development of that road if later developed. Or engineer a higher-end road to serve the larger parcel later on. Jeanne spoke with Debbie about this, and both properties are a tract under land division rules, which means owner is now taking his maximum splits allowed on both those properties together. Under land division, he cannot make any more lots via land division rules (unless goes to a plat or site condo later – can be done any time, per Kilpatrick).

Jernberg: the upper half of the map needs to be a complete picture, so Planning Commission can see the whole thing with grading lines, to help evaluate slopes. Engineer cannot make a recommendation without elevations. Present driveway will not be the private road, will be abandoned at road and join the private road further in.

Nauta: issue will be the slope on that road. Langlois says it's less than 10%, there's a huge oak tree and 6% would be 11 feet under the tree, losing the tree and lots of excavation. Medendorp: combination of 10% slope with a short landing distance at the road. Needs some more cut, maybe with retainer at oak tree to preserve it. A special exception can be made for 10% but there are safety concerns in this case, coming out on Lincoln Lake. Jernberg: could be possible to do a switchback on part of Parcel 6 (1.01 acres) to help preserve the oak tree and still achieve less grade.

Jernberg advises applicant to work up a couple of options (switchback, move the drive to the north, for example) with a goal of dropping the percent grade as much as possible while still preserving the landmark, in hopes of coming up with a reasonable compromise. Cannot make an informed decision without all the information.

Can setback adjustments be made? / Kilpatrick: that would be a PUD. Can waive road standards, but not setback standards.

Langlois: there were questions last month regarding drainage. Jernberg: the Planning Commission will have to look at water flow carefully. Langlois: a lot of water will run to the yards. Jernberg: will there be a ditch? Langlois: no. Medendorp: question is whether catch basins will handle the water. Needs to be part of the formal submittal, shown on the site plan, and also a cross-section of the drainage structures. Need to be sure the ditch on Lincoln Lake can handle the water. Paved surfaces change the run-off coefficient. Jernberg explained further. Kilpatrick: the suggested cross section of the site

shown on a map would be very helpful. Advised applicant to speak with Kerwin Keen (Williams & Works).

Medendorp: Is there anything in the ordinance that says gutter can be paved (re: inverted crown, would act as a funnel)? As shown, the road is also used as drainage, may not be so good. Kilpatrick: the submitted maps show road partly with crown and partly with inverted crown. Jernberg: engineer's calculation may have been done incorrectly.

Goal for next month: applicant should bring a complete map, full description, slopes shown, appropriate downstream water runoff and calculations.

Motion by Gillett to table the proposal until September until the applicant provides further information. Seconded by Medendorp. All approved.

General Public Comment: No new information about the annexation situation from last spring. Only one of five commissioners remains on the Boundary Commission. Scheduled to be looked at sometime in August. Nauta: they're supposed to let us know so we can attend. Jeanne: heads up regarding the women with the vet practice on Bowes Road, who are starting their site plan process next month.

Motion to adjourn by Gillett. Seconded by Nauta. All approved.

The next meeting is September 12, 2005.

The meeting was adjourned at 8:02 PM.

Respectfully submitted,
Kate Dernocoeur, Recorder