

Vergennes Township Planning Commission

Monday, August 3, 2009

Approved on 8-31-09

Rick Gillette, acting chairperson, called the meeting to order at 7:00 pm.

Roll Call – Baird, Post, Mastrovito and Medendorp were present. Jernberg and Makuski were absent.

Motion to approve the minutes from the July 6, 2009 meeting by Mastrovito, 2nd by Post. Motion carried.

Approval or changes to agenda - Motion to approve agenda by Baird, 2nd by Mastrovito. Motion carried. Medendorp requests to move lighting ordinance to end. Post requests moving site plan review up so resident doesn't have to wait. Changes approved.

1. **Proposed Amendments – Private Road Ordinance** –Kerwin Keen of Williams and Works went over ordinance presented for public hearing. It has been cleaned up with definitions added and clarifications. Private road specs are added and exhibits were added. There was controversy in past as to when an approved surface was required over 6% grade. It was left up to Engineer. Ordinance allows easier determination now. Design standard using AASHTO. 25mph standard to build. Maintain rural character for lower density and allows for higher density safety. Public hearing opened at 7:05. No public comment by audience. Public hearing closed at 7:05. Comments from Commission – Medendorp – we went over so many times, hardly anything left to discuss. Medendorp motions to send to Township board with recommendation for approval, Mastrovito seconds. Motion carried.
2. **D.C. & H. LLC Industrial Building site plan.** Patrick Flanagan wants to add 2400 sq ft addition to old Affordable Towing building in Lincoln Lake Business Park. Site plan was from the original Affordable Towing application with the addition sketched in. Pine trees were not planted as indicated on original site plan; solid fence was installed instead by previous owner. Vandersloot talked to Scott Jernberg today, felt Planning Commission could make decision on yes or no instead of sending out to Planner. Medendorp questioned drainage, is engineer required to look at? Current property is flat lot. Vandersloot doesn't know where drainage is supposed to go with regard to the entire park but likely put in when park was built. Williams & Works had only one question about lighting. Keeping same lighting as what is there now. Using current building for storage now. Moved heating/cooling items for storage into this building. Other lot where their main business is located on east end of town is not conducive for expansion due to hill. Will keep office in Lowell for now. Depends on economy if he moves and makes office there. No public hearing required because it is a permitted use. Post asked if light required over new door – yes. Will have to conform to our current ordinance. No other comments. Motion to recommend approval by Township Board by Mastrovito, seconded by Post. **Motion carried.** Township meets in two weeks on August 17. Final approval will be determined at that meeting.

3. **Proposed amendments for Recreational facilities** – Brian of Williams and Works discussed possible changes to ordinance. Three options –

Option 1 - add a definition to Chapter 2 for “Recreation Facility” which lists approved uses.

Option 2 – List Recreation Facility in Section 3.08, C as a special exception use and replace the expression “indoor commercial recreation facility.” Standards should also be included.
(Commercial District)

Option 3 – List Recreational facility in Section 3.08 C as a special exception use and replace the expression “privately owned recreational facilities such as golf courses and sports clubs”. It is listed as a special exception use in RA district. Commission can consider adding requirements to the ordinance to regulate the facilities in the RA district. See Brian’s memo dated 7/16/09, page 2.

Commission comments – Post was concerned about “listing” uses as it sets us up for the same situation in the future if something new comes around. Gillette suggested it be on an approved road, such as a class A road only. Medendorp thought original intent of recreational facility was some outdoor sports with small ancillary building for concessions, etc. Lighting at night would also be a concern and would like to limit it to non-lighted fields. Also limit size of buildings. Meadow View was brought up as a large facility. The reason that is not an issue is it is not used daily or year round. Intensity of use is an issue. That could be something we consider. Stables could be listed as an approved use. Meadow View was originally an agriculture use. Mastrovito was concerned about spot or contract zoning. If they want to spot zone in RA district and we say no, are we open to lawsuits. Per Brian, no. It still needs to fit our master plan. Another alternative per Brian would be to have two separate zoning areas for this use. One for Commercial and one for RA. RA district could allow outdoor sports such as golf, ball fields, etc... Criteria could easily be drawn up to address traffic etc... in different areas.

Medendorp suggested allowing it only in commercial zone. We need to clarify definition of “Recreational Facility” per Gillette. Change to “outdoor” sports and limit number of cars or participants at any given time.

Per Vandersloot – sounds like PC is more in favor of option 2 per proposal by Brian. Separate uses for RA and Commercial districts. Would allow only so many parking spaces.

Gillette directed Commission to go home and think about what they would like to see in RA or R1 districts with regard to sports facility. Hunting preserve is allowed in RA district. Skeet shooting is noisy. Agree we need good definition to avoid this scenario again. Motion to table until next meeting by Mastrovito, seconded by Baird. Motion carried.

Because there has been so much work in the township for land preservation, maybe we should take that into consideration when designing the ordinance. Don’t want to limit landowner if he can sell property for something other than agriculture.

4. **IMPLEMENTATION OF MASTER PLAN MAP** – Tom Medendorp brought pictures that would help explain his proposal. Two different options based on our current master plan. All area in exhibit 2 shows that area for medium density residential in our current master plan. Exhibit 1 shows only lots with road frontage with water availability.

Tom would prefer option 2. It would include Pheasant Valley. Then if someone wants to split there, they have to update road AND hook into water.

Brian feels exhibit 2 makes the most sense. Post agrees. Don't piecemeal it along. Rick thinks Pheasant Valley should be included. Vandersloot doesn't think all of Pheasant Valley private road would have to join water, only those abutting street. She can check on it. Tom thinks it is for all parcels in the district.

We have to meet with the Township Board to get feedback and then hold public hearing on change of zoning map to meet the Master Plan map. Motion to meet with the Board regarding Master Plan change, exhibit 2 from low density to medium density by Post, seconded by Mastrovito. Motion carried. Planning Commission will plan to meet with the Township Board at 6:30 prior to the next regular Board meeting.

5. **Cannon Township Master Plan** – Commission agreed to have Jernberg review Cannon Master plan and report back on his findings. Vandersloot will see that he gets it.
6. **Lighting ordinance amendments review.** Brian discussed his review. Two main concerns. Flood lighting in township is intrusive. Current language requires fixtures be fully cut off. Modified subsection B2 – prevent glare and flood lighting be downward facing and fully shielded. Mounted on building or post be partially shielded. Exception is that flags can be up-lit. Poles could be 16' vs. current 14'. Poles need to be set back from lot line 1ft for every foot tall.

Tom has light meter if we want to go out and try it. Vandersloot is happy with what Brian has come up with on wording in ordinance. Tom is ok with it, has a couple word changes but thought it looks good. Baird said there was nothing about churches – should be exempt. Brian changed community areas to residential and thought it would cover that. He could add church exception to paragraph about agriculture exemption. Could add church steeples along with flagpoles. Also, school kids at end of driveway. Not directly addressed but covered in B2 & B3. As long as fixture is shielded, it can be there. Tom did not see conflict with ordinance if it was shaded. Tom – light height in commercial area should be 16' – 14' is low for trucks driving around. Amend commercial/industrial height too. That is where most complaints were. Per Brian, could go as high as 20' for properties away from residential areas and 16' within so many feet of residential area. Would amend just the pole height in commercial areas at same public hearing as this ordinance.

Schedule public hearing for August 31? Medendorp wants chance to read before hearing. But if we go with public hearing on 8/31, he has a couple changes. B3 – the height of the light fixtures required for doors AT decks...not “and” decks. Brian felt it was correct as stated.

Full cutoff, not fully cutoff – typo correction. Take last sentence out on floodlighting page 2. It is redundant. Ok, it will be removed.

Also, on partially shielded fixtures, do we want to limit lumens in the fixture? Baird thought it's better to keeping light on your property. Gillette – nightmare to regulate.

This ordinance should make it easier for Vandersloot to regulate.

Question from resident about shielding. Shield bulb only or the whole fixture. Fully shielded would go to bottom of glass globe/cover per Tom. Cut off light source at horizontal line.

Brian suggested wording to change Ind/Comm. Light poles limited to 16' within 200' of residential and 20' further than that.

Motion to send lighting ordinance with minor change to commercial/industrial ordinance to public hearing for Aug 31 by Tom Medendorp, seconded by Mastrovito.

General Public comment - what determines the roads that get repaved or just patched? Talk to Tim Wittenbach. Ultimately it is the Road Commission with the final decision.

Meeting adjourned at 8:58 by Medendorp, Baird seconded.

Next meeting is August 31, 2009 due to Labor Day Holiday.

Submitted by Janine Mork