

Vergennes Township

PLANNING COMMISSION MINUTES

August 14, 2006

A meeting of the Vergennes Township Planning Commission was held on August 14, 2006 at the Township Offices. At 7:00 PM the meeting was called to order by Chairman Jernberg. Also present were Commissioners Gillett, Mastrovito, Medendorp, Makuski, and Nauta. Assisting the commissioners were Jeanne Vandersloot (Township Zoning Administrator) and Jay Kilpatrick (Township Planner).

APPROVAL OF JULY 6, 2006 MINUTES: Motion to approve by Gillett, seconded by Nauta. All approved.

APPROVAL OF/CHANGES TO AGENDA: Change #7 to go after #4. Motion to approve by Medendorp, seconded by Gillett. All approved.

1. PRIVATE ROAD – TODD FUHR – PUBLIC HEARING.

Applicant Presentation: Presentation by applicant regarding Victory Woods off Lincoln Lake Ave, currently serving four parcels. Showed diagrams of lots, check dams, turnaround. Assisted by Dale Van Kooten (engineer).

Public Comment: Opened at 7:04. Closed at 7:06 pm.

— Scott Osborn, 1560 Lincoln Lake: what's the size of the road? Mostly 18 feet and a little wider at entrance (22 feet). Plus shoulders.

Planning Commission Discussion: Jay Kilpatrick said the application was reviewed by planners and engineering staff. Still showing 10% grade at entrance – as steep as we can go – and whether the surface will sustain runoffs. Runoff and degree of cut & fill to mitigate is impossible. Agreement to allow such steep slopes is due to natural features, which can thus be protected, and because of the small number of lots; Kilpatrick is thus comfortable with the plan. Road material is crushed concrete. All lots meet ordinance, private road maintenance agreement meets requirements. Suggests specific reference to the waiver of the 10% slope requirement based on protecting natural features being a necessity. Recommend otherwise for approval. Makuski: would paving the steep grade prevent further washout? Applicant: blacktop increases the impervious area and increases runoff into the ditches. Road maintenance agreement calls for the lots to maintain the road after construction. Presently there is one home plus one improved site in the back and another unimproved lot plus the applicants lot with a building on it where a mobile home had been previously removed. Talk of Mr. Amelar doing further work in the back? That was about whether he splits the land in the back (can get two additional lots) the road would then have to be improved all the way to the back and the agreement says Amelar would bear those costs. Gillett: to allow that 10% grade, why not put in the stipulation to blacktop that section? Nauta likes the sound of that – it's a little more impervious. It would be about 500-600 feet. Easier to keep snow off asphalt. Mr. Osborne lives there and if there was a crown to the road it wouldn't wash off. Osborne wouldn't oppose asphalt but thinks gravel would be better if runoff is on the edges. Jay: transition where stone meets gravel would be a problem. Paving the

whole thing would be overkill. Slope on section after 10% is 2.7 to 4%. Further discussion about paving. Could asphalt into Lincoln Lake. There's considerable washout at the 4% area, per Osborne.

Motion by Gillett to recommend to the Township Board approval of the application, with amendment that the 10% area and the throat entrance to Lincoln Lake be asphalted, and that the commission is allowing the 10% grade due to the natural features of the land. Seconded by Nauta. All approved.

2. PRIVATE ROAD – FORESTLAND HOLDINGS LLC – PUBLIC HEARING.

Applicant Presentation: Presentation by Becky Page with Driesenga Associates on behalf of applicants (also present) with a revised plan per engineer's comments. The intersection of Morgan Way and Lauren Way has been amended so the road continues straight through. Additional storm water calculations on culverts show culverts are appropriately sized. Site is designed to minimize impact to the wooded area, since it is a completely wooded site. Previous concern was 8% slope - the reconfiguration flattened the slope to 6% criteria. That is the steepest portion of the site. Another item: connection to Cumberland Ave at Morgan Way - working with KCRC but they have not accepted the new road yet. The intent of the developer is to abandon the right-of-way south of the cul-de-sac, so connection will be radial. Maintenance agreement under process; what was initially provided was insufficient, so they are reworking the agreement. Health department has been on-site twice; soils are approved for septic.

Public Comment: Opened at 7:25 pm. Closed at 7:40 pm.

– Matt Vanderwerth, 11000 McPherson Street: what is the size of the first culvert after exiting Cumberland Ave?: 30" culvert to handle 100 year storm. Round culvert. Will it take into account the new ditches on Cumberland? Yes. A portion has been sized to handle that. Where will the culvert be placed depth-wise? Basically where existing ground is, the contours as shown, the low point of that swale. Will the ditch be dug to clay and will the pipe be flush with the clay to handle the drainage? It's mostly clay onsite, so the drainage area will be placed on that existing base. Also what is current status of the intersection of the private road with Cumberland right of way? Cumberland Ave hasn't received final approved by the KCRC, so they are awaiting that. Will any portion of easement overlap easement of Cumberland? Will need to be extended.

– Applicant: from the SW corner to Bailey is abandoned, would not go through to Bailey. Is it off their books? Not on applicant's south line. Jernberg: needs verification. Vandersloot: Headwaters application had said it was abandoned. The intention of the current connection point is to minimize removal of trees.

Applicant re: road maintenance agreement was submitted and needs to find out what's still needed. Vandersloot: applicant can write one and submit or the township attorney can write one that would meet township requirements. Can provide the association bylaws that spell out the road maintenance agreement in them. Vandersloot: needs to be put together.

– Matt Vanderwerff: what are the low points on the private road and which direction will water flow? Shown on map by Driesenga rep. Will road be constructed like Cumberland? Will there be actual ditches? In most places but there are a few places where it spills into natural drainage. It will be a paved road. Where flat, what prevents water from backing up onto his property (to the west)? Culvert has been sized to handle 100 year runoff. Should flow as it flows now. Has the impervious nature of a paved road been factored in? Jernberg: that is factored in.

– Godfrey Vanderwerff, 11000 McPherson: how far back will water collect to the north and west? The water runs to the east. At the high point, the water will follow within 5-15 feet of the ditch to the catchment – 300-400 feet drain back along the road.

Planning Commission Discussion: Is there a township engineer review? Kilpatrick: they just got the paperwork this afternoon. It appears they have addressed some earlier concerns. Alignment with Cumberland is a question. If the road alignment between Cumberland and Morgan are not approved, then there is an awkward, oblique angle there. Would be a problem if the public road were continued farther south. The permit is a fundamental obstacle. Lot lines have been adjusted except for a couple of places still of concern. Engineer concerns about slopes have now been corrected on quick review (still hasn't been seen by township engineer). Will be a standard land division. Sizing of culverts and drainage hasn't been reviewed yet. Too many open questions leave Jay to recommend tabling this until the issues are clarified. Thirty days to work out road maintenance agreement, to hear from KCRC, let engineers look over the materials. Is approval contingent on the issues? That would only leave 5-6 working days to make everything happen. County is the wild card; they have been given verbal approval. Applicant would like to take the risk of getting things done re: need to make use of good weather for construction. Makuski: onus goes to Planning Commission when it's the applicant's work to be done. Mastrovito: would Jay and the engineer have time to review the paperwork? Further discussion.

Motion by Makuski to table the application while applicant gets road maintenance agreement completed, keeps commission apprised of the status of KCRC deliberation, and while the applicant's review by township engineer is completed. Seconded by Medendorp. All approved.

3. ORDINANCE AMENDMENT (RESIDENTIAL LIGHTING) – PUBLIC HEARING.

Applicant Presentation: Presentation by Jeanne Vandersloot taking items agreed upon two meetings ago and added a sixth item with date of exemption and added Jay's photos from his memo. Remainder is as before. Medendorp: thought we weren't including sketches in the ordinance, thinking that would be handed out as part of an application packet for building permits. Isn't a problem having them in there? Nauta and Gillett like having them included. Medendorp: otherwise it's as we have discussed.

Public Comment: Opened at 7:55 pm, Closed at 7:56 pm.

– Steve Platt, 11171 McPherson: Open Space Committee would be happy to look into making up the pamphlet to hand out, but likes including the sketches in the ordinance.

Planning Commission Discussion: none.

Motion by Gillett to recommend to the Township Board to adopt this. Seconded by Medendorp. All approved.

4. BANQUET FACILITY SPECIAL EXCEPTION USE PERMIT – KENT MCKAY. Presentation by applicant. Collected 705 signatures and only 24 deemed invalid. Had more than enough to get it on the ballot for adding liquor licenses to the Township. Site plan review. Building sign will be moved closer to the existing north driveway to pull people in that driveway. Two exit options shown. Wants to move retention basin to be closer to driveway runoff, drier location for the basin, and would move septic field closer to the building, nearer the kitchen, and would leave more woodland intact. Parking for 159 cars in front (need 160 based on 16,000 sq feet) and 34 in

back, including 4 handicapped. Lights 14-feet tall (some with shields), wants to move into a W-shape. Showed drawings with all four views. Bride focus group suggested breaking up the long lines (which he will change, to be shown in future drawings). The floor plan includes a grand staircase – a “piece of Hollywood” for brides. Small 986 sq ft bride room. Each side of the dividable rooms seats 252. Public foyer space can serve as a reception space. Room to seat 200 guests if needed. Total seating 504.

Driveway shared with dog vet? Yes. Split is more on applicant’s property. Timing of most business hours is opposite.

Lighting fixtures not all shielded – all fixtures have to be shielded.

Jay: memo passed out identifies a series of issues to address. Next step: set a public hearing. Its safe to advance to hearing based on what has been submitted, but amendments need to be submitted. Drainage, lighting, etc. Needs a full-fledged engineering surveyor put the site plan together within two weeks for adequate review prior to public comment. Discussion about how to meet township requirements for public review.

Motion by Medendorp to set a public hearing for the October meeting. Seconded by Gillett. All approved.

7. COMPREHENSIVE PLAN UPDATE REVIEW. Presentation by Ryan Kilpatrick. Close to deadline to get language in master plan about PDR (Sept 30). Handed out packet with letter and list of major landowners. About 100-105 names - should send a letter and see what the response is? At this point, want to see what buy-in interest exists in the township. Shouldn’t be mandatory. Wouldn’t want to try to make it mandatory. Reference to the website. Would send to landowners the letter and information from KC website. It’s a voluntary program.

What’s the cost of this? It’s part of the Master Plan process. Getting help from MSU-Extension for help with the meeting. Want to see areas of potential PDR. The problem is money. Can’t guarantee, but we are drawing a new map and who wants to be included in what district.

We have to hold a hearing? This is more an information piece. This allows the informal conversation and it’s built into the budget.

With a Sept 30 deadline, should establish a discussion/workshop date. August 31 or Sept 7 is good, for the people with large landholdings.

In mailing, ask for a yes or no answer from people, telling them decisions will be made surrounding this information so an answer either way is important.

Land use descriptions are also in packet. Projections are for 1,000 new residents in the township per decade. Average is 3.1 residents = 300 residences per decade, so have to consider densities and how much acreage would be consumed in the next three decades.

Jay Kilpatrick: Half-acre lot sizes will depend on availability of utilities, a timely issue re: the current discussions about the Alden Nash area. Directed patterns of growth will need to be considered. When you start serving there are economies of scale deciding how far to go and what it does to change the character of the community. Strong preference to contain growth to the Lowell boundaries last time; the discussion about how utility extensions nearby can be guided by the Master Plan. Haven’t gotten into the mapping exercise yet, but growth can be contained, but the market won’t do that. A strong market segment wants rural with larger lots, but some could be attracted to utility and commercial areas. In the current plan, the idea was not to let density go north of Vergennes, and when that happens, it will go north easily, and that’s a big chunk of

land. Need to answer where to encourage PDR and where to encourage density areas.

5. ORDINANCE AMENDMENT (AGRITOURISM DRAFT) – REVIEW CHANGES. Jay Kilpatrick: there has been a hearing; adjustments are minor (less restrictive regarding sale of products on site, slightly increased application standards requirement, and clarified whether permit is required for the kitchen). Al Baird: re: bed and breakfast stipulation, how many rooms can they have? Gillett: the definition allows up to six rooms or suites.

Motion by Gillett to recommend to the Township Board to approve. Seconded by Medendorp. All approved.

6. ORDINANCE AMENDMENT (HISTORICAL DISTRICTS COMMISSION). Jeanne Vandersloot recommends commission read and review next month. Main changes: number of commissioners and number of meetings per year.

Motion by Medendorp to table this until next month. Seconded by Nauta. All approved.

General Public Comment Time: none

Motion to adjourn by Mastrovito. Seconded by Medendorp.

The next meeting is September 11, 2006

The meeting was adjourned at 8:58 PM.

Respectfully submitted,
Kate Dernocoeur, Recorder