

Vergennes Township

PLANNING COMMISSION MINUTES

January 5, 2004

A meeting of the Vergennes Township Planning Commission was held on January 5, 2004 at the Township Offices. At 7:03 PM the meeting was called to order by Chairman Jernberg. Also present were Commissioners Gillett, Kropf, and Medendorp. Absent were Mastrovito, Richmond and Nauta.

APPROVAL OF DECEMBER 1, 2003 MINUTES: Motion to approve by Gillett, seconded by Kropf. All approved.

APPROVAL OF/CHANGES TO AGENDA: Motion to approve as amended below by Gillett, seconded by Kropf. All approved. Jeanne Vandersloot requested the following be added:

- re: mini-storage site plan review (Cook's property), when following through, it was noted that the parking formula in the ordinance book is excessive. She would like to fix that at the next Public Hearing in case this issue ever comes up again.

- re: farm animals not allowed in R3. Someone some time back requested that it be a special use permit in R3 and we never got back to looking at that. There is also a related kennel issue which has come up.

- memo about site plan review regarding new ownership of the PPC Electric building as sent in the Commissioner packets.

1. REVIEW DRAFT DWELLING MINIMUM SQUARE FOOTAGE LANGUAGE. Presentation by Jay Kilpatrick covering information from handout in commissioners' packet: Commission had recently talked about making the language in the ordinance more precise. Need a definition of "ground floor" (esp. re: split level dwellings) and adjustments of parameters for 2-family dwellings. We are adding multi family square footage standards.

Discussion: Medendorp asked about ground floor definition (5 feet below grade is uninhabitable re: escape routes, should limit those to 3 feet.). A question about square footage in R2 and R3 regarding size of lots was clarified. Also wondered whether mobile home stipulation be included; Jay said this language would be for double-wides on regular lots, not for manufactured home community developments. Still need to stipulate width to be consistent with other references to mobile homes, per Vandersloot.

Motion by Gillett to schedule a public hearing for the February meeting. Seconded by Medendorp. All approved.

2. REVIEW DRAFT PRIVATE ROAD ORDINANCE AMENDMENTS. Presentation by Jeanne Vandersloot: revisions include adding that driveways on corner lots need to open onto the private road (with certain exceptions). Clarification of base gravel (22A/23A). Language

for 18-foot roads and 4-foot shoulders except at outlet and cul-de-sacs as listed. Other misc. specs. Recommends width of roads be consistent regardless of number of lots on a road. Make an 18-foot width standard. Medendorp: suggests shoulder width be 3 feet instead of 4 in order to reduce loss of trees. Jernberg: Can put grass seed on the shoulder. If someone puts the gravel minimum in and plant grass, we could entertain that. Kropf: narrower roads could have an impact on safety, but anything more than 22 feet would be OK (18 plus three-foot shoulders). Could there be language regarding sight lines? Kilpatrick: the ordinance allows for the Township Board to make the final decision in unusual circumstances, and there is flexibility in this ordinance. Medendorp: does a road wider than 18 feet have to be paved? Jay: someone has the option to pave, but don't have to. Gillett: to protect Open Space, would rather see gravel roads more than paving.

Jernberg comment: the Planning Commission should not be specifying mixes; technology and materials are changing too fast.

Gillett: historically, there's been enough input to this ordinance over time that it is somewhat ready to be looked at more carefully, being mindful of current concepts such as Open Space design.

Motion by Gillett to recommend to the Township Board that the Planning Commission would like to have Williams & Works develop a new Private Road ordinance. Seconded by Medendorp. All approved. Would like to set up a separate meeting.

In answer to the current suggestions, commissioners agreed that it makes sense to approve them for now, knowing the ordinance will change. **Motion** by Gillett to recommend to the Township Board to approve 18-foot road width with three-foot shoulders instead of four-foot shoulders and to delete Section A and show road width to be the same for 3-19 lots, and other modifications as shown. Seconded by Medendorp. All approved.

3. RE: DURING THE RECENT MINI-STORAGE SITE PLAN REVIEW (COOKS), THE PARKING FORMULA IN THE ORDINANCE BOOK WAS FOUND TO BE EXCESSIVE AND NEEDS TO BE ADJUSTED. Tabled for February meeting to get some sample numbers.

4. RE: FARM ANIMALS NOT ALLOWED IN R3. SOMEONE SOME TIME BACK REQUESTED THAT BE A SPECIAL USE PERMIT IN R3 AND WE NEVER GOT BACK TO LOOKING AT THAT. ALSO A KENNEL ISSUE IN R2 HAS COME UP. Jeanne Vandersloot received a call from a woman who is applying for a kennel license who lives in R2 with 7-plus acres (with horses, 8 dogs in training for agility and Paws with a Cause, etc.) There's no limit to number of animals unless in a subdivision. She would like to breed later in the year. That would require a special use permit. In R2, dog kennels do not require a special use permit, but breeding/selling would. In a special exception hearing, the commission might want to impose a condition of approval such that the landowner could not split the lot. Should "kennels" be added to R2? Jay believes the current ordinance covers the situation.

Regarding 4-H type projects, even in R1 or R2, a special exception use goes with the land. A temporary thing (such as 4H animal projects) should not be handled through zoning, but would more appropriately be put into the general law ordinance as a “nuisance ordinance” to avoid having it run with the land. “Reasonable” standards could be suggested with zoning administrator to approve by right with a permit system.

Motion by Gillett to take a look at a draft of what other townships have done to make a recommendation to the Township Board. Seconded by Kropf . All approved.

5. MEMO ABOUT SITE PLAN REVIEW (RE: NEW OWNER OF PPC ELECTRIC BUILDING) AS SENT IN THE COMMISSIONER PACKETS. The question: what triggers an occupancy approval in the event a new tenant’s use is noncompliant and needs a special exception permit? Jay: this is a chronic problem with change of tenancy. A structure doesn’t get an occupancy permit with changes of tenancy unless there are other reasons to trigger a zoning review. Sometimes, the township discovers non-permitted uses after the fact. In the case at hand, the new tenant’s intentions apparently are similar to the prior tenant’s use. Know that a site plan does not relate to what goes on inside the building. It would be possible to make a condition on future site plans that would enable the zoning administrator to check on subsequent tenancies, with authority given to the Zoning Administrator to give OK to consistent uses. A letter could be given to the Zoning Administrator for staff review. Jeanne to draft some language for later approval, with statements to go onto the website as well.

General Public Comment Time: there was no one from the general public in attendance.

Motion to adjourn by Gillett. Seconded by Medendorp.

The next meeting is February 2, 2004

The meeting was adjourned at 8:27 PM.

Respectfully submitted,
Kate Dernocoeur, Recorder