

Vergennes Township Planning Commission January 7, 2002

Present: Read, Gillett, Richmond, Mastrovito, Medendorp, Nauta, Jernberg,

New commissioner Mike Mastrovito was welcomed. The minutes of 12/3/2001 meeting approved as presented, with a **motion by Richmond** and seconded by Jernberg.

Added to agenda: Election of officers – Chair, Vice-Chair, Secretary

Delete from agenda: Carolyn Way

Old Business

1. **Commercial District Text Amendments** - Kilpatrick reviewed the text amendments and map changes. The amendment modifies current Commercial, adds uses permitted by right and allows Special Exceptions for more intensive uses. Sections D. and E. address Residential uses in Commercial, with language mirroring current R-3. Also adds lighting standards and construction materials, requirements that mirror the Industrial District. Vandersloot commented that she is satisfied with the amendments as presented.

Public Hearing opened - 7:15

Jim Cook Jr. - would prefer to see 20,000 minimum instead of 10,000 as

Presented. Felt that 10,000 is too small.

Public Hearing closed - 7:17

Planning Commission discussion – Richmond agreed with Cook Jr. on 10,000 being too small. He made a motion to change maximum building size to 20,000. Read supported. Motion not approved. **Gillett motioned**, and Medendorp seconded, to make a recommendation to board approving amendment of the Commercial District as presented. Motion carried.

2. **Commercial Zoning Maps Amendment** - Cook explained that he is withdrawing the 32 acres and only wanted the 10-acre parcel rezoned in order to encompass the buildings.

Public Hearing opened - 7:15

Ed Van Timmerman - questioned what could go into the remaining 32 acres. Also wanted to know why the 10 acres was still wanted as Commercial. Planning Commissioners responded that the 32 acres currently R3 could be used for any allowed R3 use, and the 10 acre parcel was master planned for Commercial.

Public Hearing closed - 7:25

Jernberg motioned to recommend the Township Board approve the Zoning Map Amendment as presented, Jernberg seconded, and the motion carried.

3. **Adult Use Ordinance Amendment** – Kilpatrick explained that we currently have no regulations, and because of case laws, we are vulnerable to lawsuits. Any community that has a feasible site and an ordinance regulating these uses makes itself litigation proof. This is tried and true language – about as restrictive as we can make it.

Public Hearing opened - 7:16

Berdie Cook – “The stricter the Better”

Vandersloot – Cited studies that depict the effects on communities that have Adult Uses: Increase in crime, decrease in residential value and quality of life.

Public Hearing closed - 7:32

Richmond motioned to recommend the Township Board adopt the Adult Uses Ordinance as written, Gillett seconded, and the motion carried.

4. **Height Exception Ordinance Amendment** – Local church would like an 85 ft. steeple on the new building they would like to put up in Vergennes Township. In a preliminary review, it was pointed out that we do not allow that height for this kind of structure. The suggested language also included the regulation of the height of flagpoles.

Public Hearing opened – 7:38

Tim Wittenbach commented that the Cell Tower Ordinance allows for 200 ft. & that silos can be 75 ft. Berdie Cook questioned the need for flagpole height regulations.

Public Hearing closed – 7:42

There ensued a discussion that resulted in a general agreement that there should be allowances adopted for steeples, but regarding the height of flagpoles, the discussion was mixed. **Gillett motioned** to delete the flagpole language from the Height Exception Ordinance Amendment, and to include the new version during the next scheduled Public Hearing. Read seconded, and the motion carried.

5. **Manufactured Home Development Ordinance amendments** –Because of state regulations and court cases, we have changed our standards to allow this use in R3 by right. Any changes to local regulations that have higher standards than the commission rules need to be approved by the Manufactured Housing Commission. Kilpatrick explained that the proposed amendments have been informally reviewed, and he explained the response from the commission, referring to his memo dated December 28, 2001. (Attached)

Open Issues - 1.) We asked for a 20-acre minimum parcel size. The MHC has approved 15. 2.) Rear yard set back in our Residential Districts is 50 feet. The MHC requires 10. There was little discussion regarding the minimum parcel size. It will be adjusted to 15. However, on the subject of set backs, it was noted that the Comprehensive Plan clearly indicates a desire to maintain rural character, and that retention of open space is a primary concern for the majority of residents. Kilpatrick pointed out that the MHC has not historically taken consideration of local standards, and would likely reject anything more than a 10-foot setback. He commented that instead of resisting now, it may be more advisable to adopt standards as the MHC prefers, and to negotiate our preferences with an individual developer should we receive an application.

Gillett motioned to move ahead on getting approval from the Manufactured Housing Commission based on these 2 changes, then hold a Public Hearing. Jernberg seconded, and the motion carried.

New Business

1. Mari Stone, representing the Open Space Citizen's Committee, presented a draft of an **Open Space Community District Ordinance**. Kilpatrick commented that all communities with a population 1,800 and over must comply with a new law requiring clustered housing options be offered. This ordinance would fulfill that requirement. Will discuss at next Planning Commission meeting.

Nauta encouraged everyone to fill out and return the natural features survey mailed out to all property owners in early January.

2. **Sign Setback and Commercial Sign amendments** - Vandersloot has had several requests to have this amended because many times the front set back (17 1/2 ft.) puts the sign out of sight or in a bad position. Also, no maximum height or specifications for a clear area below are given. Commercial currently allows only 8 square ft. for a freestanding sign. Nauta asked if a setback is needed, or could they just be required to be outside of the right of way? Kilpatrick noted that in sight distance issues, the Road Commission would pre-empt. Medendorp has no problem with Commercial and Industrial at ROW, but not Residential. Discussion regarding the Pros and Cons. Gillett suggested more thought and discussion at next meeting.

3. Nauta asked for **nominations to Chairman, Vice-Chairman, and Secretary**.

Chair: Richmond nominated **Jernberg**, Read seconded. Gillett motioned to close nominations, Nauta seconded. Motion carried.

Vice-Chair: Jernberg nominated **Gillett**, Medendorp seconded. Richmond motioned to close nominations, Read seconded. Motion carried.

Secretary: Gillett nominated **Read**, Jernberg seconded. Gillett motioned to close nominations, Richmond seconded. Motion carried.

The meeting was adjourned at 9:05.

Mari Stone
Secretary Pro Tem