

Vergennes Township

PLANNING COMMISSION MINUTES

July 1, 2002

A meeting of the Vergennes Township Planning Commission was held on July 1, 2002 at the Township Offices. At 7:02 PM the meeting was called to order by Acting Chairman Gillett. Also present were Commissioners Mastrovito, Medendorp, and Nauta, and Township Planner Kilpatrick and Zoning Administrator/Planning Coordinator Vandersloot. Absent was Chairman Jernberg, Kropf, and Richmond.

APPROVAL OF JUNE MINUTES: Motion to approve by Nauta, seconded by Medendorp. All approved.

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

1. ORDINANCE AMENDMENTS:

A. OPEN SPACE/PUD AMENDMENT. Presentation by Marsha Wilcox, explaining the ordinance section by section. In incomplete form for commissioners' questions/comments. Definitions. One use is as attached single family dwelling with not more than 4 units – from other ordinance, very good way to preserve open space. Developer should be able to look at his land and then decide if this is a good ordinance to use. Kilpatrick will work on some sections. Ordinances we looked at had 40-60% of land preserved as open space, so our ordinance requests 50% (in the middle). The 25% bonus for using the ordinance, but figuring the adjusted parcel area, there's a common percentage (15%) represents roads, easement, etc., so the remaining 85% can be used for home sites and common preserved areas, per Kilpatrick. Varying depths of scenic easement along road is intended to screen a development from the road depending on zoning. Explained process for developer to use the ordinance. Explained intended guarantee that open space would be preserved in perpetuity in strongest language possible. Discretion left re: water/sewer (with compliance to storm water containment rules, septic according to Health Dept, roads according to Road Commission. Performance bond may be required.

Presentation by Kilpatrick with handouts illustrating a cluster development and how this ordinance is intended to be "user-friendly" and also answering prior-asked questions. Making a developer do a test plan can be more work than some developers want to do. We offer a relatively objective calculation as an alternative approach. Demonstrated how the bonus development would work in a hypothetical case. Open Space committee worked hard on this – wrote up to four drafts. State Government was also in process of mandating open space ordinance as an option, pretty much as the committee has structured it (without the bonus). Committee has opted to offer the bonus

as a mechanism to get people to use this (versus slice & dice development), but that's an option. State bill was signed in December and will meet the requirements of the statute in RA and R1 (where most of the nicest features are), but not necessarily in R2 and R3 because of lot sizes make it difficult. This would be a little more straightforward for the right developer.

Kilpatrick: the part about golf course, tennis court and ball fields may need to come out because according to State regulations you cannot offer active recreation as a use for the open space, so these options may have to come out. In R2 and R3 this ordinance will only be used as special exceptions, which may make it doable re: the state requirements. Creative development will be needed and special exception gives the Commission the needed control over such a project. Re: side-yard setbacks: attached units is one means for saving open space, so there's a zero set-back on the attached side. and allows larger lot sizes very common in these developments. Re: alternative minimums: open space development review process, followed the standard of Randall Arendt (a big proponent of these sorts of developments) who encourages a careful assessment of the land to figure out slopes and water features, etc., to determine what natural features are important to save, resulting in prioritization of these things on a particular parcel. Then identify the attractive home sites based on those features, then figure out how to connect them efficiently, finally drawing in the lot lines (the least creative part).

Kilpatrick, con't: re: waste water, these denser units may seem to need water/sewer, and the Commission has to question whether running water/sewer out to the site (making the leap-frog of development happen) is what the township wants so leaving the commission free to decide is a strength. This ordinance is very close to being a good document.

Commissioner comments: Medendorp questions will be cleared up by Kilpatrick's next round of scrutiny. Is Section 004 too onerous?/Kilpatrick: it lies with the question of preserving ANY open space vs. the BEST features? Marsha Wilcox: they can save \$5-10,000 not having to do a test plan, so it's a balance. and there's greater value to the whole area to have a high standard.

Nauta: lower the current PUD's bonus to push people toward using this ordinance. Even by 10% would be enough, and would offset the cost of this.

Medendorp: some people will do the test plan anyway, probably.

Rural scenic easement thing: what if that is the place needed to be developed for the sake of the rest of the land? / Kilpatrick: the commission can recommend to the township board to waive site plan standards if needed.

Mastrovito: doesn't cluster housing go against the rural area characteristic? / Kilpatrick: this sort of concept avoids the patch-working so at least part of the land stays open. / Mastrovito: Then how is rural characteristic maintained? How do people not used to living in the country cope? What happens? / Kilpatrick: the site analysis that identifies the best features, and they are by the main road, that's what's preserved. The open space

might be scattered across the parcel. Gillett: this is better than what could happen in our current ordinance where we get postage-stamp 3-acre lots with a lot of curb cuts. Wilcox: if we don't have a plan, development happens haphazardly. Kilpatrick: one alternative is to change development lot sizes (10- to 40-acre lot sizes) which would probably never happen because of the politics.

Mastrovito: re: septic system, would the township be accountable to oversee it? / Kilpatrick: where there are smaller lots and a private sewer system is put in, the township has to back up the developer or condo association, but it's bonded to protect the taxpayers, and a special assessment can also be put in the agreement.

Nauta: it's really interesting how creative they've gotten - it's worth a tour to Livingston County to see this concept where they're doing it, it's good. Very impressive.

Gillett: environmentally, this is where we should be going. Open space allows diversity of habitat and wildlife in the area, which doesn't happen in traditional developments. It's important to look to create this diversity and wildlife corridors, because once it's gone, it's gone.

Kilpatrick: we need to distinguish between PUD (more onerous to use but flexible in sense of producing mixed housing/commercial as special exception use) and Open Space (only for residential, but also very user-friendly). He will take the committee version, put into ordinance form, and tweak the existing PUD to make more explicit the mixed-use portions of it. Would include backing off the incentive in the PUD. (Nauta: would be in favor of eliminating the incentive.) Can make another that also includes the recreational option, or put the golf course/rec piece in the PUD. Commission agreed with this plan.

B. ORDINANCE AMENDMENTS: CHANGE ROMAN NUMERALS TO NUMBERS:

Presentation by Vandersloot: easier to put in the book. Makes more sense. The computer program can automatically do that, and can't cope with Roman numerals.

Motion by Nauta to recommend a public hearing for the next time public hearings are being scheduled. Seconded by Mastrovito. All approved.

2. RESCHEDULE AUGUST MEETING DATE. Current date conflicts with the primary. Commission chose July 29.

PUBLIC COMMENT: None

Motion to adjourn by Nauta. Seconded by Medendorp.

The next meeting is **Monday, July 29 [NOTE change]**, 2002

The meeting was adjourned at 8:29 PM.

Respectfully submitted,
Kate Dernocoeur, Recorder