

# Vergennes Township

## PLANNING COMMISSION MINUTES

July 2, 2007

A meeting of the Vergennes Township Planning Commission was held on July 2, 2007 at the Township Offices. At 7:06 PM the meeting was called to order by Chairman Jernberg. Also present were Commissioners Gillett, Makuski, Mastrovito, Nauta, and Post. Absent was Medendorp. Assisting the commissioners were Jeanne Vandersloot (Township Zoning Administrator) and Ryan Kilpatrick (Township Planner).

**APPROVAL OF JUNE 4, 2007 MINUTES:** Motion to approve by Makuski, seconded by Nauta. All approved.

**APPROVAL OF/CHANGES TO AGENDA:** Jeanne wants to add Lowell City Master Plan update to item #4. Motion to approve as amended by Nauta, seconded by Gillett. All approved.

**1. GRAND LUX BANQUET CENTER - SITE PLAN REVIEW.** Presentation by Kent McKay. Gave commissioners revised drawings, which were received by Williams & Works on Friday - revisions are to site and elevation plans, and are slight. Site plan change: at the ceremony area - it is now labeled as "future outdoor ceremony area" and there are no plans currently to build this feature re: market indicators which show no need right now. Revisions to the site elevation plan come from concerns in June 27 memo, change to a 15 foot basin perimeter buffer. Soil borings will take place this week with reports due next week; not expecting surprises since soil borings in the vicinity are available. There is piping running through the septic field, they will be made aware of that. Applicant then addressed six items from Ryan's memo dated June 26:

- 1) facade: Front of building to be brick/block with glass. Sides and rear to be metal siding. Added 55' of brick/block wrapping around on the north side facing the one residence in that direction for an improved presentation. This combination of materials have been deemed acceptable by the commission in the past. Couldn't continue brick for financial reasons, but most people will not see the metal siding.
- 2) re: sign permit application: not requesting any action regarding a sign, will do that later under separate permit
- 3) traffic flow & turning conflicts: was addressed at the Nov 13 meeting of the planning commission
- 4) outdoor ceremony area: will be grass for now, perhaps to be created in the future
- 5) photometric study: not prepared to ask approval for site lighting plan at this time. When done, it will conform to twp standards.
- 6) combining 2 parcels (parcel a and parcel b): this was addressed at the Oct 2, 2006

planning commission meeting, when it was decided combining units wasn't legal and thus not required.

Also: there is an added row of cement bumper blocks by the storm water retention pond and applicant asked that this be allowed to be excluded, because it will normally be a dry pond. Civil engineer said standing water would happen "less than a few times a year" - if we're worried about a car in a 7-foot pond, it would be a 100-year flood, and events would be cancelled, and a car has to roll 15 feet through the buffer zone before going in. If the pond were filled up, no one would park in that last row in a rainstorm. There are 85 parking spaces more than required by ordinance.

There are detailed elevations and other information available. Applicant pointed out that this project brings a point of pride to Vergennes Township, and there's no intention of building a pole barn – this will be good for Vergennes Township. Plans a grand opening on Sunday March 23<sup>rd</sup> at noon, at the beginning of the business season.

Questions:

- pipe running through the proposed reserve drain field to come into the reserve basin. Basin can be slid further down onto un-cleared unused portion of the property if the Health Dept requires. All it needs are certified pipes and joints running through the field.
- Williams & Works review: engineers have reviewed and are satisfied with the updates. Ryan has not been able to review it but it looks good from what he sees tonight.
- Jeanne: handed out a memo from Kerwin today indicating that the applicant has addressed the items he suggested needing to be addressed in their first memo.
- Makuski: health department? Hasn't been addressed yet (too early)
- Post: metal on north side an issue? Jernberg: need to address. Open for discussion. Ordinance re: north side of building, ordinance requires a building facing a residential building needs to be certain materials, and other light & screening requirements, which have been mostly addressed with the tree screening already put in by the Equine Vet. Section 413 of the ordinance where activities need to be screened as well, might want additional landscaping screening for driveway. Jernberg suggested a way to screen the parking lot from the house, resulting in losing two parking spaces but handling some potential issues. Need to see the site lighting package to be sure. Siding goes back about 25-30% the side of the building. Front canopy is made of standing seam metal roof, color to be determined. Color to match? Not sure. Want the color of that back wall to disappear.
- Jernberg: amount of water sheet draining from back of building to retention area. The drawing shows catch basins around the parking lot but not on the back to the west. From back of building anticipating sheet draining all the way to the west - yes. There is a three-foot drop which should handle it.
- People will be encouraged to use the north drive to turn in under the portico.
- Driveway disruptive at night? Late afternoon, workers would come in, with guests arriving later. Agreement with the vets? No conversation regarding sharing the shared

easement with rights to the area. Faber recorded agreements when the lots were created with both vets regarding shared responsibility for costs of maintenance.

- Lighting is biggest remaining question, as well as the exemption of the bumper blocks. It's a maintenance/mowing/plowing concern to the applicant, and slows the flow of water to the basin. Question of liability if we approve and there is an accident. Could put them on the asphalt. An ongoing maintenance concern from the applicant. Makuski: would want township attorney to rule on township liability before making a decision.
- Jernberg: is personally ok with the facade; it's adequate and sufficient. Signage would only be on the road (applicant agrees). Nauta agreed.
- Screening in the corner, signage, lighting, and bumpers seem to be the four remaining contingencies. General compliments to applicant on a good job.

**Motion** by Gillett to recommend to the Township Board to approve this plan with the contingencies of a satisfactory lighting plan, a satisfactory signage plan, landscaping question on the NW corner, and continue bumpers as planned unless a better plan is proposed or approval is given by the township attorney to allow applicant not to install them. Discussion: better to deal with the contingencies before recommending approval. Applicant particularly needs to get lighting and landscaping in order. Motion withdrawn by Gillett and tabled until the August meeting to allow applicant to address the four contingencies prior to a vote and recommendation to the Board.

## **2. ORDINANCE AMENDMENT DISCUSSION.**

1. Wind Energy Conversion Systems: Brief reasons to look at this by Jeanne. Ryan did an updated memo after the last meeting. Ryan: the gist on the new memo is in response to questions posed last month. Sample text provided. Wanted to make sure we had enough information. The memo outlines how turbines work and are set up, how posts are set up and maintained, how high they are and how much energy is produced. Showed the four most popular versions and called the manufacturers about them. There is technology that may change everything within a few years. Systems can be freestanding or rooftop-mounted. Most people in VT will not be able to profit from wind in this town, except 200-foot-plus commercial turbines. This is about personal-use energy production. Small windmills could be permitted uses, ranging from 2-10 feet above roofline – maybe needing a site-plan review process, esp. re: mounting and noise. Freestanding system, too, could benefit. Some ordinances require manufacturer instructions be submitted for site-plan review. Need to look at setbacks, etc. Mag Wind Systems rotate on a horizontal axis, using the roofline to gather the wind energy and funnel it into the turbine, producing more energy with a less-obtrusive system – these are emerging technologies.

Options: Gaines Twp has no language pertaining to these turbines, just limited all structures to 35 feet. Option: specifically identify types and then which can be by right and which by special exception use. State recommendations are to allow use by right up to 60 feet in all districts. Maximum height for buildings is 35 feet. Setback could be

height of the tower. State: recommends 1-1/2 times setback based on height of tower. Define “35-feet” – from top of house? Total? What? VT allows 200-foot radio towers subject to review. Makuski: Could set 35 feet and if someone wants to go higher they have to come in, with setback 1-1/2 times the height of the tower. Nauta: noise issues? Not typically on the small ones (yes on larger ones). 35 feet from height of blade at its most vertical point. Require site review? Could, depending on location. Ryan to draft more language.

2. Community Commercial: Sent draft language compiled in 2001, reviewed in 2002, then tabled. Request to look at it again. Ryan: A number of communities are experimenting with this, but this is traditional townbuilding with mixed uses and more active street life, perhaps even with residential apartments above shops and few auto-dependent businesses to get the small town feel. Ryan would like the committees thoughts on this, whether it should go into a specified area and how to regulate uses. Lincoln Lake and Vergennes area would be the obvious area for such a thing. That’s a 55 mph driving zone. Discussion. One or two road cuts into a commercial area. Cook family felt there were unfair restrictions last time this was discussed. Lowell City was also disturbed at the thought of another commercial district. Jernberg: None of us wants a big-box retailer there, not what we have worked to create, want to portray a different vision. This would give the commission something to work with. Makuski: something set off the road could look nice. Would it be realistic to happen? Mastrovito: what’s the matter with trying it? Jernberg: got too detailed last time. Jernberg: those are big lots, and do we want to make it something we can be proud of? Nauta: yes, we need to be more proactive. Sewer, too, and recreation facilities – let’s look at the bigger picture. I would like the quality of what’s in the township to stay good. Jernberg: the businesses that have come in along Lincoln Lake Ave look good. Makuski: don’t want to stop people coming in. Nauta: let’s create a standard we can live with. Further discussion. Ryan: most important is the work just finished on the master plan. We called out the plan to increase pedestrian connectivity - a mixed commercial district would answer a lot of what the new master plan calls for, and people can walk to the local commercial area, rather than having to drive. Lincoln Lake, high-speed, high-traffic thoroughfare, would be a consideration. Another option to establish the district as a PUD type option if a big developer comes in, would be an optional district that could be applied for. Gillett would like a tougher vision so we can avoid a hodge-podge of visions. Would prefer a community center-type development - that’s nicer. Ryan: in the next 20-25 years, the commercial uses might not change, but when redevelopment comes eventually, people demolish/rebuild, so a new ordinance could evolve. Nauta: is it fair to the landowners? Ryan: that’s the point of the public hearing, and would want to include their input. Gillett: a good restricted development to the landowner is usually beneficial. Need to read through it, make notes, and discuss to see if there’s a way to finish it in mutual agreement and send to the Board. Makuski: would a village like this pull away from downtown Lowell? General agreement

- we want people to go in to Lowell. Can you just outright limit the size of the building to avoid big boxes? Yes, but then you get a whole line of strip malls. Ryan: pointed to areas we can look to avoid, such as strip malls around town, and some look good and others don't - without a comprehensive plan, we're playing it by chance instead of planning how growth should look over the next 20-30 years. It will still probably be suburban, auto-dependent drivers, but we can choose how it looks to passers-by. General agreement to look at this and develop the idea.

3. Portable Temporary Storage Units: Rick: tabled until Tom Medendorp can come to the meeting.

**3. CHANGE AUGUST MEETING DATE (RE: ELECTION SET-UP) TO July 30, 2007** (four weeks). All agreed.

**4. REVIEW ADA TOWNSHIP MASTER PLAN UPDATE, AND ALSO THE LOWELL CITY MASTER PLAN UPDATE.** Jeanne: both have sent updated Master Plans and as required by law, they have to send to neighboring municipalities for review. Last time, a commissioner offered to review and do a brief write-up and presentation to the others at the next meeting, since there's not enough time for everyone will read them. Makuski will do Ada's, Mastrovito will do Lowell's.

**General Public Comment Time:** Kate Dernocoeur of the Open Space Committee for Vergennes Township and the Eastern Townships Open Space Council showed the planning commission the t-shirts which will be given to people entering the Champion Tree contest (for bragging rights between Ada and Vergennes). Also reminded the group of the Photo Contest now ongoing by the Eastern Townships group.

Motion to adjourn by Makuski. Seconded by Mastrovito. All approved.  
The next meeting is **NOTE CHANGE:** July 30, 2007  
The meeting was adjourned at 8:45 PM.

Respectfully submitted,  
Kate Dernocoeur, Recorder