

Vergennes Township

PLANNING COMMISSION MINUTES

July 6, 1999

A meeting of the Vergennes Township Planning Commission was held on July 6, 1999 at the Township Offices. At 7:02 PM the meeting was called to order by Chairman Gillett. Also present were Commissioners Dalga, Nauta, and Pfaller. Arriving late were Alger, Howard, and Jernberg. Absent was Weber.

APPROVAL OF JUNE MINUTES: Noted in Item #2 that the name is “Roger Kropf”, not “Roger Roth.” With that amendment, motion to approve by Pfaller, seconded by Nauta. All approved.

Regular meeting suspended, and Public Hearings opened at 7:03 PM.

PUBLIC HEARING #1: DAYCARE FACILITIES IN R-1 DISTRICT -- ORDINANCE

AMENDMENT: R-1 was inadvertently dropped by clerical omission. Purpose: to make this consistent across the board. Public comments: one person wanted to know what “R-1” is, and where it is located; Gillett clarified. No other comments.

PUBLIC HEARING #2: LINCOLN LAKE AUTOS, SPECIAL EXCEPTION USE

APPLICATION: Owner explained need to diversify business. No other comments.

PUBLIC HEARING #3: DISCUSSION OF DEFINITIONS FOR LOT, FRONT LINE ORDINANCE

AMENDMENT: (Alger arrived.) Read for benefit of the gathering by Gillett. No comments.

PUBLIC HEARING #4: DRIVEWAY SETBACK ORDINANCE AMENDMENT: (Jernberg

arrived.) Proposed ordinance read by Gillett. No public comments.

Public Hearings closed at 7:10 PM.

Regular Meeting Re-opened at 7:10 PM

1. DISCUSSION OF DAYCARE FACILITIES IN R-1 DISTRICT -- ORDINANCE

AMENDMENT: Pfaller expressed concern re: wording: “existing residence” in sections B2 & B3. Amend that wording to say: “any residence existing at the time the Special Exception Use is granted.” Need to look at R-2 and R-3 ordinances to ensure uniformity of verbage.

Motion by Alger to accept the amendment **as amended** (using wording as shown in previous paragraph). Seconded by Jernberg. All approved.

2. DISCUSSION OF LINCOLN LAKE AUTOS, SPECIAL EXCEPTION USE APPLICATION:

Discussion about specifically what was being amended.

Motion by Nauta: Allow Lincoln Lake Auto LLC (a subsidiary of Bob's Body Shop) to add a towing service as an amendment to the existing Special Exception Use held by Bob's Body Shop. Seconded by Dalga. All approved.

3. DISCUSSION OF DISCUSSION OF DEFINITIONS FOR LOT, FRONT LINE ORDINANCE AMENDMENT: The Township Zoning Administrator is content with this amendment as written.

Motion by Pfaller to approve the amendment as written. Seconded by Dalga. All approved.

4. DISCUSSION OF DRIVEWAY SETBACK ORDINANCE AMENDMENT: (Howard arrived.)

Motion by Nauta to approve the amendment as written, seconded by Jernberg. All approved.

5. PRESENTATION AND APPLICATION FOR SPECIAL EXCEPTION USE FOR AFFORDABLE TOWING FOR A USED AUTO DEALER LICENSE REQUIRED BY THE STATE OF MICHIGAN TO SELL ABANDONED AUTOS: Walter VanderWulp explained that he can only dispose of 7 abandoned cars per year without the used auto dealer license, and he already exceeds that number. Sells (at this time) about 10-15 cars/year for profit, and abandoned autos are a growing problem.

Concern: if we issue the Special Exception Use, can we prevent a large used-car lot from evolving with a subsequent owner? Discussion followed.

Concern: this is a commercial proposition for an industrial zone. Possibly the owner would need to seek a commercial zone if the business grows enough.

Concerns: what proof mechanism could be placed for zoning enforcement? We need a clear set of language. Township planner to help draft this.

Motion by Pfaller to set a Public Hearing for the August meeting of the Planning Commission, and table the proposal pending drafting of acceptable language. Seconded by Jernberg. All approved.

6. PRESENTATION & APPLICATION FOR SITE PLAN REVIEW FOR PPC ELECTRIC FOR NEW BUILDING SITE AT 693-695 LINCOLN LAKE FOR OFFICE & WAREHOUSE: Lynn Wolbers presented the plan. The business is an industrial/retail electrical contractor with about 6 employees on site, 25 at job sites. Commissioners pointed out some missing details (topography, signage plan). Project looks good if details are filled in, and applicant was told to move ahead and apply for a Public Hearing for August.

7. APPLICATION FOR FINAL DEVELOPMENT PLAN REVIEW FOR JORDAN MEADOWS: Mike Harding spoke briefly.

Motion by Pfaller to recommend to Township Board to approve the application. Seconded by Alger. All approved.

8. CELL TOWER DISCUSSION FOR NEW ORDINANCE AMENDMENT: Alger questioned if

the amendment would apply to ham operators. The draft document covers everything over 30 feet. Alger wondered if the definition for antennae should not include amateur or ham users re: unreasonable expense to place an antenna. Comment: such an antenna should then not be allowed to be converted later for commercial use. Ham should be accessible to civil defense, too. Discussion about height allowed; agreed on 35 feet.

Concern: is it necessary to have a State of Michigan-certified engineer's approval? Expensive. Companies supply drop zone and integrity data. Due-care standard is a good idea, esp. where a tower could fall off-site.

Set-back should be greater than drop zone of tower.

Discussion concerning essential services and eminent domain. Can zone by right only in commercial or industrial areas. Other areas would require a Special Exception Use permit.

Want to encourage co-locations.

Want to have security of a bond or letter of credit for tower removal, to protect property owners.

Various other discussion.

Motion by Pfaller: Set a Public Hearing for the August meeting for the wireless communication ordinance, subject to the following changes to the draft document dated 6/29/99:

- Under definitions, Section 1A, exclude amateur radio towers (as defined in 201-602). Under Section 1B, change "30 feet" to "35 feet."
- Section 4 (A) 1.f -- Strike reference(s) to "licensed in the State of Michigan."
- Section 4 (B) 3 -- Strike "licensed to practice in Michigan."
- Section 5 (C) -- strike entire paragraph (refers to building roofs.)

Motion seconded by Dalga. All approved, with abstention by Alger (re: conflict of interest).

9. DISCUSSION ON PRIVATE ROAD ORDINANCE: It was suggested that a committee of commissioners come up with ideas. Pfaller, Kulross, Nauta, and Gillett will sit on a subcommittee with the goal to begin discussion at the August meeting.

10. SIGN NEW ADOPTED POLICY FOR SUBMITTAL OF DOCUMENTS FOR PLANNING COMMISSION MEETINGS: "This is long overdue." Motion by Pfaller to accept policy. Seconded by Alger. All approved.

The next meeting is Monday, August 2, 1999.

The meeting was adjourned at 9:12 PM.

Respectfully submitted,
Kate Dernocoeur, Recorder