

Vergennes Township

PLANNING COMMISSION MINUTES

July 6, 2006

A meeting of the Vergennes Township Planning Commission was held on July 6, 2006 at the Township Offices. At 7:00 PM the meeting was called to order by Chairman Jernberg. Also present were Commissioners Gillett, Mastrovito, Medendorp, Makuski, and Nauta. Absent was Kropf.

APPROVAL OF JUNE 5, 2006 MINUTES: Motion to approve by Nauta, seconded by Gillett. All approved.

APPROVAL OF/CHANGES TO AGENDA: Motion to approve by Gillett, seconded by Nauta. Mastrovito offered to take on the role of secretary; nominated by Gillett, seconded by Nauta. All approved.

1. F&G REALTY INVESTMENTS LLC - OFFICE BUILDING.

A. Rezoning. The parcel the applicant is requesting to rezone is currently R3 residential, 100 feet wide, fronting on Lincoln Lake to the railroad tracks. With the office building proposal (request for R3 to zone commercial), it was suggested he place the entire lot into one zone. The building is not in the R3 zone area.

Public Hearing Opened 7:05. No comments. Public Hearing closed 7:05 pm.

Planning Commission: Nauta ready to make recommendation to township board to rezone this parcel. Seconded by Gillett. All approved

B. Special Exception Use: Applicant explained that the special exception is based on the fact that the building is 25000 sq. ft, 10,000 sq ft larger than allowed. Jay's review covered many of the pertinent points, e.g., in his memo, he lists five areas under the special exception use. Commissioners have read the material. Applicant highlighted areas to which he had to respond: Item 1) concern about # of employees and company vehicle parking and hours of operation. Owner states number is 25-50 people, hours operation mainly 8-6pm, but sometimes in the evening and some emergency situations; work mainly indoors, is being built to keep everything inside. Item 2) extent to which adjacent property values would decrease: hard to establish. Nature of the use of the building is that it is the corporate offices for corporate security solutions. A gym for the employees with a swimming pool on the back is only for the employees and families. Item 3) exterior finish and materials: architect presented. Within height restrictions (35 feet). Intent of facade is to pick up the agrarian feel with contemporary elements. Decorative concrete block up to a decorative metal panels (horizontal and vertical), roof standing seam metal. Insulated glass product high on wall of gym. Front is glass. Item 4) extent to which proposed use is compatible with VT Master Plan. Jay gave this a positive review

regarding the mixed uses in the area. Item 5) any hazardous uses (indirect or direct), concerns including traffic and outdoor parking and vehicles. Owner: vehicles could be parked outside sometimes. Residential company vehicles. Jay recommends approval subject to conditions he lists, to be addressed later.

Public Hearing Opened 7:15 pm: Carol Lee 34 Lincoln Lake Ave: is the driveway paved (yes), and what emergencies might happen at night. Business is security systems so if there's a crisis somewhere, there could need to be a response any time to the crisis site (not the site). Is there a shooting range? No. **Public Hearing Closed 7:18 pm.**

Commission Discussion: Still have to act on the special exception use and the site plan contingent on passage of the special exception use.

Motion by Nauta to recommend to the Township Board to approve the special exception use contingent on site plan review and associated concerns/questions. Seconded by Gillett. All approved.

Site Plan Review: Jay Kilpatrick presented. Applicant has addressed most of the concerns. Parking is potentially an issue due to ordinance standards. With 71 total spaces shown, some concern if this building were to convert to some other use, parking would be insufficient. For this use, it should be OK. If footage of the gym and the warehouse aren't taken into consideration, there would be sufficient parking. Drainfield concerns would then arise. Possible if the use changes, they'd have to alter the parking.

Hasn't seen driveway permit. Ray said it is approved, is awaiting a rider to increase the bond from \$20,000 to \$40,000. Any approval tonight would have to be contingent on roadway commission permission.

Drainage: will gather drainage from storage facility and will correct a prior issue. Landscaping buffer is being provided. Lighting appears to meet township standards. No detail on sign is presented and needs to be a condition for approval. Project will have an outdoor pool - there is no detail regarding fencing and a locked gate, needs to be a condition of approval. Regarding facade materials, hasn't been able to calculate whether it meets the 80% standard - the metal panels being the concern. All issues can be addressed administratively and recommend approval with the contingencies mentioned.

Medendorp: what happens with change of hands? Zoning Administrator would require a return unless it was a mirror-type use. It would likely come back for another hearing.

Applicant spokesman: regarding parking, was doing calculations based on net office space. Also regarding construction materials - the decorative panels are compatible with surrounding properties. Medendorp was not suggesting it was a problem, feels the building is fine the way it is. Did revise the lighting plan to poles being 14 feet, plus one additional pole in front. Landscape plan was amended to include revisions made in the plan. Included in smaller packets are drawings of the passing lane (required by Kent County Road Commission) and the driveway. Jernberg: what water depth will the pond hold? Eight feet. There is no perimeter on that fence; slope is 1 on 6 line of repose and

fencing is not required on a slope that steep.

Motion by Nauta to recommend to the Township Board to approve the site plan contingent on adequate answers to the questions about signage, the driveway, and pool enclosure, as well as the language for a lease/tenant agreement. Seconded by Gillett. All approved.

2. ELIZABETH FAHNENSTIEL - REZONE FOR DOG TRAINING FACILITY - PUBLIC HEARING. Applicant presented: Owns 10 acres on Vergennes and Lincoln Lake, going for southern 1/3rd of the 10 acres to be rezoned to industrial for a total of 2.2 acres from Lincoln Lake to the railroad tracks.

Public Hearing Opened at 7:43 pm. None. **Public Hearing Closed 7:43 pm.**

Planning Commission Discussion: Jay Kilpatrick referred to prior discussion whether the proposed use would fit, suggested the industrial use designation fits much better with the Master Plan because it abuts industrial areas. This is a better use. Our recommendation is for the Planning Commission to rezone. There is one letter in the packet from Jeff Bunn (Equine Medical, an adjacent business) which needs to be added to the public record, supporting the proposal.

There would be a site plan review later.

Motion by Mikulski to recommend to the Township Board to approve for a rezone. Seconded by Gillett. All approved.

3. ORDINANCE AMENDMENT (AGRITOURISM DRAFT). Presentation by Kilpatrick. Proposing to add two new defined uses for special exception uses: agritourism and Bed & Breakfast. Language has been available for review. Would have a set of standards within Ra and B&B within RA and R1 districts. Standards and definitions are presented in the amendment. The agritourism is unique and Jay has tried to meet the few standards available from elsewhere. Also in response for prior meetings tried to capture the idea as proposed. This is a balanced effort to response to theses types of uses. Jeanne: saw in Michigan Farm News that this is an increasingly popular idea. The definition sounded like what we have written.

Public Hearing Opened 7:51 pm.

– Charles Brinkert, 2534 Alden Nash (McGee Homestead B&B): definition of B&B regarding meals for overnight guests only - what's the intention - they get requests to do weddings and receptions at McGee Homestead. Need to know how this is going to affect them. Been in business for 19 years – growth ideas, how will they will be affected. Farm market, restore a historic building on the property – lots of questions. Christmas parties - things like that. Also KC Health Department; they have no regulations for B&Bs. The B&B association inspects, they keep things clean, but the health department (item M) does not have jurisdiction in B&Bs less than 7 rooms (7 rooms is an inn, not a B&B). Jernberg: could rephrase to state-approved guidelines. Re: non-overnight guests, could

rephrase for “primarily overnight guests” as an infrequent occurrence. Question about letter E: selling produce grown onsite versus having neighbors sell on the property in the grainery. Jernberg: Could amend language such that each case would have its own special exception use discussion regarding the details such as selling produce grown offsite. Or amend to say “locally-grown goods.” Baird: that gets hard for the market owner to sell until their own produce grows. Could say “quality” goods. Hard to define.

Language about farm markets already exists in another section of the ordinance. Agritourism would be the most liberal special exception for anyone contemplating the various uses.

Brinkert: proposed language says no conferences or meetings permitted – what about that language / Jernberg - trying to avoid conference meetings, etc. / suggested Brinkerts think about the agritourism use.

Public Hearing Closed 8:03 pm

Planning Commission discussion: Says it has to be owned/operated by a single proprietor – if the business wanted to incorporate, would that be a problem? Jay: the intent is to have it owner-occupied – incorporation to avoid liability makes sense – needs to amend language to reflect owner-occupancy.

Wittenbach: what would be an example of 60 db noise – a spoken conversation is about 60 db - where it suggests that no objectionable noise to go onto adjoining properties per the language, this is the first part in the ordinance that includes specific decibels. Could be left general and add the specifics later if needed.

Nauta likes the owner-occupied idea. Lake-to-Lake Association requires owner-occupancy. Could have no more than three non-family members.

There are enough changes that rewrite would be in order.

Medendorp - should there be a maximum number of people allowed? Discussion - would be on a case-by-case basis.

Motion by Gillett to table this pending a rewrite. Seconded by Medendorp. All approved.

4. PRIVATE ROAD - TODD FUHR. Applicant presented regarding Victory Woods Private Road to clarify issues from last time’s discussion. Engineer accompanied applicant. One issue was road cross-section detail - has been changed, using 23A material for the road. At the top of the road, sows 22-foot wide for entrance-way with 3 foot shoulders. Also added eight rock check dams per prior discussion.

Jay: engineer has met requirement for the ordinance, proposing a relatively steep slope at the entryway and engineers recognized there was little they could do to soften that– commission has discussed regarding the material given the circumstances. Suggest PC if opting to go forward to refer to section regarding 10 percent grade. There really isn’t an alternative here.

Jernberg: one concern is the cross-section of the roads, show even with the check

dams, that the water won't go to the adjacent properties. Fuhr: water flows downward toward property to the south but that property is above grade and they have a paved driveway - not creating additional water run. Curbing will push water onto applicant's drive. The township engineer is comfortable with the water calculations, per Jay. Gillett: if the engineer's comfortable, then we could move ahead on this. Applicant not paving except at road access. Maintenance agreement is in place. Twp attorney reviewed the proposed maintenance agreement and put it into a form he's comfortable with. Does that include possible private drive to the east? Attorneys will talk to Mr. Amilar about his possible split, that Amilar would pay for additional road needs if he splits (may not be part of this agreement until that time).

Motion by Medendorp to set a public hearing. Seconded by Gillett. All approved.

5. PRIVATE ROAD – FORESTLAND HOLDINGS, LLC. Presentation by Arne Larsen with Driesenga Associates - 40 acre project on Cumberland, one-quarter mile south of McPherson. Not proposing rezone - going RA, will develop by 3-acre(plus) splits, want to build 18-foot road with roadside swales. Preliminary comments from W&W - will change to the 22-foot entry. Asking for supporting calculations on culvert crossing. Will supply those calculations to W&W. Submitted to health department for nine homesite drainfields and potential well locations with specified distances. Private road maintenance agreement is in the works, needing feedback. Are asking for a public hearing at the next meeting. All proposed lots have access to the proposed private road, will provide a utility easement.

Street sign? Yes. Also a landscaped entrance sign for the development.

Where the roads divide internally, there's a large ravine, so the forks goes around the ravine on both sides. Jay recommended additional material needed.

Motion by Gillett to set a public hearing for the next meeting. Seconded by Medendorp. All approved.

6. COMPREHENSIVE PLAN UPDATE REVIEW - JAY KILPATRICK. Township Board - son Ryan Kilpatrick joins Jay tonight - Ryan has been working on the updated community profile report. Wants Master Plan to be able to take advantage of the PDR program. Mailed in a packet a text outlining many of the minor adjustments being proposed – basically finding, the township is growing but not as fast as in the 90s (but neither is Kent County of Michigan). Still awaiting some information from several sources, but growth projections will emerge once the data is in hand. Policy questions to think about are on the second page: utility service area, potential commercial development areas, and PDR areas. Utility service area - have learned a lot lately. What to do has a lot to do with Master Plan policies to be set. Commercial development areas - there were two rezoning hearings tonight and more will come along in coming years. Potential for strip development is there and will be hard to define a good barrier if we don't put one in the

plan. PDR areas: Ryan Kilpatrick: PDR is looking for production capacity, complement to the township's plan, complements to surrounding townships, and whether funding is available to match state funding. With those four criteria in mind, we can look at various parcels. The question is whether there are parcels where property owners might like to sell development rights. Koning has applied twice, Wilcox has applied, Howard has some in PDR. Discussion regarding PDR. Next step - craft a letter to send to these landowners for their input and perhaps having a meeting with these people to find out what their interest is.

Question about how to alter the zoning of people, e.g. from residential to commercial – how does the township do that? Previous planning discussions had a modest commercial area - need to look at how much to expand that and how it ties into the utility question.

7. CHANGE AUGUST MEETING DATE. Meeting will be held Monday, August 14, 2006.

General Public Comment: none

Motion to adjourn by Gillett. Seconded by Nauta.

The next meeting is August 14, 2006

The meeting was adjourned at 8:59 PM.

Respectfully submitted,
Kate Dernocoeur, Recorder