

Vergennes Township Planning Commission

July 9, 2012

Meeting called to order at 7:05 pm.

Roll Call – Rasch, Jernberg, Mastrovito and Baird and Post present.

Approve minutes from June 4, 2012 meeting. Motion by to approve minutes as written by Mastrovito, seconded by Baird. Motion passed.

Approval or Changes to Agenda – Approved agenda as written by Mastrovito, seconded by Post. Motion passes.

Pledge of Allegiance

1. Public Hearing/Site plan review for Gas Station/Restaurant at 432 Lincoln Lake Ave

Applicant Presentation: Joe Grochowalski, Omega Architects

Reviewed issues from Williams and Works.

-Striping for nine spaces along Vergennes Road was left off plans.

-Light poles will be 20' high or less.

-When applying for building permit, the architect will work with Williams and Works to ensure pipe sizing from catch basin to overflow will be correct. Catch basin by dumpsters is curbed and all water will go along curb and into catch basin.

-There are oil separators in all catch basins.

-Owner is looking at trees along border. Spruce trees will go in at 6' tall. Only grow about 6" a year. Trees won't reach 15' height for 13-14 years. They plan to watch them and spray with a retardant chemical to halt growth to avoid having to trim top off or cut down completely.

-One thing not on plans is for vacuum air station. Not sure where to put but would like to have available for customers. It can go on multiple spots to be out of way. Will leave location up to planners to determine best place for it.

-No restaurant lease yet. Subway will probably not go there given location of one in Lowell. 1000 square feet is available for restaurant. 3000 square feet for convenience store.

Brian Wegener of W&W –This is the third meeting between Omega/J&H and Planning Commission. Many details have been worked out already. The engineer's comments need to be worked out.

-lighting 20' or less was previously addressed.

-There is a grade difference as you go north on Lincoln Lake Avenue. Lighting may be visible as you drive north causing glare. Can the lights be recessed into canopy so not visible from road?

All other requirements have been met and are consistent with master plan. Recommend approval by Planning Commission and Township Board.

Jeanne Vandersloot, Zoning Administrator – handed out 6-8 written comments she received for review at public comment time.

Owner – Craig Hoppen responded to Brian’s concern on the lights. All fixtures are flush mounted but bulb is recessed in fixture. Louvers direct light to area.

Jernberg explained lighting set up to public.

Jernberg addressed public and went over public hearing rules. Please keep comments to around three minutes. Please state name and address for the record. One speaker at a time.

Tim Wittenbach, Supervisor –suggested the site plan be shown to audience before hearing opened. It may answer some questions.

Jernberg –Proposed station will be located at SE corner of Vergennes and Lincoln Lake. Much time has been spent on lighting, landscaping, screening, etc. in an effort to stay within master plan and character of township.

First concern is water quality. Oil separators are in all drain basins. Working within parameters set by county for runoff. Water leaves property SW along Vergennes. Drainage stays within limits of drain along road. There will not be a flooding situation.

Signage concerns: Sign picture was handed around. This sign is on NW corner closest to intersection. Sign is minimum allowed and only two of three businesses will be on it.

Landscaping/screening – extensive review. Lights from cars blocked. Screening to East, spruce trees to South, trees along Vergennes near parking. Low shrubs to block headlights.

Size of building is one story to one and half stories tall. Building materials are similar to what other businesses have used in township. Want to blend it in.

Public Hearing opens at 7:23.

Is this only public meeting? This is only public comment meeting. We went over with applicants twice before presenting to public.

Ron Dawson –This is his first meeting. He has been out of state. Sounds like a slam dunk. All the plans have been drawn up and done. Now Planning Commission is asking for public opinion?

Jernberg – all meetings have been open to public. Agenda was public.

Dawson – township zoned area as commercial in master plan? When? Ten years ago.

Gas station is first to ask for site. So we listen and go with it? What does the Township get out of this? Do they have any other stations in the area?

Jernberg- they are within their rights to put a business there. Township only gets the taxes the business would generate. There is another station on Alden Nash Ave SE and I-96.

Pete Gustafson – 12132 Bailey Drive – Lowell. There have been public meetings but none intended for public comment. His basic perspective is that this is a bad idea. Is the Commission aware of public sentiment of what Vergennes Township should be like? Don’t think we need or want a gas station here. It was planned for a small commercial district, confined and limited. Believes this would be a Special Exception Use – has to meet requirements for that. Many have worked on planning for decades. Residents don’t want sprawl and want to support City of Lowell community. Put things in right place. Don’t alter character of our community with wrong

business. Many other uses that fit area without special exception use. Is Vergennes going to be rural agriculture base as the vast majority want or turn it into a place of creeping sprawl? There are six stations in Lowell. We should support them. This is poor planning and a poor idea. Against it.

Lisa Brown – 13185 Beckwith – house to south staying there? Duplex to east? Dale Fegal is to east. Owner met with him. J & H will install berm to block lights. Brown owns house to south.

Jeff Ostrander - 12936 Vergennes – speak to airport issues. Is concerned about safety of proposal. He can remember one incident where plane went off that end of runway and caught fire. As a pilot, he appreciates lighting concerns. Flying close to brightly lit area messes up night vision. Airport employees are concerned.

Roger Odell – agrees with Pete’s comments. He is a pilot also. Lighting is a concern. This is a bad idea for area. Continue to support City of Lowell where commerce should be. Could put in other commercial business that is not as glaring. Rural character destroyed. Hopes it is turned down for all citizens.

Mark Griffeth – 429 Lincoln Lake Ave. – directly across street. He agrees with previous speakers. He is concerned about lights in his house. Traffic concerns. Uses left turn lane to get in his driveway. Other drivers think he is turning at light. Problem will be compounded. Southbound traffic will try to use left turn lane to get into driveway. Brown house on station site is oldest house in township. It predates his house built which was built in 1930’s. Historical Commission should look at for historical value.

Jack Amelar - 13110 Victory Woods Drive. – He lives two miles from proposal. He would use it and would probably do some shopping there. There is a major intersection there. Meijer probably had objections too. He doesn’t see it as a bad idea.

Paul Barron – 8740 Bailey Dr, Ada. He has known Pete Gustafson a long time. J & H are good people. Airport has a 49’ air easement. Trees will not be a problem. Agreement with State of Michigan that gas station would be allowed to be there. He has known Dale for years. They all met with Joe (J&H). Roy Fedewa was supposed to meet but didn’t show. He must not have an issue with it. A lot of people not here agree with project. KCRC cut corner back for clear vision. J&H is family oriented. Supports everything imaginable, sports, community, etc. Will bend over backwards to make everyone happy. Go to any J&H store and stations are well kept. This corner is crazy at certain times of days. It is one of the safest areas to exit because of light control. It will help with kids at high school running to Lowell and back. Farmers from the north end of the township won’t have to drive as far to get gas/diesel. There is not a station to accommodate everyone in area.

Craig Hoppen, owner– this is a family business started in 1969 by his father in law. Mostly in towns like Lowell, Allendale, Hudsonville. They like to sponsor things in the surrounding community. Don't want to be someone who takes profits back to Indiana or other states. They took time to meet with all neighbors. Not here to make enemies. He believes they are team players. Paul approached him. No need to bring in traffic as there is plenty there already. 3 acre parcel gives plenty of room for cars to move around. The sign at the station on the highway is not very bright. They get comments from customers asking why aren't they open? It's so dark there. Remember the light on the flag? They took down because people wanted it down due to the observatory. Special Exception Use permit was needed initially. He is happy to answer any questions if the planning commission wants him to.

13185 Beckwith – Pat Gilbert – plan calls for restaurant with drive thru. Does the Planning Commission have any control over what business is there?

Jernberg– decision resides with J&H. They are working on lighting to avoid headlights, etc. They are not asking for liquor license etc.

Gilbert – Not going to be another Subway is it? Probably not going to be a Subway unless owner says ok or wants to move there. Working with one other restaurant but nothing is signed yet.

Dale Fegal – 12752 Vergennes. He commends J&H for meeting with him for efforts to shield his property. Thought it was a done deal. Also agrees with other speakers there will be a great impact on Township. He has resided in township over 40 years. Sees Vergennes Street becoming another Alden Nash. Canopy of trees was take out there to improve the road for the high school. Instead of driving into Lowell, traffic will instead go here. It could be something else without so much traffic, etc. This should be looked at to see if it is the best thing for the Township.

Brown -How many planes, etc over station? Per Ostrander, 2 dozen per day on a busy day in and out of the whole airport, all runways combined. There is a lot of training at this airport.

Paul Barron – knows where most of the speakers work. Vergennes is Autobahn in morning to get to Grand Rapids or to football games, etc. Facility there would be a good fit. Nothing else he can think of that would work as well. Few planes that go over are obviously way up there. Direction the wind blows dictates direction of landing. Safety is #1. Commercial planes in larger cities seem to be 20' over road.

Mari Stone – asked owner about fuel cutoffs. Shut off button that clerk can push if needed. (electrical). Everything is doubly contained. If outer pipe breaks, flows back into tank. Shear valve shuts off flow if pump is hit, which does occur from time to time. One is mechanical and one is electrical human cutoff.

Griffith - Concern about traffic flow – game nights – go around corner and gone. Station will turn into hub of activity. Believes it will be there all night. Meet friends, etc... added noise and confusion. Lights cause cars to stop and he can hear radios, etc...Before stop lights, cars would stop and go quickly. Noise wasn't so bad.

Jernberg – any other comments? Those in Township that did not attend or write must not care or have no opinion.

Vandersloot – verbal message from Bill Schreur who is on our Zoning Board of Appeals. He is in favor of station.

Vandersloot – received 8 written comments with copies on the member's table to read over.

Synopsis: One from Jeff Lende of 13021 Hillcrest NE included suggestions on requiring it to have a nice appearance with landscaping buffers, small signage and good setbacks.

Four were in opposition: 1. Morgan Jarema and John Forsberg of 850 Montcalm were opposed with concerns of station/airport/fuel proximity, lighting and harmony with rural area. Thought it did not meet the Master Plan. 2. Anita Hanshue of 429 Lincoln Lake (SW corner of intersection) was opposed with concerns of increased traffic, access to and from her driveway, lighting shining into her home and increased chances of crimes. 3. Jeff and Joy Ostrander of 12936 Vergennes were opposed due to concerns of fuel storage near airport and pilot visibility/night vision from the station lights. 4. Jeff and Eileen DeVries of 13455 Burroughs were opposed due to concerns of increased traffic and high impact business, feel plenty of stations in City of Lowell. Prefer lower impact business there.

Three were in favor: 1. Elite Auto Body of 12663 Vergennes is located across the street on NE corner and is in favor of the business for new jobs, local area convenience of the store and gas for people outside of Lowell and there is plenty of traffic through here. 2. Doug Lindhout of 13315 Beckwith is in favor for the people that live north of town and pass through commuters to have this convenience to finally have a place outside of Lowell to get gas, groceries, store items and eat. Those people will not have to go all the way into Lowell or Ada for these items. The business will provide more jobs, tax revenue for the township and on up, provide goods and services for locals and capture money from commuters from purchases. Good use of the property. 3. In Lowell Ledger, letter to editor from Jim Howard in Lowell City, considers that intersection an ideal spot for a gas station, convenience store and restaurant. It will be beneficial to the Township.

Close public hearing 7:58.

Open to PC comment – Mastrovito – letter from airport? We sent information and site plan a while ago. Not heard anything yet. Architect has letter – gave to Vandersloot to read – when 1st

app received. URS letter represents city and airport. They reviewed plans. Had a settlement for air rights and development rights. Potential light distractions – intend to not use lighting that is upward shining. Bird attractants – drains in 48 hours and maintain to deter birds. Appreciate contact and call for more info if needed.

Nathan Post – is it Special Exception Use or not? Per Wegener, drive-thru and gas station are SEUP in this zoning district. It must meet section 201.512 B standards from Ordinance. Commission cannot approve unless it meets those standards. Williams and Works has reviewed each one and found it does meet them.

Jernberg – go over whether it is SEUP or not – Wegener – in commercial zoning this type of business is permitted by SEUP because of drive thru and gas. Both the gas station and restaurant are not permitted by right but by SEUP 201.502B. The convenience store is by right. There are five standards the Planning Commission must review on record to determine if this proposed development can go forward. If it meets the standards, they must approve. If not, don't have to approve.

Jernberg read aloud to public the Special Exception Use Review Standards and comments outlined in the memo dated June 28, 2012 from Williams and Works. There are also eight site plan criteria but he doesn't have to review those aloud.

Jernberg - Does reading the above clarify what needs to be done? Yes.

Are there any comments from Planning Commission? Jernberg –he did his own homework on this issue. He visited other facilities that J&H are in. The one he likened to our area is the Jenison store. It is nestled in a residential area on three sides. The school district is across the street. He lives 600 yards down the street from this proposed station. It is in his own backyard. J&H have high standards. The PC also met two other times with the applicant to work on the plan.

Griffiths – talked to property owners on east and south. No one approached them on West side at all. Just saw in Ledger two weeks ago. Lincoln Lake is between them and site – no screening talked about. Not a lot of screening on that side of property. There are five spaces on west side.

Post – Is there a reason there could not be screening on that side? Grochowalski- visibility is only issue but can add headlight screening bushes.

Barron – He has been out there for years at all times of day. There is strong traffic during work hours. Quiets down right away after work shift thru.

Jernberg – Has put up with traffic for the 12 years he has lived there. You just get use to it.

Ron Dawson – It appears they have worked hard to put together plan. Vergennes will not be the same after this goes in. This will be the start of urban sprawl. No way to save that corner. Will look back on in future and shake our heads.

Jernberg – spent a lot of time on this side of table to do what master plan says. Every land owner was sent info and questionnaire as to where development should be encouraged. Spent a lot of time and effort to ensure we go by guidelines from community. Other community members have said if there is to be development, this is where we should put it. Appreciate everyone’s comments and discussion points.

Just because it is zoned commercial, it doesn’t mean we need to build it. Benefit to Township? Is it justified?

Jernberg - What if it was different business? J&H have been easy to work with and have done things they didn’t need to. Entire planning commission has wrestled with it for last three months. Want to hear all comments tonight. What citizens think are right answers need to blend together with master plan.

Odell – doesn’t think development will be stopped. It should be in that area. This is probably the worst type of business to go there. There is concern about open hours. It is going to go 24/7 before we know it. He is concerned about the general welfare of township, doesn’t believe it meets the standard listed in #1 of the memo. On #4 and being compatible with township, this type of business belongs in city, not here. Likes rural community atmosphere. Bieri Industrial park is off main drag, in a perfect spot. Not the right business for that corner. Asking Planning Commission to say no, it does not meet the standards .

Birdie Cook 500 Alden Nash – for it. Nice addition to community. Good to have there.

Jernberg -should have cut off public comment but will now open to Planning Commission for comment and move on.

Post – after working with J&H on the site plan, they have gone above and beyond to fit into community. Feels they do meet criteria. As often as he drives kids around for sports, etc. feels it will fit in to surrounding area well with what is proposed.

Al Baird – can’t please everyone. Comments are both ways. Not going to be easy decision.

Jernberg – Motion by anyone to go before Township Board for approval? Nate Post makes motion to approve with W&W’s recommendation list and send to Township Board with stipulation that trees be kept to 15’ high and landscaping be added to west side of parking lot. Mastrovito seconds but adds that as time goes on, how can we maintain some type of barrier there if retardant doesn’t work. Wants to ensure there will not be any openings in shield that would affect neighbors.

Grochowalski – will keep in check far earlier than 15’. 10’-12’ is good height. If goes over 15’ how ensure trees will keep coverage. The airport can come and cut them down.

Barron - Air space is 49’ there. Would be airport’s right to take trees down if too high.

Dale Fegal - airport notifies property owner to lower tree height. It is property owner’s responsibility.

All in favor. Motion passes and goes to Township Board at their July 23, 2012 meeting.

2. Master Plan public hearing. - Presentation –

Wegener – Reviewed changes to master plan. They updated census figures, added Zoning Plan which is required by Planning Act. Also added information about trails. The core policies are same.

Public Comment opened at 8:42 pm.

Vandersloot - Had one comment from Lowell Charter Township – public comment. Working as good neighbors. Works with their plan. Thanks for keeping them updated and please send a copy when completed.

Wegener - Resolution – sign resolution. None of our changes go before twp board. Plan is approved by planning commission.

Motion to adopt resolution to adopt master plan. – Post/Jernberg.

Motion passed. Master plan adopted.

Mastrovito/Jernberg adjourn meeting at 8:48 pm.