

Vergennes Township

PLANNING COMMISSION MINUTES

July 11, 2005

A meeting of the Vergennes Township Planning Commission was held on July 11, 2005 at the Township Offices. At 7:08 PM Chairman Jernberg called the meeting to order. Also present were Commissioners Kropf, Mastrovito, Medendorp, Nauta and Richmond. Absent was Gillett. Assisting the commissioners were Jeanne Vandersloot, Township Zoning Administrator and Kerwin Keen, Williams & Works Engineer, sitting in for Jay Kilpatrick, Township Planner

APPROVAL OF JUNE 6, 2005 MINUTES: Motion to approve by Nauta, seconded by Richmond. All approved.

APPROVAL OF/CHANGES TO AGENDA: Motion by Nauta to reorder private road reviews and Open Space presentation first, then Ag Building discussion, seconded by Mastrovito. All approved.

1. PRIVATE ROAD REVIEW - DEWITT. Trees under question from last month belong to Becky White and Chad DeWitt. Surveyor has re-marked one corner to the other at Fallasburg Park Dr - should not be an issue where trees are located (planted by Terry DeWitt 20 years ago). Survey re-establishes property line to keep the road a legal boundary from neighbor's property line. Trees will need to be removed if they have to build to required grade. Nauta - could see allowing sacrificing a couple of degrees of grade in order to preserve the trees - would be a good neighbor thing & reduce dust. Slope currently: 7-9 degrees. Catch basin could help reduce erosion into Fallasburg Park Dr. The catch-22 is to keep neighbors happy, stay within legal limit and leave some trees, but it's difficult due to the lay of the land. Stone and culvert into catch basin should help keep the neighbor happy, if possible. There is no ditching from the county there, which makes it difficult. Keen, re: effectiveness of ditching: plans seem adequate. Further discussion about handling water flow. Jeanne: no correspondence from neighbor received this month; the letter from Williams & Works was sent to her and she was notified about tonight's meeting. Also need to look over the Private Road maintenance agreement, a memo was faxed to Vandersloot today from the Township Attorney, would need to be signed by all four landowners involved. KC Road Commission has approved the "Wright Woods Drive" name. Medendorp: grade still troubling, but only way to reduce grade is to cut trees and put in a retaining wall at high expense. Shift road? W&W recommends approval if grades are permitted to permit retention of trees, if all parties sign the

maintenance agreement.

Motion by Richmond to recommend to the Township Board to approve the application with two stipulations: 1) grading to permit retention of trees as shown on supporting document dated June 16, 2005, and 2) the maintenance agreement is signed by all parties. Seconded by Nauta. All approved with exception of Medendorp, who disapproved.

2. PRIVATE ROAD APPLICATION - LANGLOIS. Bruce Langlois not present. Jernberg noted that during review of drawings he noticed there is no drawing showing overall lot description sizes. Jeanne handed out a survey that arrived today and a list of discrepancies. Keen: put together a draft review to hold until the hearing. Jay noted that at the end of the cul de sac there's not room for improvement to the west, which should be shown. Jeanne: talked to Langlois's engineer (V-Tek), whom mentioned that Langlois lives on Parcel 5 and there's a driveway off that cul de sac to build a new house behind. There are 6 parcels or more on this one driveway. Where will drives for parcels #7 and #8 be placed? Needs also to apply for a split approval; application has been given to applicant's wife. The area is 12.4 acres; land division rules for less than 20 acres, you can only make 4 lots. If he wants to stay with this configuration will have to do a site condo. Applicant also owns contiguous land. If those were owned as of March 31, 1997, he'd be a tract and possibly he could get these splits. (maybe, assessor will need to review). Potential to exceed 20 lots if he continues to develop? A smaller density road would need to be upgraded if he's going to go to more than 20 lots eventually and he needs to know that. If something is approved for this size parcel development, he will have to know he has to upgrade if he goes forward with more in the future, with notice in the road maintenance agreement for the benefit of the first landowners. Have to have something that stays with the road, not the landowner.

Discussion about providing language that will protect original landowners from future development and the costs of building roads, etc., for future infrastructure - gives the township a way to make sure everyone knows the full story upfront. Can applicant be asked to show his intentions for his additional property that is not on this specific application, since he owns both and will possibly develop the other lot later, before this application is approved? Maintenance agreement would have to include the associated adjacent properties. Need more information. Requested to ask applicant to invite his engineer to come to the next meeting to explain their thinking.

3. OPEN SPACE COMMITTEE UPDATE ON LIGHTING ORDINANCE. Steve Platt from the Calvin College Physics Department and Open Space Citizen Committee for Vergennes Township and Kate Dernocoeur of the Open Space Committee presented information about the reasons/benefits of protecting night skies with a Lighting Ordinance for Residential Properties. No one has to have less outdoor lighting – they can have as much

as they need; the proposed ordinance would simply create a neighbor-friendly, energy-efficient system that over time will also benefit the environment and the night skies in the interests of maintaining an important element of the township's rural character. The committee showed examples of poor outdoor lighting and also good outdoor lighting. It will aim to do a longer educational forum on this topic in coming months. Permission granted from Jernberg for the Open Space Committee to pursue writing a draft ordinance based on samples passed out and other information provided to Jay Kilpatrick for his review.

4. AGRICULTURE BUILDING ORDINANCE AMENDMENT PUBLIC HEARING. Proposed language for discussion presented by Jeanne, re: buildings on properties that do not have a house. Keen provided a summary on behalf of Jay Kilpatrick. Exception to the 20-acre rule would be contiguous properties, such as those parcels divided by a road. This is a difficult-to-enforce ordinance, but is a good start, prohibiting things such as storage facilities. This ordinance proposal came at the request of the Township Board. Baird noted it's common to put up ag buildings to get around certain building requirements. The intention is for people to live on the properties where they are putting buildings up, and that the buildings are used correctly. Kropf saw that in Oakfield Twp there was a labor camp situation - the more the township tries to control agriculture, the harder it is for the next farmer to do the work - need to be careful about limiting farmers. Goal of this amendment is to avoid trend where people not intending to farm buy a few acres and build storage barns that aren't maintained. Baird: problem with section 201.304 C 10 c 3: Jeanne: it appears to conflict with permitted uses in another section of the current ordinance. Might want to add allowance for this part, to allow for the little veggie markets. Various comments by commissioners, audience members, and Tim Wittenbach and Al Baird from the Township Board.

Public Comment: (Hearing opened at 8:50 pm) No additional discussion during this time. (Public hearing closed at 8:51 pm)

Discussion/motions by Planning Commission: Further discussion is needed about this as written – too much contradictory language. The intention of this effort is to stop people from using the ability to put up a pole barn when they are not farming; the point is to help retain rural character. Jeanne: the problems she's encountered are mostly tax-related. One option might be to say "no house, no barn."

Motion by Nauta to postpone making a decision on this ordinance amendment pending further review. Seconded by Medendorp. All approved.

General Public Comment Time: None.

Motion to adjourn by Medendorp. Seconded by Kropf. All approved.

The next meeting is August 1, 2005.

The meeting was adjourned at 8:54 PM.

Respectfully submitted,
Kate Dernocoeur, Recorder