

**Vergennes Township
Planning Commission Meeting Minutes
July 26, 2004 (August Meeting)**

A meeting of the Vergennes Township Planning Commission was held on July 26, 2004 at the Township Offices. Chairman Jernberg called the meeting to order at 7:03 pm. Also present were Commissioners Kropf, Richmond, Gillett and Township Planner Jay Kilpatrick. Commissioners Mastrovito, Medendorp and Nauta were absent.

Motion by Richmond, seconded by Kropf, to approve the minutes for May held on June 7, 2004. All approved.

The agenda was approved as presented.

1. Private Road Extension Application – Fred Swart

Planning Commission discussion and motions:

Paul Henderson, Roosien & Associates, is representing Fred Swart who is proposing a private road extension with shared driveways. Henderson has already received comments from Jeanne and the Township Engineer. He explained that the project is being proposed as an extension of the existing road and the development would be simple land divisions, not more site condominiums because of the 6-year limitation on expanding the existing condominium project.

Kilpatrick commented that the application is only for a private road extension and does not add parcels to the site condos. Normally, the legal land divisions only requires administrative approval, but there is the issue of the master deed that needs to be reviewed by the Township Attorney. The Planning Commission is being asked tonight to set a Public Hearing date. There are other issues but there is time before the hearing to get those resolved. There are some issues and questions regarding the site plan and it is important that the road be brought up to current standards. We will need a maintenance agreement and master deed on file and reviewed by the Township Attorney before the Public Hearing. Kilpatrick recommends setting a hearing date tonight.

Jernberg said in the past when there is a civil issue, the Planning Commission will not make a recommendation to the Board until the civil matter is resolved. The Planning Commission is not comfortable scheduling a Public Hearing when there is no maintenance agreement. The Planning Commission will give comments of the overall plan and design. The Condominium Association and Swart must work together to work out a plan. A Public Hearing may be scheduled at next month's meeting.

Kilpatrick said Henderson has a copy of the Township's concerns and the applicant will address those concerns at the next meeting.

Jernberg asked where does the water run off go from wetlands and ponds? He also asked if there were sufficient checkdams for the volumes. Henderson explained the runoff goes down to the pond.

Richmond asked if there is still high ground to build on lot 6 after the easement has been removed. Henderson said they made sure there is enough ground there to build.

Jernberg asked Henderson if there is a cross-section for the existing road? He replied there is 22 ft. of gravel and 4 ft. of shoulder.

Jernberg asked the public who were in attendance if cars passing on the private road now can get through. One person replied that all roads are wide enough. Gillett said it was built based on previous Kent County Road Commission standards.

Gillett stated he thinks there are a lot of issues that need to be addressed, especially having the road maintenance agreement in place.

One resident asked how would this extension affect the wetlands? Jernberg said it cannot be addressed right now, but it can be stipulated in the construction section how a permit will be obtained and will stipulate the water run off. It all has to meet Township requirements.

Jernberg stressed that the main issue is the civil issue. That needs to be resolved before anything else can be done. The Condominium Association and Swart need to work together to develop the master deed before the Planning Commission can review the application.

Kilpatrick agreed that there needs to be a maintenance agreement for the entire road, including the extension and the Township Attorney will need to review it before the Planning Commission can make it's recommendation to the Township Board.

Jernberg asked if there is a formal written and signed agreement. A resident replied there was not.

Jernberg said each parcel owner would need to sign a written master agreement and have it on file with the Township.

Gillett said it should be noted in that 1992 there was probably a written agreement. John Peterson, 2525 Fox Run Rd. SW, Wyoming, said there is a written agreement for the association pertaining to the maintenance of the road. Kilpatrick said there might also be some language in the condominium documents.

Jernberg stressed they need to work together and resolve the matter and tonight is a good time to start since everyone is together now.

Jernberg asked if there were any questions from the public in attendance.

David Emelander, 1745 Pointed Stone Trail, asked if there was an agreement that they could look at? Jernberg recommended they contact Jeanne Vandersloot during normal office hours at the Township and she can make copies for them to review. Jernberg said they could take language from another agreement and incorporate stricter language if needed and develop their own master deed.

Mike Kline, 1711 Pointed Stone Trail, asked if the Planning Commission would schedule a Public Hearing if there is maintenance agreement on file. Jernberg said the maintenance agreement has to be on file before they can approve anything.

Emelander asked if the application was already approved. Gillett said no because the Township Attorney needs to review the master deed first regarding the 6-year limitation. He said the Township ordinance requires a maintenance agreement that everyone agrees to and the use of the road for association and non-association residents.

Jernberg suggested the Association to document the way they are living right now.

Peterson said it would be great for everyone to talk tonight after the meeting.

Sandy Stanford, 1720 Pointed Stone Trail, asked how could they enforce the rules for non-members when it's hard to get their own members to follow the rules.

Jeff Fuller, 1662 Pointed Stone Trail, asked if they need to get in touch with Jeanne.

Jernberg said yes. They need to talk with Jeanne and communicate with each other. Get as much information from Jeanne as you can and get every person to agree and sign the maintenance agreement.

Richmond said Jeanne's office hours are Monday, Wednesday and Friday from 9:00 am – 3:00 pm.

Jernberg asked the Planning Commission whether the private road extension application should be tabled until the next meeting on September 13th. The issues talked about tonight need to be in place before presenting to the Township Board. If everything in order, a Public Hearing will be scheduled.

Motion by Gillett, seconded by Kropf, to table this discussion until the next meeting held on September 13, 2004. All approved.

General Public Comment: No public comment.

Motion by Kropf, seconded by Gillett, to adjourn. The meeting was adjourned at 7:52 pm. The next meeting is September 13, 2004 (second Monday).

Respectfully submitted,

Cindy Sullivan, Recorder

Attendees

John Peterson	2525 Fox Run Rd. SW #1	Wyoming	49519
David Emelander	1745 Pointed Stone Trail	Lowell	49301
Dawn Emelander	1745 Pointed Stone Trail	Lowell	49301
Pam Kline	1711 Pointed Stone Trail	Lowell	49301
Mike Kline	1711 Pointed Stone Trail	Lowell	49301
Sandy Stanford	1720 Pointed Stone Trail	Lowell	49301
Carl Stanford	1720 Pointed Stone Trail	Lowell	49301
Jeff Fuller	1662 Pointed Stone Trail	Lowell	49301
Fred Cribtey	1662 Pointed Stone Trail	Lowell	49301
Kelly Bowers	1727 Pointed Stone Trail	Lowell	49301