

# Vergennes Township

## PLANNING COMMISSION MINUTES

July 30, 2007

A meeting of the Vergennes Township Planning Commission was held on July 30, 2007 at the Township Offices. At 7:01 PM the meeting was called to order by Chairman Jernberg. Also present were Commissioners Gillett, Makuski, Mastrovito, Medendorp, Nauta, and Post. Assisting the commissioners were Jeanne Vandersloot (Township Zoning Administrator) and Ryan Kilpatrick (Township Planner).

**APPROVAL OF JULY 2, 2007 MINUTES:** Motion to approve by Gillett, seconded by Nauta. All approved.

**APPROVAL OF/CHANGES TO AGENDA:** Motion to approve by Nauta, seconded by Gillett. All approved.

**1. GRAND LUX BANQUET CENTER - SITE PLAN REVIEW.** Presentation by Kent McKay, applicant. Site plans and elevation plans are as submitted at the last meeting. Need to discuss site lighting and landscaping. Lighting - shows 19 identical lights with different mounts, shielded and shallow cutout. Site is well lit but no light falls on adjoining properties. Landscape plan shows money being put into the front. Three pods of flowers in front for color. Toward back, there is little landscape because that's not where most people will view the premises. It is relatively low maintenance landscaping, and keeping it looking good is the challenge over time. Applicant intends to keep it looking good.

Ryan: Williams and Works reviewed, and all is in accordance with ordinances. Comment that if the site plan is approved it should be contingent on sign permit being in order. Jeanne passed out comments from Township engineer via email with three comments. Kerwin states groundwater shouldn't be an issue but the one water table boring should be reviewed for accuracy. Applicant: Dan Vos developed both adjacent parcels. There are 13 soil borings and groundwater has always been 7-10 feet, so there's one boring that's questionable (probably an anomaly), and probably not an issue. Medendorp: What happens if it turns out to be true? Ryan: Township engineer suggests getting verification to be sure the retention pond is adequate and that the finding is indeed an abnormality. Water retention is not applicable to setbacks. Engineers could work that out if necessary.

Post: what about future use? There's a special exception use permit which would need to be revisited for approval for a new owner if not within the guidelines of the requested permit.

Miscellaneous questions about details regarding the site map.

**Motion** by Nauta to recommend to the Township Board to accept this site plan contingent upon three things: 1. a sign permit being obtained prior to building any sign, 2. resolution of any problem with the size of the drainage pond related to the one high water table soil boring to be resubmitted to the township engineer and zoning administrator, and 3. installation of bumper stops installation on the west side to occur at applicant's discretion. Seconded by Gillett. All approved.

## **2. FOUR ORDINANCE AMENDMENT DISCUSSIONS.**

1. *Wind Energy Conversion Systems:* Jeanne reviewed what has been said so far. Memo of June 18 by Ryan had information about heights and designs. With that in mind we were going to look back at the proposed ordinance draft - updates from Ryan passed around. Still proposing a graduated tier of height depending on lot size, as discussed (35 feet for 2 acres or less up to 60 feet high on 5 acres and 80 feet on greater than 5 acres). Discussion about clearance of rotor blade - proposal is for 20-foot ground clearance in all circumstances. Guy wires must be set back a minimum of 10 feet. Tower setback must be equal to vertical height of tower to the tip of the blade. Towers must not make noise greater than 60 db (rustle of leaves) at property lines. Requires an automatic governing or braking system in case of excessive winds. Permit application must be made for all towers regardless of district, and towers must meet FAA requirements (which won't apply very often). Applicants intending to connect to public utility grid would be required to make written notification to the utility and the utility should show willingness to comply. Questions: is Part A realistic or would a blanket size be allowed with larger sizes needing to come in for special exception uses? Medendorp - likes the graduating system but disagrees with the stipulations. Makuski: feels 35 feet is sufficient without graduated sizes. It's unlikely money will be made harvesting wind in Vergennes Twp. General discussion about approaches to take. Nauta - need to have wording about abandonment. Jernberg: need to state how many can be put on a parcel. Ryan will re-write to include: one height (35 feet) without special exception use, abandonment provision (take down unit, not removing footing or foundation) (also, need to define abandonment and how responsibility changes when property changes hands), limit of one per parcel.

2. *Community Commercial:* Not discussed, per Board request.

3. *Portable Temporary Storage Units:* Ryan called suppliers. Sizes: most popular for residential are 8x8x5 (get as big as 8x10x40). Range in materials from plywood and 2x4s wrapped in weather-resistant tarps. Most Pods are made of aluminum with steel frames, hold up better. Most are delivered to residences by truck & forklift. Draft language requires pods not be stored in the front yard unless on the driveway, with minimum remaining parking area up to district standard. Rear yard and side yard placement has to meet setbacks. Item 3: containers shall remain for maximum period of 15 days (the number is up for discussion with rules in other areas ranging from nothing to

7 days). Storage units can be delivered not more than 3 times year (number up for discussion). Requiring 30 days to lapse between deliveries. Requiring containers be placed on a flat surface. Requiring no hazardous materials to be stored. Limited size to 8x16x8 for residential use. Commercial/industrial is another issue. Jernberg: need to discuss temporary storage during construction and also for moving sales for businesses opening. Gillett: regulation would be a nightmare. Purpose: don't want permanent units in yards, does this need to be so complicated? Jernberg: during a renovation, it'll take longer than 30 days. Could see a longer window. Could attach use during renovation to a building permit. What about home-based businesses? We want neighbors to have recourse. Placement: within setbacks.

4. *Marina Business SUP*: Dave from Murray Lake Marina discussed the proposed wording, most of which is not relevant to inland lakes, and what is relevant is already regulated by DEQ annually. DEQ doesn't issue marine operations permits anymore. The permits are currently in place, and a ramp, and he's looking to sell with a non-compete clause. Applying to move off the water because insurance is unaffordable, will be going to the Kropf property. Has 14.7 acres. So wouldn't we want to consider commercial special use permit for this? This proposed language is doing something we don't need to do. Jeanne: we described marinas being allowed in the lake-residential district, since marinas being thought of being near a lake, even though Dave's is the only one around. It's a commercial operation once it's off the lake. Jeanne: There has to be some sort of ordinance, because there's nothing for him to apply for. Discussion about general small stores (bakery, etc.) being allowed in the lake district. Standards in the ordinance do not exist for outdoor storage at the new site. To proceed, need to draft language appropriate to the situation, since there will not be a need for a marina specific ordinance. Need to be careful about mass storage throughout the RA zone becoming an issue. Ryan: The Master Plan was specific to the lake district and can specify this special exception use to that district. That would allow the marina to stay with the lake district and not go into the RA except as described in the master plan. What about the lawn & garden approval awhile ago? Jeanne: that's for anywhere in the RA. Further discussion. Ryan will rework the language. Jernberg: let's have a goal to have this done in the next two months.

**3. REVIEW ADA TOWNSHIP MASTER PLAN UPDATE.** Makuski read Ada's plan. They are increasing strictness regarding development, including requiring tree surveys. Their biggest two things: eastern part of the township (RA area), boosting 1 property per 10 acres (from 1/5) and changing 3 acre sites to 5 acre sites. Trying to concentrate growth around Ada to minimize sprawl. Ryan - this is the Master Plan so zoning hasn't changed. They're saying that is their desired density. Minimum lot size isn't likely to change; they'll promote desired densities. Moratorium on developments and splits to slow things down. Not a builder/developer-friendly area to be in.

**4. REVIEW LOWELL CITY MASTER PLAN UPDATE.** Mastrovito will finish reading Lowell's plan, write a letter to them, and make copies available for the next meeting. **General Public Comment Time:** Dave from Murray Lake Marina - will be listing his property for sale, and wants to know what's best as a project for marketing. Would condos ever be allowed there? Bear in mind the anti-keyholing ordinance. Discussion.

On behalf of the Open Space Committee, Kate Dernocoeur reminded everyone of the Champion Tree Contest for bragging rights between Ada and Vergennes, ongoing until Sept. 30 with winners announced at the Harvest Festival. Also the Eastern Townships Open Space Council's Photography Contest, with submissions due the week of Sept 10, entries to be dropped that week at the township. Info for both contests available on the Vergennes Township website or in the current newsletter.

Motion to adjourn by Mastrovito. Seconded by Makuski.  
The next meeting is September 10, 2007.  
The meeting was adjourned at 8:46 PM.

Respectfully submitted,  
Kate Dernocoeur, Recorder