

Vergennes Township Planning Commission

Monday, June 1, 2009

Approved 7-6-09

The meeting was called to order at 7:04 pm by chairperson Scott Jernberg.

Roll Call – Baird, Gillett, Post, Mastrovito, Makuski, Medendorp were present.

Motion to approve the minutes from the May 4, 2009 meeting by Gillette, 2nd by Makuski. Motion carried.

Approval or changes to agenda - motion to approve agenda by Makuski 2nd by Medendorp. Motion carried.

1. Review Proposed Amendments – Private Road Ordinance – Dave Austin of Williams and Works discussed a memo dated May 27, 2009 summarizing changes and proposals to the ordinance that have been discussed over the last few months.

Multiple definitions are being added for clarification.

202.004 b – Change proposed new language to add that portions of roads may need to have improved surface for erosion control.

202.004 h – Layout still needs to be reviewed and approved by Township Engineer. Gillette thought it should be per Planning Commission and Township Engineer. Change will be noted.

202.005 a & b – Medendorp questioned 80' diameter turnaround but in 202.004a ordinance states 60' radius easement. There is a difference in terminology, which could be confusing. Post suggested keeping terms the same – diameter or radius. Dave suggested changing 202.004a to 120 ft. diameter. Change will be made.

202.006 c 2 Some sort of financial assurance should be in place prior to work being started on any private road. There was some concern that the Township was named as an insured on the liability insurance from contractor. This states developer's engineer and contractor be named on the policy. We need to check with Township Attorney to see if this is appropriate. Clarify before ordinance is approved.

202.007 a ii - We already require financial guarantee in previous section. Maybe just refer back to section instead of requiring letter of credit again to finish road after homes have been built. Dave believes it was covered earlier. Can change .007 to say we will not issue building permit until road is done or we may allow you to build up to 25% of development at our discretion. (Carlson Farms was an example). Will strike item 202.007 a ii because we already require letter of credit as standard item up front. Developer still has to get approval from Planning Commission before building homes prior to road being completed.

Jernberg questioned what backup we have if road gets changed so we find out about it before work is done. 202.006 states “per approved plans and specs”. If they modify it from what is approved, we need to know about it before work is done. Dave thinks we are mostly covered with current language. Add “any proposed changes to approved plans/specs shall be submitted to the township engineer for review and approval prior to execution...” to section 202.006 c 3.

202.004 d – Medendorp – Doesn’t understand why there are two lengths allowed in ordinance. Why not just measure on centerline based on one number. It’s just a number that the road shall not exceed this distance. Intent was based on how straight road was. If one is cross-country and one on centerline, doesn’t make sense to him. Intent was to allow for obstacles. Dave Austin is not sure of origin of these numbers. He will ask planners and advise. He likes centerline version of language.

Redo ordinance based on changes made tonight. Dave will send rewritten ordinance to us ready for public hearing with changes struck out so the public can see what the differences are. OK. Mastrovito asked when public hearing would be? Go over changes and see what attorney has to say next month, public hearing would be following month (August).

2. Discuss lighting ordinance - Medendorp was willing to compromise and suggested there be maximum lumens for unshielded lights. Lowell Township’s are quite high. Tom suggested 400 – 500 lumens per light. We need to educate ourselves and determine how lumens are measured, etc. Still feels floodlights should be banned unless on a timer. Lowell Township’s five-minute time limit is too short.

There was much more discussion, same as last month. Schreur still believes the type of light fixture should not be restricted. He has no issue with wattage or lumens of bulb. Steve Hanson thought lumens added to ordinance was acceptable. He can’t see adding the \$600-800 price tag to a house for special light fixtures. It is hard enough to sell houses right now given the economy. There are no complaints from any of his developments with regard to house lights. The issue still seems to be with lights on poles. “Dark Sky” issue is not going to go away. Light is considered pollution now.

Nate Post feels we need to refocus our discussion on this issue. We are talking about the same things over and over. What is it we want accomplished?

Jernberg charged each Planning Commission member to review ordinance, look at other ordinances and come up with suggestions for July meeting. We need to look at ordinance from square one and come up with something that will address future concerns and not make a lot of extra work for anyone. Vandersloot made suggestions in her memo dated 6/1/09.

3. Joint Planning Commission Meeting – lighting was a big issue. City of Lowell is looking to put up LED lights downtown. Also talked about temporary structures such as carports, etc. Looking at doing temporary building permits for them. Pods are another issue.

Boulevards were discussed. Encouraged two entrances. If limited to one entrance, Lowell Charter Twp requires a wider cleared area so no trees can fall on the road.

Remote outdoor wood furnaces - considering ordinance for those in Lowell Township. Concerned about emissions, etc... Jernberg felt it was just a matter of time before this issue was addressed in Vergennes.

General Comment - none

Motion to adjourn meeting at 8:57 by Gillette, 2nd by Post. Motion carried.

Written by:

Janine Mork