

Vergennes Township

PLANNING COMMISSION MINUTES

June 3, 2002

A meeting of the Vergennes Township Planning Commission was held on June 3, 2002 at the Township Offices. At 7:05 PM the meeting was called to order by Chairman Jernberg. Also present were Commissioners, Mastrovito, Medendorp, Nauta and Richmond. Absent were Gillett and Read .

APPROVAL OF MAY 2002 AND SPECIAL MEETING OF MAY 20 MINUTES: Motion to approve May 20 minutes by Nauta, seconded by Richmond. All approved. Motion to approve May Regular Meeting minutes (May 6) by Nauta, seconded by Medendorp. All approved.

APPROVAL OF/CHANGES TO AGENDA: Motion to approve as is by Richmond, seconded by Nauta. All approved.

1. PUBLIC HEARING: REZONING REQUEST BY PETE FARBER.

Presentation by applicant: Pete Faber reiterated his statements from last month, desiring industrial zoning instead of residential since that's what's in the Master Plan. The neighbors seem ok with the idea. Not worth putting in a road re: it's a shallow piece. May just be a split, but depends on what the buyer(s) want.

Public Hearing opened at 7:10 pm. None

Public Hearing Closed at 7:11 pm.

Planning Commission discussion: Nauta: would want him consider limiting number of driveways onto Lincoln Lake. Has 540 feet of frontage. Sight distance would be what would dictate that. Parcel A would stay residential. Screening proposed between the residential lot and the industrial development?/Probably.

Motion by Nauta to recommend to the Township Board to rezone this acreage to industrial. Seconded by Richmond. All approved.

2. PUBLIC HEARING: SPECIAL USE PERMIT – KENT COUNTY ROAD COMMISSION.

Presentation by applicant: Jeff Kocsis, engineer for KCRC, proposing to mine sand and sandy gravel from the old Lundberg pit to use as sub base for Burroughs construction this summer. In the future, if there's good gravel, wants to mine/produce the gravel for use on gravel roads in VT and maybe some surrounding townships, but only those nearby. Needs to excavate 4100 cubic yards of sand for the Burroughs project; according to the excavation plan there would be a slope to the river (with soil erosion controls) to avoid ponding of runoff. Will vegetate and topsoil everything when done. Not a big screening problem but will do as needed when done. In the future, there's a place to store produced gravel. If good gravel is there, then in the future they would like

the option to mine and store a stockpile after notifying the township when they would start the process.

Public Hearing opened at 7:19 pm. Mr. Vandenberg, 187 Foley's Grade: showed a map and disagrees with the engineer's presentation. Believes the existing area will be filled by water that'll flow downhill to near his home 75 feet away and it'll eventually seep into his yard or basement, not to mention mosquitoes in the standing water. The area dries in the summer, but if they excavate this large area 80,000 cubic yards (not 4100 cubic yards). The permit requests 80,000 yards stockpiled for 10 years. If it's needed, why do they need to excavate? They have a gravel pit 2 miles away on McPherson and another 50,000 yards on Cumberland. / Kocsis : they have 13,000 yards produced in each pit. / Vandenberg continued: 80,000 yards is a bigger area than what the proposal shows. If excavating that much, it is at least 8-9 acres. Wants the Planning Commission to get the details straight.

Jeff Quist, 71 Foley's Grade: adjoins the back of the property. Permit says they can work 7 am-7 pm everyday but Sunday through November – is this true? / Jernberg: we can discuss and write in stipulations. / Quist: also, has a dust issue with a pool in his backyard, doesn't want to deal with the dust. This has gone from a "quick" operation to a 10-year pit? In our backyard? Who would want to buy our land with mining construction behind us. / Screening to the lot line? / Jeanne: 150' setback of mining area to the lot line.

Tim Wittenbach: mining runs for a few days, then they have a pile that they take on a truckload here and there. Has never seen a county pit with trains running in and out.

Quist: worried about what the permit says, being a year-round operation. Jernberg explained it's not a gravel train situation.

John Meier, 129 Foley's Grade: shares same concerns. Supervisor putting in fence told him there would be no leveling of forest, but then a large area was cleared with a big burn pile. Hard to take at face value. Hard to trust it'll be a benign process. Supervisors on site give me a different story than what happens a month later. Hard to trust they'll stick to the plan.

Quist: ashes from that burn pile made it impossible to leave windows open.

Meier: they cleared up to the property line. There's only a 15x20 section of trees left. The rest has been leveled.

Mark Fleet 11464 Foreman Road: re: final restoration, will it be the 4,100 or 82,000 cubic feet of gravel, will it be filled and useable or will it just be a pit? / Kocsis: the plans are to go in and get 4,100 cubic feet of sand for Burroughs Rd. not an 80,000 yard plan. That number came from old borings saying that property has 180,000 cu yds of gravel. We make 20,000 tons (13,000 cu yds) at a time, hired out to produce. The gravel is made in 2-3 weeks and then it sits. No future plans at this time to have that gravel, it's there if we need it.

Chris Robinson , 37 Foley's Grade: what were the permits for the other pits? / Jernberg answered. / No limits? / Jernberg: not sure without checking. Additional screening is pending for other pits. / Do we know how much gravel the township uses on

an annual basis. / Wittenbach: we regravels 2-3 miles/year.

Kocsis: re: the water / water will go where it went before. Water will go to where it goes now, it makes its way to the river. There's an existing pit with no outlet to the river. Mr. Vandenberg insists the water will drain into his home. / Jernberg: is there a way to divert the water to drain another way? / Kocsis: yes, can put in a berm.

Mr. Geldersma: Could they turn over the pit to the township in ten years? / Jernberg: it's county land.

Public Hearing closed at 7:53 pm.

Planning Commission discussion: Nauta: elaborate on reclamation/Kocsis: plan 1:3 slope with topsoil & reseeded so there's no erodable area or open sand pit, since no current plans to mine further for now. With gravel from other pits might be a few years before asking permission to excavate gravel. 80,000 cu yds of gravel is not a number that county wants to produce right away. We only produce roughly 20,000 at a time, and it's not a problem to change. Don't want to give impression it'd be mined right away. Nauta: we asked you to make the application this way to prevent the hassle of continually returning for permits. / Kocsis: there's about 10,000 cu yds left of gravel in the other sites. / Kocsis: the 10-year plan is needed for storage to hold that gravel there. Nauta: this is not a permit to manufacture gravel any time they want, it's to make the gravel store it, and use it as needed? / Kocsis: we'd come get permission from you before we did it anyway. Jernberg: Will they mine gravel this summer? / Kocsis: absolutely not. Later, with the commission's approval.

Jernberg: modify hours pit is open? / Kocsis: certainly. What's written came from Vergennes ordinance. The county doesn't work those late hours anyway (!). Production hours would need to be according to whatever we agree on, and that's only a 2-3 week process.

Mastrovito: is it possible to push back to look at soil samples and go see what's going on out there and why trees were removed before we make a decision? Concerned about tree removal to the lot line and also concern about runoff to be sure it's adequate that we're not creating another flood plain or another pond. / Kocsis: we can see what type of gravel is there when we pull the sand out. / Mastrovito: when the soil samples were done a long time ago, did they run across clay? / Kocsis: doesn't know. / Geldersma: they took borings this spring. / Kocsis: hasn't seen them.

Jernberg: re tree removal. Did the tree removals company encroach onto other property? / Kocsis: the county did that work. Doesn't have the info. Put fence along property line. Plan is not to go near the property line, but to stay in the open area. / further discussion about water table and run-off. Zoning Administrator reviewed ordinance requirements for screening and setbacks.

Commissioners noted red line goes to within about 40 feet of property line; requires 150 feet setback. Cannot deviate. / Kocsis: the ordinance reads "without adequate lateral support." / Zoning Administrator read from the ordinance to clarify.

Motion by Nauta to recommend to the Township Board to approve the application

with the following stipulations: 1) stay 150 foot away from property boundaries for excavation and further clearing, 2) plant 5-foot trees along Mr. Meier's' property line now with additional smaller evergreens planted in the 150 foot setback, 3) limit operations to 8:00 am to 5:00 pm, no Saturdays, 4) amount of gravel production be limited to 20,000 cu yds on this application, 5) mine approx. 5,000 cu yds of sand this year, 6) come back with a plan/rendering showing use of berms or whatever is necessary to prevent water runoff from impacting neighbors, 7) site barrier to be constructed according to #1B under site barriers in the ordinances. Seconded by Medendorp. Approved: Medendorp, Nauta, Richmond, Jernberg. Disapproved: Mastrovito re: concern about runoff, and a desire to see the situation for himself. Motion carried.

3. PUBLIC HEARING: ORDINANCE AMENDMENTS – SIGNS, COMMERCIAL DISTRICT REAR SETBACK.

Explanation by staff: Jeanne Vandersloot, Zoning Administrator, explained the changes. Move definitions to definition section. Add clarifying description of sign area. Some housekeeping changes. Added description of how height is measured under permitted signs. No tall pole signs; freestanding signs only, not exceeding 4 feet (5 feet in commercial/industrial), changes in square footage of signs. Special use section for modifications. And others as listed in a handout titled "Proposed Zoning Ordinance Amendment/Amend Article IV, Section 201.403 Signs"

Public Hearing opened at 8:44 pm. Mark Fleet, Foreman Road: there's a part in the public hearing not posted – does it have to be reposted? / Zoning Admin: no.

Public Hearing Closed at 8:45 pm.

Planning Commission discussion: Medendorp: it looks the way we've discussed it at previous meetings.

Motion by Medendorp to recommend to the Township Board approval of the new sign ordinance as presented. Seconded by Mastrovito. All approved.

4. ORDINANCE AMENDMENTS: OPEN SPACE/PUD. Presentation by Marsha Wilcox, representing the Open Space Citizen Committee of Vergennes Township. The proposed ordinance is a citizen-written document, funded by a grant for \$1,200 from United Growth of Kent County. The grant also supported the survey sent out by the committee in December. This type of ordinance is now required by the State. (Michigan law mandated Open Space ordinances effective December 2002)

Steve Platt and Mark Fleet were introduced as the authors/administrators of the township survey. They donated their time as their community service for MSU Extension's Citizen Planner series.

Steve Platt showed the stack of surveys returned. Final results are still being tabulated. Preliminary findings (as presented in the handout) show 300 sites people see as worth preserving. The committee will plot out their locations and features in an upcoming meeting.

Wilcox: 1,200 surveys were sent out, and 128 were returned, for a 10% return = well above national averages.

Medendorp: asked about the purpose of the ordinance and some of the language. / Jay Kilpatrick: need some exception language. Mastrovito: objective seems to be for clustered housing. / Affirmed. / Questioned how the proposal sets aside open space / Wilcox: clustering sets aside space required to remain as open space by covenant or master deed on the parcel, and the open space belongs to all the owners within the development. She added that there are also other ways to preserve open space, and this is another “tool in our toolbox.”

Further discussion deferred to the July Planning Commission agenda due to the late hour.

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

The next meeting is July 1, 2002

The meeting was adjourned at 9:20 PM.

Respectfully submitted,

Kate Dernocoeur, Recorder