

Vergennes Township
Planning Commission Minutes
March 3, 2003

The meeting was called to order at 7:05 p.m. by Chairman Jernberg. Also present were Commissioners Gillette, Mastrovito, Medendorp, Nauta and Richmond. Kropf was absent. Also present were Jeanne Vandersloot, Zoning Administrator, and Jay Kilpatrick, Township Planner.

Approval of February 3, 2003 minutes. **Motion** by Jernberg, seconded by Nauta, to approve the minutes. All approved.

Approval of/changes to Agenda. **Motion** by Nauta, seconded by Jernberg, to approve the agenda. All approved.

1. Ordinance Amendments – Home Business Sections Zoning Administrator, Jeanne Vandersloot, noted that the amendments have slightly changed definitions, clarified language, added information regarding zoning compliance permit, changed special use permit for some sections to zoning compliance permit requirements and clarified language on all sections.

Public Hearing opened @ 7:08 p.m. Tom Crawford, 1690 Fallasburg Park Drive, inquired as to obtaining copies of ordinance with amendments. Available at the Township Hall and on the Township website. Mr. Crawford requested clarification of permit process under new amendments to Ordinance. Process entails filling out an application form, site plan review to determine if requirements have been met and if set of standards have been met, permit approved.

Public Hearing closed @ 7:10 p.m.

Planning Commission Discussion: **Motion** by Jernberg, seconded by Medendorp, to recommend to the Township Board approval of Ordinance amendments as proposed. All approved.

2. Bowen Private Road: Sky High Drive.

Presentation by Applicant: Roger Bowen, Builder, discussed property located at 940 Lincoln Lake Avenue (Township address- County gave 950 Lincoln Lake Avenue) where private road to be constructed and property split into four parcels. No house construction of less than 1500 square feet on first floor. Outbuilding siding to match home siding. Jay Kilpatrick, Township Planner, noted all requirements met at this time; i.e. maintenance agreement in place, private road easement granted by owner, letter from attorney with two suggestions regarding title commitment agreement offered by owners needs to predate mortgage, site plan approved, and County driveway agreement. Kilpatrick suggested language regarding responsible parties for upgrading and maintenance of the private road be placed into driveway agreement for future splits/owners. Wetland approval for driveway will need approval/documentation from DEQ. Kilpatrick noted that all requirements to date have been met by Applicant.

Public Hearing opened @ 7:15 p.m. Jim Jorgenson, 865 Lincoln Lake Avenue, questioned as to how parcels can be broken up later. RA District includes a three acre minimum building site. In this instant issue, cannot be broken up as the largest lot of 6.91 acres includes right-of-way and would not meet three acre minimum to split again.

Public Hearing closed @ 7:18 p.m.

Planning Commission Discussion: Motion by Medendorp, seconded by Richmond, to recommend to the Township Board approval of Bowen Private Road, Sky High Drive, as presented with amendment by Gillette to include Township Attorney's recommendations/comments re private road agreement and amendment by Jernberg that Applicant comply with all DEQ requirements. All approved.

3. **Alger Wireless Communication Tower.** Dean and Susan Alger presented information regarding 260' tower purchased in Chicago and their wish to construct said tower on their property for cellular phone/PCS communication and high speed internet service. Mr. Alger cited the great need for cellular availability in this area as well as high speed wireless internet service. His tower will accommodate 4-7 carriers. Had a permit for construction of a 200' tower which has expired at this date. Tower to be situated in center of woods behind residence approximately 620' away. Jay Kilpatrick, Township Planner, noted a possible problem having two primary uses on same property. Assessor not available for comment. Zoning Ordinance specifies one use per parcel with exception being an accessory use building – combining uses on one parcel creates ordinance problems. Another concern is fall zone easement. Need survey to determine setbacks.

Public Hearing opened @ 7:40 p.m. David Yomtoob, 13999 Rolling Creek Drive, noted that any tower over 200' in height involves FFA. Mrs. Garrett, attorney for AT&T from Brighton, MI, stated wireless ordinance addresses issues of multiple towers. AT&T looking at other tower sites also. She also noted three types of towers – one that crimps as it falls; lattice tower which collapses within itself and guy tower which falls over covering the length of the tower.

Public Hearing closed @ 7:43 p.m.

Planning Commission Discussion: Kilpatrick clarified existing ordinance standards for towers. Ham tower accessory use part of residence. Ordinance has a set of standards which govern one principal use on property. Commission could consider amendment to current ordinance. Concern by Commissioners that granting a special exception use to Alger for erection of tower not on a separate parcel leaves Township open to precedent when others come before Commission requesting special exception uses for towers. Need to safeguard Township from creation of multiple towers short distances apart throughout Township. Lighting is a FAA requirement not Township. Algers to paint tower – 7 bands (4 white/3 red) with blinking light on top of tower and three small lights midway. Accessory building not lighted – only two motion lights attached. **Motion** by Gillette, seconded by Nauta, to table matter to next month's, March 31, 2003, regular Planning Commission meeting at which time Applicant will have completed a survey to pinpoint exact location by legal description (center point) for tower, structural analysis of soil borings/soil stability study, a scaled site plan, a removal agreement recognizing owner or future owners' liability for tower removal if necessary in the future (approved by Township Attorney), and a fall zone easement agreement/addendum to home property (11.77 acres). Jeanne Vandersloot to contact WODJ to determine availability/capacity for construction of additional antennas to WODJ tower already in existence in the area. All approved.

4. **Informal Discussion for Development: Tim Lindemulder.** Mr. Lindemulder presented his blueprint/plan for PUD type development of 50 homes in and around Arrowhead Golf Course as well as restructuring the golf course. Each lot approximately 100' wide to 150'-200' deep. Amount of homes (50) least necessary for Lindemulder to financially complete his

project. With right-of-way of 3 acres as ordinance requires, builder unable to fit 50 lots into development. Planning Commission suggested Lindemulder present a petition to the Commission proposing an amendment to the ordinance to approve his plan subject to presentation of public golf course as requirement for gross density v. net density.

The next meeting is March 31, 2003.

The meeting was adjourned at 9:00 p.m.

Respectfully submitted,

Vicki Odell, Recorder