

Vergennes Township

PLANNING COMMISSION MINUTES

March 5, 2007

A meeting of the Vergennes Township Planning Commission was held on March 7, 2007 at the Township Offices. At 7:02 PM Chairman Jernberg called the meeting to order. Also present were Commissioners Makuski, Mastrovito, Medendorp, Nauta, and Post. Absent was Gillett. Assisting the commissioners were Jeanne Vandersloot (Township Zoning Administrator), Jay Kilpatrick (Township Planner) and Ryan Kilpatrick (Comprehensive Master Plan update).

APPROVAL OF JANUARY 8, 2007 MINUTES: Motion to approve by Makuski, seconded by Nauta. All approved.

APPROVAL OF/CHANGES TO AGENDA: Jeanne: table item #2 at applicant's request, due to issues with the Road Commission. Applicant will wait until another time when he feels fully prepared to address the Commission. Motion to approve, as adjusted, by Nauta. Seconded by Medendorp. All approved.

1. DRAIN COMMISSIONER VISIT - BILL BYL. Byl was a guest speaker at 6:00 pm for a group of interested citizens. Byl was invited by the Open Space Committee to talk about the drain commission and its duties to the citizens, as well as about a Storm Water Ordinance and Storm Water Master Plan ideas. As development increases, potential for difficulty with runoff increases. Byl described the ordinance as a management tool for the township to have some enforcement authority to manage storm water – similar to the effect of private road ordinances, etc. - to give the Planning Commission a way to avoid problems for downstream landowners. Without such language in township rules, the township has no approval process for storm water development except for recorded platted subdivisions, which are done through the County Drain Office. Staff at his office is prepared to assist with models of storm water ordinances. A second tool is the Storm Water Master Plan (SWMP), a way of looking at the entire township on a watershed-by-watershed basis. Vergennes has the Flat River (draining the NE) and Grand River (draining the SE), plus other minor watersheds. To develop a SWMP, a consulting engineering firm would look at watersheds, drainage patterns, terrain and soils, and identify choke points and other things to be aware of regarding drainage courses that will be affected as development occurs - an important management plan which will help the Commission be aware of areas of special concern over time. One was just finished in Cascade Twp and Cannon Twp is looking at doing one. Kent County understands development of a SWMP to be an investment for rural townships, and will underwrite

half the cost (up to \$15,000) of a SWMP. About 8 or 10 townships have already been so assisted. Byl said he'd be happy to come back and help any time.

Jeanne Vandersloot: is the model ordinance the same as the one that was circulated a few years ago? Byl: yes, and of 40 townships/municipalities in the county, 23 have now adopted the model ordinance in some degree. The County can fund two per year, and Cannon is thinking of it; they would be the second one this year.

2. SCENIC VIEW – SCHREUR. Tabled at applicant's request.

3. COMPREHENSIVE PLAN UPDATE. Jay Kilpatrick: The reason for this update is that every 5 years the twp has to review its Master Plan and make updates as needed to stay current with the development of the township. The next step is to set a public hearing date. Have had input from various sources, and there are some comments to be given tonight. Ryan Kilpatrick: there are not a lot of changes since the last review. Has included on the current land use map one parcel held for natural preservation that was neglected to be included. Other changes:

The township wanted to show provisions to allow for agricultural preservation via PDR - if the Master Plan has the proper language and it's on the Master Plan land use map it means landowner volunteers can apply to the state for state funding that's available. The large portion of this MP update centers around the PDR effort, and we want to include specific criteria for that. Most of the white area on the map shows a dark blue line showing farmland preservation interests by landowners with the option to apply for state funds due to their holding large parcels or their contiguity to large parcels. Some objective statements and a goal have also been written to include on this update. Kendra Wills (who couldn't be here tonight) recommends including a sentence in paragraph 2 to include an option for TDR and tie it to noncontiguous land so that other parcels could be preserved by people who can then get full development yield on a parcel that's open to full development yield while also preserving another area earmarked for preservation. Also, Jeanne found some things to tweak such as typos and other spots on Community Profile Maps that needed adjusting. Also, some currently preserved land (e.g., the Cooper Woodland) was incorrectly marked. The Plan overall is largely intact and similar to what was presented in September. Further comment or comment from the public?

Jeanne handed out Kendra Wills's comments.

Jay: referred to Bill Schreur's concerns. Maybe he could do that at the public hearing, or take informal comment tonight. Public hearing needs a 30-day notice.

Bill Schreur: wants to see the Planning Commission act upon the information they obtained by walking his property and upon his proposals based on what's been done across Lincoln Lake regarding extending the commercial extension to the railroad tracks. On the east side of Lincoln Lake, owned by Schreur family, the steep slope and hill makes an ideal transition point from commercial to residential. Hopes the Planning

Commission will see this as logical given what's happening across the street. Jernberg: Schreur's want a commercial rezoning on the Master Plan as a potential option on the Master Plan to fit his request - just putting it on the document for an opportunity later on, not physically changing the zoning on the property right now. Jay: this would add about 30 acres to the commercial zone. Nauta: looking at the map, he would not like to extend that line further than the back of the commercial area by the established area. Makuski: if you look at it, the line isn't straight. Nauta feels this proposal is too much in his opinion and in view of other citizen comments he has received. Schreur: feels it's a reasonable request best serving the use of the land. The hill should be the transition point. Medendorp: in looking at the ridge, it's bringing commercial down both those side streets (Vergennes and Burroughs) a long way. There's a good reason to confine a commercial area strictly to Lincoln Lake, and sees no reason to go to the ridgeline. If line it up with the existing commercial areas, it doesn't go into Burroughs. There shouldn't be an outlet on Burroughs that's commercial. Schreur: asked for the logic compared with the Cook property. Further discussion about opinion and philosophy about how much commercial area is enough. Jernberg: we'll look at this in another five years. Christine Myers (daughter of Bill Schreur, Sr.): wants to see how the Commission can justify what's happening on the other side of the road (Cook's property) and deny this. Jernberg: if the commercial property didn't have access to Burroughs, would that satisfy Schreur's? Possibly. Medendorp: we're not equating landowner to landowner - we're planning and it feels to be a mistake to go down a residential street. Schreur: The land is currently zoned for apartments now - can't see the difference between that and being zoned commercial. Nauta: it'll be interesting to hear what will happen and what other people say at the public hearing. Jernberg: if we don't make the change on the map tonight and we have the Public Hearing next month and the discussion brings about a change in the Public Hearing, what's the procedure? Jay: if you want to see how people will react, hold the hearing with the change on the map, you can make the change more easily after public input. Map is still a draft. Jernberg: Could there be a map with both? Jay: citizens have a right to know what it is you propose to do. The one you propose to include in the Master Plan is the one you want people to see. Jernberg: there are various differences of opinion on the commission. If we follow Jay's guidance for people to look at, and decide to retract a distance from next month's Public Hearing, we need a tentative modification on the map that shows the proposed modification so people can understand what the boundary will be. Maps shown and discussed.

Motion by Medendorp to recommend to Jay's team as a direction for the Public Hearing next month to either leave it the way it is (option one) or take the east side beginning at the NE corner of the existing commercial zoning then north to the ridgeline and west to Lincoln Lake Road south of where it's residential on Burroughs (second option). Seconded by Nauta. Discussion: Jay: that would give a little less than 600 feet of depth from Lincoln Lake Road, and a little skinnier at the ridge line - a bit large but not to

Big Box levels. Makuski - what's the reason for not taking it down Vergennes?

Medendorp: Vergennes is residential except behind the body shop. The existing house shouldn't be commercial, but is - we shouldn't let it go further down Vergennes. Nauta: in five years, we'll revisit this. Medendorp: if a plan came up, I'd be open to it. Post: is OK with showing the plan with the line as proposed and seeing what Public Comment is.

Vote: Option One (hold the Public Hearing showing no change to the map). All disapproved. Option Two (hold the Public Hearing showing the changes as outlined above). Approved: all but Jernberg. Disapproved: Jernberg.

Additional comment: Steve Kropf owns property at southern end of Murray Lake, and this is a question about whether medium density designation or potential residential classifications around the lake mesh with underlying lake residential density? Also, assuming Jay knows about the Grattan sewer authority possibly extending itself, would medium density be in line with sewer upgrades? Jay: boundary of medium density is same as current lake residential. Second: additional growth hasn't been reflected upon the potential expansion of Grattan Sewer Authority, so that's not mapped out. If it materializes in the next 5 years, that could change. Kropf: is there any of that area that ought to be considered for a small commercial district, even for a soda fountain? Jernberg: there was a proposal a few years ago that had a community commercial district that was written out a lot of legwork and was never finally adopted because the request was dropped. Wouldn't be hard to resurrect that effort to go to a community commercial zone, in order to avoid strip mall/big box commercial but to have a community facade and more homey/country appeal versus 28th Street strip mall type look. We could discuss that again. Re: including this in the current new revision of the Master Plan – various small businesses have come up over time. Farmer's Market, lawn and garden type place, and then no actual application ever materialized. Jay: If this is something to consider, we should put a sentence or two in the write-up to serve surrounding neighborhoods to have authorization language in the Master Plan liberalizing the plan to make it easier if it comes up later. As written, the area is restricted to residential; we could liberalize it. Pete Gustafson: you're not meaning do this universally? Just in the Murray Lake? Don't throw the baby out with the bathwater; such language shouldn't be a blanket thing. Medendorp: do we want to do that? Makuski: wouldn't that be easy to accommodate? Jernberg: we accommodate good ideas as they come up and so maybe the broad stroke isn't the right stroke at this point. Jay: or we could put language limited to the Murray Lake area and particular to that locale. You don't want to reopen the Master Plan every time you want to make an exception. The advantage is, that way you'd have the flexibility. Jeanne: an example is that there's a pending proposal to change the location of the marina from its current spot to the Alden Nash/4 Mile area. Jay: to rezone, it has to conform to the Master Plan.

Motion by Mastrovito: extend map to include the medium density on the orange section at Murray Lake east across Alden Nash 500 feet to include storage buildings, and

south 500 feet from Lally Street only across from the existing orange shaded area at Murray Lake. Seconded by Jernberg. Discussion: wording change? We'll do that next. All approved.

Jay: will add for the public hearing a language change similar to: "In the vicinity of the medium density residential area at Murray Lake, this may include as a special exception some small commercial, low-intensity neighborhood commercial uses intended to serve that area." **Motion** by Mastrovito, seconded by Medendorp. All approved.

Medendorp: there is a water district in the Foreman area for the public (city) water, and said water district doesn't show on the new Master Plan map. That needs to be added. There's also one for sewer. Neither district is (fully) built out yet. Both need to be shown on the map. Jeanne has an updated water line map, showing the mains but not the service area.

Medendorp: question: is the high density area shown correctly? There's only one small spot on the other side of Flat River shown. Jay: R3 is considered high density but not analogous exactly. High density can go to more per acre with public utilities. What's shown is consistent with the current Master Plan.

Motion by Nauta to set a public hearing for the Master Plan revision for April meeting. Seconded by Jernberg. All approved.

4. ORDINANCE AMENDMENT DISCUSSION: STREET AND TRAIL REQUIREMENTS. Jeanne presented: Mari Stone passed this sample language on for Planning Commission interest to consider adding to the ordinances. The sample language is from Lowell Charter Township and they have it in their PUD ordinance with specific standards for streets and adding trails and easements to the trails and preserved areas. It forces a developer to consider how his development affects surrounding properties by having to take into account existing pathways/features and work around them. Commissioners to read it over and see if we want to add to the PUD and/or Open Space ordinance Something to consider adding sometime in the future to make these features a little less voluntary for developers. Jernberg: let's talk about it when Mari's back next month.

5. OPEN SPACE COMMITTEE UPDATE. Presentation by Kate Dernocoeur. Primary points:

Open Space Committee was quiet at the end of 2006, but has recently revived and is meeting regularly. Always open to assist the Planning Commission with projects, such as those just discussed. Also:

- the committee is supporting North Washington Conservation Council in its efforts to preserve the Boy Scout cabin area.
- on our wish list someday, somehow, is to develop a land trust fund to have funds for land preservation.
- we were happy to bring Bill Byl in tonight. Sorry so few of the township officials were

there, but we had a crowd of about 25 people and we hope it was helpful to have him stay to speak with the commission during their meeting.

- Kate is part of the Eastern Townships Open Space group, which has developed the maps on the back wall of the meeting room (hung by the committee last week) and hosting a photo contest through all six townships this year, similar to the art contest the Vergennes committee did last year to promote attention to rural character.
- For Earth Day, April 21st, the Open Space Committee will have a table at the Wittenbach Center, with brochures and other information to hand out.
- The committee is mindful that it still has to come up with a brochure about the recently adopted Lighting Ordinance, and is working on getting it done.
- Mac McPherson has come up with the idea of holding a contest to find Vergennes' largest tree. Jamie Ladd from Ada will see about making it a competition between Ada and Vergennes to search for the largest tree (or champion tree). There was a suggestion to kick off the challenge on Arbor Day 2007 (April 27th), and announce the winner on Arbor Day 2008.
- There is discussion to develop means to purchase trees and invite interested Vergennes' residents to plant them on their own property in a symbolic measure to show our concern, and in some small way help slow global warming. These could be our own 'global witness' trees. Further discussion is needed.

The Open Space Committee's regular meeting days/times: last Wed each month, 7:00 pm
– all invited.

General Public Comment Time: Tim Wittenbach re: water runoff situation, it used to be the goal was to get the water away from properties and get it downstream and now the philosophy is containment, and no site should let water offsite at a greater rate than the natural flow of undeveloped land. If the Planning Commission runs with that philosophy, that should be good enough. He looked at the proposed ordinance a few years ago, and it was too involved to administer. If the Planning Commission designs drainage reviews by our township engineer, it works and you're taking care of most of the issues that come up. It's not part of the ordinance - do we have the authority to ask what we routinely ask. Makuski deals with the model ordinance in Cascade. Every single house has to have a runoff plan. It's a pain. Jay: might be to look at including a simple ordinance to build authority for what we do – there's nothing to require developers right now to do what we require. Should make an adaptation to have more control. Jay to follow through. Could be a very simple thing without having to adopt the model ordinance.

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

The next meeting is April 9, 2007

The meeting was adjourned at 8:45 PM.

Respectfully submitted,
Kate Dernocoeur, Recorder