

Vergennes Township Planning Commission
Monday, March 30, 2009 (April Meeting)

Approved 5-4-09
With Noted Correction

Rick Gillette, acting chairperson, called the meeting to order at 7:00 pm.

Roll Call – Baird, Gillette, Post, Mastrovito, Medendorp, Makuski present. Jernberg absent.

Motion to approve the minutes from the February 2, 2009 meeting by Post, seconded by Mastrovito. Motion carried 6-0.

Approval/Changes to agenda – Motion to accept agenda without changes by Baird, seconded by Medendorp. Motion carried 6-0.

1. Review Proposed Amendments – Private Road: Discussion by Jay Kilpatrick of Williams and Works. The number 25 is one that goes way back in the planning phases. Some municipalities have standards of not more than 500' length of boulevard; some have more or less lots than 25. 25 is a midpoint. Kerwin Keen of Williams & Works discussed his memo dated 3/24/09 regarding private roads, boulevards and slope of road. "Hard surface" on a sloped road refers to concrete, asphalt or some other surface not yet determined that would not degrade with rain/snow, etc...
Commission questions – number of houses before boulevard needed, if a boulevard is put in, does this allow for unlimited number of homes. Length of road cannot exceed ½ mile per ordinance. Cannot exceed 25 homes beyond boulevard.
Post asked what is to be accomplished by changing this ordinance. Gillette said the "boulevard" does not fit in with the rural nature of the RA district. It only makes for a better traffic pattern on/off county roads.
Any more than 50 homes requires the road to become public county road anyway. Keen believes the county requires dual entrances for more than 100 homes. The county would not require boulevard but our ordinance would over rule the county.
Medendorp – what do we do between 25 and 50 lots? The boulevard only goes so far, and then the road is two way again.
Makuski – there does not seem to be many areas where this would be an issue. Can we word the ordinance to allow us to require a boulevard if the layout requires one.
Kilpatrick – more than 25 lots shall be served by more than one entrance/exit. You will get many project engineers to say it cannot be done based on their particular layout. This is a small and modest risk. Word the ordinance to make it subjective subject to Planning Commission on case-by-case basis. Issue of "single access" must be better defined.
Gillette – this issue came up when the Schreur's were proposing their development. Two outlets are preferred over a boulevard. Word ordinance to say no more than 25 lots can be done on a single access road. Over 25 would require a second egress. Deal with developer's issues as they arise.
Language of current ordinance needs to be tweaked per above discussion. Review again at May meeting.
2. Lighting Ordinance – *The Township Board is requesting the Planning Commission re-look at the ordinance and consider some amendments for clarification and flexibility in light choice.* There have been many phone calls and complaints with new ordinance. Looked at pictures of lights at Alden Nash West. 21 of 22 homes built there were after ordinance was approved. Over half of the houses violate ordinance. Copies of ordinance were given to builder at time permits were issued. Is Jeanne Vandersloot supposed to go out and inspect lights on a regular basis to see if they

meet ordinance? Bill Schreur feels ordinance is going after builders. The lights he put on his new home meets the ordinance in his mind. Commission disagreed because he or homeowner could choose to adjust light up and/or out, making it violate ordinance. Also, if initial lights are up and the homeowner decides to change them, what is to stop them from putting up non-conforming light fixture? It is then dependent on complaints from neighbors to bring to zoning attention. No clear way to enforce. Dave Steinbrecher said with his marina application, when he moves the business, he is being required to change the existing lights, which have worked for decades, to meet the ordinance, not to practical to have to do this.

Jeanne Vandersloot would like language in part 2 to allow decorative light (opaque or colored glass) without glare. She looked at Home Depot for lights that would meet our ordinance. Not many there – expensive. Medendorp had many light suggestions from Grandville Lighting store. They met dark skies ordinances but were also priced at the higher end. Jeanne did not get copy of Lowell Township's ordinance in time for meeting. She will get out to members as soon as she can. Review at next meeting.

3. Discuss Bylaws and Planning Enabling Act requirements. An example of the Bylaws were given to the members. The Act requires there be some language about conflict of interest, so it was added. Post noted the number of members needed for a quorum was five; the Commission's number is four. It will be changed. Most of the language comes right from the Act. Medendorp moved to adopt the bylaws with the change to Section 2F to show a quorum of four. Mastrovito seconded. Motion carried 6-0.

The members reviewed the "ordinance" to reconfirm the establishment of the Planning Commission under the Planning Enabling Act. Motion to recommend that the Township Board adopt the "ordinance" by Medendorp, seconded by Post. Motion carried 6-0.

4. Joint Planning Commission meeting with Lowell, Lowell Township and Vergennes. – The meeting is to be held at Vergennes Township. May 12 and May 19 were dates given by Commission as being good for them. Jeanne will pass on to other municipalities to get something set up. Think about items for meeting agenda, if anything.

General Public Comment

Steinbrecher wanted to air his frustration at having to make more changes to site plan after Planning Commission approved it. Kerwin Keen explained that the engineer did not see the plans until moments before the meeting. Planning and Engineering are two separate reviews. Often, Engineering doesn't see plan until after Planning Commission and it has a higher standard of scrutiny. It could go both ways. Commission could ask for every fine detail be worked out before approving, but that would drag out approval process and delay start dates. Vandersloot said it is common for multiple site plan revisions through-out the process until final approved version.

Medendorp – what is happening with Backyard Dreams proposal? It has not gone to the Planning Commission yet. They can take as long as they want on this part of plan as long as it has not had a decision made by the Planning Commission per Kilpatrick. Vandersloot said that the applicant's are still working on a Zoning Board of Appeals application to interpret the use wording in the RA District concerning the application.

Also, what is status of YMCA going up on Wege property? Kilpatrick indicated surveys; etc... recommended the Y build there in future. Wege is one who needs to make final decision, waiting on him. Economy could play large part in whether this goes forward or not.

Mastrovito motioned to close the meeting at 8:33 pm, seconded by Makuski. Motion carried 6-0.

Next meeting is May 4, 2009.

Minutes composed by Janine Mork