

Vergennes Township
Planning Commission Minutes
March 31, 2003

The meeting was called to order at 7:00 p.m. by Chairman Jernberg. Also present were Commissioners Gillette, Mastrovito, Medendorp, Kropf, and Richmond. Nauta was absent. Also present were Jeanne VanderSloot, Zoning Administrator and Jay Kilpatrick, Township Planner.

Approval of March 3, 2003 minutes. **Motion** by Gillette, seconded by Richmond, to approve the minutes. All approved.

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

1. **Special Use Permit - Alger Wireless Communication Tower**

Dean Alger - Presented to the Planning Commission the survey describing the exact location by legal description for tower on a surveyed scaled site plan, and a removal agreement.

Alger said the tower's fall zone is within the property line. The tower agreement was submitted to Jeanne VanderSloot. The agreement had been forwarded to the township attorney, and his written comments were reviewed with the commissioners. Alger stated there is a warranty deed but it is not signed yet. FAA agreed to renew the permit. Alger said the soil borings would be done in two weeks. The civil engineers were out to survey the land and the only thing left to do is soil borings. Jernberg said Alger is to give structural drawings to the soil boring company. Kilpatrick, interpreting Dozema's comments/changes, says the tower will go with the land if sold. The fall zone problem is solved because it is within the property line. The removal agreement was submitted; warranty deed is awaiting signatures. FAA permit to be renewed; there will be no light strobe; soil report coming. Kilpatrick suggested that with the understanding of the information still needed, it is okay for Planning Commission to approve and VanderSloot will present to the Township Board.

Motion by Medendorp, seconded by Richmond, to recommend to the Township Board approval of special use permit, based on the following five criteria being met: 1. FAA permit renewed, 2. Warranty deed signed, 3. Structural analysis of soils is approved, 4. Removal agreement modified, 5. Soil borings to be done. All approved.

2. **PUD - Discuss Joint Board/Planning Commission Workshop**

Tom Lindemulder - Submitted a letter to the Planning Commission and Township Board asking to amend the PUD ordinance and would like to hear how the community feels about a subdivision with a private community septic system. Site plan submitted is one concept, to be modified more and approximately 14-15 soil borings are done. The golf course will only need to have one nine-hole reconstruction done to accommodate the subdivision. The septic system will need to be at the edge of property and adjacent to the next property upon agreement with property owner. Lindemulder hopes to begin subdivision construction in the fall.

Planning Commission Discussion: Question asked why not have a community well and Lindemulder explained there is not enough water pressure for a well. Medendorp asked if there would be a cost to the owners. Lindemulder said there might be an association of some sort with money put into escrow. Kilpatrick mentioned the owners will need to sign a maintenance agreement to have a licensed company clean and check the septic system according to State requirements. Gillette asked if the subdivision would have public or private roads and Lindemulder said he would prefer private roads with an association.

Kilpatrick explained to the Planning Commission the State will license the septic system, but the Township will have to run it if something went wrong with it and the owner should put up a bond and a percentage could be paid by the association; so if it goes bad the Township does not use Township money to pay for repairs, the bond money is used. There will be the association to

run it and there are a lot of ways to protect the Township.

The Planning Commission is open to further discussion and willing to work with Lindemulder and the Township Board. Kilpatrick gave Lindemulder items to prepare for next meeting as the following: 1. Gross density v. net density, 2. Community waste water, 3. Public v. private roads. Jernberg suggested Lindemulder file a private road ordinance application. Gillette said there needs to be more information about a community septic system. Jeanne confirmed Lindemulder has an escrow with the Township.

Decision to have further discussion with the Township Board members with a joint meeting at the next Planning Commission meeting in May.

3. **Ordinance Amendments - Request to Amend Wireless Communications Section**

David Yomtoob presented to the Planning Commission an ordinance change for consideration as a replacement to the current one.

Yomtoob presented ordinance change to the Planning Commission. VanderSloot noted that she read through the proposed ordinance. Jernberg asked if there needed to be additional lights on the antenna and Alger stated no, only the antenna. Alger asked the Planning Commission to consider discarding or revising the antenna permit section because of the rigorous process just to hang an antenna. Kilpatrick noted the ordinance is conservative but the Township will want to encourage people to hang additional antennas on existing structures. By having a Special Exception Accessory Use ordinance, it will promote fewer towers, and make the application process an easier task and suggests softening the ordinance to allow putting antennas on existing towers with a faster and more simple review process. Kilpatrick also suggested giving the Zoning Administrator authority to approve first and then if the antenna will significantly change tower structure it will need to go before the Planning Commission. Gillette questioned taxes imposed on antennas and Jernberg referred the issue to the Township Board.

Motion by Gillette, seconded by Mastrovito, for Planning Commission to review the ordinance and table discussion until the May joint meeting with the Township Board. All approved.

General Public Comment opened at 8:18 p.m.

Dean Alger - Asked if two antennas could be approved with the tower, and can be approved with the condition the carriers submit their site plans to the Planning Commission or staff.

Motion by Medendorp, seconded by Gillette, in accordance with Township Attorney Dozema's memo, up to 2 carriers be added to Dean's application with the carriers to submit site plans to Township Zoning Administrator for review and approval.

General Public Comment Closed at 8:20 p.m.

The next meeting is May 5, 2003.

Meeting was adjourned at 8:23 p.m.

Respectfully submitted,

Cindy Sullivan, Recorder