

**Vergennes Township
Planning Commission Minutes
Monday, May 6, 2009**

A meeting of the Vergennes Township Planning Commission was called to order at 7:00 pm by Rick Gillette, acting chairperson. Commissioners Baird, Gillette, Post, Mastrovito, Makuski, Medendorp were present. Jernberg was absent.

Motion to approve the minutes from the March 30, 2009 (April) meeting with one spelling change (subject to, not subjective) by Medendorp, seconded by Mastrovito. Motion carried.

Approval or changes to agenda – Motion to approve agenda by Medendorp, seconded by Makuski. Motion carried.

Review Proposed Private Road amendments – Brian Wegener of Williams and Works spoke. Last month Kerwin Keen went over boulevard language. There was discussion by the commission last month about a loophole. The Commission wants flexibility without loopholes. When applicant wants more than 25 lots per private road, a second entrance should be required. When physical constraints prevent second entrance, proposed number of lots would not exceed 25% of allowed lots, or 32 total per memo dated 4/24/09 by Brian Wegener.

Medendorp questioned minimum length of boulevard since it does not relate to how many houses are beyond boulevard. Where did the number 25 come from? We should take out criteria to better work with developer.

Makuski – is the number 32 with or without a boulevard. No, only with boulevard. Otherwise a second access is required.

Wittenbach – County likes to limit curb cuts onto main roads. Boulevard accomplishes this by keeping two entrances/exits close together. It is a safety issue.

Mastrovito felt that if condition #4 was removed the language is very close to what we are looking for.

Baird thought discussion of this was done last month. Steve Hanson, developer, thought the ordinance was good as currently written. Given the current economy, there are not going to be too many developments going in.

Medendorp made a motion to remove #4 from ordinance and remove criteria regarding boulevard lengths. Mastrovito seconded. Motion passed. Ready for public hearing on June 1, 2009. Brian Wenger indicated that Keen was going to get definitions for ordinance per his previous memo. Not completed yet. Issues with slope, etc... Gillette

motioned to postpone public hearing to July meeting so new information could be reviewed. Post seconded. Motion carried.

Lighting ordinance review - Makuski – It used to be that homes were further apart in the RA districts and the lights didn't bother others. Now they are three or five acres apart and houses are built in empty fields with no trees to shield. Lights are noticeable. The ordinance is passed and there should be no further discussion.

Medendorp – he reviewed Lowell Township's lighting ordinance and it is too complicated. It is not what we would want. Ours is simple and easy to read.

Baird – The Township Board wanted this ordinance revisited. Residents on both sides are unhappy. It is difficult for Jeanne Vandersloot to enforce. Either the Planning Commission modifies the ordinance or the Township Board will take their own action. The old ordinance worked fine. It served its purpose when needed. We have far more complaints with this ordinance than we did with old. Baird made motion to rescind new ordinance and go back to previous ordinance. Motion was never seconded and a new motion was made by Gillette at end of discussion.

Bill Schreur asked question to Commission, is the majority of the Township residents in favor of the ordinance? How many on the Board or Commission have run out and switched their lights to comply with it as a show of support?

Mastrovito – most people are going to replace broken lights with whatever they can afford or like. Who monitors this? Are we going to send Vandersloot out to play cop? Also, what is the procedure if it is an issue based on old ordinance?

Wittenbach – the resident would file a complaint with the ZBA. There has to be a real issue with it for them to go thru that process.

Gustafson – the ZBA does not have an issue with hearing these cases. There have been two circumstances and will likely be more if there are no guidelines to reflect our long-term vision of the area. It was different Township then and will be different again in 5-10 years. Effort should be made to see what is wrong with ordinance and not “throw baby out with the bathwater.” The term nuisance is ambiguous.

Neighbor of 1100 Parnell showed picture of light at night standing on his property line. If there were a shield over entire light source, it would not be so glaring. This is more about respect for your neighbors. He has talked to the homeowner several times. He would not have an issue if the light were on a timer and only on for certain amount of time, not all night.

Steve Hanson – large yard lights may be an issue. Lights at front doors in neighborhoods are not an issue. He is the first one to hear about complaints in Alden Nash West. There has not been a single complaint about lights. The lights being recommended are \$150 or more. This adds a fair amount to the cost of the home when you add it up (\$600 or

more). Lights on poles or streetlights are a problem. The ordinance should apply to those. Even with the ordinance, the High School is lit up most of the time. Defeats the purpose.

Gillette – would like confirmation on how many complaints we have received. Vandersloot said it is mostly just 1100 Parnell plus the several church lighting complaints. She would like to see changes with Paragraph 2. It is difficult to understand. Also, Lowell Township does not regulate decorative house lights. We should exempt those. Lowell Township also restricts the use of floodlights and we should also. There should be definitions in the ordinance to clarify so everyone is on same page.

Gustafson – floodlights are not usually left on all the time. They are usually on a motion timer and go off after 5 or 10 minutes.

Gillette – given the lack of building going on in the Township, there is time for the Commission to review this ordinance step by step and ask the important questions. How does it affect things and who is going to monitor it if it is passed.

Mastrovito – is there feedback from Lowell Township as to how many complaints are received and who is monitoring it?

Gillette motioned to table this discussion until review of other townships ordinances can be done and our current ordinance can be evaluated. Mastrovito seconded. Motion carried.

Joint Planning Commission Meeting – what would you like on agenda? Snacks? Vandersloot emailed Lowell City and Lowell Township for agenda ideas today. No response yet. Lighting was suggested.

General Comment time – question about land splits and easements. These should be in deed and covenant restrictions and filed with the County. Non-compliant person would need to have suit brought against them.

Wittenbach – thanks for the great job and for doing business right.

Meeting was adjourned at 8:37 pm by Gillette, seconded by Medendorp. Motion carried.

Next meeting will be June 1.