

# Vergennes Township

## PLANNING COMMISSION MINUTES

May 8, 2006

A meeting of the Vergennes Township Planning Commission was held on May 8, 2006 at the Township Offices. At 7:08 PM the meeting was called to order by Chairman Jernberg. Also present were Commissioners Gillett, Mastrovito, Medendorp, Makuski, and Nauta. Absent was Kropf. Assisting the commissioners were Jeanne Vandersloot, Township Zoning Administrator and Brian Wegener from Williams & Works (in place of Jay Kilpatrick, Township Planner)

**APPROVAL OF APRIL 10, 2006 MINUTES:** Motion to approve by Gillett, seconded by Medendorp. All approved.

**APPROVAL OF/CHANGES TO AGENDA:** Motion to approve by Nauta, seconded by Gillett. All approved.

**1. PUBLIC HEARING: SITE CONDOMINIUM - DON BLAIN.** Presentation by Paul Henderson with Roosien's on behalf of the applicant. Proposing 9-site condo/family home development on north side of Burroughs between Lincoln Lake & Flat River Dr. Site currently vacant, well-wooded, sites to be served by 700-foot private road, individual well/septic, applicant has obtained preliminary approval for entry roadway from KC Road Commission across from Radny Drive, drainage to handle storm water from two 100-year storms. Revisions to last month's plan are contour labels, master deed language includes issues mentioned last month. Township attorney read the master deed and proposed various changes for approval. In the last month, applicant has added specific information and calculations, elevation numbers and contours, Consumers Power issues.

**Public Comments (opened 7:15 pm, closed 7:27 pm):**

– Karen Jelsma, 13325 Burroughs - has property bordering (to the east). We used to live in town and one reason to move out of town was for space. Average person on north side has 3-9 acres. I feel that three homes on that property would be a better fit for the north side. To put that many homes on that property isn't what the other nearby residents could do - a builder should have to stay with the same number. Site condos on the south side are nice, but when people build they like to have a little woods and space between - this will be more like being back in town to have that many homes next door. / Nauta: the builder's not doing anything outside of what's allowable by zoning. Zoned for 1-acre, and each lot meets those requirements. This has been the zoning since the township started zoning. / Question from Jelsma about meeting the Consumers Power setbacks. Explanation by Jernberg about the setback process, where permanent structures can/cannot go, and other requirements, which have been addressed by the applicant. Applicant is within the legal description of the township's master plan.

– Jeanne Vandersloot: one written comment from Jeff & Stephanie Pohl, 13037 Burroughs regarding their concerns about trees and natural habitat that would need to be cleared for the drain basin, which runs 2/3rds the length of their property line, requesting that the trees be replaced for screening and to preserve their privacy and natural setting (complete copy delivered to the commissioners)

**Planning Commission discussion:** Medendorp concerned about the same concern as the Pohl's concern. / Evergreen buffer could be put in along the berm / Jernberg: PC has been for several years implementing a standard regarding drain basins in which approval is contingent on planting 3-5 foot evergreens to try and start the screening process with trees of reasonable size.

Jernberg: what's the plan to buffer on other sides of the site as well to keep the natural setting as much as possible as well? / Applicant: nothing with builders has been lined up yet. / Jernberg: initial intent with neighbors is that core of construction does not include clearing the site? / Blain: no! Just for the road. Don will sell the lots, and people moving in tend to want to keep the buffer. / Jernberg: is there language in the master deed to include preserving a 15-20 foot zone at the property line with the neighbors to keep a wooded belt (voluntary per township standards, but the developer can write that into the Master Plan). Blain will talk to his attorney about that. / Medendorp – is it possible to reconfigure the basin to leave existing trees rather than plant new ones? / Henderson: they are obligated to drain in 72 hours, sandy gravel, will perk well, but the numbers have to meet the rules, would be happy to reduce the footprint if possible. / Could be switched to a detention basin (not retention basin) and save some footprint (by half). That area is very porous. Spring when ground is frozen there's some runoff. 105,000 cu feet of storage = current proposal (to handle a 6.5" rain in 4 hours). / Jelsma - the runoff will go onto the neighbors land to the west. / Brian: recommends the township engineer look it over and work with the applicant to try to save the existing trees and habitat. / Jernberg: Even a 30% reduction would be a big improvement on the need to excavate such a large area.

The Consumer's easement will always be open. / Jernberg: quick drawing, looks like it's possible by cutting down on the basin size 25-30% could make a 30-foot buffer on the west side possible / Henderson is happy to talk it over with the township engineer, as well as Jernberg or another Planning Commissioner - trying to keep the natural buffer for the neighbors as much as possible. Asking the owner to work with the commission to formulate a good game plan.

Start date goal? / Need to still design other elements (road construction plans for the township engineer).

**Motion** by Nauta to recommend to the Township Board to approve the site condominium plan with the contingencies that a 20-30 foot natural buffer along the west side be put in place and a 20 foot natural area along the exterior perimeter of the entire site. Seconded by Gillett. All approved.

**Private road discussion:** grade will be minimal (1-2%). Very gentle grade, all positive drainage, and nowhere near maximum grades. Could narrow the road after

certain feet / applicant didn't prefer to do so. Doesn't need to be specified tonight as long as private road standards are met. Question about the memo issued by Williams & Works as of 4/28 from Kerwin recommending PC schedule the public hearing of the private road with items to be resolved. Notice for tonight included the private road.

**Public Comments (opened 7:55 pm, closed 7:57 pm):**

- Nauta: narrower roads have slower drivers.
- Henderson: nice to have width when walking with a stroller
- Jelsma: there are a lot of walkers in that area. Safety issue re: width of road.

**Planning Commission discussion:** is it OK to give a preliminary approval without the grades when we require them of other applicants. This is basically flat terrain. Make the motion contingent.

**Motion** by Medendorp to recommend to the township board to approve the private road contingent on approval by the township engineer on final engineering details. Seconded by Gillett. All approved.

**2. PUBLIC HEARING: PRIVATE ROAD - EVAN DUFENDACH.** Presentation by applicant. Fully engineered drawings were submitted to the township within two weeks as specified at the last meeting. Planning was first and soil testing came after, ran into problems in the low areas. The original plan was then redrawn to move the private road farther east. The new plans were handed out to the commission. KCRC has verbally approved several road entrance locations - what remains is now the cul de sac portion of road, staying on high ground instead of going through the low ground due to cost of road building. Not to be paved (except entrance). Is this lake a bog lake? Yes, with floating mat vegetation. Very sensitive habitat. House placements are estimate locations. 52-acre parcel.

**Public Comments (opened 8:10 pm, closed 8:22 pm):**

- Eric English, 783 Parnell, on the north side of Bailey Lake. Asked about township rules about placing of houses, depth/width requirements now - by putting that road in, are some of those requirements foregone? / Doesn't allow more sites, reduces the number of driveways. / Criteria for frontage are 300 feet along the road or the lake edge. Using lake as 300-foot minimum frontage then each parcel has over 300 feet on the lake. There has been no compromise of township standards.
- English: there will be two driveways? / There will be two driveways, with Parcel 1 locked onto Parcel 2's driveway. Other explanations about the plan regarding placement of road and drives.

General discussion: Power overhead is the area already cut = 35-foot swath per power line requirements. The road will turn off Bailey so you won't see right down it. The road maintenance agreement has been written by the Township Attorney to meet the ordinance requirements. Parcels 1 & 2 have nothing to do with it; they will have a shared driveway. Lot 6 will have an easement across parcel 5 but will be part of the road maintenance agreement. Kerwin has not seen this latest plan, but knows about it and is expecting it to review (Tuesday). Has county's acknowledgment that it has OK'd the entrance?

**Planning Commission discussion:**

Medendorp: is there lakefront setback in the ordinance? Jeanne: the only one we have is Murray Lake it's 30 feet but in the Ag district, it'd be the regular setback. / Inland lakes in Michigan are 65 feet (per applicant).

Gillett: this is a regulated wetland per Kerwin. Has DEQ been contacted regarding this plan? Don't know. How is Bailey Lake classified? Wetland? Bog? Lake? (English: had to get permit from DEQ when they built). There's a difference between the water's edge and the wetland's edge (which fluctuates). Those that will be building would need a DEQ and county soil erosion permit. Did applicant need to get a wetland determination in order to put in the road / road commission will require a state permit as part of the process. /

Discussion about the lake being a habitat, not a place for jet skis. Applicant and English have discussed regulating what can go on that lake - lake owner association would regulate that. There are 8 total property owners who have lake frontage now, up by five more with this development. To be pursued, per applicant and English.

Nauta: concern about violation of wetlands where road is planned (applicant/ this was discussed last month and this is why the plan was changed), and Gillett wants township engineer to review this.

English: it is a wetland, but it may not be registered. / Baird: it's probably registered.

**Motion** by Gillett to recommend to the Township Board to approve this private road contingent upon the township engineer's review and rectification of any issues he raises. Seconded by Nauta. All approved.

**3. PRIVATE ROAD APPLICATION - TODD FUHR.** Presentation by applicant. 2002 lawsuit regarding this previous application was settled. Victory Woods private road off Lincoln Lake (name approved by Kent County Road Commission). Serves four parcels. Road maintenance agreement signed? Not yet. A draft agreement has been submitted to the Township Attorney.

Applicant wants a private road approval, serving 4 parcels. 18-foot width with 3-foot shoulders, 1400 feet back is the cul de sac and has 40-foot radius. 10% grade near the entrance, looking into using crushed concrete surface. KCRC petition has been approved pending township approval. Standard curbs and tarmac on Lincoln Lake. Site with wetlands is marked on the plan. Soil borings are on the plan - sandy with some clay. Rock check dams on the 10% grade to avoid wash-off.

Drainage - two ponds and wetlands, flow would go into that area. Jernberg: what about water running down the road cut? Would run to north but rock would slow the runoff. Jernberg: how are washouts controlled now? / at the bottom, it goes into a sandy loam area presently.

Applicant has not seen township engineer's recommendations, which include suggesting asphaltting the 10% grade / applicant: the asphalt will create more of a surface to build a faster flow of water. / No difference between frozen crushed concrete and

asphalt, per Jernberg. / Can bring backfill up to reduce the grade, too. It's been pulled down over the years / Jernberg: that is hard to do. / Nauta: can stabilize better with asphalt. / Gillett: 2002 memo mentioned the benefits of asphalt, too. / Jernberg: needs to see more water run-off calculations, or where the run-off will be directed. Need a better plan regarding direction of flow. Needs to see contours provided on neighbors' properties to feel confident that water won't be diverted to where he cannot see it. Wants to see with the 10% slope the need for multiple stone check dams. / Applicant: plan shows every 50 feet. / Gillett: engineer needs to seal these, too. / Jernberg: from the experience of a similar request several months ago, looking at some type of ditching process to keep the water in its channel. / Makuski: safety and fire trucks, etc? / Jernberg - 50-feet of 3% slope at the start = a good distance.

Brian: recommends the commission schedule public hearing for June subject to site plan modification in consultation with the township engineer.

**Motion** by Gillett to schedule public hearing for June subject to site plan modification in consultation with the township engineer. Seconded by Medendorp. All approved.

**Motion** by Nauta, seconded by Gillett to table the last two items on the agenda due to the lateness of the evening's meeting.

**4. LIGHTING ORDINANCE DRAFT:** (tabled)

**5. ORDINANCE AMENDMENT (AGRITOURISM DRAFT)** (tabled)

**General Public Comment Time:** Kate Dernocoeur encouraged all present to look at the Open Space Art Show, which closes Wednesday, and to cast ballots for the prize-winning adult and youth. / Tim Wittenbach: reminder to commissioners to remember the 6:00 pm township educational gathering with Williams & Works Thursday night.

Motion to adjourn by Medendorp. Seconded by Gillett.

The next meeting is June 5, 2006

The meeting was adjourned at 9:17 PM.

Respectfully submitted,  
Kate Dernocoeur, Recorder