

**Vergennes Township
Planning Commission Meeting Minutes
May 9, 2005**

A meeting of the Vergennes Township Planning Commission was held on May 9, 2005 at the Township Offices. Chairman Jernberg called the meeting to order at 7:07 pm. Also present were Commissioners Gillett, Kropf, Mastrovito and Nauta. Township Planner Jay Kilpatrick was also present. Commissioners Medendorp and Richmond were absent.

Motion by Nauta, seconded by Gillett, to approve the minutes of April 11, 2005. All approved.

The agenda was approved as presented.

Lone Pine Development – Rezoning Request

Rick Palesky said changes were made upon the request of the Planning Commission. Changes include 1. 35 ft. set back, 2. lot area with all properties and exceed standards for R2 district, 3. Lighting- lights point down, and will not be high pressure sodium or ??, 4. agreement to include landscaping, home types and make sight plan part of the agreement, 5. Steve Hanson submitted a statement of understanding that we are restating the zoning.

Kilpatrick said the memo dated today is awaiting comments from the Township Attorney. The new conditional zoning request to rezone is subject to various conditions. Normally, rezone is for a particular use and the new conditional rezoning is similar to a PUD, based upon a site plan. Kilpatrick said the Township Attorney wants to see something in writing from the applicant that they are voluntarily putting this request in front of the Planning Commission. Also, Kilpatrick said the zoning request is consistent with master plan.

Kilpatrick said the draft Development Agreement that Planning Commission provided outlines conditions but there are some incorrect statements, for example Vergennes is not a charter township. He suggests that the Planning Commission not act on this agreement but that they should review the one provided by the Township Attorney and that the Township Board approves the request and not the Planning Commission.

Kilpatrick has just been handed a Statement of Understanding from (Palesky?). Jernberg said tonight is only regarding the rezoning request. The sight plan has not been approved and nothing locked in right now. Also noticed the Attorney language stated to include language of “38 lots.” Is that correct? Kilpatrick agreed that it should be changed to “38 lots.” Jernberg asked how the lots are calculated. Kilpatrick said they count to the centerline when considering lot area. Palesky said the lots have been recalculated and the new plan shows smaller square footage. Jernberg asked if the detention basin is part of the lots. Kilpatrick said the detention basin is part of the lots, but not the easement.

Motion by Gillett, seconded by Nauta, to make a recommendation to the Township Board approve the conditional zoning request, subject to the signed agreement, and subject to the memo presented tonight and based upon approval by the Township Attorney. All approved.

Private Road Review – DeWitt Property

Jernberg recommends tabling this issue until the Planning Commission has had time to review the information they just received.

Jernberg asked Mr. DeWitt if they were on a time schedule to get this started. DeWitt said they would like to start as soon as possible. Jernberg explained how the process works and asked Kilpatrick if it is a problem to have DeWitt's engineers deal directly with Jeanne and then schedule a public hearing for next month. Kilpatrick agreed to table the review and they should have the information by the time of the public hearing. Jernberg told DeWitt to contact his engineering firm tomorrow and have them meet with Vandersloot. Jernberg said if the information is received promptly and the issues are resolved to Kilpatrick's satisfaction, then a public hearing will be scheduled for June.

Motion by Gillett, seconded by Kropf, to table this review until next month. All approved

Discuss Agriculture Buildings

Vandersloot provided information in the Planning Commission packets.

Kilpatrick said there was a concern raised at the Township Board regarding livestock on property without someone living on the same property. Do we need an ordinance to deal with agriculture buildings on sites without a residence? Some area townships allow agriculture buildings on property with residence. Nauta clarified that the concern is not regarding agriculture buildings but buildings that are used for storage or as a pole barn.

Motion by Nauta, seconded by Gillett, to have Kilpatrick draft language for the ordinance for accessory building on 20 acres or more allowing for special exception use and then recommend approval by the Township Board. All approved.

Discuss Lighting Ordinance

Jernberg asked Kilpatrick if he has any knowledge of this item. Kilpatrick said Medendorp requested this item be on the agenda but is not here tonight.

Motion by Gillett, seconded by Kropf, to table this until Medendorp returns. All approved.

General Public Comment Time

OPEN at 7:50 pm.

Susan Walter, 1045 Alden Nash, said she is disappointed that the Planning Commission is going to make recommendation to the Board. She does not think it should be zoned R2 and feel there is special treatment being given to a particular developer. She wanted to attend tonight to see what the recommendation will be. She expressed her disappointment that as volunteers of the community they are going ahead with the recommendation.

Phil Guiders, 1067 Alden Nash asked if these are single-family condos. Jernberg said they will be single-family resident homes.

Brenda Thaler, 1045 Alden Nash, asked what is the difference calling the condos “site” vs. “resident.” Kilpatrick said it refers to how the site is divided.

Jernberg said that only the rezoning was approved tonight. The Planning Commission will review everything and there is room to negotiate a buffer on their side of the road. The mandate the Planning Commission was given five years ago was to have higher density, and the rezoning is going with the Master plan and limit the amount of exposure they are experiencing.

Bev Cosgroves, 1065 Alden Nash, said there is an agreement signed by all residents. They are in the process of forming an association. Jernberg suggested she call Zoning Administrator Vandersloot for information. Her other concern is the group of pines; who takes that into consideration? Jernberg said that as the landowner they cannot make him cut down or leave up trees (green space). The Planning Commission has mandated other processes and with Kilpatrick’s help they can possibly add some language.

Sue Walter expressed concern about the trees near the stadium probably being cut down because the trees would generate income (\$2000-3000 each), and all noise from stadium will come to their property. Jernberg said the Planning Commission will consider all this and suggests they show up to the Public Hearing.

Bev asked who and what can help them in this situation. Jernberg suggested they get an association agreement and get everyone to sign it.

Jernberg told those here tonight that they would all receive a public notice from Jeanne regarding the date of the Public Hearing.

Brenda Thaler asked if the site plan was going to be approved at the Board meeting next week? Jernberg said the site plan is not even an issue at this time. She wants to have the developer preserve some of this and suggested the Planning Commission take a look at the property. Gillett said that a developer tries to keep green space. Jernberg said the Planning Commission tries to encourage the developer to preserve as much as possible.

Sue said they want the Planning Commission to see their point of view and Jernberg said they do.

Judson Davis, 1081 Alden Nash, asked if they were a test case. Kilpatrick answered yes, in some respects. Judson asked what happens if it goes wrong. Kilpatrick said that the Township Attorney and himself are trying to think of everything to prevent that, but if it fails it goes back to R1 zone.

Judy Gider, 1067 Alden Nash, expressed her concern about traffic since she ran into a couple of accidents recently. She asked if the homes prices are approximately \$160,000. Jernberg said the developer has to meet the township minimum (\$152,000) and range of these will be \$190,000 - \$200,000+. Sue said these are considerably less than theirs and Jernberg said with all the other options it would increase the value as well.

General Public Comment closed at 8:12 pm.

Motion by Nauta, seconded by Gillett, to adjourn meeting at 8:12 pm.

Next meeting June 6, 2005

Respectfully Submitted by,

Cindy Sullivan
Recording Secretary