

Vergennes Township

PLANNING COMMISSION MINUTES

November 13, 2006

Approved 12-4-06

A meeting of the Vergennes Township Planning Commission was held on November 13, 2006 at the Township Offices. At 7:10 PM the meeting was called to order by Chairman Jernberg. Also present were Commissioners Gillett, Mastrovito, Medendorp, and Nauta and Post. Absent was Makuski. Assisting the commissioners were Jeanne Vandersloot (Township Zoning Administrator) and Jay Kilpatrick (Township Planner).

APPROVAL OF THE OCTOBER, 2006 MINUTES: Motion to approve by Gillett, seconded by Post. All approved.

APPROVAL OF/CHANGES TO AGENDA: Item #4 is tabled per request of Jeanne. Motion to approve by Nauta, seconded by Gillett. All approved.

1. PUBLIC HEARING: PAWSITIVE CANINE TRAINING CENTER - SEUP - LIZ FAHNENSTIEL.

Applicant Presentation: Presentation by the applicant. She handed out her responses to some previously stated concerns about barking and loose dogs – all will be on leashes at all times, and barking will be monitored at all times. Also, the agility fence line can be moved to meet the 50 foot setback requirement easily. The revised site plan addresses all concerns. Drainage concern is shown on the site plan.

Public Comment: Opened at 7:13 pm. Closed at 7:14 pm

No public comment.

Planning Commission Discussion: Kilpatrick: applicant has replied with answers to everything previously addressed except the setback of the fence on the plan shows 30 feet, which will be shifted to be 50 feet. Standard requirements show there are no outstanding issues. We are down to site plan issues now. Exterior lighting: need detail. Exterior animal waste clean-up: two aluminum receptacles on site with bags. Sign: lighted? Not shown, but will not be lighted. The following three elements are not in compliance with the ordinance standards, but under special exception use, the township board can approve waivers if they wish:

- 1) 80% of the facades facing street and residential district waiver (front meets requirement; waiver for north and south side does not - it is an existing structure);
- 2) parking standards: applicant is requesting to use crushed concrete to meet a dustfree surface resistant to erosion.
- 3) screening/berm: she controls (owns) the property to the north and the neighbor to the south has asked not to have a fence or plantings.

Applicant: lighting information was provided on short memo “site plan explanation and clarification”. The disposal of waste system duplicates what is typically done at dog parks: containers with “poo” bags available in the agility area. Sign: not lit.

Medendorp: existing lights? Will be updated to meet the ordinance (see her memo).

Post: is crushed concrete hard on wheelchairs? Kilpatrick: ordinance only requires a dust-free surface. Precedent for approval exists. Medendorp: Might be an ADA concern.

Motion by Medendorp to recommend to the Township Board to approve the special exception use permit. Seconded by Gillett. All approved

Motion to recommend to the Township Board to approve the site plan with facade as shown on current site plan, and subject to shifting agility training fence-line to 50 feet from the north lot line, administrative approval of exterior lighting, meet Township Engineer’s comments on memo dated Nov. 10 and three minor site plan waivers: 1. Waive 80% façade rule for north and south sides. 2. Use crushed concrete for a surface considered “dustfree and resistant to erosion”. 3. Waive placing a planting strip, fence or berm along the north and south borders of the property (she owns north property and neighbor to south requests none). (Refer to Kilpatrick memo dated November 8, 2006) Seconded by Nauta. All approved.

2. PUBLIC HEARING: BANQUET FACILITY - SEUP - KENT MCKAY.

Applicant Presentation: Presentation by Kent McKay. The site plan shown tonight is for reference only, since the design process is still continuing. The most important seven concerns to address tonight are:

1) exterior elevations: single slope or flat roof will lower height of building without affecting the cupolas. Exterior to consist of masonry, glass, some wood, eliminating/reducing EIFS. (Noted how the new vet building has raised the bar with its sophisticated look.)

2) outdoor ceremony area: no permanent seating. There will be an area for folding chairs which would be placed each time. Walkway to a 16-foot diameter gazebo placed on a temporary foundation so it can be moved. 16 foot high pagoda roof. (Showed sketch). No bright illumination is intended inside the gazebo.

3) sanitation: final placement subject to well location and isolation zone, septic field, and retention pond - building may move depending on Health Dept. There are 6.9 acres, there’s room for this. Now planning for 10 stalls for women and 10 for men in rest rooms.

4) parking lot: 219 spaces (only required to have 160 spaces), meeting township code. Possibility of a second curb cut is wrong - there will be no curb cut - building uses two existing access driveways, both shared, with the vets on either side. Maneuvering lanes are sufficient for emergency vehicles. Driveway is wholly on the property. Light will be

located for maximum lighting and are night-friendly. Asphalt has an 8" base, 1-1/2" base coat and 1-1/2" top coat. Walkways are poured cement.

5) traffic: this will be (at least initially) a primarily off-hour, evening operation, usually after 5:00 pm. Weekends primarily, at least initially. Traffic management: two drives (to the two animal clinics) equal four lanes of traffic coming onto a 45 mph two-lane road. KCRC in 2004 there were 8,800 vehicles on this road per day. Growth like this is easy to handle historically (showed comparable examples to highlight safety - example volume was two times).

6) vehicle load onto Lincoln Lake: numbers of vehicles per week are initially projected to be 142 vehicles per week (2 passengers per car). Numbers rise in 2009-2010 to increase volume to 242 cars per week. (Showed example of the new neighboring congregational church showing more traffic, most in one day, usually at the same time.)

7) Planning to serve alcohol at the facility. People can only drink if invited by the host. Michigan requires one supervisory person trained in alcohol awareness techniques and what to do. Applicant will require every server to be currently certified in TIPS training. Goal is to protect the business and the public.

Public Comment: Opened at 7:43. Closed at 7:46 pm

– Pete Gustafson, 12213 Bailey Drive: Complimented the presentation. From a planning standpoint, urges the commission to look at this as a generic development. If the business is successful, with liquor license and infrastructure, if something happens, what would the likely successor be? Probably a restaurant, or a different use. From a planning standpoint, consider this possibility.

Planning Commission Discussion: Jay Kilpatrick - asked applicant if he was asking for site plan approval tonight? No, there's a new site plan forthcoming. Suggests PC consider special exception use approval tonight with subsequent approval of the site plan at a near future meeting. Primary issue is the intensity of this use relative to other uses in the area - it backs up to the railroad and abuts other commercial uses, so the location makes sense. Compatible with emerging commercial pattern along that route. Should consider whether this will affect nearby property values. Is it compatible with Master Plan? Generally, the area is a mix and the Master Plan calls for uses of this kind, especially where it's located. Hazards have been addressed tonight generally. If the applicant sells out or changes the business, it would require re-approaching the planning commission for a change of use and a new permit. Recommends conditional approval.

Motion by Nauta to recommend to the Township Board to approve the special exception use permit contingent on approval of the future site plan, particularly the findings in the Sept 28 memo from Kilpatrick. Seconded by Medendorp. All approved.

3. PUBLIC HEARING: PRIVATE ROAD/ALDEN NASH MEADOWS - LINDA BIGGS.

Applicant Presentation: Presentation by the applicant, accompanied by Mike Wilson, engineer. Noted October 2 memo from Kerwin regarding recommendations that

applicant address certain provisions, and another memo on November 6 showing provisions being met or modified and recommending approval.

Public Comment: Opened at 7:55. Closed at 8:03 pm.

– Pete Gustafson, Bailey: personally, I would prefer to be able to hear the points ahead of commenting. An adjacent property owner. / Jernberg: private road with land divisions. A letter was received internal to the township concerned about the number of parcels and how they touch the private road. There are 78 acres being divided into 13 parcels and a private road and a drainage system to handle the road. Land division act allows certain division numbers and there are certain parcels needing attention as to how they apply to the land division act. All lots are in excess of 3 acres. / Gustafson: plan for the property on the east side of the tracks? Biggs: plan is to create one lot divided by the track pending reply from the railroad. / Gustafson: to what extent (if any) does that affect this plan in terms of size, but would like Planning Commission to take account of that. This area is well within the RA district and this type of development is unusual in this area of the township. At the core of these discussions is the attempt by the township to retain rural character. This proposal apparently meets lot sizes. / Biggs: Many are 5-8 acres and the lot across the tracks is a 21 acre parcel.

– Brian Mooney, 951 Lincoln Lake: the plan looks nice, happy to see large lot sizes. Speaker's property also abuts this project.

Planning Commission Discussion: Jernberg: did applicant get township denial of the splits? Yes, by fax, today. Have lived here 40 years and am in favor of keeping township rural. This is a plan for low traffic with a benefit to the township's tax base without stressing the schools. If she wanted, could fit up to 18-20 houses on the east side and I personally don't want that. Nauta: the split is how Debbie interprets the land division law. Biggs: The house has been on a separate parcel for 40 years. Willing to combine one of the lots if necessary. On Lot 12 there was ingress/egress concern. Wilson: can get two extra parcel splits when you prepare a private road (as long as they don't go out to the existing road). House on corner has access to Alden Nash, but there's an existing drive for the house and the farm field, so the net result is fewer outlets to the road. Discussion about access to Alden Nash. How to address parcel 13, which has no access to the road? (Wilson: There is an easement, and another that's a shared easement for parcels 4, 12, and 13.) OK to cross railroad once application goes through. Lot 4 is OK. Access to lot 12 comes off Alden Nash.

Access to lot 13 will not necessarily hold up approval by the planning commission although it will remain a question. Could attach lot 13 to lot 7 and resolve the situation for now.

Motion by Nauta to table this until the land split questions is resolved. Seconded by Gillett. All approved.

4. CONDITIONAL REZONING: CBM INVESTMENTS PARTNERS LLC. [tabled at outset]

5. COMPREHENSIVE PLAN UPDATE REVIEW - JAY KILPATRICK. [Chairman Jernberg left; Vice-chair Gillett took charge of the meeting at this time] Regarding the Oct 4 memo about the Master Plan update, regarding utility management and future land use.

Tonight's discussion: final tweaks and adjustments and land use along Lincoln Lake corridor, esp. regarding earlier discussions tonight. Appropriate to add language in the master plan about these concerns. Utilities can generate sprawl but also foster more creative designs from developers. Can concentrate sprawl patterns into areas we want to see growth. Suggest considering three-phased utility management area bounded by Lincoln Lake, Alden Nash, north one-half mile and eventually to the east to Flat River to serve that area with waste water management.

Once township's plant is in place, to let the plan be the guide how we'll expand utilities over the next 20 years instead of vice versa. Topography to the north (uphill) helps create a natural divider. The idea is to set up a more precise utility plan in the new Master Plan.

Commercial land use - slight modification to land use along Lincoln Lake - proposing adjusting patterns for the area south of Vergennes along Lincoln Lake to be commercial rather than industrial. Leaves the area behind the banquet center as industrial. SE corner of section 34 west of the tracks will be changed to medium-density residential, more in keeping with the area. Slight modifications only. Looking for further guidance but this will all come back for public hearing early next year.

Medendorp: we also have a water district – should it be overlaid to see how/if it fits together? Jay: not sure it's mapped. Medendorp: had to extend the water line when Foreman Farms was developed - where does that start and end? / Kilpatrick will add that.

Questions about access to the treatment plant. Further discussion.

6. ORDINANCE AMENDMENT DISCUSSION (HISTORICAL DISTRICTS COMMISSION).

Presentation by Kilpatrick: passed out a report indicating how to take this out of zoning and put it into the general law ordinances so the amendment would delete Section 427 (the current standards) and adopt a new ordinance within the general law paralleling current language with some additions:

- no standard for demolition by neglect (requires ordinary maintenance)
- no quarterly meetings (annual only)
- not suggest the commission membership be reduced
- not provided direction on the mission (done outside the ordinance)
- recognized Fallasburg Historical District and the covered bridge - both are state and national listed sites and if they are not listed in the ordinance there's no reason to have a commission. Suggests the Planning Commissioners look over the handout and discuss further later. Idea is to remove this from zoning ordinance and more how the commission functions. General agreement to come back to this in December and send to the Board for

their comments.

General Public Comment Time: Informational update by Kate Dernocoeur for the Eastern Townships Open Space group, which is applying for a grant to promote cross-jurisdictional cooperation. More specific information to come at the Township Board meeting next Monday.

Motion to adjourn by Gillett. Seconded by Medendorp.

The next meeting is December 4, 2006

The meeting was adjourned at 8:50 PM.

Respectfully submitted,
Kate Dernocoeur, Recorder