

**Vergennes Township**  
Planning Commission Minutes  
September 8, 2003  
*References in italics per October 2003 minutes*

A meeting of the Vergennes Township Planning Commission was held on September 8, 2003 at the Township Offices. Chairman Jernberg called the meeting to order at 7:05 pm. Also present were Commissioners Kropf, Medendorp, Gillett, and Richmond and Zoning Administrator Jeanne Vandersloot and Planner Jay Kilpatrick. Mastrovito arrived 7 minutes later. Nauta was absent.

**Approval of August minutes:** Motion to approve by Richmond, seconded by Gillette. All approved.

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

**1. Ordinance Amendment Public Hearing – Lawn and Garden Center:** Vandersloot and Kilpatrick gave a brief explanation about the new use, which will be a special use in the Agriculture District. The public hearing was opened. Al Baird questioned the need to permit garden tractors of up to 50 HP – may fall into larger farm categories. Jernberg asked Vandersloot about the information she obtained from other dealerships, what was their series or sizes they are putting out in front of their facilities. Vandersloot said the tractors looked about the same size but the horsepower was different depending on what was being pulled. All of the smaller tractors were 50 hp or less and anything above that was getting into a farm tractor. Jernberg asked Kilpatrick if a business owner could sell an actual farm tractor if it is less than 50 HP. Kilpatrick said it is subject to zoning administration's interpretation. The Township could have the business remove the equipment or shut the business down. Jernberg said there is a difference between a lawn and garden series and farm series; can they put these out with the way the current ordinance is stated? Kilpatrick said no. The Township would write an order to remove any such tractor because it would be in violation of the ordinance; Township can issue a ticket, or the Township can shut down the entire operation because it would no longer would be in compliance with the special use permit. Jernberg quoted the ordinance "lawn & garden equipment" and asked if that is specific enough? Kilpatrick confirmed. No further public comment was received and the hearing was closed. Kropf agreed that 50 HP was a little big. Kilpatrick suggested that the language establishing the 50hp limit could be deleted without another hearing because it would not be making the amendment more restrictive. He also suggested that as a condition of approval, the Planning Commission could require an applicant to provide a listing of the line of equipment he proposes to sell and that listing could be evaluated and included as a condition of approval.

Motion by Gillette, seconded by Medendorp to recommend to the Township Board approval of the draft amendment with the elimination of the 50 hp limitations on equipment.

**2. PUD Pre-Application Conference:** Terry Sanford and Rob Munger presented the proposed project to construct 216 homes on about 100 acres located in Section 34 south of Vergennes Street and east of Alden Nash. They stated the project would be stick built homes in the \$150,000 to \$210,000 price range. Requesting that the site be rezoned from R-1 to R-2 and that the PUD language be amended to permit a higher density bonus. Applicant indicated a willingness to have an agreement that if the rezoning is approved but the PUD is not constructed, the site would automatically revert to R-1. They indicated that they believe sewer is available, but wanted to get a read of the Planning Commission before tying down capacity. Proposed plat

will include public roads. Munger indicated he would likely sell the site once it is ready to one or more builders, but retain control of the quality of the development. In response to a question, Munger indicated he had an accepted purchase agreement with the Cooks, contingent on zoning approval. Jernberg asked about the construction timetable and Munger indicated it would be completed in about 3-6 years, but did not know yet what the phasing groups would be. Sanford indicated they have talked with the County Road Commission about the proposed traffic circles.

Wittenbach asked if the Master Plan would have to be reopened to accommodate the rezoning. Kilpatrick indicated it likely would not since the Master Plan contemplated densities in this area of approximately 1-2 dwelling units per acre and at 216, this project is within the range of that description. Richmond asked about design standards for the project and Munger indicated it would be attractive with various deed restrictions. Munger indicated the Planning Commission might want to look at Copper Ridge on 84th Street east of Broadmoor, or another project on 92<sup>nd</sup> west of Hanna Lake near Briarwood Golf Course. Applicant was given no assurance of final action, but was told that the Planning Commission would be interested in further detail documenting site ownership, any pending lawsuits, sewer availability, project phasing, use of the green space, total build-out timeframe and nature of rezoning assurances being offered. Vandersloot was directed to look at the other two developments by the applicant and take photos for the next meeting.

**3. Ordinance Amendments: Liquor License:** Vandersloot presented a draft ordinance. She indicated it was based on MTA's sample ordinance and enhanced to provide for local control. The draft had been reviewed and comments provided by Kilpatrick and Doezema, which have been incorporated into the draft. She said that the draft should be a stand-alone ordinance, not a zoning ordinance, and applicants would apply and be processed by the Township Board. She went over the various types of licenses and permits and explained that some kinds of licenses required Township approval and some types did not. The Michigan Liquor Control Commission has strict regulations on the consumption and sales of liquor, beer and wine. She explained that control of the amount of consumption, age limits, areas provided and stop serving times are preferred by facilities and they often want to apply for a license with the MLCC. An ordinance gives the Township Board a basis to review any application.

Kilpatrick commented that the planning commission does not hold a public hearing on a stand alone ordinance and that the draft is ready to be passed onto the Township Board for their review and to finish the content. Motion by *unknown* seconded by *unknown*, to recommend the liquor license ordinance be forwarded to the Township Board for further review.

**General Comment Time: None**

Motion to adjourn by *unknown*, seconded by *unknown*. All approved. The meeting was adjourned at 8:30 pm. The next meeting will be October 6.

Minutes submitted by:  
Cindy Sullivan and  
Township Staff