

# Vergennes Township

## PLANNING COMMISSION MINUTES

September 12, 2005

A meeting of the Vergennes Township Planning Commission was held on September 12, 2005 at the Township Offices. At 7:05 PM Chairman Jernberg called the meeting to order. Also present were Commissioners Gillett, Kropf, Mastrovito, Medendorp, and Richmond. Absent was Nauta. Also present: Jeanne Vandersloot (Township Zoning Administrator) and Jay Kilpatrick (Township Planner).

**APPROVAL OF AUGUST 2005 MINUTES:** Motion to approve by Medendorp, seconded by Gillett. All approved.

**APPROVAL OF/CHANGES TO AGENDA:** Jeanne has an application from the small vet now available for next month's public hearing - will hand out. Motion to approve by Gillett, seconded by Kropf. All approved.

**1. PRIVATE ROAD APPLICATION (TRIPLE OAK TRAIL): LANGLOIS.** Presentation by Jay Kilpatrick, showing updates to applicant's maps as requested last month. Road proposed grade still exceed the preferred grade but the Township Engineer feels they are adequate. Some changes suggested. Discharge elevation still lacking - minor tweak with other technical issues discussed last month. Langlois decided not to go with switch back re: 25 mph curve makes the switchback not feasible. Re: access to the 36 acres to NE also owned by the applicant, applicant indicated development on that would make upgrade of that road the responsibility of the new owner, but that language is not on any documents to date. Discussion about water being kept on owner property rather than flowing to retention or to the road. Road maintenance agreement should stipulate water stay on the property, not be dumped out onto the road. Landing at the bottom? Langlois: first 50 feet is at 4 percent. Larger issue was that typically a slope exceeding the normal; should be 50 feet of zero slope; Langlois: commission said nothing about zero slope at the landing last time. Discussion about maintaining 8 percent longer to achieve zero percent landing.

Medendorp: now there are side slopes that need stabilization to prevent runoff into the road. Solid pipe 2-4 feet in diameter with a small pipe for the outlet. / Jernberg: suggested applicant look into the newer technology using perforated smaller pipe to leach water as it goes through the pipe.

Jay: the next step is to set a hearing, but meanwhile ask for the draft of the road maintenance agreement. Drainage calculations needed (Langlois has, shows calculations includes the steeper side cuts). Other minor things from the Sept 9 memo need attention.

**Motion** by Gillett to schedule a public hearing for October 3. At that time, applicant to provide a draft road maintenance agreement that shows language about the

road needing to be brought up to specs re: future development of the nearby 36 acres. Also, other engineering recommendations by VT engineer must be attended to, there should be evidence showing private lot drainage outside the private road easement will not run onto the road. Applicant will also provide a map showing the parcel to the east, since it's being served by the road. Seconded by Mastrovito. All approved.

**2. SITE CONDOMINIUM APPLICATION - ALDEN NASH WEST.** Presentation by Rick Pulaski with Nederveld, with Steve Hansen (owner of Turtle Lake Investments), applicant. Changes from prior meetings, now 37 lots to make room for a detention basin. Has a release, and engineered to avoid drainage to neighbors. Secured easement for this purpose from the detention basin to the creek. Lot lines shifted some but are within zoning restrictions. Maintained required 66 foot ROW, with ROW's ending on cul de sac of proper size. Re: maximum allowable grade (not to exceed 6 percent), this plan has some preservation/special areas of conservation (wooded area on west side, woods on north side) where the only way to protect the trees is to maintain the slope to reduce excavation. Explanation of the various slopes and attention to safe intersections.

Discussion about which lots need special language prohibiting any construction over the sanitary line to the high school. Applicant agreed.

Kilpatrick: Material just arrived late last week. Twp engineer questions the grade of steeper areas presented. Noted changes from earlier discussions (from soil erosion and sedimentation plan). Lot 2 didn't show 17,000 sq ft. (no lot areas shown on his copy). Tree buffer originally shown along east lot line not shown on soil erosion/sedimentation plan. Needs to show items from conditional rezone as discussed. Development agreement between applicant and township needs to be evident. Four changes on this application (reduction of # of lots = positive, but needs to be noted), landscaping change (potential change to be noted). Site condo plan, Kilpatrick noted use/occupancy provisions to be covered in bylaws & master deed, which would be needed. Site plan: missing items include: setback, lot area, landscaping, detail on project signage – all required. Private road application seems in order, assuming road maintenance agreement to be delivered. Suggests tabling pending complete review of all required pieces of the application. Proceeding would need to be based on a number of provisions.

Applicant: tree buffer & landscaping - no intention to depart from prior plan, except to add landscaping to the entrance.

Jernberg: expressed concern about storm water. Detention pond depth? Potentially up to 6 feet. Slope of sides of detention pond = 1 on 4. Suggests landscaping on border to Pheasant Valley.

Medendorp: lighting issues. Applicant planning to include on the next version.

Discussion: one 8% and one 10% slope. Gillett: our engineer is concerned about them. Needs to be revisited. Medendorp: plan shows adequate landing area, which makes a big difference. Applicant: preserving the trees are why the greater slope. Jernberg:

concerned about the intersection of Kayden & Soren. A stop sign on Soren would probably be needed. There's 80 feet from the intersection to the full 10% slope. Jay: there's a trade-off between a flatter road and lost trees.

**Motion** by Medendorp to schedule a public hearing for the October meeting with the following stipulations (if not met, public hearing to be tabled):

- approximate entrance sign
- landscaping commitment honored
- open space along main drive & center islands landscaped according to earlier discussions
- landscaping to southwest side of the detention pond shown
- draft master deed, to include documentation about residential lighting (all full cut-off), and street lighting (full cut-off/maximum height 14 feet)
- storm water calculations
- proper language prohibiting additional building on lots with sanitary line easement
- show all lot sizes (with and without right of way)
- document setbacks (provide a proper site plan)
- provide a draft road maintenance agreement and master deed.

Seconded by Gillett. All approved.

**3. SPECIAL EXCEPTION USE PERMIT - IMPACT CHURCH.** Presentation by Cy Floyd representing Impact Church. Issue: the existing church is in the City, bought the Marshall property (in Vergennes Township) next door. Want to put in an addition of 60x60, which will infringe on the setbacks due to the curve of Hudson. (Noted that nearby doctor's offices also infringe, so the applicant feels they are consistent with the neighborhood, which is mostly commercial area.)

Kilpatrick: did not review the information. More complicated about jurisdictional boundary. Needs a complete site plan. Single drawing needs to be up to site plan standards, and there may be other issues needing to be addressed. Floyd: the new construction is all in VT, but a 12-foot connector hallway will cross the city/township boundary.

Vandersloot: 75-foot front setback. They have two front yards. Commercial district can have variances granted by township board. Commercial section doesn't require rear or side setback - so going into the City is not a problem. Artist rendition shown. Parking area doesn't show number of spaces. City requires 1 car per three people. Anticipate building 40 more spaces, and using Crystal Flash and the doctor offices, working on an agreement. Township requires 1 space per 4 seats.

Jernberg: schedule? Opportunity to build this fall, maybe.

Vandersloot: drainage issue not addressed. Water exists on the property, sewer exists on the other property, which they think they can connect with.

Jernberg: what agreements exist? Applicant: city suggested annexation. Jernberg:

need better drawings next in order to make better decisions with dimensions and other key components. Take time to find out what the township needs then get the architect to handle before coming back. Kilpatrick: Progressive needs to look at the standards for both site plan and special exception use. Elevation drawings, landscaping, and lighting – all those issues need to be addressed and presented.

**4. INDUSTRIAL SITE PLAN REVIEW - FINISH LINE SYSTEMS.** Presentation by Craig Evans with Finish Line. Property owned by a different owner. Does industrial maintenance working out of trailers and is looking to build a building in Bieri Industrial Park to be able to quit hauling equipment out of trailers in winter. Rendition of proposed building given to commissioners. Questions about signage, etc. Would keep similar to the other businesses in the area. Employees: 2. Maximum employees at peak: 2-3. Most work done at job sites. This would be offices, storage, and space for maintenance on their equipment. Approx 4500 sq feet.

Vandersloot: applicant's information just arrived. Public hearing not needed. This is a permitted use.

Schedule? Just getting started. Not in a rush, would like to build this fall (before winter). Applicant encouraged talking to Jeanne and clarifying stipulations.

Applicant asked to come back to the October meeting with all the criteria (water runoff, lighting, etc.) check listed and there could be a possibility of recommendation to go to the township board for approval.

**5. KEENE TOWNSHIP MASTER PLAN REVIEW.** Presentation by Vandersloot - as of 2001 it is now required that all zoned municipalities look over master plans every 5 years. The updated plans must be given to the neighboring municipalities for review and comment. Kilpatrick: VT has 40 days to make comments, the reason was to provide opportunity to deal with border issues, such as if a neighboring town is planning an industrial par on your boundary – to provide a chance to deal with issues like that that come up. Jernberg: did Jeanne or Jay see any red flags? Not really. Lots of Ag/AgResidential. There's one commercial, one industrial business in Keene, the rest is mostly ag, ag-residential. Kilpatrick: also an opportunity to do some joint planning, or other joint discussion. Jernberg invited a couple of commissioners to look it over, and send a response to Keene, as a courtesy. Gillett: seems to look fine. Jernberg to arrange for a courtesy letter thanking Keene for the opportunity and the map looks to be in line with that of Vergennes Twp.

**6. DISCUSSION - PRESERVED PARCELS ZONING DISTRICT.** Because of the parcels now permanently preserved (Howard Farm, Cooper Woodland, Wege Natural Area), Tim Howard asked the Planning Commission to look into whether a zoning district should be created for these type of properties. Kilpatrick: Master plan describes preservation zones.

The recorded preservation language of each parcel restricts the use of the land. A zoning district will mainly duplicate what is already in place, time and expenses to create. Implications regarding taxation? Restricted use of land should lower taxes. Dernocoeur: one reason is to show these areas for mapping purposes. If it's a mapping issue, it doesn't need to be a zoning district. The areas can be shown on the zoning map for informational purposes like parks or state land.

**General Public Comment Time:** Jeanne Vandersloot: last June, the small animal vets on Bowes Road came with a request to have their property and business classified for special use in the industrial district so that they can move the business to the new property. Documents handed out to commissioners. A slight misunderstanding of when the public hearing was to be held, it is now planned for October 3. Jay: risk is that the hearing might need to be tabled if there are criteria missing, but they were close last time they appeared before the Commission. Motion by Gillett to put the application out for a public hearing on October 3. Seconded by Kropf. All approved.

Motion to adjourn by Mastrovito. Seconded by Medendorp.  
The next meeting is October 3, 2005  
The meeting was adjourned at 9:10 PM.

Respectfully submitted,  
Kate Dernocoeur, Recorder