

Vergennes Township – 10381 Bailey Dr. Lowell, MI 49331
Regular Meeting of the Township Board
August 19, 2019

Minutes

The meeting was called to order by Tim Wittenbach at 7:00 p.m. Pledge followed.

Roll Call – Wittenbach, Hoffman, Gillett, Mork and Rasch were all present, none were absent.

Approval of the Agenda – Hoffman requested that New Business #3 be moved to the September 16, 2019 meeting. All agreed. Motion made by Mork and seconded by Rasch to accept the agenda with the deletion of New Business #3. All members voted yes. **Motion carried.**

Approval of the July 15, 2019 Regular Board Meeting Minutes – Motion made by Gillett and seconded by Rasch to accept the minutes as presented. All members voted yes. **Motion carried.**

Approval of the August 7, 2019 Special Meeting Minutes – Motion made by Gillett and seconded by Mork to accept the minutes as presented. All members voted yes. **Motion carried.**

Approval of the August 12, 2019 Special Meeting Minutes – Motion made by Gillett and seconded by Rasch to accept the minutes as presented. All members voted yes. **Motion carried.**

Treasurer's report was given and bills were presented. Gillett motioned to accept the Treasurer's report and approve the bills. Mork seconded the motion. All members voted yes. **Motion carried.**

Public comment – There was no public comment

Public Hearing – Buena Vista Planned Unit Development (PUD) Concept Plan – opened at 7:12 p.m. Developer began by explaining the plan for 14 homes on a 28 acre site off Triple Oak Dr NE in a PUD in order to preserve natural area along river. This project would require a new maintenance agreement for Triple Oak Drive NE

Public comments -

- **Branden Monroe, 12700 Triple Oak Dr NE** - Expressed concern over wear and tear on Triple Oak Dr NE and resulting maintenance costs. Would like to see a change as Langlois owns parcel on road but is exempt from maintenance costs. He does not want to see current residents forced into homeowners association with Buena Vista residents.
- **Hilary and Mike Arthur, 344 Lincoln Lake** - They submitted a written record and verbally emphasized their concerns that the only preserved areas are unbuildable, and environmental concerns over run off into the river and down to Lincoln Lake Ave. They also stated safety concerns with additional Triple Oak Dr traffic entering and turning from this dangerous section of Lincoln Lake Ave.
- **Ed and Sharon Vantimmeran, 12795 Burroughs** – They are concerned over river erosion, and too many houses for the space (drain fields, wells).
- **John Joling, 12740 Triple Oak Dr** - He has lived there 10 years, the road was perfect upon moving in, but now already they are dealing with big costs to repair and maintain for 5 houses, cannot imagine that many additional homes. Wells currently are almost 300 feet deep - what will this do to the water table?
- **Thomas McIntyre, 12747 Triple Oak Dr** - Concerns match Branden's

Additional public concerns were received in writing. They include -

- **Jeff and Julie Rickert, 200 Lincoln Lake Ave NE** – oppose PUD
- **Michael D. Arthur and Hilary Curtis Arthur, 344 Lincoln Lake Ave NE** – concerns stated above

- **Branden and Amber Monroe, John and April Joling, Thomas and Julie McIntire, Tyler and Whitney Hoard, Corey and Sonya Buczek – Triple Oak Dr NE homeowners** – currently responsible for road and concerned with damages, maintenance and repairs
- **Joan K Rickert, 421 Lincoln Lake Ave NE** – concerned with effect on Lincoln Lake traffic in that dangerous stretch.

Public Hearing closed at 7:30 p.m.

Old Business –

1. **New Township Hall Building** – Board reviewed plans submitted by Tim Spitzley. Wittenbach suggested Board needed to examine plans and any others to be received and meet in a week. Special Board Meeting scheduled for Monday, August 26, 2019, 9 a.m. at 69 Lincoln Lake Ave NE. Consensus from all board members.
2. **Community Clean Up Day September 28, 2019** – 8 a.m. until 11:00 a.m. – Discussed needing volunteers for the event- Jeff Hoffman, Heather Hoffman and Tim Wittenbach will help. Wittenbach will line up the use of a front end loader from Roth Excavating again this year.

New Business –

1. **Buena Vista Planned Unit Development (PUD) Concept Plan discussion** – Wittenbach began by asking Langlois to provide additional information and address the concerns expressed in the Public Hearing. Langlois explained that the Buena Vista development will pay into the Triple Oak Dr NE maintenance agreement and would make the current owner's cost of maintaining the road go down. This road maintenance agreement would be drafted by lawyers. Langlois mentioned that the current private drive was built to current private road construction standards. The current owners of property on Triple Oak drive would be protected from construction damage through a bond or an agreement to bring the road back to the condition it was in prior to construction.. Langlois provided information suggesting the bluff along the river was actually two bluffs and included an old logging road between the bluffs. The logging road area is where the proposed foot path will be for Buena Vista residents.

Gillette explained that this PUD proposal is the second proposal for this PUD. The first proposal did not meet township zoning standards. The Township ordinance requires that the PUD conceptual plan be approved if it is satisfactory. After approval at the stage, the PUD applicant will then work to provide more details -such as the private road plans, maintenance agreement, master deed, site condo application, and work towards a final approval. Gillett explained that the Health Department would be part of the approval process as they would need to approve the plan for well and septic. The Planning Commission will review these future detailed plans and hold public hearings on multiple parts of this development – ie. site condo approval, public road approval. Following that a recommendation will be forwarded to the Township Board for a final approval before the beginning of any construction. Gillett motioned and Rasch supported the motion to accept the planning commission's recommendation to approve the Buena Vista Planned Unit Development Concept Plan WITH the Williams and Works stipulations as stated in their July 22, 2019 memo.

“The Vergennes Township Planning Commission approved the Buena Vista Planned Unit Development Concept Plan with the following stipulations recommended by Williams and Works – and is recommending approval by the Vergennes Township Board.

1. The proposed PUD shall satisfy all applicable local, state, and federal laws, rules, and regulations.

2. Prior to the issuance of a building permit, the applicant shall receive approval for a private road extension as outlined in Section 202.006 of the Private Road Ordinance.
3. The applicant shall include existing flood plans, wetlands, or other unbuildable areas and hydrological information on the site plan, if any.
4. The applicant shall include plans for public services, such as roads, gas lines, electric lines, telephone lines, and cable TV lines.
5. The applicant shall submit results from soil borings.
6. The applicant shall submit a narrative describing the overall objectives of the proposed PUD, financing plans, method for maintenance of open areas, private roads, recreation areas and parking areas, if any. In addition, a discussion of impact on local schools, environmentally - sensitive areas, stage of construction, expected commencement date and length of time for each stage and a statement of why the proposed PUD will enhance the area as compared to existing land use requirements for the underlying district.”

All members voted yes. **Motion carried.**

2. Gardner Klaasen Living in RV on vacant land – public hearing requested –SEUP

Klaasen discussed his intentions to build a house on the vacant property, but has been unsuccessful in finalizing a house plan or finding a builder due to the current shortage of builders. He is currently living in his RV on his property located near the corner of Parnell and Foreman and has filed for a special use permit for a temporarily dwelling. Klaasen is requesting to live in his RV until his plans are finalized and a house can be built next spring except through the winter months when his RV would be moved to a storage facility. He said he would be out of the RV in November and the RV would be stored off the property. Klaasen asked about building a pole building prior to the house. The zoning administrator said that would be a separate matter and require a separate application. If the SEUP is approved, it is normally approved for a year. Gillett motioned and Wittenbach supported the motion to grant a public hearing to get public input on the matter. A public hearing will be noticed and held: Gardner Klaasen request to live in a RV while planning then building a house. To be held at Regular Township Board meeting on September 16, 2019. All members voted yes. **Motion carried.**

3. **Discussion Draft Ordinance for handicap accessibility requests –** item moved to September 16, 2019 meeting per acceptance of agenda.
4. **Permit for fireworks @Pink Arrow September 13–** Gillett motioned and Wittenbach seconded the motion to approve the permit for fireworks (ground pyrotechnics only, no aerial) for PINK ARROW on September 13, 2019. All members voted yes. **Motion carried.**
5. **Permit for fireworks - Ken Roth -** Gillett motioned and Hoffman seconded to approve the permit for fireworks at 10708 Vergennes on October 12, 2019 upon receiving the insurance certificate from the applicant. All members voted yes. **Motion carried.**
6. **Consumer Energy - Franchise Agreement for natural gas - ordinance #2019-04.** Gillett motioned and Hoffman seconded the motion to accept Ordinance #2019-04. “An ordinance, granting to Consumer’s Energy Company, its successors and assigns, the right and authority to lay, maintain and commercially operate gas lines and facilities including but not limited to mains, pipes, services and on, under, along, and across public places including but not limited to highways, streets, alleys, bridges, and waterways, and to conduct a local gas business in the Township of Vergennes, Kent County, Michigan, for a period of thirty years” Roll call vote - Hoffman, Wittenbach, Gillett, Rasch, and Mork all voted yes. **Motion carried.**
7. **Fire Authority Board Meeting Discussion -** Wittenbach updated the board on the latest fire authority meeting. The board discussed the Fire Authority hiring an outside consultant to audit

and give an assessment of the Lowell Area Fire Department and future staffing methods. Currently, the Fire Chief is purposing three full-time firefighters running a shift from 8 – 5 p.m. Monday through Friday. Vergennes is in favor of hiring an outside consultant.

Board discussed State rules, regulations and safety regarding hemp growing in the Township. Hemp growth is recognized as a legal agricultural crop. It does require a license, but is not regulated under the medical or recreational marijuana acts. Instead, Hemp is regulated under the United States Department of Agriculture.

Public comments - There were none

Wittenbach adjourned the meeting at 9:04 p.m.

The next regular meeting is September 16, 2019.