

MINUTES OF VERGENNES TOWNSHIP BOARD

June 16, 1997

The regular meeting of the Vergennes Township Board was called to order by Jim Cook at 7:05 p.m. in the Vergennes Township Hall.

Members Present:	Jim Cook	-	Supervisor
	Jean Hoffman	-	Treasurer
	Mari Stone	-	Clerk
	Mark Weber	-	Trustee
	Sue Geiger-Hessler	-	Trustee

A motion was made by Hoffman seconded by Weber to approve the minutes of the May 19, 1997 regular meeting. Motion carried.

Treasurer's Report was given by Hoffman and accepted as provided. Discussion regarding payment of \$1,410 engineering study bill for Bennett Rd. from the Road Commission. It was unknown as to whether or not the amount will be deducted from our 55% of the final bill for the actual construction. Cook will check on policy regarding payment: A motion by Weber with Geiger-Hessler supporting passed regarding approval of the bills, not including the invoice discussed. Drafts 2320 through 2362 were issued.

Building Report. Eight single family building permits issued in Township for May 1997.

Public Hearing - Kazemier Special Use Permit

Hearing opened at 7:10 with the reading of minutes of Township Board meetings held in 1982: June 14, 1982 -Mobile home use permit for daughter for 6-8 months requested by Kazemier. He was told to apply to the Zoning Board of Appeals.

June 19, 1982 - Application filed for hearing before the Zoning Board of Appeals.

July 14, 1982 - Planning Commission Public Hearing - Zoning Ordinance 415B (amended since 1982) Special Exception Use Permit recommended with annual review for the 6-8 month request.

July 17, 1982 - Special Meeting of Township Board; R. Bieri's motion to allow a Special Exception Use Permit to Kazemier for an accessory dwelling on his property for his daughter with an annual review of ownership, division of property, occupancy, screening and location.

Passed: AYE 3 OPPOSED 1

Kazemier upset he was not notified of Public Hearing; read about it in the local paper. Brought to the Board's attention by Gary Dykhouse present resident of the mobile home when complaining about the condition of Downes Road. Dykhouse questioned the presence of other mobile homes in the township. It was explained that most of these are pre-ordinance, and therefore "grandfathered". After 1978, the only legal use is to obtain a

Special Use Permit for mobile homes, which allows for temporary use by a homeowner during construction of a new home. The owner is required to take out a bond which ensures payment of removal of mobile home if construction not completed within the time limits.

Neighbor Brian Anderson resides on same side of street and has no problem with mobile home on property.

Gil Wise, who was on the Planning Commission in 1982, pointed out that as part of the Special Exception Use agreement, the residence was not to be used as a rental unit or for commercial purposes.

Noted by Stone that seven letters received by residents (plus a letter from the mobile home dweller) stating that they had no problem with the mobile home on Kazemier's property at 12430 Downes Street.

Public Hearing Closed - 7:26 p.m.

Old Business:

1. Discussion concerning Kazemier Hearing. Kazemier requested advice from Board as to his options. Permit initially agreed to permit as a special use permit for rental to a family member. Discussion regarding splitting Kazemier 17 acres (3 acres plus 300' frontage required for each parcel). There may be other options, and Kazemier will think it over, investigate them, and return to the board with his proposal. Motion made by Hoffman to rescind Kazemier special exception use permit which is in violation of Ordinance as approved in 1982 (now Section 201.502 of the Township of Vergennes Zoning Ordinance). Seconded by Stone.
Roll Call Vote: AYE 5 - Motion carried.

New Business:

1. Planning Commission Recommendation. ZBA Ordinance Change. No comments to ordinance change at public hearing. Cook made a motion to adopt Ordinance No. 97-4 with changes to Section 201.701B (allow appointment of two alternate members to act in place of regular member absent or abstaining for terms of three years); Section 201.702B (extends authority of ZBA to hear appeals concerning PUDs); and Section 201.703B (deleted and replaced by new section stating that concurrence of majority of members of the total ZBA necessary to reverse a previous order or decision of a Township body or official or to decide in favor of an applicant on any matter properly brought to the ZBA under Vergennes Township Zoning Ordinance). Seconded by Geiger-Hessler. Roll Call Vote: AYE 5

Planning Commission recommended preliminary approval to Kevin Rude, Sundry Corporation of Ada, MI, to begin construction of "Valleywood" a site condominium

project on Grindle Drive. Three pages of recommendations were given to Kevin Rude by the Planning Commission and approval rests on the premise that all of these points noted by Planning Commission will be taken care of and presented to the Planning Commission in writing. Mr. Satterlee from Chicago is the grantor of the land contract. The Planning Commission notes that issue of ownership is cloudy, but indicated that site condominium ownership is different. Cook was authorized to investigate with Township attorney just where lies the responsibility of the Township. A motion was made by Weber to recommend preliminary approval to Kevin Rude, Sundry Corporation, Ada, MI, to begin construction of Valleywood, a site condominium on Grindle Drive provided the following items 1-4 are provided for in writing:

- (1) Rude to determine what engineering recommends and pay total cost for engineering study to Kent County Road Commission;
- (2) all points raised in the Planning Commission three page report/recommendations dated June 16, 1997;
- (3) survey of property (Kent County Road Commission 10' additional right-of-way; and
- (4) attorney's review and record of deed, i.e. clear deed.

Cook seconded the motion. Motion carried.

2. Change to 1997-98 Community Development Block Grant Request. Requested and received \$8,000 for master plan and \$12,000 for handicap ramp entry. Discussion regarding putting ramp on hold and allocating total (\$20,000) to master plan. Stone has discussed this with Tom Tilma of Community Development, who indicated that this is a possibility. A copy of the minutes withdrawing request for ramp and request that the \$12,000 be allocated to the master plan instead must be sent to the CDBG. The money must be used between July 1, 1997 and June 30, 1998. A motion by Hoffman to withdraw the \$12,000 request for a ramp from the CDBG and ask that the \$12,000 be allocated to the master plan instead was seconded by Stone.

It was noted that a schedule needs to be proposed for the Master Plan work sessions between the Board and Planning Commission. It is hoped to receive general direction from the Plan for Planning project by June 21, 1997 and begin actual work on the Master Plan by January 1998.

3. Appointment of Historical Commissioner(s). Bill Barber and Judy Baird have

stepped down from the Commission after many years of service. David Thompson appointed to the Historical Commission for two years by a motion of Geiger-Hessler and seconded by Weber. His interest dates back to members of his family being part of the original settlers in this area. Thompson comes highly recommended with much experience. It is hoped that more township buildings and features will be established as historic landmarks in the near future.

4. Appointment of Cemetery Sexton. Fay Sterling has resigned after two years as Cemetery Sexton. With a motion by Weber and seconded by Hoffman, Kam Carpenter was appointed to fill this vacancy. His position to be reviewed annually. Stone noted that Bailey Cemetery plots are all sold except for a very few. Carpenters first project will be to get the land owned by the township to the East of Bailey Cemetery surveyed and laid out. Work also needs to be done on Fallasburg Cemetery. Markers are not consistent with actual burials. In the 1800's, burial spaces were commonly 4' x 8'. New standards are 4' x 9'. Stone recommended leaving the historic burial section alone and resurvey the center part where there are no sales or burials so that the cemetery can still be utilized today. Money has been budgeted for this survey.
5. Consideration of City of Lowell request for Renewal of Consent Agreement concerning Cable Television. Original 15 year term of Consent Agreement ends 12/97. Vergennes 5% rate is identical to that of Lowell Township. Board determined that the Township Attorney would review the Consent Agreement and give recommendations to the Board.
6. Discussion Concerning Annual Review of Special Exception Use Permits. Board decided there must be an annual review of special exception use permits. Now that bonds are required, the insurance company automatically sends information to the Board indicating that the bond period has expired. A special procedure to review these permits needs to be created. Issue tabled at this time and will be put on Agenda for July 1997 Board meeting.
7. Discussion concerning Appointments of Township Attorney, Engineer, Auditor. These positions are paid positions. Motion made by Cook and seconded by Hoffman to appoint James Doezema as Township Attorney. Motion carried. Motion by Weber and seconded by Stone to appoint Jim Hegarty as Township Engineer carried. Motion by Hoffman and seconded by Cook to appoint Phil Saurman as Township Auditor approved.

Citizen's Comments:

Greg Kulross resident using Downes Street voiced his concern with the quality, traffic, limited visibility, and excessive speed noted on Downes. Questioned Board as to whose responsibility is the improvement of Downes. It was noted that the Kent County Road Commission has responsibility, but 55% of the cost for any improvements are paid for by the Township.

It was noted that the Road Advisory Board has met with a representative of the Kent County Road Commission. A "drive by" by the Road Advisory Board is to be conducted of the three main roads being considered for paving as well as all gravel roads.

Hoffman made a request to the Planning Commission that an official procedure for applying for site review and other special meetings be created.

Mike Page faxed a letter to the Township regarding the Fallasburg Historical Commission asking that ten properties within Fallasburg be designated as individual historic landmarks. He also recommended publishing a schedule of meetings and establishing rules of procedure and officers to conduct meetings. He would be glad to attend meeting and relate his experiences with designating historical landmarks on the local, state and federal levels. He noted that the only real protection is at the local level. He also noted that there are state monies available.

The meeting adjourned at 9:00 p.m.

Respectfully submitted,
