

MINUTES OF VERGENNES TOWNSHIP BOARD
May 18, 1998
As amended

The regular meeting of the Vergennes Township Board was called to order by Marsha Wilcox at 7:15 p.m. in the Vergennes Township Hall.

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

A motion was made by Hoffman and seconded by Geiger-Hessler to approve the minutes of the April 20, 1998 regular meeting. Motion carried.

Treasurer's Report was given by Hoffman and accepted as read. A motion was made by Geiger-Hessler and seconded by Hoffman to approve the bills. Drafts 2726 through 2761 were issued. Motion carried.

No Zoning Officer Report. Five single family permits for month to date and 26 year-to-date.

PUBLIC HEARING OPEN **7:08 p.m.**
Jordan Meadows PUD Request

19 acre site on Lincoln Lake; 6 single family site condominium. Asking for PUD with intention to make units smaller than ordinance allows and allocating 7 acres as dedicated open space with maintenance by six family condominium owners in the total development. 700' private road. Zoning Board of Appeals granted variance for width of road. Lowell Fire Department have no problem with the site plan. No word yet from Health Department after notifying the Department of modification of the total layout. Planning Commission had recommended approval at their May 4 meeting with three contingencies. No further discussion, public hearing closed.

PUBLIC HEARING CLOSED **7:14 p.m.**

Unfinished Business:

1. **Bill Schreur Jr. - Request for Designated Open Space Easement.** Bill Schreur's land on Flat River Dr. is currently in a Local Open Space Easement Program. Schreur's land runs 2,000-2,500 feet abutting the Flat River, a State designated Natural River. According to the statute governing the Designated Open Space Easement Program, local jurisdictions such as Vergennes Township may impose restrictions based upon its intimate knowledge of the parcel to be designated. The Township proposed to implement a setback from the river to prohibit

farming activities from possibly affecting the natural state of the river. Schreur objected to the Township's proposal. Schreur had consulted with Steve Utic, US Department of Agriculture Soil Conservation Service, who presented a plan that in his opinion would reduce the leaching potential of the pesticides and commercial fertilizer used in normal farming practices. This plan called for a minimum buffer/filter strip of 50 feet of woody riparian vegetation. Kara Griffith, Kent County MSU Extension Office, was also present to speak for the proposed plan, and addressed safe practices of integrated pest management. In a letter to Schreur and copied to the Township, Steve Sutton, of the DNR, stated that the latest recommendation from the Natural Rivers Program Best Management Practices (Sept. '97) was a natural vegetation buffer of 70 to 100 feet. According to Schreur, Sutton told him that he believed a safe farm practice could be implemented with a 50 foot buffer strip, but that Sutton was not willing to put this into writing. Several residents in attendance gave their opinions, saying that it would be safe and fair to follow the plan of Steve Utic.

A main motion was made by Geiger-Hessler to require Schreur to maintain a 50 foot buffer strip as specified in the plan outlined by Utic, seconded by Weber. During discussion, several members expressed a preference for a 70 foot buffer. Stone motioned to amend the main motion to specify a 70 foot buffer strip, seconded by Hoffman. Schreur then proposed to maintain a 50 foot buffer strip of riparian woody vegetation, followed by 20 feet of alfalfa before the planting of any row crops. He stated he would agree to have Steve Utic monitor this plan's implementation. Hoffman motioned to amend the amendment to allow a 70 foot riparian buffer, or, 50 foot riparian woody vegetation buffer, followed by 20 feet of alfalfa and monitoring by Steve Utic of the overall plan, seconded by Weber. The motion to amend the amendment carried unanimously. A vote was then taken on the amended amendment, which also carried. The main motion, as amended, also carried unanimously. *These minutes were corrected by a vote of 4 to 1 at the June 15, 1998 meeting adding a contingency to the main motion as amended that the township receive a designated open space application for its files and a performance agreement outlining the riparian buffer parameters as originally requested by Mr. Schreur.*

2. **Final FY '97 Budget Report & Amendment.** Hoffman made a motion, seconded by Weber, to amend and increase the following 1997 Fiscal Year account entries by the amounts noted below:

Legal Fees	-	\$1,122.00
Board of Review	-	\$ 73.00
Lowell Fire & Rescue	-	\$1,000.00
Planning	-	\$1,325.00

Motion carried.

New Business:

1. **Consideration of Jordan Meadows PUD.** Motion made by Stone to approve the Jordan Meadows PUD Request subject to approval of Health Department approval of septic sites, Township Engineer approval of ditches/drainage, and

inclusion of maintenance of designated open space in the Master Deed; seconded by Geiger-Hessler. Approved unanimously.

2. **Planning Commission Appointments.** One individual needed to fill rest of term ending 12/99, vacated by Marsha Wilcox. Three applicants for this seat responded to the notice of vacancies: Vern Nauta; Cyndi Dalga; Jim Soule. The Planning Commission had been asked to review the applications, and recommended approval of Cyndi Dalga. Wilcox agreed with their recommendation, and asked for Board approval. Hoffman made a motion to appoint Cyndi Dalga and Stone seconded the motion. Motion carried unanimously.
3. **Construction Board of Appeals Appointments.** This Board was created at the April 1998 meeting. According to the State requirements, a minimum of three members, and a maximum of seven may be appointed. Only two people applied: Kerry Tap; Scott Jurenberg. Wilcox asked Joe Host, who was in the audience, if he would take the third seat. Host agreed. Hoffman made a motion to appoint Kerry Tap, Scott Jurenberg and Joe Host to Construction Board of Appeals, with terms to end 12/00, 12/99 and 12/98 respectively. Motion seconded by Weber, and carried unanimously.
4. **Zoning Board of Appeals / Board of Review Appointments.** Mari Stone resigning as ZBA alternate. Only one person applied: Joe Host. Hoffman made a motion to appoint Joe Host, with a term ending 12/98, seconded by Geiger-Hessler. Motion carried unanimously.

Motion made by Hoffman and seconded by Stone to appoint Gordon Edwards, also a lone applicant, to the Board of Review to finish out the term vacated by Marsha Wilcox ending 1/99. Motion carried.
5. **Re-appointment of Cyndi Dalga and Ron Rittersdorf to Historical Commission.** Motion made by Stone to re-appoint Cyndi Dalga and Ron Rittersdorf to three year terms ending 3/01 on the Historical Commission, seconded by Weber. Motion carried unanimously.
6. **Consideration of Ordinance Change - Licensed Child Care Facilities.** Use is not permitted in RA District, but is as a special exception use in the R-3 District. A recent appeal to the ZBA for a licensed child care facility in the RA District precipitated the Zoning Board of Appeals to ask if an ordinance change could be considered. Discussion resulted in a general opinion that allowing child care facilities as special exception uses consistently in all districts would make sense. Motion made by Weber, seconded by Hoffman, to petition Planning Commission to consider an ordinance change to allow for child care facilities in all districts, following with a recommendation to Board. Motion approved unanimously.
7. **Graveling of Roads.** Kent County Road Commission has drafted cost estimates

for the graveling of Burroughs and Grindle. The Road Advisory Board had recommended Burroughs Road and Grindle Road as top priorities for surface improvement. Grindle needs a new road bed as well as gravel, and the cost was out of the range to consider. Burroughs will cost the township \$9,240, and appears to handle more traffic. Motion made by Weber, seconded by Hoffman, to accept Road Commission's proposal to gravel Burroughs Road for \$9,240 (55% of total cost) cost to Township. Motion carried.

8. **Proposed Conservation Easement or Preserved Open Space Ordinance.** Inject enabling wording into ordinance allowing Township Board to accept valuable property to be held in trust by the Township Board so that the land cannot be developed. Proposed ordinance returned to Township Attorney Jim Doezema for wording changes/clarifications. Proposed conservation easement/ordinance to be considered on June Township Board regular meeting agenda.
9. **Flat River District Docks, Stairs, and Boardwalks Discussion.** A public hearing to be held June 1, 1998 for public comments on proposed language making allowances for and regulating docks, stairs and boardwalks in the Flat River District (FR).
10. **Resignations.** Resignation of present receptionist, Rena Jett. There is currently an individual, Star Palasek, covering Friday who might be able to take on more days.

Citizens Comments:

George Kazemier's special exception use permit term for mobile home will be concluded next month. Temporary special exception use permit for sand pit/Ken Wittenbach to expire.

Comment by Ken Wittenbach questioning if citizen can hire contractor to spray for dust on road independently of the Kent County Road Commission. Road Commission only sprays three times per year. Wilcox to contact Road Commission.

Meeting adjourned at 9:50 p.m.

Respectfully Submitted,