

**Vergennes Township Board**  
**Regular Meeting Minutes**  
**September 21, 1998**  
*As Amended*

The regular meeting of the Vergennes Township Board was called to order by Marsha Wilcox at 7:00 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 Weber and seconded by Hoffman to approve the minutes of the August 17, 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. Motion carried. Geiger-Hessler made a motion, seconded by Weber, to note in the minutes that Vergennes Township has been reimbursed with personal contributions for expenses incurred for the Cook/Wise Honorarium Reception. Motion carried. Drafts 2895 through 2936 were issued.

Zoning Officer Report. The Zoning Administrator was present to request approval to issue civil infraction tickets to several property owners who have not responded to repeated requests for compliance to the ordinance. One of the property owners, the Kazemiers, have agreed to purchase a bond (and have purchased bond) and agreed to sign an agreement, but have not yet signed. This must be signed by September 28, 1998 in order for the arrangement between the Township and the Kazemiers to be valid. Motion made by Stone and seconded by Weber to approve the issuance of civil infraction tickets to the property owners of the following addresses: 13534 Covered Bridge Road, 12430 Downes, 13676 Covered Bridge Road, and 835 Montcalm Road.

Roll Call Vote:       4 Yes   1 No   Geiger-Hessler  
Motion carried.

It was noted that there are different deadline dates for compliance on each of the issues, and if compliance is met by the deadline, a ticket will not be issued.

Permit Activity. Seven single family permits for the month to date. Year-to-date = 50 single family permits.

## **Unfinished Business:**

1. Zoning Administrator Replacement. Discussion was held concerning the Zoning Administrator position, and what it entails. No support for motion by Geiger-Hessler to wait to nominate new Zoning Administrator until Tim Wittenbach is in office as new supervisor (11/21/98). Applications have been received by the following six interested individuals: Richard Dwyer, Robert Meyers, Richard Rasch, Jeanne Vandersloot, John Maliepaard and Paul Young.

It was decided to schedule a meeting for Monday, September 28, 1998, for the Board (Tim Wittenbach will attend meeting) to interview the candidates and determine the best applicant to replace Deb Rashid as Zoning Administrator. The Board would like to have replacement in place by October 1, 1998.

## **New Business:**

1. Planning Commission Recommendation - Preliminary Approval, Precise Engineering. Weber made a motion, seconded by Stone, to approve preliminarily an amendment to the special exception use for a 10' extension on building at Precise Engineering to accommodate relocation of a stamping machine. Final approval given after completion of 10' extension. Motion carried.
2. Planning Commission Recommendation - Site Plan Review Fee Schedule. Michigan Court of Appeals in a recent case struck down legality of site plan review escrow policies put in place to reimburse costs for review of site plans, costs of planning commission for review of plan, etc. Board needs to rescind escrow policy and set up new fee schedule. Recommendation of Planning Commission:

Application Fee - \$300.00 - Covers the preliminary review of the project, and gives the final review fee. If plans are changed - the process starts over. This fee can go toward the final fee if the process is continued (use this language in schedule).

Development Fee - \$1300.00 for 1-5 units - (\$1000 minimum (\$200 per unit for 1<sup>st</sup> 5), plus the \$300 Application Fee). Add \$200 per unit thereafter.

### Notes:

\*If it is determined in the preliminary review that township consultants will not be needed (i.e. an amendment to a Special Exception Use Permit, or other previously approved project) the Development Fee will be reduced to \$300.

\*This covers engineering reviews by Vergennes Township. Additional requests for review to be covered by requesting party.

\*Other fees (for extraordinary issues) to be evaluated on an ongoing basis.

As a reference point, it was noted that Alpine Township charges an initial fee of \$2,000, to which extra charges may be added. The Planning Commission was concerned about overcharging, but also did not want township residents to bear the burden of development

costs. They felt their recommendation was a fair place to start. The Board will revisit the development fee issue as needed, and will add fees for extraordinary use; i.e. landfills, environmental studies, as more information is gathered. Motion made by Weber, seconded by Hoffman, to rescind the Escrow Policy and accept recommendation of new fee schedule from the Planning Commission as stated, pending legal review, but reserve the right to set fees for any site plan for extraordinary uses not covered by this fee schedule with a review by the Township Board and determination of a fee schedule for that particular site plan before adoption. Motion carried.

3. Planning Commission Recommendation - Amended Site Plan Review Application. Site Plan Review Application has been changed to reflect verbiage of Weber at last Township Board meeting. Weber made a motion to accept the Site Plan Review Application as amended. Stone seconded the motion. Motion approved.
4. Approval of 1998 Millage Rate for Vergennes Township. Hoffman made a motion, seconded by Stone, to approve the 1998 millage rate of .9377. Motion carried.
5. Nauta SEUP Request and PA 116 Terminations. Special Exception Use Permit requested by Vernon Nauta to use a barn formerly housing dairy cows as a storage facility for boats. This use is allowed under the ordinance. Neighboring residents had been notified. There were no objections. Motion made by Weber and seconded by Stone to approve the Special Exception Use Permit for Vernon Nauta. Motion made by Stone and seconded by Geiger-Hessler to approve PA 116 termination of six specified parcels for Vernon Nauta. Motion approved.
6. Rockford Ambulance Contribution. Past contribution from the Vergennes Township totaled \$2,000.00. Again asking for a contribution. Never received financial statements from Rockford Ambulance when requested. Rockford Ambulance is a non-profit organization. There is no contract so it is not legal for the Board to contribute. In the past the Township Board always allocated funds through community development funds. Geiger-Hessler made a motion not to contribute any funds to Rockford Ambulance provided that ambulance service is continued to be provided to the Township. Motion seconded by Hoffman. Motion carried.
7. Award Bid on Meeting Room Renovation. Bid for meeting room renovations sent to thirteen builders. One bid received back from Richard Dwyer Construction, L.L.C., of \$35,918.84. Projected costs in the budget: \$52,000.00. Renovations are as portrayed on sketch: new deck, handicap ramp, bathroom, two storage closets, re-drywall walls and ceiling, furnace, electrical outlets, and carpeting. Upstairs to be used for voting, meetings, etc.; downstairs used for offices only. Motion made by Weber to award the bid for meeting room renovation to Richard Dwyer Construction, L.L.C. Motion seconded by Geiger-Hessler. Motion carried.

**Citizens' Comments:**

Save the Tree Friends represented by Mac McPherson presented their case for not allowing the Kent County Road Commission to cut the large oak tree growing at the NW corner of the intersection of Parnell Road and Bailey Drive. Reasons noted: hump in Bailey Drive to the west is restricting vision to the intersection not the tree; 163 signatures on petition not to remove tree; traffic study criteria by County, intersection does not warrant 4-way stop, but Township growing and County should consider unusual terrain and make exception; and accident reports show no southbound collisions; therefore, tree not an obstruction. It was noted by the Board that the tree is in the County's right-of-way and their liability and the County will do what is necessary with or without support of the Vergennes Township Board. The issue has surfaced several times since 1992, and the Road Commission has been consistent in their determination that the tree should be removed. The school system has indicated they believe the tree is a sight obstruction and safety issue. The installation of four-way stops are based on traffic volume and an accident study. Motion made by Geiger-Hessler to present to the Kent County Road Commission a letter (including petition of residents for saving the tree and all reasons noted), supported by the Township Board, that a 4-way stop be erected at the intersection of Bailey Drive and Parnell Road, *and that no decision on removal of the tree be made until the 4-way stop issue is resolved.* Seconded by Weber, and motion approved.

Larry Marvel/Bill Schreur 10' extension/driveway issue over property line was again discussed. According to Township Ordinance the definition of driveway is vague. Township Attorney indicated that the paved area in contention must be determined driveway or parking lot in order to issue a citation. Parking cannot be closer than 5' to a property line; a driveway must be within 10' of another property line. A new survey was suggested in order to determine the exact distance over the property line.

Meeting adjourned at 9:06 p.m.

Respectfully submitted,

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