

VERGENNES TOWNSHIP
Regular Meeting Minutes
May 16, 2005

The regular meeting of the Vergennes Township Board was called to order by Tim Wittenbach at 7:00 p.m. in the Vergennes Township Hall.

Members Present:	Tim Wittenbach	-	Supervisor
	Mari Stone	-	Clerk
	Jean Hoffman	-	Treasurer
	Al Baird	-	Trustee
	Vern Nauta	-	Trustee

Minutes of the April 18, 2005 Regular Board Meeting stand approved as presented. Motion by Hoffman, second by Baird, to approve bills as read. **Motion approved.** Motion by Nauta, second by Baird, to approve Agenda as presented. **Motion carried.**

New Business:

1. Planning Commission Recommendation – "Alden Nash West" Contract Zoning. Steve Hansen of Lone Pine Development LLC was present with a proposed agreement to conditionally rezone a 24.9 acre of property located on Alden Nash SE south of Lowell High School. The agreement uses Public Act 577 of 2004 which allows for property owners to offer, in writing, certain use restrictions in connection with a rezoning request. Planning Commission unanimously voted to recommend rezoning to Board. Site plan will need approval at later date. Kent County Road Commission assures Alden Nash has capacity to withstand traffic generated by development. Neighbor Susan Walters noted her disapproval of altering zoning from Master Plan – felt land should stay at R1 zoning. Stone inquired about an easement for community trail of approximately 10' paved and 1-2' on side of paved area. Developer needs to discuss and confirm trail easement with his partners and said it would be addressed on site plan. Stone to send language and specifics for trail size and trail buffer (included by LARA) to developer by e-mail.

Motion by Nauta, second by Baird, to approve and enter into an agreement with Lone Pine Development LLC to re-zone the property from Low Density Residential (R 1) to Medium Density Residential (R 2) subject to the completion of the terms and conditions of the development agreement for the proposed Alden Nash West development. The motion is contingent upon any further amendments from Township Attorney regarding language. Hansen gave assurances that he would discuss an easement for the community trail with the other partners of the company and felt there would be no problems providing it. He will now move on toward preparation of a site plan for Planning Commission review.

Roll Call: Yes: Stone, Nauta, Wittenbach, Hoffman, Baird
 No: -0-

Motion approved.

2. **Zoning Administrator Issues.**

- **Fitzgerald Special Use Permit** – Applicants have received Temporary Dwelling Permit, and are asking to use piers instead of foundation under trailer placed on property while in process of building – Board approved use of piers.
- **Complaint from resident** (neighbor to the north) regarding fence on Downes east of Alden Nash along owner's property line (corner lot adjacent to Pointed Stone Trail property). Township does not have a fence ordinance. Consensus of the Board to do nothing at this time.
- **Chris Miles-request to split property into two parcels** – owns Parcel A, which has a 66' easement on east edge of Parcel E – question: does the easement, which does not benefit nor is used by Parcel E, count as the third parcel which would necessitate construction of private road? There is language in the deed that indicates the easement is not for the use of E, but the ordinance requires counting all parcels touching the drive to count. Miles would like the split allowed with just a shared driveway - need legal opinion? **Motion** by Nauta, second by Stone, to approve split pending legal opinion from MTA. **Motion carried.**
- Cottage in disrepair at Murray Lake on Lally. Owner passed away and heirs have done nothing to make cottage habitable. Nothing the Health Department can do as no one lives in cottage. **Motion** by Wittenbach, second by Nauta, J. Vandersloot to send correspondence to owners requesting clean up of property and ask that windows/doors be boarded up and ensure electricity is disconnected to property. **Motion approved.**
- **Fizer Property** –House is finished, but Occupancy Permit held up because requirement (see Board minutes of October 2004) to amend Maintenance Agreement has not been fulfilled. Board discussed what needs to occur; Wittenbach has communicated with the builder, Scott Benjamin, who assured him that they are working on the issue. Township Attorney will review the agreement; Attach maintenance agreement to original deed and record it; copy to Township.

3. **Discussion Regarding Transfer Development Rights.** Bill Schreur, Jr. asked the Board to have the issue of TDR sent to the Planning Commission for further exploration in a general concept as to how it might fit into the future density of the Township. There was discussion as to the value of this concept, with various opinions. Motion by Nauta, second by Stone, to table for one month any action on the TDR issue. **Motion carried.** Stone to contact the Michigan Township Association if they have done any research into the issue of TDR and/or if they are aware of any other townships having adopted any plan encompassing TDR. Wittenbach noted that incorporating TDR into Township Ordinance and Master Plan would entail much time and effort - Stone noted that the next required update of the Master Plan will need to begin less than two years away in 2007.

4. **Blanket Permit for KCRC R.O.W. Projects.** Motion by Baird, second by Nauta, to grant a blanket permit for main and emergency repairs only on KCRC R.O.W. Projects. **Motion approved.**

Meeting adjourned at 9:25 p.m.

Respectfully submitted, Mari Stone, Clerk