

# Vergennes Township

## PLANNING COMMISSION MINUTES

December 3, 2007

*Approved 1-7-08*

A meeting of the Vergennes Township Planning Commission was held on December 3, 2007 at the Township Offices. At 7:07 PM, the meeting was called to order by Chairman Jernberg. Also present were Commissioners Makuski, Mastrovito, Medendorp, Nauta, and Post. Absent was Gillett. Assisting the commissioners were Jeanne Vandersloot (Township Zoning Administrator) and Ryan Kilpatrick (Township Planner).

**APPROVAL OF NOVEMBER 5, 2007 MINUTES:** Motion to approve as written by Makuski, seconded by Nauta. All approved.

**APPROVAL OF/CHANGES TO AGENDA:** Motion to add approve by Nauta, seconded by Medendorp. All approved.

**1. STEVE HANSON: REZONE APPLICATION.** Presentation by Jeanne Vandersloot. Applicant not present. Applicant requests conditional rezoning from R1 to R2, with the same conditions as the zoning agreement from the original development (Alden Nash West). Jeanne spoke with Twp Attorney, who said he'd rewrite an amendment to the original agreement and basically include the legal description of the property, number of lots, showing the rezoning, with a brief mention of the different conditions. Original agreement doesn't specifically list those conditions. Jeanne looked them up, including the landscaping plans. Jernberg: he's adjusting lots and changing them to add the other five? Doesn't match with the last sheet on the packet. Ryan: eliminating one lot from the old plan to get 5 lots on the new parcel. Jernberg: from what we approved in lot sizes, have those gotten a little bigger? / They got different. Jeanne: the large cul-de-sac was eliminated, and those are not cu-de-sac lots now, but are instead on a road into the new area. / Ryan: they combined lots 28 and 29, I'm guessing, re: lost frontage on lot 28 when the road was extended. Others were probably renumbered. / Jernberg: question – same as in past – is the other parcels & pieces on the old drawing, as we look at grade, it's close to maximum grade. What does this new road show for road cuts, elevation, drainage, how he's going to handle that? He still has to come before us right? / Ryan: you still have to approve the final site plan, based on satisfactory information, including grading for the road. Can't require a plan showing that it's possible, but you can deny based on its not looking like its possible otherwise. / Jernberg: about 45' elevation change along Reese Court or so. That's a heck of a slope. I like the idea of putting more lots there, but I can't see how he's going to get the grade work – that's about a 20% slope. Further discussion. / Can those be classified as buildable lots? / Medendorp: what's north of this? It's school property, the backside of the football field. / Ryan: bottom line, he needs to come in with a full site plan, and the whole review process after the rezoning. / Discussion about lot sizes. / Medendorp: what happens if we approve the idea but disapprove the road? Ryan: could ask for additional information to set the public hearing. Steve wants just to amend the old agreement to apply to these five new parcels. Jernberg: with the old agreement, is

there anything we want to change if he's opening the agreement? Ryan: you can't ask or require him to change anything – he has to choose to make changes based on the commission's comments. To get where you're going, you have to say what you're uncomfortable with. Jernberg: that's why I'm bringing it to the table. For example, lighting, other complaints about the current development phase. / Wittenbach: hasn't heard of any complaints. Nauta: has heard compliments. / Jeanne: hasn't heard any complaints. / Makuski: with concerns about the grades, can we ask for more information? / Jernberg: has he bought the land? Wittenbach: not yet, purchase agreement in place. / Ryan: as long as he complies with the statute, you have to go ahead with the public hearing process, and then the Planning Commission has discretion to approve or deny, and a denial based on engineering, be explicit about the reasons for the denial and that enables the applicant to come back with changes based on those explicit reasons. / Medendorp: why don't we table this until he's here? / Discussion about how sandy the soil is. Would have to pipe the street storm water to his retention pond. There's no room for ditches that they can see on this map. / At this point, the task is to decide if this is ready for a public hearing. Ryan: he has submitted enough information to comply with the statute to apply for the public hearing. There may be an opportunity to get more information prior to the public hearing. Jernberg: if we set a public hearing, and we have these discussions, what grounds do we have to make modification suggestions without affecting the public hearing? Is it strictly a public hearing to rezone, or is there more to it? Ryan: just a rezoning public hearing, but conditions brought forward need to be in writing. If the PC decides what's there isn't enough, he'll have to come back. It needs to be in writing. And we could have the township engineer here, but it should all be in writing. / Makuski, it's hard to send it forward to a public hearing without, for example, having the grades on the map. / Ryan: definitely have the grounds to table, since applicant isn't here, in order to ask applicant questions.

Applicant called, is on his way.

Arrived 7:43 pm. Presentation by applicant asking for five additional lots on a three-acre piece. Jernberg: asked about grades and slope / applicant is aware of the steep grades, engineers working on it, will take out dirt. / Lots 28-29? / that part hasn't been touched. The way it sits, there's a lot on the hill that is unbuildable (lot #26), so it's a current sledding hill. We'll cut it down and make adjustments to make it work. We'll keep as many trees as possible to keep the buffer. / Jernberg: the site plan review will require a lot of information on the part of the applicant, such as water capacities in the retention pond. Engineer needs to address. Hanson: questions about when information is required. Ryan: explained the need for the applicant to propose conditions that are satisfactory to the PC, but they can't direct the applicant to address these things, so applicant needs to come with as much information to make it viable to rezone. Hanson will come back with information on slopes, grades, retention, and such. / Jernberg: at open comment time, it'll still be for rezoning, and once it's rezoned then the applicant will have to bring in a site plan. Ryan: but conditions imposed at rezoning will run with the land. Rezoning doesn't have anything to do with ordinance specifics? No, still has to be in character with surrounding land and the goals of the Master Plan. Also, Planning Commission can impose a time limit that they must start the project or it will be zoned

back to the original zoning (example – 24 months). Then a site plan hearing process. / Looking at staying with the other plan, everything the same. Timeline: they want to get started next summer.

**Motion** by Medendorp to set a public hearing for the January 7, 2008 meeting. Seconded by Mastrovito. All approved.

**General Public Comment Time:** Kate Dernocoeur: as I take a leave from recording until at least through the next semester of college, I want to thank you all for the intensive work and diplomacy that your office demands, and leave you with my hope that you will continue to be as fair and impartial in your work to apply the zoning rules and ordinances that are intended to keep this township in order.

Motion to adjourn by Jernberg. Seconded by Mastrovito.

The next meeting is January 7, 2008

The meeting was adjourned at 7:55 PM.

Respectfully submitted,  
Kate Dernocoeur, Recorder