

# SAUGATUCK TOWNSHIP

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3461 BLUE STAR HIGHWAY  
SAUGATUCK, MI 49453

PHONE (269) 857-7721  
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## Planning Commission Minutes 01/27/20 (Approved 02/24/20)

The Saugatuck Township Planning Commission met January 27, 2020 at the Township Hall on Blue Star Highway Saugatuck, Michigan

1) **Call to Order** at 7:00 p.m. by vice-chairperson Israels. She thanked residents and guests for attending the evening meeting.

### 2) Roll call and Pledge of Allegiance

Present: J. Helmrich, D. Ihle, R. Israels, C. Lozano, E. Welk

Excused: A. Prietz, B. Rowe

Also present: L. Wells, Zoning Adm., and (at 7:30 p.m.) D. Burd, Township Engineer

### 3) Approval of Agenda-

**Motion** by Ihle to approve the agenda. Seconded by Welk. Motion passed by unanimous voice vote.

### 4) Approval of PC Minutes: December 16, 2019

#### Corrections:

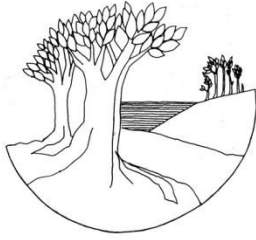
- Page 1, correct spelling of Marcy to Marcey x 2, and Mathowski to Malkowski.
- Page 3, Item eight, delete comma between at any in the first paragraph.
- Page 3 & 4, correct spelling of 'Grahm' to Graham x 2,

**Motion** by Helmrich to approve the minutes of 12/16/2019 as amended. Seconded by Ihle. Motion passed by unanimous voice vote.

### 5) Public Comment:

- Becca Waaso: Requests that the Saugatuck Township plow or clear the pedestrian path that follows the West side of Holland Street and continues on Blue Star to 64<sup>th</sup>. She and her husband and child in a stroller use the path 6-7 days per week. When covered with snow, they must alter their route and walk in the street for quarter of a mile to connect to a side street. She explained it was a danger for herself and others walking the area and also a danger for motorists. Pedestrians would prefer to be on the path. She understands that part of the plowing ~~is~~ is under the jurisdiction of Saugatuck City. She is hopeful the Township will review the request to plow this and perhaps address it with the City of Saugatuck and come up with a solution to keep the path open during winter months.

Helmrich responded that he would have the Township Manager look into this and noted that we are structured somewhat differently than the City of Saugatuck. He thanked her for bringing this to our attention.



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## 6) New business:

**A. Public Hearing for Special Approval Use and Site Plan Review** *application from Dc Consulting Services/Aficannado LLC, for a medical marijuana Class B grow facility at 6764 Just Barns Drive for Unit 15 only, parcel number 20-021-026-00.*

The Township Zoning Adm. Wells introduced the project and shared that the applicant has been approved by LARA under the name of Dc Consulting Services, dated April 30, 2019. They are seeking a class B grow facility which would enable them to have 1,000 plants in Unit 15, Just Barns. They will have 1800 sq. feet that includes a mezzanine level. The application to the Township was submitted a month ago and it has been reviewed by the Township Engineer and the Fire Department. The applicant and commission have been provided the comments from the Engineer and Fire Department.

Paul Holbert, the applicant, addressed irrigation and explained they would be separating the domestic water source from activities within their facility. There will be no cross contamination and they will isolate their unit from the existing plumbing that services the units. The business is for Medical marijuana only and he explained they are developing partner relationships with approved providers and also have other properties in Michigan. They currently own a provisioning center in Douglas and hope that Douglas will eventually opt in to Adult-use. Helmrich asked if the applicant plans to consider adding Adult-use marijuana, and the response was they are waiting to see what happens to the industry in Michigan. It is possible.

Israels opened the Public Hearing for comments. They were no comments.

Israels closed the Public Hearing.

Commission discussion: Israels asked if there were any other concerns other than what was provided to the commission. Wells responded that she did address large vehicle turn around with the applicant and fire department and is satisfied with the plan. Ihle noted that it seemed similar to the previous application at Just Barns.

**A motion** was made by Welk to approve the **Special Approval Use and Site Plan Review** *application from Dc Consulting Services/Aficannado LLC, for a medical marijuana Class B grow facility at 6764 Just Barns Drive for Unit 15 only, parcel number 20-021-026-00 with the following conditions:*

1. The site shall be built and the building supplied with the odor protection, security and waste disposal as shown on the site plan.
2. Saugatuck Township Fire District review shall be completed and conditions met for issuance of a building permit and/or Certificate of Occupancy.
3. Any conditions of the Township Engineer shall be complied with prior to issuance of building permit.
4. Review of Utility plan and storm-water detention by the Saugatuck Township engineer and Kal-Lake before issuance of a Building Permit, to be paid for by the developer.
5. The use and structure shall at all times comply with all local, state and federal



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requirements including those requirements for medical marijuana grow facilities established by the State of Michigan.

6. All fees shall be paid prior to issuance of build permits and certificate of occupancy.

7. Any change or addition to the use mix requires amendment to the Special Approval Use.

The Motion was seconded by Lozano and passed by unanimous roll call vote. (5-0)

**B. Site Plan Review at 6358 134<sup>th</sup> Avenue**, for a new 3600 square foot retail, wholesale, sales and service building, parcel number 20-260-008-10.

The applicant/owner, Bob Firmiss, spoke on behalf of his business. This new construction project will be the future site of RAF Electric, Inc. with plans to build a 60 x 60 foot barn style building. It will be the 'shop' area for manufacturing and house vehicles and materials. The existing building on the property will become the office/retail space. The project will have a 6 month time table for completion. They currently employ 6 persons and plan for growth to employ 12.

Wells indicated that lighting, landscaping and architectural plans have been discussed with the applicant and he has agreed to the Township standards and working with Wells to meet the criteria. Engineering has addressed lateral drainage and requested updated renderings of the building. Israel asked about management of waste and that has been satisfied. Helmrich questioned landscaping and architectural design and Wells responded that it was submitted that day but the renderings were fuzzy and they were waiting for a clean print. An updated landscape plan will be provided to the Township. The commission expressed appreciation to the applicant for the project, saying it fits into the area well, and adds additional jobs. They thanked the applicant for his investment and his participation in the meeting this evening. There were no other questions from the commission.

A motion was made by Ihle to approve the *Site Plan Review of 6358 134<sup>th</sup> Avenue for a new 3600 square foot retail, wholesale, sales and service building, parcel number 20-260-008-10 as discussed with the following 11 conditions:*

1. Uses on the property must be a "use by right" in the light industrial zoning district.
2. Applicant shall provide a color, and dimensioned rendering of the street facing side of the proposed building with all materials called out for review and approval prior to issuance of building permit.
3. Applicant shall provide lighting details including fixture make, model and watts/lumens, height, and verification of compliance with the Township's Zoning Ordinance prior to issuance of building permit.
4. A landscape plan meeting the requirements of Section 40-877 shall be provided for review and approval prior to issuance of building permit.
5. Any future changes to the lighting, landscaping, parking or building materials shall require review and approval of the Township. The site vegetation shall remain undisturbed within the required buffer yards of 40' in the front, 15' side, and 20' in the rear yard.
6. The use and structure shall at all times comply with all local, state and federal requirements.
7. All fees shall be paid prior to issuance of certificate of occupancy.
8. Saugatuck Township Fire District review shall be completed and conditions met for



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issuance of a building permit and/or certificate of occupancy.

9. Allegan County Soil Erosion permit submitted to the Zoning Administrator before any earthwork commences on site.
10. Any conditions of the Township Engineer shall be complied with prior to issuance of building permit.
11. Any other conditions as deemed necessary by the Planning Commission such as: architectural standards and waste management.

The motion was seconded by Welk, and passed by unanimous voice vote.

### C. Lakeshore Washout Discussion: Wells

Wells asked to put this on the Agenda to explore if there were any questions or thoughts that the commission had to share about the Lakeshore erosion area. She recognized that it is a very difficult time for many persons who live along the Lakeshore. There are issues with roads stability, sink holes, drains and washout along the area. She asked that we give sincere thought as to whether we continue to issue building permits and allow construction in the area, while not suggesting that we do or do not. She asked that we think about and recognize the impact of decisions that we make from a Township perspective right now for all the folks who live in that vicinity. She acknowledged that there have been meetings and collaboration with the Township Engineer, Allegan County Road Commission, MDEQ and property owners. Many perspectives have been shared but no action plan developed at this time.

Welk informed the commission that a house was removed last week from Ganges Township that was falling down the dune and at a meeting last week in Ganges there was no action plan proposed. Israels asked how many homes have no access to any emergency support. Welk responded that currently 8-9 homes are blocked from emergency access. Helmrich asked if there is a thought about a moratorium on building at this time? Wells responded that it would take some additional planning to work toward a specific outcome and timeframe. Lozano indicated that it could cause a "storm" with Township residents if we have restrict building. He said the problem is with the concrete drains. Helmrich informed us that there are 8 drains that the County put in and the Township administers. He also said that the DEQ will prioritize permit requests to move homes back if asked by homeowners. Helmrich also reminded us that one of the difficulties of emergency access is with a homeowners agreement right now. There are two home owners who do not want access to run through their property and while others want it gated and secure. So there remains indecision. Israels mentioned that Bill Huizenga has published a podcast on Wood Radio that is an hour long and talks about the State response. Helmrich reiterated there is a lot of discussion but no solutions on the table. He mentioned a suggestion to purchase a bridge to go over the area, but that it doesn't solve the long term problem. Israels asked if there was any action expected from the commission at this time and Wells asked that we consider how any decision we make might affect the Lakeshore area.



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## 7. Old Business: None

## 8. Public Comments:

- Dan Kellor: a Lakeshore resident

Informed the commission that 11 homes are now completely stranded, not 8. There are issues North and South of the washout, and asked that we help lay out a viable route for access similar to 1988, although nothing was done. He is one of the persons stranded. He emphasized that the situation is critical, the sink hole is getting larger, is dangerous and caused by the County drain. It is a dire situation. He asked that folks stop saying how sad it is and develop an action plan as soon as possible. He asked that we support developing a route with the property owners and County Engineer, and encourage the property owners to participate in allowing the route through properties. He supports the bridge and explained it is a flat military style bridge. He stressed that we need to do something now.

- Dana Burd, P.E. Township Engineer:

Stated he is currently working with Allegan Co. Road Commission and the number one priority is restoring access. He is also in touch with our Township Manager daily. Suggests that we continue to work with Graham to support the problem. There are discussions about emergency routes, permanent replacement routes, and property rights involved.

Welk asked if there has been any discussion of Eminent Domain. Burd responded, "not at this time", and Helmrich mentioned that it was very expensive option to pursue.

Burd suggested that the Township Manager would be a good source for folks who want current updates, as he is involved with the various participants daily.

- Julee Rosso resident along Lakeshore Drive

Reiterates there are 4 areas severely affected and very vulnerable. One at the end of Wiley Rd., one toward the washout, one between her house and the washout, and one to the North of Wiley Rd. Drone videos are available and show the seriousness of the problem. Each area of fragility has a drain that is part of the problem. She expressed that there must be an "action plan, as she and others are scared". They want help. "It must be a collective effort".

- Jane Dreyer resident along Lakeshore Drive

She asked what the Allegan Co. Road Commissioner has been doing. Expressed that Sundown park is falling apart and neighbors have called about it. There is a drain there that is clogged up. Asked who the commissioner is, and when they clean the drains. Helmrich noted that the drain commissioner is up for re-election and encouraged everyone to attend the Allegan Co. meetings. They are listed on their websites. She stated that 80% of the problem could have been avoided if the drain commission had done their job. Helmrich encouraged her to call the Township office and he would get her the contact information she is requesting. She also questioned when/how she could



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view the minutes and Helmrich noted that SaugatuckTownship.org is a good resource for the information she is requesting. Israels questioned if Allegan County information could be available on our website and Helmrich added that he will suggest having a link on our website to access the County.

## 9. Board Discussion Helmrich

a. Township Board update: The last meeting was on January 8 and they are now meeting on the 2<sup>nd</sup> Weds. evening of every month.

- There were a couple of public comments on the draft resolution relative to the North Shore marina plans including the attorney for North Shore and a resident. The Board voted to withdraw the above item from the agenda by tabling it until a session can be scheduled with the Township legal council and it will probably occur before the next meeting.
- There has been some correspondence received regarding water connection fees for marijuana grow facilities and also in support of the North Shore marina.
- After discussion on a revised joint resolution on the Blue Star Trail there was a vote to approve the joint resolution, along with Saugatuck and Douglas, and have Supervisor Osman and Trustee MarcEy serve as the representatives of the Township on the combined committee.
- The Board voted unanimously to approve Adult-use marijuana businesses in the Township.
- There was further discussion regarding water connection fees and an agreement that 236 Culver can pay their connection fee in installments and be granted an actual use review after two years to determine if an adjustment would be appropriate.
- The Board approved a resolution seeking support for the Lakeshore erosion activity from the County, State and Federal Governments and a letter was drafted to our representatives in those positions.
- The Board reviewed the summaries of the December goals and strategy session and requested Manager Graham propose a strategic plan based on staff time necessary to complete the goals.
- Update on the situation with AMR service: the contract is not signed at this time for the ESC area although the millage for funding was approved. AMR is now under new management. They are currently servicing the area but ESC is looking into new sources for emergency medical response services.
- Next Township Board meeting is Weds. Feb. 12, and includes a private session ahead of the meeting for legal opinion(s).

The next Planning Commission meeting is February 24 and currently there are two items on the agenda. The commission noted there was no other business to discuss this evening.



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## 10. Adjourn

Israels moved, pending no objections, to adjourn the meeting at 8:10 p.m. Welk seconded. There were no objections.

**Next P.C. meeting: February 24, 2020 7:00p.m**

Respectfully,  
R. Israels, P.C. Sec.

Motions: 01/27/20

A **Motion** was made by Ihle to approve the agenda. Seconded by Welk. Motion passed by unanimous voice vote.

A **Motion** was made by Helmrich to approve the minutes of 12/16/2019 as amended. Seconded by Ihle. Motion passed by unanimous voice vote.

A **Motion** was made by Welk to approve the **Special Approval Use and Site Plan Review application from Dc Consulting Services/Aficannado LLC, for a medical marijuana Class B grow facility at 6764 Just Barns Drive for Unit 15 only, parcel number 20-021-026-00 with 7 noted conditions:** The Motion was seconded by Lozano and passed by unanimous role call vote. (5-0)

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Israels **moved**, pending no objections, to adjourn the meeting at 8:10 p.m. Welk seconded. There were no objections.



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## **Addendum and follow-up to the meeting, but not actual minutes from the meeting.**

The following information was provided the planning commission members via email from L. Wells, Township Zoning Adm., on 01/28/20, based on public input from the PC meeting on 1/27/20.

1. Lakeshore Drive:
  - Here is the link to the website for Rep. Huizinga and this is the page to the Great Lakes issues he is working on. When you scroll down the page, there are audio clips to various recent interviews on Wood Radio, etc.

<https://huizinga.house.gov/issues/issue/?IssueID=23460>

2. Here is the link to the website for Allegan County with the page dedicated to the erosion matters.

<http://cms.allegancounty.org/sheriff/EMD/SitePages/Highwater.aspx#.XjBBb0BFyUk>

- i. The County Board of Commissioners meets the 2<sup>nd</sup> and 4<sup>th</sup> Thursdays at 1pm in Allegan.

<http://cms.allegancounty.org/sites/pages/Calendar/SitePages/Meeting%20and%20Holiday%20Schedules.aspx#.XjBCx0BFyUk>

- ii. The Allegan County Road Commission meets on Wednesdays (not always regular from the schedule, but typically the 2<sup>nd</sup> and 4<sup>th</sup> Wednesdays) at 9am at 1308 Lincoln Road.

<http://www.alleganroads.org/board-meetings.html>

- iii. Allegan County Drain Commissioner: I do not see that there are regular meetings, but there is a County Board of Public Works. Again, their meetings are not listed on the website, but I did find this information:

<http://cms.allegancounty.org/sites/Office/Drain/SitePages/PublicWorks.aspx#.XjBDd0BFyUk>

3. Griffin and I met this morning to recap the meeting, and he has offered that he is always available to meet with any community member, PC member, etc. to discuss any matter in the Township. He is more than willing to share the on-going efforts with Lakeshore Drive. His email is: [ggraham@saugatucktowship.org](mailto:ggraham@saugatucktowship.org)

Thank you-