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Saugatuck Township Regular Planning Commission Meeting June 26, 2017

AMENDED APPROVED MINUTES

The Saugatuck Township Planning Commission met on June 26, 2017 at the township hall on Blue Star Highway, Saugatuck, Michigan,

Present: Rudich, Prietz, Conklin, Welk, Milauckas  
Absent: Miller Cook  
Recused: Rowe  
Also Present : ZA Kushion

At 7:01 pm Vice Chairperson Conklin called the meeting to order.

**Pledge of Allegiance**

**Review and Adopt June 26, 2017 Meeting Agenda:** Rudich asked to add after item #7 – Resolution for the Blue Star Trail. Prietz motioned to adopt the agenda as amended, Welk seconded. Motion approved unanimously.

**Review of May 22, 2017 meeting minutes:** On page 2, change the first sentence under 'Legal Correspondence Procedures' to 'Milauckas asked why the township attorney would designate memos confidential if they do not need to be hidden from the public'. Prietz motioned to adopt the minutes as amended, Rudich seconded. Motion approved unanimously.

**Public Comment:**

Marcia Perry, 6248 Blue Star Highway, Ms. Perry asked to add a second Public Comment section to the agenda. After discussion, decision was made to add a second public comment section before 'Board Discussion' for this meeting only. Ms. Perry invited everyone to a workshop hosted by the Saugatuck Dunes Coastal Alliance at the high school on Tuesday, June 27.

**Review Planning Consultant Proposals:** ZA Kushion reported that he sent out proposals to eight planning consultant firms. Three of the firms declined to submit a proposal, three of the firms never responded and two of the firms submitted proposals. McKenna and Associates from Kalamazoo submitted a proposal for \$2,500 and Main Street Planning from Rockford submitted a proposal for \$8,400. Discussion regarding the advantages and disadvantages of both firms. Milauckas stated that he would like the Planning Commission to be made aware if the planning consultant has a different interpretation of possible planning issues than the township attorney does.

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Discussion regarding the relationship between the potential planning consultant and the township attorneys. Conklin asked ZA Kushion if the Planning Commission would be able to see the planning consultant's presentation before the meeting and would the township attorney be able to see the planning consultant's presentation before the meeting and be at the meeting to answer any questions. ZA Kushion stated that the presentation would be available before the meeting and that the planning consultant and township attorney would consult with each other. Milauckas stated that he is uncomfortable with the sentence in the solicitation letter saying that 'The professional planning consultant will be expected to follow and apply the legal analysis and advice of the township's attorney's'. Milauckas feels that this might tie the hands of the planning consultant if they have a different opinion on a planning issue than the attorney does and so might be compelled to follow the attorney's interpretation. Rudich motioned to recommend McKenna and Associates to the township board as the planning consultant, Prietz seconded. Four ayes, one nay. Motion approved. Milauckas motioned to ask the township board to amend the solicitation of proposal dated May 9, the top paragraph of page 2 to add the following language 'with respect to legal matters concerning review of the application' at the end of the sentence beginning 'The professional planning consultant will be expected', Conklin seconded. Three nays, two ayes. Motion failed.

**Resolution for the Blue Star Trail:** Rudich stated that Township Manager Sheridan asked the Planning Commission Board, the Parks Board and the Township Board to pass this resolution in support of the Blue Star Trail for the grant coordinator. The resolution reaffirms the township's support of the Tri Community Master Plan portion detailing the desire to have non-motorized trails throughout the area. Prietz motioned to give Planning Commission support of the Blue Star Trail resolution, Rudich seconded. Motion approved unanimously.

**Board Discussion:** Rudich stated that the township board approved the release of the two confidential township attorney memo's that was requested by the Planning Commission at the last meeting. Township Manager Sheridan will also be talking to the township attorney asking if the two memo's needed to be marked as confidential. Rudich also pointed out that the Planning Commission members were given a copy of the lawsuit brought by the Saugatuck Dunes Coastal Alliance.

**Township Board Updates and Planning Commission Comments:** Milauckas stated that he is still looking for a clarification of his memo to Rudich regarding Rudich's letter to the Planning Commission and the local newspaper. Conklin stated that she thinks there is an issue with the parking situation at Roan & Black. She explained that when they have an event, the overflow parking goes up and down the shoulder of Blue Star Highway. She remembered that when the owners of Roan & Black came before the Planning Commission, they had requested fewer parking spaces than was recommended and had said that if there was overflow parking, the parking would be on the grass behind the building. ZA Kushion will send a letter to Roan & Black regarding the parking issue. ZA Kushion stated that Ihle's is putting in the landscaping that was required by the special use permit.

**Public Comments:**

Lori Goshorn, 3512 64<sup>th</sup> St, Ms. Goshorn urges that the potential planning consultant firm have experience in critical dune planning and wonders who will be the planners from each firm that would

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be assigned to this project. Ms. Goshorn would also like to know if there is any personal or business conflict of interest between the developer and either of the firms being considered. Ms. Goshorn is also curious if there would be any kind of correction of actual figures of actual consultant fees paid for last time in the paper so that we, the public, will not be confused as to how much this might cost us in the township.

Conklin spoke to two of Ms. Goshorn's questions by giving the names of the planners from each planning consultant firm who would be assigned to this project and also that both firms had stated that there was no conflict of interest between themselves and the developer. Conklin asked ZA Kushion to inquire from McKenna and Associates if they had experience with critical dune planning.

Patty Birkholz, 3413 64<sup>th</sup> St, Ms. Birkholz asked if the \$400,000 that was spent on the McClendon property was all for legal fees and that none of it was for planning fees. Ms. Birkholz stated that she agreed with Conklin regarding the parking issues with Roan & Black, especially now that construction on the Blue Star trail is going on. Ms. Birkholz also agreed with Ms. Goshorn that the planning consultant that would be hired have critical dune planning experience.

Milauckas responded to Ms. Birkholz's question by giving her a copy of the expense amount breakdown that he had received from Rudich.

**Further Board Discussion:** Milauckas asked if there would be any basic training on general procedures that was suggested by the township attorney. ZA Kushion stated that it will be scheduled at a later date.

Rudich motioned to adjourn at 8:25, Welk seconded. Motion approved unanimously.

**Next Planning Commission Meeting:** The next Planning Commission meeting will be on July 24, 2017.

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Janna Rudich, Recording Secretary

1. Motion to approve the agenda of the June 26, 2017 Planning Commission meeting. Prietz motioned, Welk seconded. Motion approved unanimously.
2. Motion to approve the amended minutes of the May 22, 2017 Planning Commission meeting. Prietz motioned, Rudich seconded. Motion approved unanimously.
3. Motion to recommend McKenna and Associates to the township board as the planning consultant. Rudich motioned, Prietz seconded. Four ayes, one nay
4. Motion to ask the township board to amend the solicitation of proposal dated May 9, the top paragraph of page 2 to add the following language 'with respect to legal matters concerning review of the application' at the end of the sentence beginning 'The professional planning consultant will be expected'. Milauckas motioned, Conklin seconded. Three nays, two ayes. Motion failed.
5. Motion to give Planning Commission support of the Blue Star Trail resolution. Prietz motioned, Rudich seconded. Motion approved unanimously.
6. Motion to adjourn. Rudich motioned, Welk seconded. Motion approved unanimously.