

SAUGATUCK TOWNSHIP PLANNING COMMISSION

March 23, 2005

The Saugatuck Township Planning Commission held a workshop meeting on March 23, 2005, at the township hall on Blue Star Highway, Saugatuck, Michigan 49453.

Present: Darpel, Hanson, Marczuk, Milauckas, and Rausch
 Absent: Jarzembowski and Olendorf
 Also present: Dayle Harrison

Chairman Milauckas opened the meeting at 6:05 P.M. He displayed the proposed updated Zoning Map and invited Commissioners to join him and Ellingsen March 24 at 11:00 A. M. at the township hall to correct it.

Darpel made a motion, seconded by Marczuk to approve the amended February 28 minutes. On the first page at the end of the third paragraph, to “Commissioners then asked questions to clarify several issues” add the following: “, one issue being the number of students and staff who would be using the facilities. The applicant provided approximations but did not know for sure.” The motion carried.

Milauckas made a motion to approve the minutes of March 7 and Hanson seconded. The motion carried. Marczuk made a motion to approve the amended minutes of March 16. Rausch supported. On page 2, the next to last paragraph, third line should read “public road right-of-way” instead of “main road.” The motion carried.

Darpel stated that in a conversation with Chris Roerig the question of whether the moratorium on tree cutting was a dead issue with the township board came up, and Roerig was under the impression that members of the board misunderstood the intended scope of the moratorium proposed by the P.C. on February 7. Therefore, the Darpel thought a recommendation for a moratorium could be resubmitted to the township board.

Harrison asked the Commission to include in the moratorium some language extending the Natural River Overlay District’s 50-foot restricted tree cutting strip setback from the river all the way to I-196. [Sec. 40-591 (c) (10)] Milauckas asked Harrison to draft language to accomplish this. However, Darpel voiced his concern that the township board was only ready for restrictions along Blue Star Highway.

After Milauckas polled the Commissioners on their feelings about resubmitting a recommendation for a moratorium, all but Hanson agreed. Darpel was given the job of briefing Jarzembowski so he can support it at the township board meeting.

Darpel made a motion, supported by Rausch to recommend to the township board to enact a moratorium until an ordinance is enacted, but no longer than six months, on the removal of all trees on vacant property in the C-1, C-2, C-3 and I-1 zoning districts within 130 feet of the centerline of any public road and within 100 feet of the I-196 right-of-way in the C-3 and I-1 zoning districts. The purpose of this moratorium would be to enable the Planning Commission to write a tree preservation ordinance. The following activities would be permitted under the moratorium unless otherwise prohibited by statute or township ordinance:

- Necessary clearing to proceed with construction under an approved building permit or an approved site plan

- Tree removal or transplanting occurring during use of land for agriculture or the operation of a commercial nursery or tree farm, provided this exception shall only be applicable if the commercial nursery or tree farm has been licensed with the State of Michigan and in operation on the property for three years or more, or the property owner records an affidavit that the commercial nursery or tree farm shall continue in active operation for a period of no less than five years
- Tree removal or transplanting for conservation of soil, vegetation, water, fish, wildlife, and other natural resources
- Actions made necessary by an emergency, such as tornado, windstorm, flood, freeze, dangerous and infectious insect infestations or disease, or other disaster, in order to prevent injury or damage to persons or property or restore order
- Repair or maintenance work performed by public utilities or the Allegan County Road Commission necessitating the trimming or cutting of trees within an easement or right-of-way
- Removal or trimming of dead, diseased or damaged trees, where the damage resulted from an accident or non-human cause, and provided that the removal or trimming is accomplished through the use of standard forestry practices and techniques
- Tree removal or transplanting for outdoor recreation such as the utilization of field trails on woodland on publicly owned property for nature study, horseback riding, trapping and hunting as otherwise legally permitted and regulated
- Tree removal from a swath not to exceed 20 feet wide to provide access to a lot or parcel.

Any protected tree removed or damaged, so as to threaten its continued viability, in non-compliance of the moratorium, must be replaced on a caliper by caliper basis. If a protected tree is too large to be replaced directly, then the largest available caliper tree in multiple groups would be required. For example, if a twenty-four-inch caliper maple tree is removed, four six-inch caliper maple trees would need to be planted. Any unauthorized removal of a protected tree regulated by this moratorium shall constitute a municipal civil infraction and be subject to penalties as described in Sec. 40-41 of the Saugatuck Township Zoning Ordinance.

A roll call vote approved the motion 4 to 1, with Hanson voting NO. Darpel agreed to draft the resolution for the township board as well as a cover letter to explain the intention and deliver them to their next meeting.

Hanson explained the changes he proposed to Sec. 40-658 Private Roads, subsections (b) and (c). To his additions, the commissioners suggested adding in (b) the Planning Commission “encourages and” may require that the paved or covered surface, etc. In subsection (c) Milauckas suggested changing the existing language at the beginning to Except as otherwise specifically provided in this section, the Private Road “serving more than 4 lots or parcels” must be “paved at a minimum width of 20 feet unless other road surfaces or widths are authorized by the Planning Commission. They will be” constructed according to county road commission, etc. In the next sentence in the existing language, Milauckas suggested adding after Private Road “s serving 4 or fewer lots or parcels” need not be paved, but “they” must at least have six, etc. In the next sentence, delete “In any event.” The last sentence in the existing language may be deleted as no longer needed. Since there was a question about whether narrow roads would cause the fire department problems, it was decided that Hanson should check with Fire Chief Blok.

Hanson then explained the proposed changes to the sign ordinances, which he made as a result of the last discussion, including the addition of subsection (k) to Sec. 40-634 pertaining to non-conforming signs in language offered by Sisson as a good way to handle the problems of obsolescence, maintenance and repair. Lighted signs were discussed and Darpel asked if there were any design standards in the sign ordinance. Subdivision signs selling lots were discussed. The subdivision identification sign is not treated in the ordinance,

according to Hanson, but Darpel said usually they are done in good taste. No additional changes were suggested.

Meeting adjourned at 9:40 P.M. The next regular meeting is March 28 at 7:00 P.M.

Betty A. White, Recording Secretary Sandy Rausch, Secretary

MOTIONS

- 1. Motion by Darpel/Marczuk to approve amended February 28 minutes.
- 2. Motion by Milauckas/Hanson to approve March 7 minutes.
- 3. Motion by Marczuk/Rausch to approve amended March 16 minutes.
- 4. Motion by Darpel/Rausch to recommend to township board a moratorium on tree cutting in the Commercial and Industrial Zones, with exceptions, and setting penalties.