

SAUGATUCK TOWNSHIP PLANNING COMMISSION

April 12, 2005

The Saugatuck Township Planning Commission met on April 12, 2005, at the township hall on Blue Star Highway, Saugatuck, Michigan 49453.

Present: Darpel, Hanson, Marczuk, Milauckas and Rausch (Jarzembowski joins at 6:40 pm)

Absent: Olendorf

The meeting was called to order by Chairman Milauckas at 6:10 p.m. The March 28 minutes were discussed. The water access to Goshorn Lake from Kingfisher Cove was discussed. It is an understood condition on the PUD that there will be no docking at Kingfisher Cove, however, we may need to address this issue on the final review. Docking could be limited to two or three non-motorized crafts, or there could be no docking permitted at all. On Timberline Milauckas discussed whether we should permit use of setbacks in calculation of open space. He cited 40-190f where it says that public roads and streets, areas that benefit individual units alone, as well as 50% of wetlands, cannot be included in the calculation of open space. The concern is that areas that benefit the motel alone are included in the open space calculation. We need to raise this issue with planner Mark Sisson. Hanson moved to approve the March 28 minutes as presented and Marczuk supported. The motion carried by voice vote.

The Jeff Klemm building on Blue Star and Dayle Harrison's memo regarding the ZBA decision to deny the variance were discussed. The ordinances say that "extraordinary conditions" are required to approve such variances, however, over twenty parcels in that area have the same non-conforming size problem, which hardly presents an extraordinary condition. At the time the zoning was adopted, nonconforming lots were recognized and it was thought that if lots were non-conforming they would be submitted to the ZBA for a variance as a matter of course. Milauckas believes we need to discuss this possible dilemma – that non-conforming lots of this kind will not be given variances by the ZBA – with Sisson. Buffering requirements cannot be met with the size lots that are non-conforming in the area. The height of the Klemm building was also an issue according to Harrison's memo. Darpel said he was more in favor of preventing development when minimums are not met, as they are in the area around Klemm's property. He says that we are not obligated to give a variance to a non-conforming lot. A single-office building, Milauckas says, as opposed to the two-office building proposed by Klemm, would comply. Darpel said that zoning is an attempt to direct development, and Milauckas agreed. Owners can be encouraged to combine lots to meet minimum requirements.

The minutes for the 3/24 joint meeting on the tri-community plan were reviewed. Hanson moved to approve the 3/24 minutes as presented and Marczuk supported. The motion carried by voice vote.

Chairman Milauckas called for public comment. There was none. The commission moved on to discuss proposed ordinances.

On tree preservation, Jarzembowski updated the planning commission on the township board meeting where the tree cutting moratorium was tabled. Budgetary issues were discussed, including the commission's use of legal and planning services. Some planning services are for the zoning administrator and some are reimbursed by the applicants, who are charged planning fees. The township board tabled the moratorium to hear the planning commission's point of view at the next board meeting, on May 4. Jarzembowski thinks that builders can be

educated on what can be preserved on their property and that the purpose of a tree preservation ordinance is to get builders to come in before they start cutting down trees. Darpel commented on his recent visit to Florida where he thought you can see the effect of the local ordinances which were quite strict and which provided screening to large retailers. He commented that in Carmel, Indiana he saw a Lowe's store completely constructed of brick. He believes we don't have to lower our standards to attract businesses, and Jarzembowski concurred. Businesses will rise to the level the township sets regarding design and tree preservation.

Chairman Milauckas said that the commission will meet again with the four person tree ordinance committee – Richard Meckley, Dick Waskin, Pat Denner and Dayle Harrison on April 18. At that time Milauckas' modified draft will be discussed.

Private road ordinance draft changes were discussed, led by Hanson. The sign ordinance draft changes had previously been discussed. It was the consensus of the committee that Hanson should send the draft private road ordinance (3/16 draft) and the draft sign ordinance changes (4/2 draft) to planner Sisson to review and put into proper ordinance language.

Building design ordinance draft changes for commercial zones were discussed, led by Darpel. The draft as Darpel wrote sets preferred building materials such as brick, cut stone and wood, but also provides flexibility for the planning commission to approve other materials should the design be acceptable and consistent with the surroundings and the rural character of the township. The limitations on the use of EIFS (Exterior Insulation and Finishing Systems) were discussed. Although this material, which is a stucco-like material, has its uses, it is often used in mass-produced construction. Widespread use of it may challenge the township's attempts to retain the current rural, small-town, small-scale character of the commercial zones. The draft ordinance needs to refer back to 40-380 or 40-386 which embody the current limited building design ordinances. On 4/18 the planning commission will review the industrial part of the building design ordinance.

Parking, landscaping, and access management draft changes were discussed, led by Marczuk. Zoning Administrator Ellingson has reviewed the current ordinances and believes there are several oversights to be corrected. One that was mentioned was the selling of products produced on the land and not produced on the land. One zoning district permits both, while there should be a distinction shown in the ordinances.

Chairman Milauckas adjourned the meeting at 9:15 pm.

Jim Hanson, Recording Secretary

Sandy Rausch, Secretary

MOTIONS

1. Motion by Hanson/Marczuk to approve minutes as presented of March 28 planning commission meeting.
2. Motion by Hanson/Marczuk to approve minutes as presented of March 23 joint planning commission/town meeting.