

SAUGATUCK TOWNSHIP PLANNING COMMISSION

February 8, 2007

The Saugatuck Township Planning Commission held a special meeting on February 8, 2007, at the township hall on Blue Star Highway, Saugatuck, Michigan 49453.

Present: Darpel, Edris, Hanson, Jarzembowski, Marczuk and Milauckas

Absent: Rausch

Also present: Planner Sisson, Gordon Stannis, Bruce Zeinstra and Mike DeYoung for River's Edge Site Condo, and members of the general public.

Chairman Hanson called the special meeting to order at 7:02 P. M. Milauckas made a motion to approve the minutes of January 22 as amended as follows: Page 1 next to the last line, delete "some individual septic systems" and substitute "individual wells;" Page 3, last paragraph, seventh line, after "included" add "if a land division took place;" and Page 4, 3rd paragraph, last sentence should read "Darpel insisted that he would not be in favor of considering more than seven single-family homes in a PUD." Marczuk seconded and the motion carried.

Public comment: Gerrit Sturuss, Old Allegan Rd., asked if any development, such as a heliport, could take place on the old airport property belonging to the City of Saugatuck without township approval. He was told that the City would have to go through the same process any citizen does, and that use would require SAU.

At 7:13 P. M. Hanson opened the public hearing on River's Edge Site Condo's new plan for 14 units, which was noticed as such. The project encompasses 14 acres in A-2 and 3.25 in R-2. This is a preliminary review subject to Art. 8 PUD and Art. 13 Site Condo. Gordon Stannis, who owns a lot he would like to have included in this PUD, made a power point presentation on a new site plan for 9 building sites in A-2 and 3 in R-2 with more than adequate green space. Stannis said the developer's vision for this property has always been a heavily wooded area with large green space and visual buffer, a quiet sanctuary, with a walking path to the water's edge and beautiful naturalized entrance and home sites. He compared the original plan for eight units in Ginger Man Woods with what was being proposed now: nine homes upland and three in the panhandle. The former 35-foot water front now would be 100+ feet. Screening covenants include the panhandle. Silver Lake Road will be paved for the use of all adjacent properties. Covenants will also cover the use of the water's edge. Roads will satisfy fire department requirements, and there will be a fire hydrant on the panhandle. Screening around the perimeter of the PUD and on internal lots is controlled. The pool and pool house are eliminated from the PUD plan.

Sisson reviewed his memo of February 7, saying his concerns about density with the last plan have been assuaged, but he thought some kind of formal legal agreements should be made among the parties using the private drive, some restrictions should be set on the use of the four docks so they cannot be condo-ized later, buffering and tree preservation

needs to be more fully documented (he provided language for that), and the Drain Commission must approve the plan for storm water drainage along roads. A letter dated February 7, 2007, from the fire department gave approval of the revised plan. Sisson thought this revised application should be considered for preliminary plan approval and gave a list of recommendations for inclusion in the final plan. Water front funneling was discussed and the frontage measurement seemed adequate for the number of homes. Hanson said he thought forestry management would be possible with Sisson's memo language, and Jarzembowski proposed using photography to document tree preservation.

Since this plan for 12 units was not available to the Planning Commission until tonight, had not been on display for the public and was not the plan that was described in the public hearing notice, it was suggested that the P. C. should not move on it at this meeting.

When Hanson opened the hearing to public comment, Brent Johnson, 6351 Old Allegan Rd., quoting from the Master Deed of the proposed development, wondered if they could change the number of units, why couldn't they change the amount of green space. Sisson explained that when the association takes over, it is limited in the changes it can make to the Master Deed by the township's zoning ordinance, backed up by a resolution passed at the time of final approval.

Linda Charvat, 6394 Old Allegan Rd., asked why there is no screening on the west side of the property. Stannis replied that no one had brought it up, but the developer has planted trees between the two drives coming in from Old Allegan without anyone requiring it. Charvat said she would like to see screening all along Lake Trail Drive. Tammy Kerr, 6363 Silver Lake Rd., pointed out the complication with Malkowski's easement intertwining with DeYoung's in the vicinity of Lake Trail Drive. Zeinstra and Sisson suggested possible screening for Charvat, however. There was also some question about narrowing the proposed 66-foot width requirement for Silver Lake Road to make it more adaptable to the extension to the east.

Mr. Palm, 6359 Silver Lake Rd., asked if the adjacent neighbors who would now drive on the new Silver Lake Rd. would be part of the association with voting rights on its maintenance. Hanson, with verification from the developer, said those neighbors would not be required to contribute to the upkeep. Palm also asked whether he could tap into an existing gas line or if he would have to go all the way back to Old Allegan Road, for which there seemed to be no definite answer. Palm also wanted to know what he might have to do to his drive to meet the fire department requirements when he hooks up with the paved Silver Lake Road.

When Johnson said he already drives on Silver Lake Rd. and can't see the advantage of a short stretch of pavement, the issue of adjacent neighbors entering the area from Lake Trail Drive came up, and DeYoung stated that the PUD owners did not want the neighbors using Lake Trail Drive. Palm took up the discussion saying the real benefit would be having a paved road coming in from Old Allegan Rd., since he has been driving the dirt road (Silver Lake Rd.) for 20 years. De Young said he offers the adjacent owners

access to the roads and utilities for \$7000 and they would be in on the maintenance road agreement which is being worked on by his attorney.

Fred Sawyers, 3264 Lawrence Lane, said he did not get a notice for this hearing, but Milauckas found his name on the mailing list. Hanson reviewed the history of this project for him.

Charvat maintained the maximum density allowed in A-2 would be 8 units instead of 9, and said she was opposed to this increase because she did not want problems with neighbors when she does her farming activities. The right to farm is a state law, it was noted. Sisson explained the new interpretation (condoned by Atty Bultje) of the PUD provisions regarding density: if duplexes are allowed in the underlying zone, density can be double in terms of dwelling units.

Jane Dickey, 6108 Old Allegan Rd., said duplexes are all right but if you interpret them as two separate dwellings, you lose more trees and allow more pavement, and she encouraged the P. C. to stick with their original interpretation for density (eight).

Mike Herbert, 6346 Old Allegan Rd., said he didn't understand how reducing the buffer from 80 feet from the east property line to 30 feet and putting septic systems into the general common area was "keeping the natural beauty of the woods." Sisson said his interpretation is that the septic system would not be in the general common element unless space in the individual unit could not be found, and Zeinstra added that the reserve field might be in the general common element but would not require taking down trees until it has to be used.

Stannis produced a list of Rules for Use of River's Edge Common Areas, specifically for the water's edge, drafted by an attorney, which was discussed. Herbert asked if the same official would be overseeing this development and was told Yes, and if there were problems to call Supervisor Wester. Sawyers asked if a surface pond for storm drainage would be constructed and was told storm drainage would take place along the roadways.

Milauckas made a motion to close the public portion of the hearing. Marczuk seconded and the motion carried.

After a brief recess, the meeting reconvened at 9:35 P. M., and Milauckas made a motion to adjourn the River's Edge PUD to the February 26 meeting when the public hearing will be reopened. Jarzembowski seconded and the motion carried.

The Planning Commission studied Sec. 40-780 (c) (4) maximum density in Art. 8 PUD, and Sisson explained what he said is the only way for the Ordinance to make sense, not basing density on dwelling unit structures but on dwelling units. Hanson proposed a session in March to go over Sisson's proposed PUD amendment. Further discussion centered on the "to do" list and which items could be quickly dealt with. Legal descriptions of each zoning district were deemed unnecessary if a Zoning Map were

officially adopted. As amendments to the zoning districts are made, they could be added to the back of the Zoning Ordinance until incorporated into the Zoning Map.

Hanson previewed some items on the agenda for February 26: Dean Borland, Americana Realm in front of the RV park on Blue Star, wants to expand; Phil Miller, chairing a group which includes KRPA and Michigan Land Use, wants to discuss coastal land use after the April meeting with the Saugatuck LLC group. Hanson mentioned Fire Inspector Janik's letter of January 23 suggesting emergency access routes be paved to support the weight of fire trucks. Hanson also reported the Township Board denied AIS rezoning.

Meeting adjourned at 10:43 P. M. The next meeting is an informal review with Saugatuck LLC on February 20 at 7:00 P.M. at Saugatuck High School. The next regular meeting is February 26 at 7:00 P. M. at the township hall.

Betty A. White, Recording Secretary

Sandy Rausch, Secretary

MOTIONS

1. Motion by Milauckas/Marczuk to approve the minutes of January 22 as amended.
2. Motion by Milauckas/Marczuk to close the public portion of the public hearing on River's Edge Site Condo.
3. Motion by Milauckas/Jarzembowski to adjourn River's Edge to February 26 meeting.