

SAUGATUCK TOWNSHIP PLANNING COMMISSION

June 25, 2007

The Saugatuck Township Planning Commission met on June 25, 2007, at the township hall on Blue Star Highway, Saugatuck, Michigan 49453.

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

Absent: Marczuk

Also present: Planner Sisson, Dan Schaafsma and John Balmer for Chestnut Lane Site Condos, Jason Kalajainen and Marta Gazda Auskalis for OxBow, and various members of the general public.

Chairman Hanson called the meeting to order at 7:06 P.M. Rausch made a motion to approve the minutes of May 10, Jarzembowski seconded and the motion carried. Milauckas made a motion to approve the minutes of May 24 as amended to correct the spelling of "Svoboda" in paragraph 3, page 2, and to change "Norm" Deam to "Ed" in paragraph 6, page 3. Rausch supported and the motion carried.

Public Comment: Dayle Harrison, 3108 62nd St., mentioned a MDEQ public hearing on a seawall and decking Ken Denison proposes along his 10 acres on the Kalamazoo River and asked to address the Commission on behalf of the Kalamazoo River Protection Association regarding the relationship between zoning and floodplains and the protection of wetlands, etc. He was asked to present the latter during the discussion of density calculations later in the meeting.

Correspondence: (1) Glenn Pomp, County Drain Commission, dated June 5, stating that he was not requiring River's Edge Site Condo to have a storm water detention pond, but adequate easement for drainage must be created and documented as for a 433 Drainage Agreement. High water table has been reported at Pheasant Woods.

(2) John Johnson, Health Department, dated May 24, regarding community septic system proposed for Serenity Pines' 16 three-bedroom homes, that the anticipated waste water would be acceptable but the trench configuration and calculations were unacceptable. Hanson said the number of home sites was not determined by this Commission because the issue went to court.

Since no one represented the Pump House Gym for review of its landscaping plan, Hanson opened discussion on OxBow by saying that the ZBA agreed with this Commission that OxBow's petition was a continuation of a non-conforming use. Jason Kalajainen introduced architect Marta Gazda Auskalis, who presented the site plan review of two buildings: a 9-bed dormitory of 2100 s.f. and the Metternich Lodge, a structure of two buildings connected by a screened breezeway, which will provide a director's quarters and a guest lodge. She mentioned parking provisions for the two buildings and clarified that they are being connected to public sewer and water.

Milauckas asked if Hanson ever received a response from his April 24 letter to the City of Saugatuck about the mutual sewer and water agreement, and Hanson replied he had a phone response from the city manager stating they could not provide a response then, but the City Council would be asked to write a response. However, no letter has been received. Hanson explained that the agreement was not written in a way to preclude any building at OxBow, and the connections which will be used are already there.

Patty Birkholz, 3413 64th St., a board member of OxBow, invited the public to visit OxBow to see the historic buildings and experience campus life, and she thanked the PC for all the care they have taken in the reviews of the project. Dayle Harrison said he supported the plan as shown.

Milauckas made a motion to approve the site plan for the OxBow expansion dated 5/08/07, based on a review of its compliance with Article IX of the Zoning Ordinance. Edris seconded and a roll call vote showed unanimous approval.

Hanson opened a discussion on density calculations, a question posed previously by Milauckas, and a guiding formula put forth by Sisson, who explained he was attempting to provide a simple way of determining the yield of a given acreage. He pictured on the board a parcel in R-1, where minimum frontage is 100 feet, and said roadways must be accounted for first: $100 \times 66 / 2 = 3300 \text{ s.f.} + 30,000 \text{ s.f. lot size} = 33,300 \text{ s.f. per home site}$. Then he divided the total acreage by 33,300 s.f. to achieve the number of lots available. He said required open space, wetlands and floodplains must be subtracted, complicating the issue. A discussion of whether this could be included in the Ordinance ensued, and Milauckas said he thought clarification of what the Ordinance required was needed. Sisson said it would be used as a guide only.

Harrison gave a few guidelines from the Statutes regarding high water mark and the 100-year floodplain: a DEQ survey would reveal the ordinary high water mark, and anything between that and the river would be unbuildable; the 100-year floodplain identified by FEMA maps, being landward from the ordinary high water mark, should also be deemed unbuildable in the Ordinance. He maintained this would be an easier way of regulating development along the river. The DEQ will sometimes allow development within the floodplain with mitigation, he admitted. Milauckas suggested this method would require the developer to subtract 100% of wet areas instead of the Township's allowance of 50%. Hanson suggested extending the Natural River Overlay, but Harrison said that Overlay is used to control tree cutting.

Jarzewski brought up the issue of stakes being omitted by a developer at the beginning of a project, and he suggested that easily visible survey stakes for home sites, building envelopes, etc. should be required on any project.

Sisson continued his discussion of density calculations by saying that open space and wetlands must be subtracted, and only 50% of wetlands can be used as open space, so the developer must know where the wet areas are on the property and the amount of acres they represent. Only half of that acreage is subtracted from the gross developable area

and 30% is then taken of that gross to determine open space for the development. Milauckas brought up A-2 Open Space where 40% open space is subtracted first, and the remainder is divided by the allowable lot size, and a 40% bonus in lots is added to the final yield. Milauckas continued by suggesting a situation in R-1 where a developer wants to develop 100 acres. His lot size must be 40,000 s.f. unless he provides open space of 25%, in which case he can develop the remaining 75 acres at 30,000 s.f. per lot. He wondered if the PC wanted to make this consistent with the A-2 Open Space process or vice versa. Harrison suggested the natural features of the property constitute a “chunk” of open space rather than having open areas around the periphery.

Hanson invited Dan Schaafsma to explain the new plan for a five lot site condo at Jet Construction’s Chestnut Lane, which will require a subsequent public hearing. He said the roads will now be paved, rather than gravel, lot #1 has been shifted to lot #5 position, the new lot #1 has a larger side yard setback on the west side, maximum fill will be 3 feet on that site to achieve 651-foot elevation. He said the Drain Commission did not want to maintain rain gardens, so ditches will transfer water to a detention pond. This plan shows a retention pond, but a shallow detention pond with a slower release rate was favored by the Drain Commission.

Sisson discussed his memo, dated June 20, in which he mentioned the IFC requirement of an additional emergency access to the whole development when more than 30 homes are involved, whether the PC wanted a cul-de-sac at the end of the road or a “T” as shown, and where street lights might be placed. Hanson said the Fire Department has not reviewed this plan as yet.

Deb Matthai, 6936 Hickory Ln., said at an earlier review the PC did not allow building below 654’ elevation so she wondered why this is better than the PUD plan. Sisson said the PUD plan would allow smaller lot size so the structures could be moved to the east, but with this by-right plan there is not that option. By offering to limit fill on certain lots and require lot owners to preserve natural features the developer is trying to make the five units acceptable. Matthai insisted the issue of building on a very wet area remains.

Cynthia Hatfield, 2660 Chestnut Ln., said if she takes 10 steps from her house there is water and she has pumps running all the time. She foresees a total disruption of the natural area adjacent to which she bought.

Jerome Post, 2675 Chestnut Ln., said there are residents in Saugatuck Woods who are looking for someone to sue because their basements are flooding from the high water table. He suggested the township might be liable if it allows building on these wet sites.

Darapel said he didn’t understand why they preferred to build in a swamp rather than on higher ground to the northeast where there would be no impact on the neighbors, even though it meant taking down trees, and Jarzembowski said he thought the neighbors could hear the traffic noise on I-196 anyway. Milauckas quoted Sec. 40-816 which requires that storm water flow off site not exceed the basic rate of agricultural flow based upon rainfall amounts generated in back-to-back 100-year storms. Schaafsma said the

township ordinance was twice as stringent as the Drain Commission, and Sisson said the Drain Commission's standards apply in this case. Edris asked if the PC had the authority to require the lots to be moved in a site condo, and Sisson replied in the affirmative.

Jim Wentzell, Chestnut Ln., said he could not have built his house without putting in 1400 yards of sand. He said the lots across the street are just as wet as his was to begin with, and he can see how denuded of trees they will be if they have to be filled. Hanson commented that Wentzell probably pushed the water from his lot onto the neighboring lots.

Matthai cast some doubt on the proposed community septic system which will be monitored by the Health Department.

After a break, the meeting resumed at 10:10 P.M. and copies of "Alternative Riparian Access/Funneling Zoning Ordinance Provisions" were distributed. Edris said along the lake shore there are a number of large pieces of property, some lying across the street from the lake, with up to 150 feet of lake frontage which could be funneling a lot of people onto the lake. He said Ganges Township requires another 25 feet of frontage for each lot more than six lots with access rights, as opposed to Saugatuck Township, which only requires 5 additional feet of frontage. He added that many townships also use depth of the property to regulate waterfront usage. Sisson said townships with inland lakes limit usage based on how many boats and docks the lake can support. Lake frontage is a different issue, and Hanson referred to the problem at 121st Ave. in Ganges Township which has been called "recreational trespass." Milauckas asked the Commission to define the purpose of regulating waterfront access. Traffic also seemed to be an issue in larger developments where families would drive to the beach. Harrison said with the accelerated growth in the township, developers are going to take advantage of the less restrictive ordinance. Hanson said the PC could do something quick and just change 5 feet to 25 feet, but Milauckas thought the PC should study the issue more thoroughly.

Meeting adjourned at 10:40 P.M. The next regular meeting is July 23 at 7:00 P.M.

Betty A. White, Recording Secretary

Sandy Rausch, Secretary

MOTIONS

1. Motion by Rausch/Jarzembowski to approve May 10 minutes.
2. Motion by Milauckas/Rausch to approve amended May 24 minutes.
3. Motion by Milauckas/Edris to approve site plan of OxBow expansion.