

SAUGATUCK TOWNSHIP PLANNING COMMISSION

August 23, 2010

The Saugatuck Township Planning Commission met on August 23, 2010, at the township hall on Blue Star Highway, Saugatuck, Michigan 49453.

Present: Conklin, Darpel, Edris, Hanson, Milauckas, Rausch and Rowe

Absent: None

Also present: Planner Sisson, Joe Migas and Ryan Ysseldyke for the golf course, members of the general public and reporters.

At 7:00 P.M. Chair Edris called the meeting to order, and three items were added to the agenda: election of officers, McClendon discussion, and subcommittees for the Tri-Community Plan review. Minutes of the August 19 workshop on the Tri-Community Plan were approved as presented (Rausch/Rowe).

There being no general public comment, Edris opened the public hearing on the proposed Wind Energy Turbine ordinance. Secretary Rausch read the notice published in the newspaper, and Sisson reviewed the provisions of the ordinance, explaining that it will be a free-standing amendment to the Zoning Ordinance enabling the use of WETS of two categories: (1) small turbines not exceeding 65' in height installed on private residences or small businesses, allowed by right and (2) large commercial wind farms only in A-1 and I-1 Zones, which will need SAU. Turbines up to 120' in height could be installed on large lots or combined neighboring lots with SAU if required setbacks are met. Standards, limitations, process for complaints, and decommissioning provisions are included.

Edris opened the hearing to public comment and Zach Bossenbroek, a representative of Southwest Michigan Wind Energy Development in partnership with the BPW of the City of Holland, said properties throughout Allegan County will be evaluated, including the southeast portion of Saugatuck Township. He said to be commercially economical, large systems on inland properties must have turbines 400-500' in height (the proposed ordinance limits them to 300' unless it is demonstrated that a greater height is needed), and the driveway access would not need to be 20 feet wide, rather 12' would be adequate.

Richard Runowski, 6390 126th Ave., Fennville, asked why the lakeshore was not suitable for WETS and Edris answered that the lots are too small unless neighbors could combine properties. Hanson added that the thinking is that agricultural income could be augmented by adding WETS to properties. Runowski then asked what would happen to the WETS if the farm was foreclosed. Sisson said decommissioning funds in the form of performance bonds would be required before the WETS is erected. Runowski then wanted to know if the P. C. had examined how much fossil fuel was used in the making of these WETS which could offset any advantage to creating this method of producing energy. Hanson responded that this is State policy and maps indicate that this area is suitable. Sisson said the State requires that 20% of energy production must be of the

“renewable” type by the year 2020, and local communities must create standards to control it and guarantee its safety. He added that much of this ordinance is based on the Ottawa County model. Runowski seemed to question whether any scientific basis had been used to substantiate the need for WETS. Hours of operation and ambient noise levels were mentioned as part of the limitations of the ordinance. Runowski seemed dubious of the township’s ability to enforce restrictions imposed by the ordinance. He wondered if monopole was the best type of construction, if science dictated that. He asked if any Commissioner was contemplating putting up a WETS, and Conklin and Edris said they had considered it. Runowski said if the P. C. is promoting these, they should be on the lakeshore, and if the P. C. is trying to discourage them, they should be prohibited everywhere. Edris responded that, given the State’s policy, the P. C. is not promoting or discouraging WETS, only trying to control them when they are proposed. Runowski said two days ago an individual came to his door and asked to establish a wind farm on his property.

There being no further public comment, Edris closed the public portion of the hearing. He asked the P. C. if it was comfortable with the restrictions imposed by the ordinance, based on the public comments. Discussion centered on the huge cost of amassing enough property on the lakeshore to build a wind farm, how to demonstrate that more than 300 feet of height is needed to find enough wind to substantiate building a LWETS, and whether licenses are issued for a certain amount of kilowatt production.

Conklin made a motion to table the proposed Wind Energy Ordinance to the September meeting for revision reflecting the discussion at this meeting. Rowe seconded and the motion carried.

At 8:42 P. M. Edris opened the public hearing on a par 3, 9-hole golf course proposed by Joe Migas on 17 acres in the R-3B Zone on Wiley Road. Milauckas recused himself because of a family relationship to the applicant, and the P. C. accepted this. Secretary Rausch read the notice published August 5 in the Commercial Record. Ryan Ysseldyke, Holland Engineering, explained that the site plan pictures what remains of the property owned by Migas and is similar to the plan submitted six years ago, that concerns about screening would be addressed and public water and sewer would be used.

Edris read two letters: (1) Douglas Hohlbein, 6779 Wiley Rd., wrote that he objected to the location of the maintenance garage, and (2) Norm Jones, 6839 Wiley Rd., wrote that he objected to the location of the road and storage buildings, was concerned about errant golf balls, and wondered where the water to irrigate would come from, if the developer had the funds to maintain the course, and whether another golf course was needed.

Sisson provided a map showing the property uses surrounding the subject property, aerial photos of the property and a memo detailing many deficiencies in the site plan. He said it would be a two-step process, first the SAU for a golf course and the accessory buildings and then site plan review. Sisson said he thought the buildings should be located near the parking lot and hole #1 should be shortened to protect the nearby residence from errant golf balls.

After a favorable comment from Dayle Harrison, 3108 62nd St., there were no more public comments, and Rowe made a motion to close the public portion of the hearing. Hanson supported, and the motion carried. Rowe made a motion to table the application to the next meeting for a more complete site plan. Rausch seconded, and the motion carried.

After a brief recess at 9:13 P. M., the meeting reconvened and Milauckas rejoined the panel to continue a discussion of a proposed amendment to allow docks and piers in the R-4 Zone. The P. C. reviewed Sisson's simplified draft of August 6 allowing docks in R-4 the same as in other zones, except in the Natural Rivers Overlay, and exempting small, shallow draft vessels from needing improved docks.

After some discussion of how many docks could be built on the McClendon property and whether the DNRE would allow so many, Milauckas made a motion to recommend the adoption of the August 6 draft of the Dock Amendment with minor corrections. Hanson supported. Milauckas amended his motion to include the condition of review and approval of the township attorney, and Hanson supported. The motion carried unanimously. Consensus was that Sisson would contact the DNRE for advice on the ordinance.

Edris introduced the issue of the 12-month extension of Jet Construction's Whispering Waters Condominiums, requested in a letter dated August 13 from John Balmer. Marcia Tucker, 6948 Colver, Fennville, said she objected to extending any more "courtesies" to Balmer since he has not even put in the holding tank for the fire department.

Since extensions have not been denied before and a legal reason has not been given, Hanson recommended giving the extension and calling the attorney just before the next year is up to see what the township can do. Hanson made a motion, supported by Rowe, to extend this approval to August 24, 2011, and the motion carried.

Edris announced that the township attorney has advised him that if subcommittees are going to meet to review the Tri-Community Plan, they will be subject to the open meetings law with all that entails, so he will continue the workshop meetings instead. He asked those with special interests to bring their information to the next workshop meeting.

Milauckas expressed his concern that the McClendon issues will be settled by lawyers and the Township Board, and the P. C. will have no say. He asked if he is the only member of the P. C. who wants the P. C. to have a chance to advise. Edris said the best the P. C. could do is ask Hanson to carry a request to the township board that these issues be settled openly. Hanson said this discussion should be published on the regular agenda ahead of time, and Edris said he would put it on the agenda.

Edris opened the floor to nominations for officers. Rowe made a motion, supported by Milauckas, to retain Edris as chair. There being no further nominations, the motion

carried. Milauckas made a motion, supported by Conklin to retain Rowe as vice chair. There being no further nomination, the motion carried. Hanson made a motion, supported by Rowe, to retain Rausch as secretary. There being no further nominations, the motion carried.

Meeting adjourned at 11:07 P. M. The next regular meeting is September 27 at 7:00 P.M.

Betty A. White, Recording Secretary

Sandra Rausch, Secretary

MOTIONS

1. Motion by Rausch/Rowe to approve the minutes of the August 19 workshop.
2. Motion by Conklin/Rowe to table the Wind Energy Amendment to September.
3. Motion by Rowe/Hanson to close public portion of hearing on 9-hole golf course.
4. Motion by Rowe/Rausch to table application for 9-hole golf course for site plan revision.
5. Motion by Milauckas/Hanson to recommend adoption of 8/6 draft of Dock amendment to R-4 Zone.
6. Motion by Hanson/Rowe to extend for 12-months approval of Whispering Waters Condominiums.
7. Motion by Rowe/Milauckas to retain Edris as Chair.
8. Motion by Milauckas/Conklin to retain Rowe as Vice Chair.
9. Motion by Hanson/Rowe to retain Rausch as Secretary.