

**SAUGATUCK TOWNSHIP PLANNING COMMISSION**

March 28, 2011

The Saugatuck Township Planning Commission met on March 28, 2011, at the township hall on Blue Star Highway, Saugatuck, Michigan 49453.

Present: Conklin, Hanson, Milauckas, Rausch and Rowe

Absent: Darpel and Edris

Also present: Planner Sisson, Joe Migas and Bob Borowski for the golf course, Nally and Bossenbroek for the WET and various members of the general public.

In the absence of Chair Edris, Vice Chair Rowe called the meeting to order at 7:00 P.M. Rowe added a discussion of a possible ordinance on medical marijuana to the agenda. Minutes of February 28 were approved as presented (Conklin/Hanson).

There being no general public comment, Rowe opened the public hearing on amending Chapter 40 of the Saugatuck Township Code of Ordinances by adding Sec. 40-107 to establish standards pertaining to parcels or lots which are included in more than one zoned district. Secretary Rausch read the notice published in the newspaper. Rowe explained that, although it was noticed as such, the Planning Commission was not amending Sec. 40-106 at this time. Planner Sisson explained that Sec. 40-107 is not a rezoning of property but simply a way of resolving problems which come up (mostly along Blue Star Highway) when property which is partially commercial and partially residential is developed.

Public comment: John Migas, 6541 Bradley Rd., asked about what he could do with his property which has frontage on Bradley, Maple and Heron Bay Dr. and is the only "H" on Sisson's map of Blue Star properties. Sisson said because the southern portion with the frontages is surrounded by residential properties, it would be best for Migas to ask for a rezoning of the entire property to residential.

Hanson made a motion to close the public portion of the hearing, seconded by Rausch. The motion carried.

Milauckas stated that the first part of the public notice involved cleaning up some omissions in the zoning ordinance by adding R-3B and R-4 zoning districts to Sec. 40-106, but a court recorder was necessary because of the on-going court case involving R-4, so he wondered if the hearing could be tabled to add that at the next meeting.

Milauckas asked about the statement in the proposed ordinance amendment in Sec. 40-107 (a) (1) dealing with parking in the residential portion of the property "except for parking of vehicles for which a commercial driver's license is required." Sisson said Atty Bultje added this. The consensus was that customer parking and delivery vehicles should not be allowed in the rear (residential) portion.

Milauckas also wondered if R-2 should precede R-1 in the sequence in (c) (2) a. because the lot size must be larger in R-2.

Milauckas brought up the Tri-Community Master Plan which envisioned Blue Star as less commercial and more residential, saying the county wondered if the township needs all that commercial.

Hanson made a motion to table the amendment to Section 40-107 and to add Sec. 40-106 until the next meeting. Rausch supported and the motion carried.

Rowe introduced the final site plan review of Joe Migas' nine-hole golf course. Joe Milauckas recused himself because he is related to Joe Migas. Bob Borowski represented Migas and answered the question of what color the building would be, "medium brown." The remaining question about the plan was the screening in the gap in the back of the property, and Migas agreed to plant three evergreen trees there. All the necessary documents were included.

Hanson made a motion to grant the final approval for the SAU permits and conditional site plan (dated 3/22/11) approval for Migas' par three golf course. He amended his motion to state that Migas has agreed to plant evergreen trees in the gap in the back. Conklin seconded the motion as amended. The motion carried.

Milauckas returned to the commission. Rowe brought up the continuing discussion on the proposed ordinance controlling Wind Energy Turbines. Sisson pointed out the setback waivers in Sec. 40-1126 (a) (13) c., and the commissioners changed the wording to "Alternative Setbacks down to a distance equal to the height of the WET may be approved" etc. Sisson also pointed out the addition of a standard for measuring a "steady pure tone" related to the noise factor in Sec. 40-1126 (a) (11) e.

Hanson made a motion to table discussion of the proposed Wind Energy Turbine Ordinance to the next meeting. Rausch seconded and the motion carried.

Rowe stated that clients have contacted him about regulations regarding medical marijuana. He said he asked Z. A. Ellingsen and was told it is denied in the township. Sisson suggested that it not be included in the Ordinance, either to allow or not allow it. He went on to explain that the Statute does not call it a "business," but says that one individual grower per address may supply up to five other users; therefore, it cannot be a coop. It must be non-visible, and the grower must deliver to his patients. It could not be SAU because a public hearing would jeopardize the essential anonymity of the supplier. Hanson suggested consulting the township attorney.

Meeting adjourned at 9:00 P.M. The next regular meeting is April 25 at 7:00 P.M.

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Betty A. White, Recording Secretary

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Sandra Rausch, Secretary

### MOTIONS

1. Motion by Conklin/Hanson to approve minutes of February 28.
2. Motion by Hanson/Rausch to close public portion of hearing on amendment to add Sec. 40-107 to the Zoning Ordinance.
3. Motion by Hanson/Rausch to table amendment to add Sec. 40-107 and amend Sec. 40-106.
4. Motion by Hanson/Conklin to grant SAU and site plan approval to Joe Migas' par-three golf course.
5. Motion by Hanson/Rausch to table WET Ordinance discussion.