

SAUGATUCK TOWNSHIP PLANNING COMMISSION

October 28th, 2013

The Saugatuck Township Planning Commission held a regular meeting on October 28th, 2013 at the Saugatuck Township Hall, 3461 Blue Star Highway, Saugatuck, Michigan 49453.

Present: Chair Maggie Conklin, Brad Rudich, Joe Milauckas, Sandy Rausch, & Ed Welk

Absent: Dayle Harrison, Bill Rowe

Also Present: Township Planner Mark Sisson and Zoning Administrator Al Ellingsen

Chair Conklin called the meeting to order at 7:04pm.

III. Review to Adopt the Agenda.

Welk motioned to adopt agenda as presented. Rausch second. Motion passes 5-0.

IV. Public Comments and Correspondence

None

V. Continuation of Discussion – Sign Ordinance and definition of “sign”.

The board wanted to find a way to require that all the remnant sign support be removed when a sign is no longer being used as a sign, but a vertical, free standing structure with no sign face. Currently neither definition in Section 40-7 nor the sign and billboard regulations of Section 40-635 include a general definition of what a sign is or what the various major components of a sign are. The PC has put together a proposed amendment pertaining to “Section 40-634 Signs, Billboards and visual attraction devices” and to the related terms and definitions found in “section 40-7. Definitions” to clarify the meaning of the term “sign” as well as to incorporate related terms and their meanings, to regulate the height of signs located in all agricultural and residential zoned districts, clarifying certain provisions pertaining to billboards and non-confirming signs. This will be presented and voted on during a public hearing at the 11/25/13 PC meeting.

The new recommended definition of a sign included in Sec-40-47 under “Signs” is as follows

Sign: Any name, figure, character, outline, display, announcement or device or a structure supporting the same, or any other device of similar nature used to attract visual attention outdoors, and shall include all parts, portions, units and materials composing of the same, together with the background and supports or anchoring thereof. A sign shall not include the wall of a building or an architectural wall incorporated into the landscape on which there is no sign face. A sign shall include a structure principally, designed or intended or once used to support a sign face even though the sign face does not exist and as such is regulated by the provisions of Section 40-634. Sign Face: An exterior display surface of a sign including non-structural trim exclusive of the supporting structure

New language was also added under section 40-634 Signs, Billboards and visual attraction devices in section “c” stating that “signs that are not maintained in a manner so as to correspond to a current or viable use, or to display a legal message, will be classified as a nonconforming sign. Such signs may be ordered by the Zoning Administrator to remove such signs and billboards as do not confirm to this requirement”

A complete change was made under section 40-634 Signs, Billboards and visual attraction devices in section "j (1)" stating the following; "Unless exempted under 40-634(h), or otherwise authorized by the Planning Commission as part of the approval for an authorized SAU or PUD, no free standing sign (a sign not affixed to a building) located in an A-1, 1-2, R-1, R-2, R-3, R-3B or R-4 Zoned District, may exceed five feet in height from ground level. In any C-1, C-2, C-3 or I-I Zoned District, no sign structure shall exceed ten feet in height from ground level. For purposes of this section, ground level shall mean the Average Grade reference plane established at the base of the sign support structure (ref. definition of Average Grade).

VI. Continuation of Discussion – of Committee to study Hydraulic Fracturing or "Fracking", possible Ordinance

The fracking committee (consisting of Rausch, Harrison and Rudich) is adding a 4th non-voting member. Larry Dickie of Saugatuck Township was approached by Harrison asking him to come to the meetings and join the committee. Chair Conklin welcomed Dickie to the committee as an official non-voting member. Rudich also updated the PC on the progress of the committee. They are meeting again on 11/11 working on an outline of an ordinance and would like to have something solid to present to the PC at the next meeting on 11/25.

VII. Consider alternative review and approval for "minor" and "major" private roads, including private driveways and shared driveways, private access drives and internal drives.

A proposed amendment has been put together for Section 40-7 definitions to amend certain terms and add new terms pertaining to private roads and driveways, and amendments to Section 40-658-Private Roads to clarify the responsibilities of the Planning Commission, Zoning Administrator and Fire Official in the review and authorization of private roads when such roads are within or, provide access to a site condominium subdivision, platted subdivision, planning unit development (PUD), or other land development proposal, to amend the requirements for private road easements, to clarify the requirements for emergency and additional primary access points for developments served by the private roads and to clarify certain provisions pertaining to the enforcement of private road requirements. This will be presented and voted on during a public hearing at the 11/25/13 PC meeting.

Comment: Jim Bruinsma on behalf Singapore Dunes shared a couple concerns on the changes of the proposed ordinance amendment. In particular with respect to the new section "additional means of access", as the way the ordinance was laid out it before proposed amendments PC had "it could require a secondary means of emergency access if there were more than 30 units", now it says you can have 2 or more required means of access required by the Planning Commission. This is a particular concern to Singapore Dunes as they are in the middle of working on a multi-family development that would have more than 50 units and they would not have more than one access point due to Dugout Road access being rendered useless as it has not been maintained. Issues were all worked thru as part of federal court case, and we have entered into a consent judgment which says they (Singapore Dunes) cannot be required to have more than one means of access on to the property provided they meet any other conditions reasonably imposed by Fire chief or Township. The township cannot require Singapore Dunes to follow this due to the consent judgment. On the face of this, it appears it applies directly to his client's property and situation and creates a new potential requirement that didn't exist before that has to be dealt with. *Milauckas emphasized this portion of the proposed amended does not change or add any new requirements that are not presently in the ordinance.* Second concern was that he is getting approvals from all these different places (Fire Chief, DEQ, etc) and this adds another dynamic component and may require them to go back thru all these avenues, which is an issue of both time and cost.

The PC will ensure Singapore Dunes is excluded from this updated amendment as that was never the intention on their part. The biggest issue was consent judgment refers to sub-section "40-658e" and this new reorganization is proposing a subsection "40-658f". PC has decided to merge "40-658f" with "40-658e" to prevent any further issues and insert an editorial note.

VIII – Continuation of Discussion – Consider alternative review and approval for Corner Lots and setbacks with regards to private drives.

This was discussed during VII discussion. No further action needed.

IX. Reverting R-4 to R-3B

This has been tabled until more information comes in regarding how much of the overlay is still valid.

X. Confirmation of updated Rules & Procedures

Changes

- Tape recordings will now be retained for one year
- Where the statement "conflict of interest" is listed, "appearance of conflict of interest" was added in several sections

Welk motions to approve the revisions to the procedures as of 10/28/13, Rausch second. Motion passes 5-0.

*****The board went back to the discussion on the ordinances. Milauckas motioned and was supported by Rauch to set the proposed amendments to the sign ordinance and the private road ordinance as contained in Mark Sissons memos for public hearing at the November 25th meeting. Motion passed 5-01.*****

XI. Township Board Updates and Planning Commission Comments, with Mr. Rudich

Next Wednesday (11/6/13) at 7pm will be the joint meeting between the PC, ZBA and Township Board. Rudich asked the PC if there was anything they wanted on the agenda. He also mentioned they will discuss moving the ZBA to (5) full time members, from (3), and the PC down to (5) members from (7).

XII. Adjourn

Chair Conklin adjourned meeting at 9:50pm.

Elizabeth "Birdie" Holley, Recording Secretary