

SAUGATUCK TOWNSHIP PLANNING COMMISSION

January 27, 2003

The Saugatuck Township Planning Commission met on January 27, 2003, at the township hall on Blue Star Highway, Saugatuck, Michigan 49453.

Present: Darpel, Milauckas, Olendorf, Phelps, and Smith

Absent: Rausch and Shanahan

Also present: Mark Sisson, Al Ellingsen and Bill Lefley

Chairman Milauckas called the meeting to order at 4:10 P. M. and welcomed Steve Darpel, the new Planning Commissioner.

Milauckas directed attention to Part II of the 4-16-02 draft of the proposed zoning amendments to the R-1, R-2 and R-3 residential districts. He reviewed the reasons for proposing amendments to these zones. He also mentioned that the Tri-Community plan committee was proposing a single comprehensive master plan for the three communities, with sections peculiar to each individual entity, eliminating the need for individual plans for each community. Public input will be obtained through a survey. Questions arise from this about whether to wait for the master plan or go ahead with zoning changing. Sisson suggested that the master plan would not go into the detail of a zoning ordinance.

Milauckas reviewed the zoning as it is: R-1 and R-3 with minimum lot size of ½ acre, 100-foot frontage, single-family, duplex, or multi-family in some cases, public utilities in R-1 but not in R-3; and R-2 with minimum lot size of 1-1/2 acre, 150-foot frontage, single-family only and no public utilities planned. Concerns, he added, are how to incorporate open-space preservation and multi-family dwellings, whether to combine to make them consistent and whether public utilities will be provided. Sisson suggested looking at where in the township the densest development (6,000-10,000 s.f.) should be, where medium density (12,000-20,000 s.f.) and least density (20,000-40,000 s.f. and up) should be; therefore, the Comprehensive Plan and its map were consulted. Milauckas asked about the A-2 area between the lakeshore residential zone and the expressway, which would be 2-1/2 acres minimum lot size, but the Comprehensive Plan shows it as medium density. Sisson reasoned that utilities would be extended, and looking to the future, as the master plan should, this area could be rezoned since changes have come which make utilities possible to that area. Another area of concern was the R-3 north of Saugatuck city, which no one would want developed at all, much less into ½-acre lots. Combining two of the residential zones was discussed, along with allowing smaller lot size with more open space in developments, or creating overlay districts. Olendorf was concerned with the effects that new development in R-3 has on existing wells and Lakeshore Drive. Sisson suggested making a separate zoning district of the lakeshore, following property lines already set. Lefley pushed for decision on the property behind the lakeshore district, because it is no longer agricultural. The need for a restriction on the size of the building envelope was also discussed.

Sisson left the meeting at this point, and after some brief recesses for dinner, the discussion resumed. Milauckas said he did not understand why R-2 was 1-1/2 acre, or 65,000 s.f., minimum lot size if, as Sisson says, low density is considered to be 20,000-40,000 s.f. This large discrepancy between ½-acre and 1-1/2 acre makes it difficult to simplify by combining zones. It was suggested that the floodplain's possible contamination could be the reason for the large lot requirement in R-2. Milauckas said he wanted to strike a balance between what was necessary for the township but not create a problem for the existing property owners. He brought out two issues: (1) whether 65,000 s.f. would be a good size for the minimum lot in R-3 and (2) should R-2 be retained as is. Ellingsen suggested using multi-family apartments to create the density in the areas where there is sewer/water. Milauckas suggested using 20,000 s.f. minimum lot size as

the starting point in R-1 and then allowing more dwellings in a development with more open space and even more dwellings with public sewer/water. He also suggested making the mixed-use residential/commercial area along Blue Star Highway the most densely developed zone with apartments. The next densest might be a "lakeshore district" with 100' widths comprising the strip of developed areas, following lot lines, and the remainder behind it at medium density with 40,000-55,000 s.f. lots.

Lefley said he went along with the densest development closest to the village and less dense farther out, but he didn't buy the idea that R-2 and R-3 should be the same because the land is different, even from the land south of the washout. He wondered what happens when the water level goes back up, what if Lakeshore Drive washes out in another place? Some people will have no way to get to their property. He reminded the Commissioners of where they were a year ago on this proposed amendment: going from 20,000 s.f. to 55,000 s.f., and dropping back to 35,000 with open space included. Olendorf brought up how extensive the setback must be from Lake Michigan in some places before building can be accomplished. Lefley urged consideration of A-2 near the R-3 area now rather than coming back later, especially because a lot of the property is split zoned. Phelps showed where the water is expected to come to Old Allegan Road areas. Milauckas maintained the R-3 north of the city of Saugatuck should be consistent with the less dense area behind the lakeshore lots, and Ellingsen said it could be part of an overlay district. Darpel suggested it is more like R-2, least dense. Olendorf was concerned about doing anything with this sensitive area which might complicate the negotiations going on to purchase it. Olendorf also suggested consulting with the county about the necessity of an alternate road, which would be necessary for development of the southern areas along Lake Michigan. Milauckas tabled this discussion for a future meeting.

Milauckas asked the Commissioners to consider the minutes of November 25, 2002, and pointed out an error on page 1, last paragraph, "He said five townships in Allegan County (enacted open-space preservation ordinances), rather than "are exempt," as written. Phelps made a motion to approve the minutes as amended, and Smith seconded. The motion carried.

The minutes of December 18, 2002, were accepted with a motion by Phelps, support by Olendorf, and unanimous approval.

Milauckas discussed the memo from Clerk Jane Wright following up the joint meeting. She pointed out to the Commissioners that they have been requiring a bike path along both sides of Blue Star Highway and suggested that they concentrate that effort on just the side closest to the city. Consensus was that her idea should be accepted. She also asked that a provision be made in the application for a signature of the applicant that if additional expenses are incurred in the processing of his application, he will assume responsibility for those expenses.

Milauckas gave an update on the Tri-Community Committee. Their next meeting is February 18.

After Milauckas opened discussion on the state's Open Space Law PA 177 and the township attorney's letter of November 25, 2002, stating that the township is exempt from the need to enact an open space ordinance, it was decided that it would be better to wait to draw up a resolution until Shanahan is present.

Milauckas reported that in a court of appeals case he was reading about, the decision was that planning commissioners could not be forced to testify in a lawsuit involving zoning issues. Olendorf commented on a case in Torch Lake where short-term rentals of cottages violated the local single-family zoning. Milauckas said the same issue exists here, and he urged that the cooperative efforts to enact ordinances to control rentals be continued. Olendorf said he would pursue the issue.

Milauckas reported that the judge's opinion on the Wolters Realty suit for a truck stop at Exit 34 stated that the property of the site plan area should be rezoned, but not all the way to the northern boundary of their property. Which of the commercial zones should be applied was one question. Wolters' Atty Shearer has requested a site plan review. A clarification is needed because the judge refers to "truck stop," and Wolters never referred to their proposed use as a truck stop.

Ellingsen was asked to check on the lights at the Pump House because they need to be shielded. He said they have a temporary occupancy permit, and the finishing touches are missing which were on the prints.

Smith showed photos of the Valleau Brass Works building in I-1 where paint ball games are going on. She said it should be investigated under the Dangerous Buildings Ordinance. It was pointed out that no commercial permit has been issued for the paint ball operation.

Milauckas reviewed some directions for Planning Commissioners especially for Darpel's benefit. Besides the reminding them to attend planning seminars and study the site plans before meetings, he suggested that Commissioners exhibit a more professional attitude toward the applicants who come before them, that they be more consistent in their treatment of applicants, whether they know them or not, and yet that they not back down when there are things that really need to be questioned. He also directed attention to the code of ethics on conflict of interest posted on the wall.

Meeting adjourned at 9:10 P. M. The next regular meeting is February 24 at 7:00 P. M.

Betty A. White, Recording Secretary

Lissa Smith, Secretary

MOTIONS

1. Motion by Phelps/Smith to approve as amended the minutes of November 25, 2002.
2. Motion by Phelps/ Olendorf to approve the minutes of December 18, 2002.