

SAUGATUCK TOWNSHIP PLANNING COMMISSION

February 2, 2005

The Saugatuck Township Planning Commission met jointly with the Saugatuck Township Board on February 2, 2005, at the township hall on Blue Star Highway, Saugatuck, Michigan 49453.

Present: Darpel, Hanson, Jarzembowski, Marczuk, and Milauckas for the Planning Commission; Gudith, Jarzembowski, Kniklebine, Wright for the Township Board, and Zoning Administrator Ellingsen. Roerig joined the meeting in progress. Also present was Dick Waskin and other members of the general public.

Absent: Rausch and Olendorf for the Planning Commission.

The meeting was convened at 5:01 pm by Supervisor Gudith. He had three topics: further action on Wolters application, R.J. Peterson's request, and Blue Star Nursery sidewalk.

On the 12/15/2004 Planning Commission meeting regarding the Wolters application did the board have to approve the Planning Commission decision and if so why. Milauckas replied yes, that the Planning Commission action was a recommendation to the board. The board needed to take action on the recommendation. Milauckas related that Attorney Doug Donnell said that the recommendation did not have to be sent to Allegan County

R.J. Peterson has requested that the three jurisdictions, Saugatuck, Douglas and the Township, state that there is a need for more marina space in the area. Gudith asked if the Planning Commission had had any letters from Peterson. The Commission members said they had not received anything from him except the materials he sent commenting on the Tri-Community Plan when the Plan town meeting took place.

Regarding the Blue Star Nursery's request to be reimbursed for its sidewalk, Milauckas reiterated that the review of the PC minutes of the time so far have not shown that the PC required anything more than a bark path. Gudith said he believed there was no reason for reimbursement.

Milauckas asked for public comment. There was none. He had five topics: review Tri-Community Plan, codification of ordinance amendments, update on new needed zoning ordinances, the Denison property, and the township fee structure.

Milauckas asked if any public comments had been received on the November 11 draft of the plan. Apparently none have been. The public has till early March to comment on the plan. Milauckas reviewed his eight points with the Board and the Commission as follows:

- 1) Throughout plan; Change "Village of Douglas" to "City of the Village of Douglas"
- 2) Credits page; Change- Glenn Spoerl, Chair to Glenn Spoerl, Secretary. Sandra Rausch-Vice Chairman to Sandra Rausch-Secretary. Add- Vice Chairman after Don Olendorf Delete - Betty White- Secretary.
- 3) Page 4-17; Expand last sentence to read: Similar to most shoreline communities in Michigan, Saugatuck, Douglas and the Township do not have such an ordinance (on high risk erosion areas, since the subject is covered by state law).
- 4) Page 9-2, paragraph 2, line 3: Change "4 times" to "3 times"

5) Page 9-3, Table 9-1, “Buildout Analysis of Saugatuck Township”. It appears the calculation sequence should be updated. Therefore the table needs to be re-structured and figures corrected. Also, the paragraph at top of page should be re-written as follows:

“This preference for a limited population poses particular challenges for the Township. A very rough buildout analysis revealed that the Township population could increase by nearly 3 times if it were fully developed according to current zoning. See Table 9-1. A buildout analysis starts with the acreage area of different zoning districts, minus unbuildable lands (such as wetlands). Rough acreage measurements were made of Saugatuck Township’s major residential zoning districts. Agricultural lands were included in this calculation as there remains very little agricultural land in protection programs such as PA 116. Excluded is the area for road rights-of-way (roughly calculated here at 15%). Another roughly 40% is deleted in consideration of land that has severe limitations, such as steep slopes, soils not suited for septic, sizes or shapes that are not easy to maximize development potential, poor or no access, deed restrictions or owners who don’t desire to sell such as lifetime farmers, or open space owners. Based on the resulting acreage figures for each zoning district, the calculation then determines the number of potential dwelling units according to permitted density, and multiplies this times the most recent population per household size. In this analysis the buildout factor is only as reliable as the acreage measurements are accurate.”

NOTE RE: TABLE 9-1- Planning and Zoning Center will need to confirm, then redo the calculation and prepare a new table with the following considerations:

A) The 40% needs to come off the acreage not the population. This appears to result in 3,125 “Total Potential Dwelling Units” instead of “Total acres” and a total buildout population of 6,875. “(about 3 times current population)” should be moved from the population increase line to the total population line.

B) Delete the * from “1du/A*” in the “Density” column

C) Move the ** from “R-3B Critical Dunes Overlay** “ to “R-3B** “

6) Page 9-4, Top paragraph: Replace with following: “There is a gap between an “ideal” population (as expressed by respondents to the community opinion survey) for the Township of 3,564 (1.5 times growth increase, an additional 1,188 persons) and “buildout” (3 times growth increase, an additional 4,499 persons). It is worth noting that the distinction between the full time resident population and seasonal resident population (used in the buildout calculation of total potential households) of our community is an element not considered in this “ideal” versus “buildout’ analysis.”

Bottom paragraph, 2nd line from bottom; Change “4 times” to “3 times”

7) Page 10-2, Map 10-1, Future Land Use Map:

Eliminate the yellow island (low density) in SW quarter of Section 20, change to Orange (medium density), consistent with surrounding area.

8) Page 12-1, Paragraph 3, sentence 3; Change to : “It could and should be modified as necessary upon approval by the planning commission and the governing body proposing modifications relating to provisions affecting future land use, planning, and zoning located within the geographical area of that governmental entity. All amendments and changes of this Plan....”

Milauckas said he needed a final list of changes to Mark Wyckoff of Planning and Zoning Center for preparation of the final plan for the meeting at the end of March. He explained that item 8 would ensure that each community would still be in charge of its own planning and zoning after the adoption of the Tri-Community Plan. Darpel said he thought the language of the Plan presupposes that the three communities will ultimately move to a joint planning commission. Kniklebine said that the cities were concerned that development in the township might threaten existing businesses in the cities and tax revenue to the cities.

Milauckas said that the Plan committed the three communities to examine the pros and cons of a joint planning commission, but did not commit them to establishing one. He remarked that the City of Saugatuck wants to eliminate paragraph 5 on 12-2 regarding the survey's support for a single government unit if there were demonstrable fiscal benefits. He asked if the board wanted to wait to approve this list of changes. The Board members indicated that they approved the changes.

On codification of ordinances Milauckas said that 2003-12 and 2004-02 need codified. He discussed the need for changes in the zoning map. He and Zoning Administration Ellingsen discussed whether the zoning map should be updated with the DEQ overlay on critical dune areas. The conclusion was that the update with the overlay was not necessary. Milauckas and Ellingsen are to sit together to gather together all the required changes to submit them together.

On the potential needed zoning ordinance amendments Milauckas said that the PC was looking at a tree clearing ordinance, a lighting ordinance, changes to commercial area ordinances affecting parking, access and building appearance, and private road ordinance changes. On commercial area ordinances Milauckas remarked that the PC had no flexibility to change parking or access on the North Point project. This resulted in a slowed-down project since the applicant had to appeal to the ZBA. Kniklebine said that she thought the back of a strip mall was used for delivery and trash. Two parking areas meant that two decorative facades were required and she saw no problem with parking all in front. Milauckas replied the reason the PC went with parking in front and back of North Point was it relieved the large expanse of asphalt in front of the building. He would like to have options for the PC to vary some of its requirements when required. On private road ordinance Milauckas said that roads could be less than the currently required 66 foot cut. He would like to see an ordinance that allows for narrowest possible private roads possible allowing for safety and for space for utilities.

On tree clearing, Milauckas said he had distributed two models: the Douglas ordinance which is ¼ page and a very detailed ordinance from another jurisdiction which ran to many pages. An enforceable ordinance which had meaningful penalties was needed, possibly preventing future building permits unless the vegetation was replaced. Wright said that she had a concern on enforceability. A very broad ordinance would be impossible for the Zoning Administrator to enforce. Milauckas remarked that existing ordinances can be interpreted to prevent clearcutting, which is a land alteration and requires a site plan according to Sec. 40-812. Darpel said that developers will follow guidelines if they are given to them. Jarzembowski spoke about his experience as a builder with his clients. Clients can mark and save trees. It isn't that expensive. He thinks we should set guidelines for tree preservation, preserving grades, and preserving roots. Wright said the focus needs to be on commercial areas. Wright invited a commentary by Dick Waskin, a realtor in the area. Waskin said that he understood that zoning was a balance between the needs of the public and private property rights. Although he is concerned that a tree-clearing ordinance could hinder private property rights, he felt better about the process after hearing the discussion between the Board and the Commission because it indicated that there would be a balanced approach to the problem.

On township fee structure Milauckas mentioned that recently an applicant (Jim Jeltema) had asked for a waiver of fees. His business is a non-conforming use in his zone and he needs to apply for an SAU to make any changes to his building. Ellingsen commented that the fees had indeed been lowered several years ago. Kniklebine said that the fees were adopted by the Board, and any additional legal, engineering or planning fees incurred are also charged to the applicant. Ellingsen said that 1000 square feet was the line between small and large projects. He remarked that the City of Holland handled site plans administratively, not involving their planning commission. Milauckas and Wright agreed that there was a need to separate planning and zoning

departments on the budget. Roerig joined at 5:35 pm. Ellingsen is fine with splitting small from large projects as far as fees are concerned if the split is based on space or on budgets for the project.

On the Denison property Milauckas noted that there were calls to zone it as recreational or open space and that there may be a need to take a look at that. Future land use of the Denison North property was a concern. What will happen to the north parcel? Milauckas noted that the City of Saugatuck did not seem to be pursuing the future of the north parcel since it now appears that it will acquire Denison South. Wright commented that Saugatuck may annex Denison South. Gudith said that he had submitted a letter to the Land Conservancy and that they had allocated \$6m for the acquisition of Denison North. This was several years ago. Roerig said that he believed there would be a large state park extending to Laketown township. The township had been loosely involved in the discussions. Milauckas thought the township should just have a representative at the discussions. Gudith said that none of the meetings had involved the Denison North property. Wright was fine with having a representative but full-time involvement by a staff member was out of the question due to budget. Marszuk would be happy to serve as a representative.

The PC members discussed arrangements for the special workshop on February 7. Milauckas will not be able to attend the meeting. Since the PC members could use some help in alternatives on penalties Milauckas asked Darpel to contact Attorney Bultje to discuss options. Possibly Bultje could attend the workshop.

The meeting was adjourned at 5:45 pm.