

Saugatuck Township Board Meeting

Special Meeting Minutes

June 21, 2021

Meeting held at Township Hall

3461 Blue Star Hwy

Saugatuck, MI 49453

Call to Order:

Supervisor Osman called the meeting to order at 1:00PM

Roll Call:

Present: Osman, Marcy, Aldrich, Helmrich, Bigford

Absent: None

Others in Attendance: Manager Frey, Fire Chief Janik

Approval of Agenda:

Motion by Trustee Marcy, seconded by Trustee Aldrich to approve the agenda.

All Ayes, motion passed.

Public Comment:

Jon Vanderbeek, 6419 Palmetto Ct. Saugatuck, spoke on the Dugout/Riverside Road Project.

Nick Wallace, 3524 Dugout Rd., Saugatuck, spoke on the Dugout/Riverside Road Project.

Jon Doerer 3468 Riverside Dr., Saugatuck, spoke on the Dugout/Riverside Road Project.

Roy McIlwaine, 3466 Riverside Rd., Saugatuck, spoke on the Dugout/Riverside Road Project.

Lynn Kirkaldy, 2402 Lakeshore Dr., Fennville, spoke on the Dugout/Riverside Road Project.

April Schultz, Land Conservancy of West Michigan, spoke on the Dugout/Riverside Road Project.

David Swann, 345 Griffith, Coastal Alliance, spoke on the Dugout/Riverside Road Project and spoke about the Tribes thoughts.

Scott Stearns, 334 Riverside Dr., Saugatuck, spoke on the Dugout/Riverside Road Project.

John Williams, 3464 Riverside Dr., Saugatuck, spoke on the Dugout/Riverside Road Project.

Daniel DeFranco, 6122 Old Allegan Rd., Saugatuck, spoke on the Dugout/Riverside Road Project and that the Saugatuck Township Planning Commission has a Special Committee on Rural Character and is looking at revising the Tree Ordinance.

Chief Janik, Saugatuck Township Fire District, spoke on the Dugout/Riverside Road Project.

Public Hearing:

Dugout/ Riverside Road Project Public Hearing:

Supervisor Osman opened the public hearing at 1:38 pm.

Manager Frey asked if there were any additional public comments. No public comments.

Supervisor Osman closed the public hearing at 1:38 pm.

New Business:

Agenda Item 6.A: Dugout/ Riverside Road Project:

Township Manager introduced Allegan County Road Commission (ACRC) Executive Director Craig Atwood and ACRC Engineer Jason Edwards.

Manager Frey introduced the business item stating that before them was the previous meeting Dugout Road Memo and packet, an email from a resident of this project, as well as the submitted prepared questions that everyone sent to be asked.

Manager Frey recommended to read all the prepared questions.

Treasurer Helmrich suggested that we read the questions one by one and let the Allegan County Road Commission (ACRC) representatives respond back. This would allow everyone to follow along.

Clerk Bigford agreed and stated that some questions appear to be redundant.

Township Manager asked the ACRC representatives the prepared questions that were sent to the ACRC and allowed for response to each question.

Questions and Answers:

Manager Frey asked: Was there one or two sets of plans for this project? ACRC responded that there was only one set of plans. Traditionally they create a bid qualifications and actual drawings are not included in the bid documents. They included the actual drawings due to this project's circumstances.

Manager Frey asked: How many land/homeowners are affected? How many have expressed support and how many against? ACRC commented that 6-7 responded back

and the Right of Way Agent spoke with and additional 3 property owners. The project impacts some residents, and the majority of questions are general questions and majority were neutral with a handful supportive and a handful against.

Manager Frey asked: What is the current number of trees that would be removed? Has this changed from the original plan? ACRC responded that approximately 100 trees would be removed out of approximately 300. This has not changed from the start of the project. The ACRC normally removes all trees within the shoulder but worked to limit this due to the situation.

Manager Frey asked: Have you had discussions with the Land Conservancy of West Michigan regarding any impact on McEnroe Easement? I believe there were concerns over the storm water run-off and the effect on erosion in the area; have they been addressed? ACRC responded that they have spoken with the Conservancy. They also stated that the plans and scope have not changed.

Board Members followed up with how the runoff could be handled. The ACRC commented that this would require additional trees to be removed to add additional run off measures. The plan includes ground asphalt millings that would allow some water to soak through the ground. Overall runoff would remain the same per the drawings.

Manager Frey asked: It sounds like the Poplar Street tree removals are not necessary. Is that the current view of the Road Commission? ACRC responded that that was correct, and that Poplar Street is not a road but within the right-of-way.

Manager Frey started the next questions and stated that this was previously answered as it pertained to the previous question.

Manager Frey asked: Is there any way that the total number of trees removed could be lessened? ACRC responded that the right-of-way is normally 66' and some areas it is 55'. The road is not marked with a speed thus per law it is then treated as 55-mph which would require a 32' road width, with 6' shoulders/clearing. This project, due to the circumstances, is treated as a residential road with a 25-mph speed limit requiring an 18' road width, and 6' shoulders/clearing. The ACRC follows the American Association of State Highway and Transportation Officials (AASHTO) development standards. Most all Counties and States follow these standards.

Treasurer Helmrich asked if he heard correctly that the road was 18' wide. ACRC responded that that was correct. The current road is between 13'-18' wide, with official 6' clearing.

Treasurer Helmrich asked if a portion of the 6' could be added to the other side, allowing for a tree or utility to be avoided. ACRC stated that only 6' would be cleared for the shoulder, some utility poles won't be moved that are within the shoulder.

Treasurer Helmrich commented that this road is more of a trail and that other communities move sidewalks to avoid trees and further asked if the same principal could

be used here? ACRC responded that normally could be the case but for these circumstances there are trees on both sides of the road.

Manager Frey asked: There appears to be utility poles within the 6' buffer zone that are not slated for removal, but some trees are marked within the same distance? ACRC responded that the standard is that all trees within the 6' shoulder/zone are clear cut. They limited this to a third of the trees. The utility pole movement requires a 10' clear line around the lines per the utility company guidelines if the ACRC were to request the pole to be moved. The ACRC chose not to move the pole so that they can preserve as many trees as possible.

Manager Frey asked: Chief Janik mentioned that he needs the road to be no less than 20' wide. What does the plan have the road width at? Manager Frey stated that this had been previously answered. Clerk Bigford responded that this question was hers and was previously answered.

Manager Frey asked: Can the clearance on both sides of the road be limited to lessen the need for tree cutting? The ACRC responded that they had already made a lot of exceptions and must follow the AASHTO minimum standards to maintain the safety of the road and allow safety and ACRC equipment to go down the road.

Manager Frey asked: Regarding the site of the project, please explain why, in light of the Tribal Cultural Property (TCP) eligibility, historic status, ecological value and vulnerabilities it is not possible to obtain waivers or exceptions to guidelines and standard procedure that would permit a more site appropriate, custom-built approach. Are we sure that all possible avenues of this type have been fully explored? ACRC responded that there are no historical sites in the location on the MDOT (Michigan Department of Transportation) website. Treasurer Helmrich stated that this was recently created as a TCP and that the MDOT records might not show it yet. ACRC responded that currently there are no designations that would impact this project at this time.

Manager Frey stated that that was the last of the prepared questions.

Trustee Aldrich stated that Treasurer Helmrich and herself attend a visit with the Fire Chief earlier that morning and the Fire Chief stated that he could get by with only 20 trees removed. Is there a possibility for the Township and the contractor to walk the project and hand pick the trees? ACRC responded that they work on minimum width and that these are their bare minimum standards.

Trustee Marcy asked about the standards, are these set in stone or is this considered to set precedent? ACRC stated that they follow the same standard throughout the County and that they lowered the number of trees to the bare minimum required for this project.

ACRC commented that they were directed to work on this project by the Board and three managers ago. Treasurer Helmrich commented that this was a part of the first project list they approved. Majority of projects are standard and this one is unique, and it should have been possibly reviewed earlier.

Clerk Bigford asked what the impact would be if they departed from standards? ACRC responded that they do depart under unique circumstance, an example was given of a house that the slope of a hill/drive touching the road was too sharp and required alterations.

Supervisor Osman asked Manager Frey if it would be allowable to have some of the public ask ACRC questions. Manager Frey responded that it is the discretion of the Supervisor to allow public questions. Supervisor Osman directed that the public may ask questions.

The following residents asked questions to the ACRC:

Jon Doerer, Scott Stearns, Burny Merkle, Jon Vanderbeek, Nick Wallace, Roy McIlwaine, Chief Janik.

Supervisor Osman closed public questioning.

Treasurer Helmrich asked about rainfall and runoff? ACRC responded that runoff prevention could occur but would require additional trees and wider additions in the shoulder.

Trustee Marcy asked questions to the public, With what has been said how many of you would still want the project to move forward with the parting of a 100 trees? Residents spoke on the question.

Treasurer Helmrich commented that there are suggestions that it could be completed with lower trees.

Trustee Aldrich responded that the ACRC stated that it could not.

Treasurer Helmrich stated that the Township is paying for it and it is our project. They are using minimum standards and that the Township can give different direction. ACRC responded that they have ethical engineering requirements that they would have to follow and they cannot breach them. They continued to state the Township can acquire a work in the right of way permit to trim and cut a smaller number of trees.

Treasurer Helmrich asked if we did that would the ACRC still add the millings? ACRC responded that they would not.

Treasurer Helmrich asked if the contractor would go for a walk on the project and would move the road? ACRC responded that they would not be able to move the road.

Trustee Marcy restated her initial question to the public, with what has been said how many of you would still want the project to move forward? Public responded with comments and with raised hands for and raised hands against.

Treasurer Helmrich stated that he hoped for more collaboration with the ACRC.

Supervisor Osman stated that she heard clearly from the ACRC that have compromised to the bare minimums.

Treasurer Helmrich and Supervisor Osman spoke about the clearing.

Motion by Supervisor Osman: Township Board authorize the recommended contractor from the Allegan County Road Commission for Project No. 4064, Dugout Road, Seconded by Bigford.

Supervisor Osman opened the floor to discussion.

Treasurer Helmrich stated that he had a prepared motion ready and asked that the motion be amended to allow for a redesign and a limit to the number of trees.

Clerk Bigford stated that she feels for the residents and that this is a tough choice for everyone. She further commented that she is concerned that the road would not be plowed, emergency services have difficulty getting down the road, and how does this impact response time. This is a safety issue for her.

Treasurer Helmrich asked if the amendment would be accepted. The amendment was denied.

Supervisor Osman called the previous questions and called the roll:

Ayes: Osman, Bigford

Nays: Helmrich, Marcy, Aldrich

Motion Failed: 2-3

Motion by Treasurer Helmrich to approve Work Order LH 4064, for the rehabilitation of Dugout Road and Riverside Drive with the conditions that the Allegan County Road Commission, contractors, Saugatuck Township Fire District, and the Saugatuck Township Board and staff, work together to conduct a new survey to address the right-of-way issues along the roads and work towards identifying no more than fifty (50) trees to be removed before work on the project can begin. Seconded by Trustee Marcy.

Supervisor Osman called the roll:

Ayes: Aldrich, Marcy, Helmrich

Nays: Bigford, Osman

Motion Passed: 3-2

Agenda Item 6.B: Township Manager Review

Supervisor introduced New Business Item 6.B: Township Manager Review

Manager Frey requested that the review be conducted in Closed Session.

Trustee Marcy requested that they take a break prior to this agenda item.

Board agreed to break at 2:50 PM.

Meeting resumed at 3:10 PM.

Clerk Bigford made a motion to table New Business Item 6.B: Township Manager Review Closed Session until a later date. Seconded by Helmrich. Voice Call: All Ayes, Motion Passed

Public Comment:

Supervisor Osman opened public comment:

Scott Stearns, 334 Riverside Dr., Saugatuck, spoke on the learning roads and appreciation for the board.

No further comments.

Adjournment:

Supervisor Osman adjourned the meeting at 3: 15 PM