

**SAUGATUCK TOWNSHIP BOARD
REGULAR MEETING**

**WEDNESDAY, MAY 3, 2006, 7:00 p.m.
SAUGATUCK TOWNSHIP HALL
3461 BLUE STAR HWY, SAUGATUCK, MICHIGAN 49453**

MINUTES

Clerk Wright called the meeting to order at 7:00 p.m. and led in the Pledge of Allegiance.

Members present: Clerk Jane Wright, Treasurer Pat Knikelbine, Trustee Chris Roerig, Trustee Damien Jarzembowski, Deputy Supervisor Bill Wester.

Members absent: None.

Public comment began at 7:01 p.m. Stephen Neumer & Robert Nelson addressed the Board and explained progress to date their client Aubrey McClendon has made toward the purchase of the Denison estate and the potential use of the property. Additional comments were received which supported the passing of the proposed zoning ordinance amendments and a letter from Senator Patty Birkholz was read into record which supported the amendments. Public comment ended at 7:33 p.m.

Wright brought the consent agenda to the floor for approval:

- A. Accounts Payable
 - i. ALLEGAN CO EQUALIZATION through WILKINS HDW.
Total to be paid \$9,265.77
 - ii. Checks issued to be post-audited
(check register attached)
- B. Payroll (check register attached)
- C. Approval of Minutes
 - i. April 5, 2006 Regular Township Board Meeting
- D. Quarterly Review of Financial Reports

Motion by Roerig, seconded by Jarzembowski to approve the agenda as presented, Carried.

Correspondence:

None.

Unfinished Business:

None.

New Business:

- A. Proposed Fire District 2006/2007 Annual Budget. Township Fire Board Representative, Reggie Smith presented the proposed budget to the Board. He stated the budget is based on the same millage rate as the current budget and includes the purchase of a new tanker truck with additional reserves for the future purchase of a new pumper late in 2008. **Motion by Roerig, seconded by Wright to approve the proposed 2006/2007 fire budget as presented.** Carried unanimously.
- B. QVF Equipment Purchase Order. Wright explained the Qualified Voter File software upgrade will require the purchase of new hardware and presented the Board with the state-wide purchase

order. **Motion by Roerig, seconded by Knikelbine to approve the purchase of a new QVF computer as mandated by the State.** Carried unanimously.

C. Proposed Zoning Ordinance Amendments. Wright stated the Board would address as many amendments as would allow for a 10:00 pm adjournment.

- i. Tree Preservation. Jarzembowski presented the amendment that would create a tree preservation zone along Blue Star Hwy, I-196, and the Commercial and Industrial zones. **Motion by Roerig, seconded by Jarzembowski to adopt the Tree Preservation (section 17) zoning ordinance amendment as presented.** Board discussion ensued with questions regarding enforcement, protection for private property owners, and the intent to provide a means to control development clear cutting. Roerig called the question at 8:10 pm and requested roll call voting directed by Wester for the ordinances. Wright-yes, Roerig-yes, Knikelbine-yes, Jarzembowski-yes. Motion carried unanimously.
- ii. Parking Areas, Landscaping & Access Management. **Motion by Roerig, seconded by Jarzembowski to adopt the Parking Areas, Landscaping and Access Management (Sections 29-34) zoning ordinance amendment as presented.** Planning Commission members present verified the amendment pertains to new commercial development and discussion took place. Roerig called the question at 8:16 pm. Knikelbine-yes, Jarzembowski-yes, Roerig-yes, Wright-yes. Motion carried unanimously.
- iii. Site Plan Review Notification. PC verified the State requires notification of neighbors when special approvals are given, but no requirements exist for simple site plan reviews. The proposed amendment would require notification to adjacent property owners when a site plan will be reviewed by the Commission. **Motion by Roerig, seconded by Wright to adopt the Site Plan Review Notification (section 28) zoning ordinance amendment as presented.** Having no questions from the Board, Wester requested the vote at 8:20 pm. Roerig-yes, Knikelbine-yes, Jarzembowski-yes, Wright-yes. Motion carried unanimously.
- iv. R-4 Lakeshore Open Space Zone District. Wester read the permitted uses and requirements of the newly developed R-4 zone which would affect the Northwest corner of the township. Roerig stated the district would preserve the character of some very unique land within the township. Additional discussion took place regarding written communications from a property owner and related issues. **Motion by Roerig, seconded by Jarzembowski to adopt the R-4 Lakeshore Open Space Zone District (sections 19-21) zoning ordinance amendment as presented.** Roerig called the question at 8:30 pm. Roerig-yes, Wright-yes, Knikelbine-yes, Jarzembowski-yes. Motion carried unanimously.
- v. Billboards and Signs. Wester read the requirements for allowable signs. **Motion by Jarzembowski, seconded by Roerig to adopt the Billboards and Signs (sections 1-12) zoning ordinance amendment as presented.** Wright asked if removing portable signs under any circumstance is fair for those businesses that currently use them. Roerig stated the intent is to maintain consistency for signage within the township. Additional discussion ensued regarding seasonal signage, banners, and allowance for non-conforming existing signs. Roerig called the question at 8:40 pm. Roerig-yes, Wright-yes, Jarzembowski-yes, Knikelbine-yes. Motion carried unanimously.
- vi. Private Roads. Wester read the requirements for the creation of new private roads. **Motion by Roerig, seconded by Jarzembowski to adopt the Private Roads (section 13) zoning ordinance amendment as presented.** Wright asked why a list

of specific trees are included as protected, while others are not. Roerig stated it can be used to help applicants identify favored native or unique trees sometimes changing the location of the road. Additional discussion took place and Board noted all the amendments are evolving documents that have the ability to change with future needs. Roerig called the question at 8:54. Roerig-yes, Wright-yes, Jarzembowski-yes, Knikelbine-yes. Motion carried unanimously.

- vii. Accessory Buildings, Garages, and Accessory Dwelling Units. Wester noted property in the A-1 and A-2 districts are exempt from the accessory building requirement which places a new building or garage behind the primary building and limits the size for lots under 5 acres. **Motion by Knikelbine, seconded by Wright to deny the Accessory Buildings, Garages, and Accessory Dwelling Units (sections 14-16) zoning ordinance amendment.** Roerig asked for a basis for the denial. Wright stated the amendment allows for more than one residential unit on a single lot. Knikelbine noted there was no demand for this allowance brought before the Commission and could be allowed by the ZBA under a variance request. Both agreed it would be an administrative nightmare to ensure the requirements are met. Roerig asked if we are throwing out some good with the bad. Wright suggested returning the sections to the Planning Commission to separate the three issues. PC Chair Hansen stated sections 14 and 15 go together and verified the Board did not want to allow section 16, ADU's. **Knikelbine withdrew the original motion, Wright withdrew the second. Motion by Knikelbine, seconded by Wright to return sections 14-16 to the Planning Commission and request the removal of Accessory Dwelling Units from the amendment.** Roerig called the question at 9:01 pm. Wright-yes, Jarzembowski-yes, Knikelbine-yes, Roerig-yes. Motion carried unanimously.
- viii. Outdoor Lighting. Wester read the requirements of the amendment. **Motion by Roerig, seconded by Jarzembowski to adopt the Outdoor Lighting (section 18) zoning ordinance amendment as presented.** Wright stated concern over enforceability of the ordinance. Roerig stated the intent is for control over new commercial development. Wright verified the ordinance covers all property in the township. Board discussed ramifications of the ordinance as well as comparisons to the existing lighting ordinance. Roerig called the question at 9:16 pm. Roerig-yes, Jarzembowski-yes, Knikelbine-yes, Wright-yes. Motion carried unanimously.
- ix. Building Design and Architectural Standards. Wester read the requirements for building design in all districts for specified uses. **Motion by Roerig, seconded by Jarzembowski to adopt the Building Design and Architectural Standards (sections 22-27) zoning ordinance amendment as presented.** Wright stated this will require new commercial buildings to look conducive to the area. Jarzembowski noted the guidelines are to encourage desirable structures and make for a better looking area. Wright called the question at 9:25 pm. Knikelbine-yes, Wright-yes, Roerig-yes, Jarzembowski-yes. Motion carried unanimously.
- x. R-1 and C-2 Rezoning of a Parcel near Exit 41. PC member Joe Milaukas identified the parcel affected noting the C-3 and Interstate Overlay District had been mistakenly extended beyond the desired boundary and this rezoning would limit the parcel to a less intense use, adding the C-2 was a typographical error and should be C-1. Jarzembowski stated the owner of the parcel had been notified of the proposed change and has no objections. **Motion by Roerig, seconded by Jarzembowski to adopt the R-1 and C-1 Rezoning of a parcel (sections 35-36) zoning ordinance amendment with corrections.** After limited discussion Wester requested the vote at 9:30 pm.

Jarzembowski-yes, Wright-yes, Knikelbine-yes, Roerig-yes. Motion carried unanimously.

- xi. Use Matrix for R-3B and R-4 Appendix A. Board noted the appendix identifies acceptable uses in the newly created zones. **Motion by Wright, seconded by Jarzembowski to adopt the Use Matrix for R-3B and R-4 to Appendix A (sections 37-38) zoning ordinance amendment as presented.** Having no questions from the Board, Wester requested the vote at 9:38 pm. Wright-yes, Jarzembowski-yes, Roerig-yes, Knikelbine-yes. Motion carried unanimously.

Committee Reports:

- A. Planning Commission. Jarzembowski updated Board with recent rulings.
- B. Road Commission. No report.
- C. Interurban. No report.
- D. Fire Authority. No report.
- E. Website. Wright stated the website has been updated.
- F. Michigan State Police Report. No report.

Public comment was offered and several individuals spoke in support of the ordinance passage. Planning Commissioner Joe Milaukas noted the motion language passing the Use Matrix (sections 37-38) did not specifically address section 38, Effective Date. **Motion by Roerig/Jarzembowski to adopt section 38 of the zoning ordinance amendment.** Carried unanimously. Discussion took place between Commissioners and Board Members as to the process necessary to complete the ordinance adoption and codification. Additional public comment was taken.

There being no further business it was **Moved by Roerig, seconded by Knikelbine to adjourn at 9:55 p.m.** Carried unanimously.

Jane Wright, CMC, Township Clerk

Date

Bill Wester, Township Deputy Supervisor

Date