

SAUGATUCK TOWNSHIP PLANNING COMMISSION

November 24, 2003

The Saugatuck Township Planning Commission met on November 24, 2003, at the township hall on Blue Star Highway, Saugatuck, Michigan 49453.

Present: Darpel, Olendorf, Rausch, Shanahan and Smith

Absent: Milauckas and Phelps

Also present: Z. A. Ellingsen; Planner Sisson; Joe Kostyla, accompanied by Atty Joel Bouwens, Mike DeVries and Randy Rapp; and various members of the general public.

In the absence of Chairman Milauckas, Vice Chair Olendorf called the meeting to order at 7:05 P.M. The minutes of October 20 were again tabled, since the tape had not as yet been consulted: motion by Shanahan, supported by Smith, carried. Shanahan made a motion, supported by Rausch, to approve the minutes of October 27. The motion carried.

There being no public comment on other issues, Olendorf opened the public hearing on the preliminary review of White Birch Farms site condominium off Lakeshore Drive, just north of the washout. He stated that the proper notification had been given, and Secretary Smith read the notice published in the newspaper.

Atty Bouwens, spokesman for owner Kostyla, explained that the proposed development includes 11 single-family home sites on 12 acres in compliance with the Zoning Ordinance. The report submitted from the Health Department stated that soils and water conditions are acceptable for private wells and septic systems. He stated that the neighbors' concerns are with traffic which will be generated and funneling to lake access, but he said no lake access is granted to these lots. Bouwens added that the configuration of these lots is consistent with the neighboring ones to the west, having been developed by the same owner.

Olendorf read letters from George and Nancy Solis, 134 Maisey Dr., and from Drs. S. and C. Davis, 2837 Lakeshore, and Mr. and Mrs. C. D. Tavener, 2839 Lakeshore Dr., which addressed concerns with the inadequacy of Old Owl Drive because of its poor condition, suggesting alternate access from Blue Star; the potential drainage and traffic damage to the bluff; the hazardous traffic and parking conditions; the access for emergency vehicles, the effect on the water table; and the possibility of funneling to the beach.

Olendorf opened the hearing to public comment and Steve McKown, 2845 Lake Breeze Drive, said his main concern is with the poor condition of Old Owl Drive, and there didn't seem to be any provision for others who use it to help maintain it. He also wondered why there is a 30' lane next to his house which leads to the park in the new project and which seems to connect to the road, when there would be no reason for the people in the park to use the road.

Bouwens explained that Kostyla had intended to create a park for both developments, and the 30' lanes are for access from both developments so people do not have to trespass on others' property. They are not for vehicles.

Chuck Bunting, 2809 Lakeshore Drive, asked who prevents people from using the Lake, when there's a straight shot down the road. He thought there should be something in the restrictive covenant denying these lots access to the lake. He also asked that the detention pond in the 16-acre area for future expansion be kept dry as much of the year as possible because it is 100 feet from his property.

There being no further comments, Rausch made a motion to close the public portion of the hearing. Shanahan seconded, and the motion carried. Shanahan pointed out the township's new well ordinance, requiring examination of the quality of water source before building.

The Commissioners turned to the memo from Planner Sisson. Item 1 dealt with Old Owl Drive, a private road, which would be extended to access this development. Sisson recommended that both the original section and the extension be paved. Bouwens stated that it has a 66' ROW, but construction ruins roads, and he would rather promise that they would be paved in the future. Olendorf brought up the possibility of making access from Blue Star Highway, and Bouwens said there would not be a significant burden on Lakeshore Drive with 11 more homes. Olendorf countered with the fact that there would be as many as 41 homes, considering 16 more homes could be built on the 16 acre-expansion area next to this development, and Kostyla agreed that he had 100 acres of additional property in the area. He admitted that there is a two-track along the property line to Blue Star Highway. Bouwens stated that there are no plans to develop the property to the east at this time. Sisson suggested that with the development of the expansion area next to this project, the limit would be reached on how far a private road should be used. Ellingsen mentioned that there are wetlands between this development and Blue Star Highway.

Other items in Sisson's memo were discussed, namely, the detention pond and whether it would be permanent; the 66' ROW required for roads plus 10' on either side for underground utilities, perhaps not all clear cut; maintenance provisions for the private road; restrictions on how many driveways can be built for each home and how close to the road trees can be planted; specific descriptions of the park and its ingress and egress; clarification in the master deed that there is no lake access; items to be excluded from potential termination with the expiration of the Master Deed; corner lots #2 and #11 must be widened; street lights, or a formal request for no street lights except at intersections; review by County Drain Commissioner and Road Commission; and wetlands identified.

Darpel said he thought delaying the finished road construction would be of concern to the residents. Rausch concurred. Shanahan advised McKown that the residents of the first development on Lakeshore Drive, which was done by metes and bounds, would be wise to form an association, especially for road maintenance.

Darpel made a motion to approve the preliminary site plan for the White Birch Farms site condominium, with the following conditions: (1) that all of Old Owl Drive be paved from Lakeshore Drive; (2) that the 66' road easement extension to the east property line be removed from the plans; (3) that a statement be made in the Master Deed that these lots have no lake access; (4) that specific plan for the park and its ingress and egress be included in the plans; (5) that Master Deed and By-laws be available for review before final approval; (6) that the detention pond be described in more detail; (7) that street lights consist of a nonconventional style at the intersection of Wild Turkey Lane; (8) that corner lots #2 and #11 be widened to conform to setbacks; and (9) that wetlands be specified within the project. Shanahan seconded, and a roll call vote produced unanimous approval.

After a brief recess, the meeting reconvened to consider the residential rezoning amendments. First, Olendorf brought up the recusal of two Commissioners, and it was decided that Smith did not need to remove herself from the discussions. The standard should pivot on the issue of financial interest, and individuals should decide for themselves. Olendorf then asked for consideration of whether another public hearing would be needed on the amendments. There was discussion of whether R-1 was too dense for the areas north of the washout where it had been proposed, except for along Wiley Road, or whether it should be changed to R-3B, or if all of it should be left A-2. Most thought R-3B south of the washout was okay. Sisson maintained that the changes currently proposed are consistent with the master plan, and Shanahan pointed out that the revision of the master plan will not be ready for another year. Sisson said he would

produce some options for the P. C. to consider at the next meeting, and Shanahan asked for some review of the private road ordinance. Shanahan made a motion to table the residential rezoning amendments, and Darpel seconded. The motion carried.

Meeting adjourned at 10:00 P.M. The next regular meeting is December 15 at 7:00 P.M.

Betty A. White, Recording Secretary

Lissa Smith, Secretary

MOTIONS

1. Motion by Shanahan/Smith to again table minutes of October 20.
2. Motion by Shanahan/Rausch to approve minutes of October 27.
3. Motion by Rausch/Shanahan to close public portion of hearing on White Birch Farms site condo preliminary plan.
4. Motion by Darpel/Shanahan to approve preliminary plan for White Birch Farms site condo with several conditions.
5. Motion by Shanahan/Darpel to table residential rezoning amendments.