

SAUGATUCK TOWNSHIP PLANNING COMMISSION

June 28, 2004

The Saugatuck Township Planning Commission met on June 28, 2004, at the township hall on Blue Star Highway, Saugatuck, Michigan 49453.

Present: Darpel, Milauckas, Olendorf, Rausch and Smith

Absent: Phelps and Shanahan

Also present: Z. A. Ellingsen, Greg Raad and John Atman for proposed Way Point Homes PUD, Jeff Vos and Harvey Bryant for Bryant Cove Condos, Steve Smit and Bob Muusse for Webster Property discussion, and members of the general public.

Chairman Milauckas opened the meeting at 7:00 P.M., and the minutes of May 24 were amended to include the words "to Blue Star Highway" after "ingress/egress" in the next to last paragraph on page 2. Motion to approve as amended was by Rausch, second by Darpel, carried.

During the public comment, Dayle Harrison, 3108 62nd St., of the Kalamazoo River Protection Association, brought a concern that those building along the river may not be informed that they cannot clear cut vegetation along the river, and that "filtered view" seems to mean different things to different people. He had three examples of violations. He asked the Planning Commission to invite Matt Fry to talk about what the ordinance means and advise the Z.A. and township board that they should give definite guidelines as to what can and cannot be done in the Natural River Overlay District. Milauckas said he would look into it.

Milauckas opened the public hearing on a PUD called Way Point Homes on Old Allegan Road. Secretary Smith read the notice from the newspaper, and Milauckas verified that proper notice has been sent to neighbors of the property. Milauckas said this is the preliminary plan review, and Gregg Raad of Nederveld Associates explained that this proposed development consists of 14 homes on 22 acres lying on the south side of Old Allegan Road, just east of 63rd St. There is a ravine on the east side, but the lots of 21,000 to 40,000 s.f. would be located on the upland areas. A 66 ft. road would come off Old Allegan between two properties owned by other individuals, following the road which already leads to an existing house on the water's edge. Public water comes to the edge of the property. Private septic systems would be installed, and storm drainage would perk into roadside ditches. Raad added that the outbuilding would be removed, and trees would be preserved as much as possible.

Milauckas opened the hearing to public comment, and John Philippus, 6298 Old Allegan Rd., west of the driveway, asked what size lots were required in R-2 and was told 1-1/2 acres.

Mark Dickenshied, 3283 Lorrimar Ln., asked where this is in relation to Lorrimar Lane and was told that there are 300 feet of vacant land between the proposed development and the Lorrimar Lane neighborhood. He also wondered if there would be repairs to Old Allegan Road with the additional building because water is available. Milauckas said he did not know whether the road would be fixed because of the usual argument that the trees would be sacrificed.

Gerrit Sturru, 6377 Old Allegan Rd., asked about access to Silver Lake and was told that there would be no funneling to the lake from this development. Only two home sites have access to the water.

Dayle Harrison compared his aerial map of this parcel with the assessor's map, boundaries seeming to be different. There was a question of how high the water rises on this property from year to year. Milauckas referred to the memo from Planner Sisson regarding the problem of calculating how many lots are possible

and how much of the area can be considered open space, given that there is a question about how much is wetland or floodplain. Harrison said he thought part of what is shown on this parcel really belongs to the Way Sanctuary.

Jim Atman, 6308 Old Allegan Rd., owner of the property, explained the survey.

Vicki Philippus, 6298 Old Allegan Rd., said she was concerned about so many cars going in and out right next to her bedroom window, and about a limited-sight situation existing on Old Allegan Rd. approaching this entrance road.

Mary DeWitt, 6280 Old Allegan Rd., was also concerned about the entrance road going right next to her bedroom window and hoped the trees buffering it would not be removed.

A discussion ensued about what the roadway would be like, how much right-of-way would be needed and where the utilities would be placed. Philippus was worried about it jeopardizing his chain-link fence. He was also concerned about snow being plowed onto his property. Raad said traditionally with a 66-foot road another 10 feet was required for utilities, but with this development he was not preparing to go beyond the 66-ft. roadway. It was clarified that this will be a private road and the entrance to Old Allegan will be squared off, an existing planter removed.

Harrison asked that the Planning Commission put the condition on this development that the building all take place on the upland portions of the sites and that vegetation be maintained on the slope. Raad said there might be decks but no walk-outs, and building would be 5 feet from the edge of the bank. It was pointed out that some of the lot sites actually continue over the bank. Building envelopes were suggested.

Olendorf made a motion to close the public portion of the hearing, Smith seconded and the motion carried.

The Commissioners turned their attention to Sisson's memo dated June 25. Milauckas said in the narrative of the site plan 10.7 acres was mentioned as common open space. He pointed out that not knowing what was included, how much was wetland or floodplain, made it difficult to calculate both density and open space. He was under the impression that 50% of state regulated wetland could be open space, but floodplain could not be included. Raad referred to Sec. 40-190 to back up his contention that floodplain areas can be part of the calculation. Milauckas observed that elevations are not shown on this plan, and acreage needed for roadway has not been subtracted from common open space. He insisted that the floodplain line must be found. Use of neighboring property is residential but not shown. Maintenance of private road must be written into covenant. Raad said this would be a one-phase project. He added that he thought he could come up with a plan that would produce 13 lots under the proposed Zoning Ordinance Amendments.

Milauckas said Sisson had not reviewed this plan under the Site Condo Ordinance, which incorporates the Subdivision Control Ordinance, but he added that neither the application nor the narrative make reference to a site condo, only a PUD. Sisson seemed to be referring to the A-2 sections in his Scenario 2 (see memo).

Olendorf made a motion to table this application until such time as further information is provided on the elevations, wetlands, and floodplain in order to calculate density and open space, and until provisions are made for buffering the neighboring property and including plans for unobtrusive lighting. Rausch seconded, and the motion carried. Ellingsen said the information should be in the township office 2 weeks before the next meeting, July 26.

After a brief recess, the meeting reconvened at 9:00 P.M. to consider the final approval of the Bryant Cove Condominium next to the Timberline Motel. The Master Deed has been sent to the township attorney. The

final site plan 6/28 shows a change of footprints because the home manufacturer calculates the dimensions differently. The homes have been expanded by 1/2 foot on each side to comply with the s.f. requirement of the Ordinance. Sisson did not get this new plan and he did not have the previous plan to comment on. Jeff Vos said all the concerns expressed by the Planning Commission have been addressed on this plan. He added that gravel will be installed over the sewer and under the grass in the emergency exit to Blue Star between this development and Gaslight Estates. Milauckas asked the Commissioners if they were ready to consider the final plan without any advice from the Planner. Atty Bultje amended the Master Deed, to which the applicants concur, to assure that the commercial unit not be divided from the condominium without prior written consent of the township.

After finding compliance with Sec. 40-779, standards for the PUD, and Sec. 40-780 (e), requirements for mixed-use residential-commercial PUDs on Blue Star, Olendorf made a motion to approve the final plan of Bryant Cove Condominiums, with the conditions that (1) the legal papers reflect the township attorney's amendment and (2) that Planner Sisson concur with approval. Rausch seconded, and a roll call vote was unanimous. Milauckas asked Vos to get a copy of the plan to Sisson. He said an affirmative memo from Sisson will be necessary for the file. The contingency of the Planner's agreement was added to the plan.

Milauckas reported that the committee on the Tri-Community Plan is redrafting some chapters of the plan as a result of the surveys. Meetings will be held with the Planning Commissions on August 26, September 16 and October 6.

On the letter from the Pump House Gym, Milauckas recommended that the owners be asked to come back to the Planning Commission so the Commissioners can clearly define what they want them to do. He asked Ellingsen to write a letter asking them to bring a plan consistent with the requests made by the Commission.

Bob Muusse introduced Steve Smit of Focus Engineering, who asked for an informal discussion of the possibility of using a 33-foot easement as access to a proposed PUD on the Webster property on Silver Lake. Smit said the easement was created before the Private Road Ordinance. There are four homes on the easement now and more possible. Three of the four residents are in favor of allowing this developer to use the 33-foot easement to get to the proposed PUD, which would comprise 33 acres on a 66-foot private road forming a cul de sac. The homes would sit on 1-1/2 acre lots along the top of the bluff. Wetlands and floodplain are within the first five feet of the property next to Silver Lake. Milauckas asked whether the Planning Commission has the authority to alter the Private Road Ordinance. If not, the developer would have to go to the ZBA with a hardship. He thought the question should be put to the township attorney. Smit wanted to know if the Ordinance only allows four lots on a 33-foot easement, are the existing four the only ones allowed.

Milauckas reported that a letter has come from Laketown Township asking if Saugatuck Township would like to be involved in their master plan updating, if Saugatuck had any issues with their master plan, and what method of communication Saugatuck would like to use. The Commissioners decided they did want to be informed and perhaps comment on issues with Laketown Township. Preferred method of communication would be by e-mail to direction of Jane at saugtwp@accn.org.

Milauckas also reported that the township is cooperating in the aerial mapping of the area.

The DEQ is concerned about the long dead-end water main on Palmer Drive in the Ravines, and they will not issue a permit until the Township reviews the situation. Quade had replied to them that looping, which they require, is a priority of the Township but it would take time and the cooperation of the golf course. In the letter Quade referred to a commitment to the construction of a high pressure water tower. This was confusing to the Commission and they will ask Quade to attend a meeting and explain it.

Ellingsen said he had just received a request for rezoning to R-1 the Michigan State fruit farm on Wiley Rd. and has noticed that for hearing. Lissa Smith was thanked for her work on the Commission, and she said her good-byes. There will be an election of officers at the next meeting. Two new Planning Commissioners were present.

Meeting adjourned at 10:15 P.M. The next regular meeting is July 26, at 7:00 P.M.

Betty A. White, Recording Secretary

Lissa Smith, Secretary

MOTIONS

1. Motion by Rausch/Darapel to approve amended minutes of May 24.
2. Motion by Olendorf/Smith to close public portion of hearing on Way Point Homes PUD on Old Allegan Road.
3. Motion by Olendorf/Rausch to table preliminary plan review of Way Point Homes PUD for further information.
4. Motion by Olendorf/Rausch to approve Bryant Cove Condominium (at Timberline) final plan with conditions.