

## SAUGATUCK TOWNSHIP PLANNING COMMISSION

October 10, 2005

The Saugatuck Township Planning Commission held a workshop meeting on October 10, 2005, in Room 31 of the Saugatuck Middle School on Elizabeth Street, Saugatuck, Michigan 49453.

Present: Darpel, Hanson, Marczuk, Milauckas, Olendorf and Rausch

Absent: Jarzembowski

Also present: Dayle Harrison

Chairman Hanson called the meeting to order at 7:05 P.M. Olendorf made a motion to approve the minutes of September 26 as amended as follows: Page 1, 3<sup>rd</sup> paragraph, "Hanson said he responded to a letter;" second line, "Senator Birkholz;" next to last line, "one of the ponds being within two of the lots;" Page 2, last line of first paragraph, "Fire Department showed an additional fire hydrant." Darpel seconded and the motion carried.

The Commissioners briefly discussed Hanson's concerns that the Planning and Zoning budget for this year may have already been exhausted.

Dayle Harrison, who had been granted time to present information to the P.C. about land conservancies, opened his remarks by requesting that the 50-foot green belt required in the Natural Rivers Overlay District be extended all the way to the expressway. He then discussed different methods of placing land in trust: (1) Southwest Michigan Conservation Trust, (2) use an organization from Lansing which contracts itself out to help communities write easements, (3) have the township designate the donee by the developer, (4) deed restriction. Then he asked what the Commissioners wanted, Olendorf responded that he realized the large land tracts could be put into a land conservancy, but in a development with only a few acres to be set aside, how does the P.C. require that open space to remain as such? Harrison said a deed restriction is the only protection, but if it is specific enough, the development's Master Deed would serve. Rausch suggested that people who buy into a development later don't have a copy of the Master Deed and don't know the restrictions. Darpel thought the township would have to visit the easement annually, take pictures, keep files and have enforcement mechanism. He added that any condo association can rewrite its Master Deed. Hanson asked if the P.C. requirements have not been specific enough. Olendorf brought up Heron Bay where he said the P. C. was not specific enough. Hanson said what is needed is an umpire to say, "You've done wrong." Milauckas thought it would be hard to change restrictions if they are written into the deed and filed in Allegan. The conservancy has to grant an entity an easement and the Master Deed must have a description of the area to be kept in perpetuity. Hanson summed up: The only way to get a deed restriction is to establish a conservation easement through the township; the P.C. needs a model of how to set one up; the P.C. needs to know how courts treat restrictions on property use; and the developer must have the conservation issue figured out before he comes to the P.C.

Hanson directed the P.C. to the proposed zoning amendments, and they first decided that the amendments would be sent to Sisson and Bultje for review, then come back to the P.C. for approval, then sent on to the township board. Milauckas suggested that individual commissioners should first take an overall view and feel free to speak out if there are any amendments they think should not be made.

Proceeding from Section 1 through Section 37 and following Milauckas' memo of September 25, Olendorf first made a motion to send Secs. 1-12 **Signage**, as amended by inserting the required size for "For Rent" signs and

by rewriting and rearranging Sec. 40-634 (f) as per Milauckas' memo of September 25, to Planner Sisson and Atty Bultje for final mark-up. Rausch seconded and the motion carried.

**Private Roads:** Hanson informed the P.C. that Z. A. Ellingsen wanted to know when the P.C. will authorize the private roads in relation to when he does land divisions because he has a 45-day time limit to execute the divisions. Therefore, Sec. 40-658 (a) was amended to substitute "Zoning Administrator" for "Planning Commission." Sec. 40-658 (c) was amended to read "serving five or more lots or parcels." The second introductory paragraph of Sec. 40-658 (d) was amended to read "The Planning Commission may also require two or more means of access." Olendorf made a motion to send Sec. 13 Private Roads as amended this evening to Planner Sisson and Atty Bultje. Rausch seconded and the motion carried.

**Accessory Buildings:** Discussion centered on the exemption of farm buildings from Sec. 40-631. Darpel said he did not like farm buildings closer than 140 feet from the roadway, but Milauckas pointed out that this was not discussed at the public hearing. Hanson said he would find out from Bultje if a change could be made anyway. As per Milauckas' memo Sec. 40-631-7b was rewritten and the following subsections made to conform, (e) being deleted. Also Sec. 40-631-2 was amended to read "One detached accessory living unit may be permitted by the Zoning Administrator (instead of "by SAU")..." Darpel made a motion to send Secs. 14, 15, and 16 Accessory Buildings as amended this evening to Planner Sisson and Atty Bultje for review. Marczuk seconded and the motion carried.

**Tree Preservation:** It was decided to omit the High Risk Erosion Areas from Sec. 17 as recommended by Milauckas' memo. Milauckas made a motion, seconded by Olendorf, to send Sec. 17 as amended this evening to Planner Sisson and Atty Bultje for review. The motion carried.

**Outdoor Lighting Design Standards:** Marczuk made a motion to send Sec. 18, as amended by inserting "with General Standards" at the end of the first sentence in Sec.40-649 (c) (1), to Planner Sisson and Atty Bultje for review. Milauckas seconded and the motion carried.

**R-4 Lakeshore Open Space Zoned District:** In Sec. 40-341 the sentence which states "At the option of the developer and unless superceded by state regulatory statute, flexibility to permit modest density increases," the P.C. added "up to 20%." A note was also added to the effect that land in the Critical Sand Dune Area and land designated unbuildable by the state is not to be included in calculating the base number of dwelling units. Hanson will ask Bultje to find a map showing lands designated by the state as Critical Sand Dune in Saugatuck Township. Zoning Ordinance Section 49-344 was corrected to 40-344 and the content streamlined. Milauckas made a motion to send Secs. 19, 20, and 21 as amended this evening to Planner Sisson and Atty Bultje for review. Olendorf seconded and the motion carried.

**Building Design Standards:** Olendorf made a motion to send Secs. 22-28 without amendment to Planner Sisson and Atty Bultje for review. Rausch seconded and the motion carried.

**Landscaping, Access Management, Reduction of C-3 Interchange Commercial Zoned District and Interstate Transportation Overlay District:** Rausch made a motion to send Secs. 29-37 as amended to correct Zoning Ordinance Section Number to Planner Sisson and Atty Bultje for review. Darpel seconded and the motion carried.

**Appendix A:** Milauckas made a motion to send Appendix A, showing R-3B and R-4 uses to Planner Sisson and Atty Bultje for review. Rausch seconded and the motion carried.

Meeting adjourned at 11:20 P.M.

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Betty A. White, Recording Secretary

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Sandy Rausch, Secretary

### MOTIONS

1. Motion by Olendorf/Darapel to approve September 26 minutes as amended.
2. Motion by Olendorf/Rausch to send Sec. 1-12 of the Zoning Ordinance Amendments to Planner and Atty.
3. Motion by Olendorf/Rausch to send Sec. 13 of the Zoning Ordinance Amendments to Planner and Atty.
4. Motion by Darapel/Marczuk to send Secs. 14-16 of the Zoning Ordinance Amendments to Planner and Atty.
5. Motion by Milauckas/Olendorf to send Sec. 17 of the Zoning Ordinance Amendments to Planner and Atty.
6. Motion by Marczuk/Milkauckas to send Sec. 18 of the Zoning Ordinance Amendments to Planner and Atty.
7. Motion by Milauckas/Olendorf to send Secs. 19-21 of the Zoning Ordinance Amendments to Planner and Atty.
8. Motion by Olendorf/Rausch to send Secs. 22-28 of the Zoning Ordinance Amendments to Planner and Atty.
9. Motion by Rausch/Darapel to send Secs. 29-37 of the Zoning Ordinance Amendments to Planner and Atty.
10. Motion by Milauckas/Rausch to send Appendix A of the Zoning Ordinance Amendments to Planner and Atty.