

SAUGATUCK TOWNSHIP PLANNING COMMISSION

September 25, 2006

The Saugatuck Township Planning Commission met on September 25, 2006, at the township hall on Blue Star Highway, Saugatuck, Michigan 49453.

Present: Darpel, Edris, Hanson, Jarzembowski, Marczuk, Milauckas and Rausch
Absent: None

Also present: Z. A. Ellingsen, Planner Sisson, Larry Sybesma, Todd Martenson for AIS and various members of the general public.

At 7:08 P.M. Chairman Hanson called the meeting to order. Milauckas made a motion to approve the amended minutes of August 28 to correct the name of the tree service in paragraph 2 of page 1. Jarzembowski seconded, and the motion carried.

Hanson invited public comment, and Atty Joe Sukup, representing an owner at Indian Point, said his client was concerned that the developer was not following the Master Plan relative to septic, electricity, etc., and wondered how much monitoring this board does. Hanson explained that his letter of September 20 dealt with the fact that he had had comments from the public that terms of the Resolution were not being met, but the enforcement lies with Z. A. Ellingsen. Hanson said a few of the Commissioners and Ellingsen met at the Indian Point site early in September, and their findings were that the only thing that might actually be enforceable was the failure to provide underground utilities. Jarzembowski said the developer admitted he mistakenly cut trees on the DNR property, and Jarzembowski said he should have had an engineer stake the boundary. Ellingsen said the developer had agreed to stake the trail along the open space, but he has not as yet done that. Linda Salisbury, 6364 Silver Lake Drive, brought up a question of whether the septic tank on lot #8 would be too close to the well on lot #7. Milauckas asked about the swath cut for the road, and Ellingsen said the forest is not dense, a 66-foot ROW has been staked and the road is 20 feet wide within a 40 to 42-foot swath, which he measured. Ellingsen invited Sukup and Salisbury to document their questions or issues to him and he would be happy to answer them and/or cite Mr. Muusse if he is in violation of the plan.

Hanson said he received a letter dated September 22 from Janik of the Fire Department stating that the plan he approved for South Gate Commerce Park at Exit 36 and the plan the Planning Commission approved had the same date but were not the same plan. Hanson suggested that this problem of different plans coming from the engineers must be monitored.

Hanson offered the Ganges Township Master Plan for review and stated that the P.C. has 60 days in which to comment on it.

A letter from Ellingsen about Nick Capelletti's home occupation was mentioned. Also a letter from Atty Bultje concerning the codification of corrections regarding C-2 and C-3

and the numbering of certain sections was mentioned. Ellingsen said he would redo them and send them to the company doing the codification. Milauckas wondered when the codification of all the amendments made this year would take place.

Hanson introduced the site plan review of Larry Sybesma's 4000 s.f. home improvement store proposed for C-3 on the southeast side of Blue Star across from where 64th Street would intersect. Secretary Rausch read the notice sent to neighboring property owners, not required to be published in the newspaper. Sybesma presented the September 19 plan for his building, adjusted to conform to Planner Sisson's suggestions because of the possibility of 64th Street being continued across Blue Star to the south. Milauckas suggested putting a September 25 date on the landscape plan, which the P.C. proceeded to use for discussion. Building elevation and lighting plans were presented also. Sisson went through his memo of September 22 and pointed out that there is adequate internal landscaping in the parking lot to allow all parking in the front yard. Sisson said there is the issue of meeting township standards of driveway separation or creating a joint driveway when adjoining property is developed. He added that drainage needs to be reviewed by the county. Public water and sewer are available. A letter from the fire department dated September 22 indicates where a fire hydrant should be installed.

There was some discussion of what happens to the proposed driveway if 64th St. is extended to the south, how to avoid having traffic from this site exit right at the intersection with Blue Star, and where Sybesma would access the rest of his 36 acres to the east. Sybesma said he would cooperate when the time comes to plan an extension of 64th St. Milauckas asked Chris Gorgas if there had been any discussion of making a private roadway between Sybesma's property and Gorgas' property to the west, and Gorgas replied that he had no response from Sybesma. Sisson said an extension of 64th St. would be 90% on Sybesma's property because the Road Commission would want a 90-degree angle.

Sybesma said his store would be a hardware store, not a lumber yard, with 1360 s.f. retail and 2640 s.f. storage. When asked about existing trees, he said there were some stands of trees he would like credit for retaining, but there was nothing within the 70-foot setback worth saving.

Hanson opened the meeting to public comment on the site plan, and Chris Gorgas, 3480 Riverside Drive, asked if there would be a notation in the approval that Sybesma's intersection is temporary until such time as a permanent road is put in there and if the P. C. would have a problem with Gorgas putting in another drive 200 feet to the southwest. Hanson said he didn't see how the P. C. could prevent it. Gorgas asked if the 33 feet on the plan is dedicated to the county, and Hanson said Sybesma has simply provided a 33-foot future right-of-way. Sisson explained that a planning commission can only suggest to the county where a road is needed and enlist cooperation from property owners. Darpel said he didn't understand why Sybesma put his driveway right where the possible intersection would go, and Sybesma explained that he understood Bill Nelson of the Road Commission to say that the county was not going to build a road there, maybe put in a traffic light. Sybesma said he did not want to invest in building a private road. The

problem of multiple driveways along Blue Star in this busy area was discussed, and. Sybesma suggested a service road along Blue Star to connect these properties and close the southern entrance to 64th St. at Spectators, but he balked at the idea of waiting 30 days for the Road Commission to design a future extension of 64th St. at his driveway. Sisson called attention to a provision in the Zoning Ordinance for a temporary driveway in Sec. 40-848 (c) (1).

Upon examination of the lighting plan, Sisson suggested that the wall-mounted lights on the building should be shielded to project 45 degrees downward. Sybesma said the store would not be open at night, so he did not need to light the parking lot. The layout of the parking lot was discussed, and Sisson said the position of the peninsulas of landscaping with the angle of the driveway would break up the view of the cars parked there. Sybesma added that the peninsulas would be curbed and watered as well.

At 10:00 P.M. the meeting was briefly recessed, at which time Rausch left. When the meeting resumed, building elevation plans were examined, and it was determined that the north and south sides had been reversed. The gravel area in front of the garage doors was explained as a place for the garbage truck to approach the dumpster site. Marczuk asked about wetlands, and Sybesma said there are none, according to an assessment made by STS. He added that he had gone through Phase 1 and Phase 2 of clean-up and could provide the information to the Commission.

Darapel made a motion, supported by Jarzembowski, to approve Larry Sybesma's site plan of September 19 as amended September 25 for a home improvement store as being in compliance with Zoning Ordinance Secs. 40-813, 40-815 and 49-816, with the following conditions:

- (1) That it is understood that the driveway entrance shown is temporary as per Zoning Ordinance Sec. 40-848 (c) (1) and will be replaced when a 4-way signalized entrance is required and designed by the Allegan County Road Commission to serve properties on either side of the spot where 64th St. intersects with the south side of Blue Star Highway, such design to be submitted with approval of the site plan;
- (2) That exterior lighting be at a 45-degree angle downward;
- (3) That the final landscape plan show trees to be retained, that no cutting be done in the Tree Protection Zone, that the evergreen trees on the northeast corner be dispersed;
- (4) That a fire hydrant be positioned on the northeast corner of the entrance; and
- (5) That approval be obtained from all necessary local, state and federal governments.

A sub-committee, consisting of Milauckas and Darapel, will visit the site with Sybesma to determine what trees are there.

Todd Martenson, representing Automated Integrated Systems, displayed the new plan for a reduced rezoning request from A-1 to C-3 south of Exit 36 with access to Blue Star Highway. He discussed the conditional rezoning list they were offering which limited allowed uses to retail agricultural product sales, ambulance service, auto and boat sales, hotels and motels, governmental buildings, public utility buildings, commercial PUD's, and wholesale sales/service facilities and disallowed many other uses that are usually

permitted in C-3 or A-1. The area to be rezoned to C-3 would be 4.27 acres, reduced from 10.83, and buffers and landscaping would be increased. Sisson reviewed his memo of September 22, pointing out that the P. C. decision is just the first step, that the conditional rezoning should be written into proper ordinance format, would have to go through the township board and the county, and would have to be accompanied by a list of reasons specific to this site. It was brought up that the Tri-Community Plan discourages expansion of the commercial zone south of Douglas along the Blue Star. Hanson said he could see no difference between rezoning 4 acres or 10 acres to commercial. There was brief discussion of trading other C-3 property to A-1. Darpel thought this rezoning would set a dangerous precedent since there is no hardship involved. Edris agreed. Because of the late hour, Darpel made a motion to table AIS rezoning request to a special meeting to be announced. Hanson seconded and the motion carried.

The meeting adjourned at 12:15 A.M. The next regular meeting is October 23 at 7:00 P.M.

Betty A. White, Recording Secretary

Sandy Rausch, Secretary

MOTIONS

1. Motion by Milauckas/Jarzembowski to approve amended minutes of August 28.
2. Motion by Darpel/Jarzembowski to approve the site plan for Larry Sybesma's home improvement store on Blue Star Highway, with conditions.
3. Motion by Darpel/Hanson to table discussion of the AIS rezoning request to a special meeting to be announced