

SAUGATUCK TOWNSHIP PLANNING COMMISSION

January 4, 2007

The Saugatuck Township Planning Commission held the second informal review for Saugatuck LLC on January 4, 2007, at Saugatuck High School, Saugatuck, Michigan 49453.

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

Also present: Planner Sisson, Atty Stephen Neumer and Henry L. Byma for Saugatuck LLC, several members of the general public and newspaper reporters.

Chairman Hanson called the meeting to order at 7:10 P. M. in the Saugatuck High School library. After consulting with the commissioners, Hanson set the next informal review of this kind for Tuesday, February 20, 2007.

Dayle Harrison, president of the Kalamazoo River Protection Association, read a proposal he had written for a Conservation and Stewardship Memorial Award for Frank and Gertrude Denison because they preserved and protected the dunes, subject of these informal reviews, for fifty years.

Hanson mentioned two letters he had received: one from Z. A. Ellingsen on December 16 stating that he had found in the minutes of February, 1996, an amendment which removed multi-plexes from R-2; and one from George and Joyce Brown, residents of the RV resort opposing the Flying J truck stop and waste treatment plant.

Hanson turned the meeting over to Henry Byma of JJR, who reviewed the steps already taken to study the north parcel of the "Denison" property and previewed what would be discussed tonight. He said in April the DEQ will begin to study the property. At this meeting Byma listed the various **flora** found in the ten areas JJR had delineated to study the property, that is, foredunes, interdunal areas, wetlands, backdunes, the pine community, the dunes more remote from the beach, and four areas in the hemlock and northern hardwoods community. He mentioned that the State is ridding the nearby state park of Austrian pine, some of which are found in the pine community on this property. **Fauna** include hawk, chickadee, rabbit, deer and squirrel. The next category studied is the "**viewshed**," or area from which the Lake is visible, and there are several besides right on the beach, some as far away as half a mile, because of the varying elevations on the property. Byma added that they would be studying effects of wind, erosion and sun also. The third area of study involved **floodplains**, that is, below the 584-foot sea level elevation or 100-year flood level, of which there are very few on this property, mostly along the Lake or river edges. This information comes from FEMA Flood Insurance Rate Map, February 1, 1980. **River hydrology** study was made by the Army Corps of Engineers, Grand Haven Area Office in August, 2005, in which soundings were taken all along the river from the mouth of the channel. JJR showed two cross-sections, one half way down the channel and the other near where Broward Marine is located. They

showed an average depth of 16 feet, which is the depth the Corps will maintain in the channel. They determined that the sheet pilings in the channel are becoming degraded, more severely around the piers because water is getting underneath causing erosion. Byma said this information is pertinent to the study because if improvements are made in the revetements, it might affect the bordering land areas. The Corps does most of its research from the water, but would like to have an easement along the land as well. The last item on tonight's list was **utilities**, and those now available are overhead electric and underground telephone. Water and sewer would have to come from Blue Star Highway. Byma also reviewed a time line of the history of the property from the 1700's to the present along with a list of the resources consulted.

Hanson opened discussion to the Commissioners and questions involved whether more study had been done on the historic road, if efforts had been made to locate buried structures, and if Native American relics could be documented. Byma said they would try to watch for any artifacts, but structures that were there were wooden, not very permanent, and there is no legal description of that time. The land has changed so much because of being totally denuded and then covered by sand that it would be hard to determine the "platted area" of Singapore.

Hanson invited questions from the audience and Phil Miller of Holland St., Saugatuck, said there was some ambiguity at the end of the last informal review. Hanson explained that the cooperation agreement between Saugatuck LLC and the township stated that if the developer's plan did not meet the Zoning Ordinance requirements, it could still be considered. Neumer added that there was a question of whether the rezoning was properly accomplished. Miller wanted to know how long the agreement would be in effect, and Neumer said he thought they signed it in October and it was binding for six months, but it could be extended for three years. He thought it might take that long. He said neither party could do anything against the agreement during that time and the two parties are still cooperating. Miller asked if all information was available to the public, and Hanson said everything from the previous meeting is on the website.

Senator Birkholz asked if Singapore was designated an historic site, and Byma said NO.

Tony Vettori asked how far into the river the Army Corps of Engineers maintains, and Byma said he didn't know.

Mike Shaw read a letter from David Swann reminding Saugatuck LLC of the community vision for land use, conservation and smart growth and asking why it seems they have a contrary vision. Has Aubrey McClendon, the property owner, read the Tri-Community Plan, and does he know that the number one priority is for this land to be preserved as public land because of its scenic natural shoreline? Neumer replied that he has read it.

Harrison asked if JJR has considered having experts document the flora and fauna, and Neumer said they are using their own experts, JJR, and they will work with the DEQ. Harrison said he'd seen the DEQ "blow" evaluations and he wanted to know who their experts were.

Miller asked if part of the road into the property is on Ken Denison's property, and Neumer explained that they had a mutually cooperative easement agreement regarding the road. He added it would not be a good road for long term development, and they hoped to use the old wagon trail. Asked if it would be the same width, Neumer said it would be no wider than a standard two-lane road. Hanson said the township has been using the 20-foot wide standard required by the Fire Department.

John Legge asked if a list of the flora could be made available.

Milauckas asked when there might be some kind of development plan, and Neumer suggested the April and May meetings might identify areas where building might take place, and by June what kind of development.

April Schultz, representing the Land Conservancy of West Michigan, asked when they would focus on the south parcel, and Neumer answered, "The next meeting." By the April meeting he said they would know the "issues" on the south parcel.

Miller thought this was a step backward because he understood the south parcel would be sold to Saugatuck and there was no plan for development there. Neumer said they haven't determined that yet, but the sale to Saugatuck is still under "strong consideration."

John Wallace asked if any burial grounds have been found, and was told there is no documented proof.

Harrison asked if fishing would still be allowed on the piers, and was told that fishing is still going on.

At 8:40 Chairman Hanson called for a break, and at 8:47 he reconvened the meeting for other Planning Commission business. The first issue was enforcement of the landscaping for North Pointe Plaza on Blue Star next to the township hall. Hanson reported that Z. A. Ellingsen has advised, in the future, either requiring an escrow account or a revocable letter of credit to ensure that landscaping is done according to site plan and maintained. However, Ellingsen thinks, from last summer's assessment, that the landscaping meets the motion on the site plan. Sisson asked if he assessed the caliper of the trees, and was told NO. Hanson said he would call Ellingsen, and Darpel offered to go over it all with Ellingsen. Edris asked if the P.C. could go ahead with requiring the escrow or letter of credit for future projects, and was told there is no need for an amendment to the Ordinance. Rausch suggested requiring a due date for completion of landscaping.

Hanson announced that Ellingsen has been charging \$50 for the review of home occupations. There was some question whether this was part of the township fee schedule.

A great deal of discussion went into finding another special meeting date in February because of the need for another public hearing on the DeYoung project. Thursday,

February 8, at 7:00 P.M. was tentatively set. Other items briefly discussed were illegal signs, the movable sign at Pump House, prioritizing the “to do” list, the Joint Planning Committee approved by the township, and neighbors’ continuing opposition to AIS rezoning including a letter from Gould’s attorney which might result in the township board’s rejection of the rezoning.

Meeting adjourned at 9:25 P.M. The next regular meeting is January 22 at 7:00 P.M.

Betty A. White, Recording Secretary

Sandy Rausch, Secretary