

SAUGATUCK TOWNSHIP PLANNING COMMISSION

October 25, 2010

The Saugatuck Township Planning Commission met on October 25, 2010, at the township hall on Blue Star Highway, Saugatuck, Michigan 49453.

Present: Conklin, Darpel, Edris, Hanson, Milauckas, Rausch and Rowe

Absent: None

Also present: Planner Sisson; Zach Bossenbroek, Southwest Michigan Wind Energy Development; Dan Nally, Holland BPW; members of the public and reporters.

Chair Edris called the meeting to order at 7:00 P.M. The dock ordinance amendment was added to the agenda. Minutes of the September 27 meeting were approved as presented (Hanson/Rowe).

There was no public comment, but Edris read R. J. Peterson's 10/25/10 memo to the Township Board which Peterson wanted the Planning Commission to hear, regarding the letter from Z. A. Ellingsen of April 17, 2006, in which he advised sending the R-4 rezoning back to the P. C. for further input from the land owner (McClendon) to avoid possible litigation for "taking" of property, since Ellingsen says there was no communication from any representative of the former Denison property until almost a year after the R-4 rezoning proposals began, even though proper legal notice had been given. Peterson urged the Township to "correct a mistake" and quickly settle the current lawsuit.

Edris continued the discussion on Wind Energy Turbines. He read a letter from Joseph Gorka, dated October 22 and sent to Clerk Wright, in which he suggested amending the existing communication tower ordinance to include wind turbine towers, putting them on public land. Edris also read a letter from Zachary Bossenbroek, dated October 21, in which he stated that setbacks of 1X the height of WET towers, as for communication towers in Sec. 40-982 of the Zoning Ordinance, adequately deals with concerns about collapse, he advised against unnecessary "cushion" in the ordinance, adding that the siting of towers is affected by wetlands, topography, wind issues, etc. so they cannot be placed just anywhere even on large parcels.

The Commissioners were directed to the revised proposed ordinance and memo from Sisson, dated October 19. Sisson reviewed the changes made from last meeting's discussion, adding his revision of the definition of "occupied building," which after some discussion, the P. C. changed to "a Building intended for human occupancy, such as a Dwelling, school, hospital, church, public library, business, farm building, or any other Building used for public gatherings." Page 10, subsection (d) (3) now allows a height of 500 feet unless a need for more is demonstrated by the following factors, from which subsection "a" should be deleted. Hanson thought "shadow flicker" should be substituted for "visual impact" and noise and vibration added to the additional studies required by the P. C. in that subsection. On Page 11-12 (13) setbacks and separations, Sisson explained

that the setback of the tower from a neighbor's house would be 2X the height of the tower or 1000 feet, whichever is greater, but from the same parcel on which the tower is erected it would be 1.25X from an occupied building on that parcel. Setback from lot/parcel lines was reduced from 1.5X to 1.25X the height of the tower, except for when the lots are in common ownership or are in a cooperative agreement, and that change was made also regarding roads, drains, and communication and electrical lines, removing the alternative language. There was some discussion about how LWET's might affect the possible uses by a neighbor of his agriculturally-zoned property. Sisson said he reduced the access drive width to 16 feet with the verbal approval of the Fire Department. There was some discussion of whether "flicker" might be a problem in small wind energy turbines, and Sisson agreed to study this further.

Consensus was that Sisson ask the township attorney to review the proposed ordinance after he has made the changes suggested at this meeting before resubmitting to the P. C. for approval, and to see if the revisions are so extensive that another public hearing would be necessary.

Milauckas questioned the table on page 3 of the proposed dock ordinance amendment because of the 50 to 101-foot of water frontage language. Milauckas agreed to revise the text to say "100-foot" and send it on to Mark Sisson. This ordinance is already in the process of being reviewed there.

Edris presented his proposed statement to be sent to the Township Board regarding the offer of assistance the Planning Commission could give to the Board in its resolution of the Federal law suit now pending. With some changes, the statement which was approved (motion by Rowe, second by Rausch) read as follows: "Since there is a wealth and breadth of knowledge among the Planning Commission members that is not available elsewhere, the Township Board should be aware that the Planning Commission is available to assist the Board in any way the Board sees fit in its resolution of the Federal law suit (Singapore Dunes, LLC, vs. Saugatuck Township et al.) now pending, and we encourage the Board to utilize this knowledge, if possible. The best results in land use decisions occur when broad public input is sought through the Planning Commission process."

Edris asked the P. C. members to bring the letter from the City of the Village of Douglas concerning Migas' golf course to the next meeting. He also announced that the workshop to review the Tri-Community Plan will be Tuesday, November 16 from 4:00 to 6:00 P.M. He asked the Commissioners to bring outlines of proposed additions or changes in whichever section they were assigned.

Meeting adjourned at 9:10 P.M. The next meeting is the workshop November 16 at 4:00 P.M. The next regular meeting is November 22 at 7:00 P.M.

Betty A. White, Recording Secretary

Sandra Rausch, Secretary

MOTIONS

1. Motion by Hanson/Rowe to approve the minutes of September 27.
2. Motion by Rowe/Rausch to approve wording of revised statement to be sent to the Township Board concerning the Federal law suit now pending with Singapore Dunes.