

SAUGATUCK TOWNSHIP PLANNING COMMISSION

December 5, 2011

The Saugatuck Township Planning Commission met on December 5, 2011, at the township hall on Blue Star Highway, Saugatuck, Michigan 49453.

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

Absent: None

Also present: Planner Sisson, Michael Davis for DV8 Cycles LLC, and various members of the general public.

Chair Edris called the meeting to order at 7:04 P. M. and asked if there were any changes to the proposed agenda. Milauckas asked to add a discussion of the court's opinion on the consent agreement in the McClendon lawsuit. Hanson objected, adding that he saw no point in a discussion of any lawsuit because settlement is the job of the Township Board. Milauckas made a motion, supported by Harrison, to add discussion of the court's decision to the agenda. Discussion included comments by Hanson that this discussion can always be held at the Township Board level, and the Planning Commission cannot resolve the issue; by Harrison that the Planning Commission could consider rezoning the property in question; by Milauckas that an analysis of the court's opinion would be good; by Rausch that she would benefit from a lawyer's explanation of the opinion; and by Rowe that this discussion would best take place with the guidance of the Board and counsel. Edris said he thought this was a delicate time with the judge denying the consent agreement which was made without advice from the Planning Commission, and that discussion here without the attorney would not be educational, but he offered to raise the issue of a closed discussion with the Board and attorney at the next Township Board meeting. By a show of hands, the motion failed 5 to 2.

Milauckas made a motion to ask, as a Planning Commission, for a meeting with the attorney and Township Board to discuss the court's opinion in the Singapore Dunes suit. The motion was amended to put a discussion of this motion on the agenda. Rausch seconded. By a show of hands, the motion failed 4 to 3.

Harrison made a motion to add to the agenda a discussion of zoning issues in the township north of the Saugatuck city limits and west of Blue Star Highway. Milauckas seconded. After some discussion, by a show of hands the motion failed 5 to 2.

Harrison made a motion, supported by Rowe, to adopt the agenda, which carried.

Motion was made by Rowe, supported by Conklin, to approve the minutes of August 22 as amended by changing the third from last sentence in the next to last paragraph on page 2 to read: "He advised that the Township Board instructed him to settle this . . ." and by changing the very last sentence on page 2 to read: "Bultje said the consent agreement was similar to 'contract zoning' . ." Motion carried.

Minutes of September 26 were approved as amended by removing the last sentence in the first full paragraph on page 2 (Rowe/Hanson).

Edris opened the public hearing on the SAU for DV8 Cycles LLC for a motorcycle repair shop in a leased stand-alone building at Ihle Service at 6525 Blue Star Highway. Secretary Rausch read the notice published in the newspaper. Edris read a letter from Bruce and Marilyn Starring of Saugatuck Boat Cruises recommending his application be approved. He acknowledged the packet of petitions which were provided on behalf of the applicant.

Michael Davis explained that his motorcycle repair shop would be similar to the business he had in the City of Saugatuck, a low impact supplement to Ihle automobile repair on Blue Star Highway, where there is less congestion than in town.

Bruce Magnuson, 313 Singapore Ct., Douglas; Gary Stainbrook, Fennville; Everet Ihle, Holland; and Gary DiSilvestre, 5722 116th all spoke in favor of Michael Davis and his motorcycle repair shop.

The public portion of the hearing was closed (Rausch/Rowe).

Sisson referred to his memo of December 2 calling attention to the fact that this is the opportunity to bring a building and site which is non-conforming more into conformance with the Ordinance, mentioning that there is no landscaping, the access and sign are non-conforming, the parking lot is not delineated nor is it paved, and this would be an expansion of a multi-tenant retail operation. But since no building expansion is involved, Sisson said, a site plan review is not necessary.

After some discussion, Edris said he was in agreement with Harrison that there is compliance with the SAU requirements regarding safety and retaining the character of the surrounding area. He added that, as Sisson had stated, if Davis should want to expand the business by adding onto the building, he would have to return to the Planning Commission for a site plan review.

Some discussion of the triangular off-premises sign followed, and Davis was advised he could go to the ZBA to change it, or he could apply for a SAU for a sign on the site where his business is located, or he could have a sign on the building within the prescribed limits. Rowe summarized it by saying, "I don't think we have a sign issue." Davis said he thought he'd just use "what's there."

Rowe made a motion, supported by Milauckas, to approve the SAU for DV8 Cycles LLC. After Rausch was assured there is a mercury light, directed down, on the property, the motion carried unanimously.

Public comment and correspondence: a letter from Steve McKown, Fennville, dated Dec. 2, requesting a 10 minute segment on the agenda to offer suggestions about the Planning Commission's role in finding options for the township following the judge's

denial of the consent agreement in the Singapore Dunes lawsuit; and a letter from Roy and Carol McIlwaine, Riverside Dr., dated Dec. 5, which urged the Planning Commission to take the lead to get an open process started in the settlement discussions regarding the lawsuit.

McKown said he thought it would serve a useful purpose to hold public hearings for discussion because he thought the public did not understand zoning history and how it fits into the Tri-Community Plan. He said it was obvious at the last public hearing that a decision had already been made on the consent agreement, and now that it has been denied, a settlement will look different. Edris asked him to be on the agenda for the next Township Board meeting.

Jane Dickie, 6108 Old Allegan, implored the Planning Commission to use its expertise; Sheldon Wettack, 2933 Lakeshore Dr., said he was disappointed in earlier discussions; Jim Birkes, 2344 70th St., said the Board needs the support of its citizens; Marcia Perry, Blue Star Hwy., said she was surprised that at the last Board meeting there was no talk about the court's decision.

Edris encouraged all these people to attend the Township Board Wednesday night. Harrison suggested that McKown could return to the Planning Commission.

Meeting adjourned at 8:50 P.M. The next meeting is January 23, 2012.

Recording Secretary, Betty A. White

Secretary, Sandra Rausch

MOTIONS

1. Motion by Milauckas/Harrison to add to the agenda a discussion of the court's decision in the Singapore Dunes lawsuit. Failed
2. Motion by Milauckas/Rausch to add to agenda a discussion of a motion to ask the Township Board for a meeting with them and the attorney to discuss the court's decision in the Singapore Dunes lawsuit. Failed
3. Motion by Harrison/Milauckas to add to agenda discussion of zoning north of Saugatuck and west of Blue Star. Failed
4. Motion by Harrison/Rowe to adopt proposed agenda. Carried
5. Motion by Rowe/Conklin to approve minutes of August 22 as amended. Carried
6. Motion by Rowe/Hanson to approve minutes of September 26 as amended. Carried
7. Motion by Rausch/Rowe to close public portion of SAU hearing for DV8 Cycles. Carried
8. Motion by Rowe/Milauckas to approve SAU for DV8 Cycles motorcycle repair shop in Ihle building on Blue Star. Carried