

Wednesday, May 6, 2015

**SOUTH HAVEN TOWNSHIP PLANNING COMMISSION
MINUTES
(DRAFT)**

1) Call to Order : 7:31 PM

2) Role Call:

Tippman present
Capps present
Kiry present
Odland present
Larsen present
Meyer present (7:36)

Also present: Patrick Hudson, Zoning Administrator/Recording Secretary

3) Approval of the Agenda:

MOTION by Odland to accept the agenda as presented, 2nd by Kiry, motion approved 5-0

4) Approval of the Minutes

Odland pointed out two typographical errors in person's names in 5), b)

MOTION: By Odland to approve the minutes of April 1, 2015 as corrected.
Second by Tippman. Approved 5-0

5) Public Hearings

a) Jenson rezoning of M-140 property

MOTION to open the hearing by Odland, 2nd by Capps @ 7:37

Geoff Cripe representing West Michigan Land Conservancy presented the site plan, history of the site, MDEQ grant, plan process & 2011 vision statement – “Natural Area” not a ‘park’.

Brian Dissette, on behalf of the South Haven Area Recreation Authority Noted this is a joint city, township, school district collaboration with a Michigan Natural Resources Trust Fund grant of \$50,000. Hope to start work Spring 2016, rules are being developed, Police Chief has a contract with the Township, no over-night camping and the City Parks Department will provide maintenance under contract with SHARA

Linda Winkle – asked about the assessed value of the property. Asked in the public have funding? Will there be a gate with a lock? Can the speed limit on 77th be lowered?

Mike O’Connor – Opposed to the Special Use. Concerned about the process and involvement of SHARA – should have been an applicant. Questions the objectivity of the process. Noted that the Township Board in 2013 had already passed a resolution of support. He said that the “Master Plan” shows 113 parking spaces and compared this to the State Park and South Beach. Asked how the park will be managed & operated. Noted the lack of sanitary facilities in the plan

Jim Montgomery – neighbor – Has never had a problem in 50 years. Would rather see this than a subdivision.

Ed Mack – Opposed to Special Use approval at this time. Need MDNR & etc. reviews first. Need rules established as a pre-condition. Need to

determine how police will patrol and funding. This is not conservation, this is a development plan. Questioned if the plan is consistent with the deed covenants.

John Lewandoski – lives across from Deer Lick Park. Only problem is overcrowding, no other negatives. Studies show property values rise near recreation areas. Examples in Chicago. With lake levels rising there is less access to beaches. Supports this project as the ultimate in conservation.

Mary O'Connor – lives just south of the park. Opposed to the Special Use because it violates the donor's wishes. Used to have a caretaker on site – no more. Opposed to parking that allows over 300 persons. No signage, no patrols, a lot of alcohol, dogs & fires. Opposed.

Julie Portman – This is a wonderful gift to the community – she supports it. Deerlick was well done. Concerned that the rules be in place and trash maintenance be in place BEFORE approval. Noted violations of the ordinances and fences in need of repair immediately. Asked about lighting, trash pick up & etc. Asked the Commission to Table for more answers.

Maureen Lewandoski – supports the project. Noted that rules are fluid and can be changed as time goes on. The Commission is never going to please everyone. Let's get going on this.

John Siff – has property on the north side for 26 years. Opposed for many reasons. This is not what Suzanne Parrish wanted. In favor of a conservancy. Concerned about security and the lack of a fence to his property. Related trespassing incidents. Need fencing around entire property and 24/7 security

Carl Store – Lives south of O'Connors. Opposed. Saw plan for 115 parking spaces – 2-300 people on site is too heavy. Too much human activity. Should be done like Wah-kee-Naw in Casco Township. Don't need another South Beach.

Mike O'Connor – Master Plan of the Conservancy should be submitted to the MDEQ.

Linda Winkle – described the lawsuit over the 'road end' at 14th and 77th.
Chair - Steve Larsen – summarized concerns: monitoring, bathrooms, signage, rules, parking numbers, trash issues, fencing.

Letters read:

Jan & Steve Peterson – in support

Mike Tupper – in support

Steve Isaacson for John Siff – opposed

Lowell Tippman – speaking as a citizen – Met with Suzanne Parrish 15 years before this came up. She was clear that she wanted the area to be as natural as possible and wanted the Township to own it. Can not fault the Conservancy, they received the land with no funding for maintenance and had to apply for grants.

MOTION to close the hearing by Odland, 2nd by Kiry @ 8:57.

Discussion:

Kiry – understand the concern about fencing & signage – need to table.

Myer – agreed with Kiry

Odland – Does not see why the concerns cannot be resolved tonight.

Proposed the following conditions:

No open fires, no fireworks, no camping, no alcohol.

Electric gates open ½ hour before sunrise, close ½ hour after
Sunset

Signs posted at beach limits & borders

All pets on leashes.

Water to be tested same as at North Beach

No glass, no motor vehicles, no hunting

Trash barrels and regular pick-up and bath rooms be provided

Fences to be repaired and extended on three sides

Health, safety and welfare rules needed.

Capps – wants to discuss & see other recreation areas

Larsen – recapped Oldand’s conditions

Odland – would like to see cameras installed like at Deer Lick

Capps – asked why ½ hour AFTER sunset

Tippman – asked Cripe re: stability of ramp to the beach given high water
conditions. Should not be within 150 feet of lake.

MOTION by Capps to recommend approval to approval of the Special

Use to the Township Board with the following conditions:

A. Rules to include:

1 – No open fires anywhere

2 – No fireworks

3 – No camping

4 – No alcohol

5 – No glass

6 – No motorized vehicles

7 – No hunting

8 – Pets shall be leashed

9 – hours to be ½ hour before dawn & ½ hour after dusk

10 – Pet clean-up required

B. Public restrooms to be provided

C. Water shall be tested the same as North & South Beaches

D. Trash receptacles and maintenance to be provided

E. Fencing shall be erected on three sides

F. Electric gates shall be installed

G. Signs shall be posted on the beach at the boundaries

Second by Kiry. Motion approved 5-1 (Tippman opposed)

6) Public Comment non-agenda items

None

7) New Business

Van Horn – Open Space Preservation project

Hudson described the zoning conditions and issues with the proposal

Chad Van Horn described the project and intent

Discussion with Hudson per Township Attorney over the following issues:

- 1 – Illustration included right-of-way in one lot
- 2 – In the plan, the Private Road right-of-way cannot include “greenway”
- 3 – The ordinance does not allow inclusion of any part of the High Risk Erosion Area within the proposed building lot lines. This includes the 60 year MDEQ setback line not the 30 year line as shown on the plans.
- 4 – Disagreement over the intent of 18.46 E.
- 5 – Question of Open Space as to disturbed area

Larsen noted that the Planning Commission had received a number of letters and that a number of person present would like to speak.

Bob McDonald – representing the Pinewood Lane homeowners

- 1 – Concerned about the impact on adjacent properties by cutting down the bluff and re-stabilization
- 2 – Concern about drainage due to soil pile in the middle of the project
- 3 – Interpretation of Open Space Preservation – bulldozing is not a natural state.

Linda Winkle – brought in pictures of erosion since 1986.

Beth Robinson - family has lot to the north for 54 yrs.

Not upset, this is change. We have not made a decision on our property. Erosion happens

Motion by Odland to the Table the proposal until we receive MDEQ review of the project, 2nd by Tippman. Motion approved 6-0

8) Unfinished Business

- a. Possible Shoreline Protection Zone amendment
Hudson distributed a sample ordinance modified from MSU Land Use Institute. For preliminary discussion.
Larsen asked that the draft be put on the website so the public can participate in the discussion.
This will be on the agenda for the next meeting.

9) Staff & Subcommittee Report

- a. Scott Rau has been nominated to take Cindi Compton’s place on the Commission. He was present and says he is still interested.

10) Communications & Public Comment

- a. None

11) Commissioner Comments

- a. Capps was pleased with the way the hearing went.
- b. Odland was also pleased..

12) Adjournment

Larsen called for adjournment @10:26 PM

Signature:

Secretary of the Planning Commission

Submitted by Patrick Hudson, Zoning Administrator