



# SAUGATUCK TOWNSHIP FIRE DISTRICT

Proudly serving : Douglas | Saugatuck | Saugatuck Township



This public meeting will be held using Zoom video/audio conference technology due to the COVID-19 restrictions currently in place.

## Zoom Meeting Info

Meeting ID: **834 8501 6639**

Password: **278616**

One-Touch Weblink:

<https://us02web.zoom.us/j/83485016639?pwd=NFDtcmV0TFM3RitPU01wNFhaU3c5UT09>

Dial by Phone: **(646) 558-8656**

3342 Blue Star Highway  
Saugatuck, MI 49453  
269 857-3000 / Fax: 269 857-1228  
E-mail: [info@saugatuckfire.org](mailto:info@saugatuckfire.org)

## FIRE CODE BOARD of APPEALS MEETING

10:00am – May 14<sup>th</sup>, 2020

### APPROVED MINUTES

1. Call to Order / Roll Call: **Meeting called to order by Chairperson Miller at 10:01am**  
**PRESENT: A. Miller, E. Beckman, J. Verplank**  
**ALSO PRESENT: Chief Greg Janik, Deputy Chief Chris Mantels, Jeff Sluggett**  
**ABSENT with Notice: None**
2. Reminder: It is requested that the board silences cell phones and put them away for the duration of the meeting.
3. Approval of Agenda (*additions / deletions*): **(Roll Call Vote)**
  - A. Motion by Verplank, 2<sup>nd</sup> by Beckman to approve the agenda and to ratify the procedures for public participation and meeting conduct as described in the Notice of Public Hearing via Video Conference.  
 No discussion.  
**YAYS – Verplank, Beckman, Miller**  
**NAYS – None**  
**Absent with Notice - None**
4. Approval of Minutes: **(Roll Call Vote)**
  - A. **February 4<sup>th</sup>, 2020**  
**Motion by Beckman, 2<sup>nd</sup> by Verplank to approve the minutes of 2/4/2020 as presented. No discussion.**  
**YAYS – Beckman, Verplank, Miller**  
**NAYS – None**  
**Absent with Notice - None**
5. Unfinished Business: None
6. New Business:
  - A. **BOA Fee Schedule**
    - i. Discussion ensued. Requested Fire District staff to come up with comparable for review at a future meeting.
  - B. **Public Hearing to Consider Appeal of NORTSHORES OF SAUGATUCK, LLC**
    - i. **Open Hearing (Chair) – (Roll Call Vote)**
      1. **Motion by Verplank, 2<sup>nd</sup> by Beckman to open the public hearing. No Discussion.**  
**YAYS – Verplank, Beckman, Miller**  
**NAYS – None**  
**Absent with Notice - None**



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- ii. **Presentation by the Applicant or designee. (15-minute time limit)**
  1. **Northshores of Saugatuck LLC case for Lot 15 was presented by Attorney Carl Gabrielse. (See attached PowerPoint)**
    - a. **Believes the Fire District's decision should be reversed.**
    - b. **This is an appeal regarding Lot 15.**
    - c. **The IWUIC cannot and should not be applied.**
    - d. **The Township does not have mountains or other items per Findings of Fact.**
    - e. **The Fire Chief made up items in the Findings of Fact.**
    - f. **IWUIC doesn't say you need so much water at draft site, and water at home.**
    - g. **Water at the dry hydrant is the same as at the house.**
    - h. **IWUIC contains provisions for specific materials for fire retardant, doors, etc.**
    - i. **Find any home in Saugatuck Township that meets IWUIC requirements.**
    - j. **IWUIC can't be applied since it hasn't been adopted by Township.**
    - k. **IWUIC must be adopted by legislative action.**
    - l. **If the Township had adopted IWUIC, there would be an ordinance showing.**
    - m. **Even if the IWUIC can be applied, the BOA should conclude that it should not be applied.**
    - n. **IWUIC does not fit the Township and should not be applied.**
- iii. **Presentation by the Fire Code Official or designee. (15-minute time limit)**
  1. **Fire District Counsel Jeff Sluggett offered some comments.**
    - a. **Fire District was directed to use IWUIC or NFPA 1142.**
    - b. **Under any standards, IFC, IWUIC, NFPA water supply is left to Fire Code Official to determine.**
    - c. **The BOA does not step into the shoes of the Fire Code Official, the role of the BOA is limited to determination if the Fire Code Official's determination was incorrect.**
    - d. **The Fire code official must approve the water supply and has not yet.**
    - e. **Water at the hydrant, and water at the house are not the same thing. Many factors involved in getting water that far.**
    - f. **Believes the Township should also be a party to this appeal as the Township issues building permits.**
  2. **Chief Greg Janik presented the Fire District's case. (See attached PowerPoint)**
    - a. **IWUIC is adopted as a referenced standard to IFC.**
    - b. **USDA determined the area is a Wildland Urban area**
    - c. **Can't operate on 2 dry hydrants, as truck was too close to river and personnel could fall into river.**
    - d. **No water supply has been approved for the development, or Lot 15.**
    - e. **Consent Judgement author informed that "Standpipe System" was intended to be a robust distribution system of piping with hydrants.**
    - f. **If the Township approved the water supply, please provide written approval.**
    - g. **The AHJ specifies and approves water supply in all codes: IFC, IWUIC, and NFPA 1142.**
    - h. **Mr. Bosgraaf called the project a development in recent correspondence.**
    - i. **Dry hydrants can be obstructed.**
    - j. **Fire District did precisely what the BOA told them to do using the IWUIC.**



# SAUGATUCK TOWNSHIP FIRE DISTRICT

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## iv. Presentation by other parties

### 1. Scott Bosgraff offered his comments.

- a. Thanks for getting together.
- b. The BOA speaks for the Fire Department, and the Township.
- c. Saugatuck Township is rural.
- d. Fire Department does reviews on behalf of the Township.
- e. BOA previously decided against Fire Chief.
- f. Code was originally rescinded.
- g. Has been six months since the application.

## v. Discussion

### Beckman offered his comments.

- a. Testing in May 2019 is different than running through 1,000 feet of hose.
- b. The AHJ makes the determination to approve or deny the water supply.
- c. We can go through this; it can be appealed again.
- d. Bottom line is its water supply, not codes.
- e. Believe someone mentioned that the authority of fire code official was previously revoked. That is true, by the previous administration. That board was recalled, and the Township spoke clearly that they wanted the fire code. This is water under bridge, and the new administration has adopted the IFC, and has sent a message loud and clear.
- f. The original motion from the BOA hearing said that 1142 or IWUIC should be applied and believes in his opinion we are wasting our time.

### Verplank offered her comments.

- a. There are many variables that apply, its not just fire flow.
- b. We would be remised if we didn't take variables into account.
- c. We have a responsibility to the Township, and the public to back the fire code.
- d. It is a subdivision, and it needs to be treated as a subdivision, and it needs a water supply.
- e. Requested map be displayed.
- f. How can the fire department review each lot individually?

### Miller offered his comments.

- a. What code applies?
- b. Reading all of the codes, all allow significant flexibility in making requirements.
- c. Factors in this development require more than the minimum.
- d. No matter what code is used, there is still flexibility.
- e. IFC was adopted as a whole, and IFC says you can use NFPA or IWUIC for water supply requirements. Doesn't say, only if legislative body has adopted IWUIC as a whole.
- f. Believes IWUIC can apply where it is mentioned & referenced by IFC.

### Sluggett answered BOA questions.

- a. The PUD as defined with the Township does not include Lot 15.
- b. Believes the Consent Judgement does apply to the entire development.
- c. After communication with the Township attorney, is not a subdivision in the sense of the Land Division act due to size of parent parcel.



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- d. There is what lawyers call a subdivision, and then what is practically called a subdivision with a number of adjoining lots sharing the same road.
      - e. In his opinion, there are two different ways of looking at same word.
    - vi. Close Hearing (Roll Call Vote)
      1. Motion by Verplank, 2<sup>nd</sup> by Beckman to close the public hearing. No discussion.  
YAYS – Verplank, Beckman, Miller  
NAYS – None  
Absent with Notice - None
    - vii. Action by Board  
Motion by Verplank, 2<sup>nd</sup> by Beckman based on the discussion and record of today, to uphold the decision of the AHJ, and deny the appeal. No discussion.  
YAYS – Verplank, Beckman, Miller  
NAYS – None  
Absent with Notice - None
7. Public Comments: (Limit 3 minutes): *Use the “raise hand” button in the participants screen in Zoom or enter \*9 if you are calling in by phone to raise hand. You will be recognized and unmuted to speak in the order received.:*
  - A. None
8. Board of Appeal Member Comments:
  - A. None
9. Adjournment:
  - A. Meeting adjourned at 11:08am.

## NOTICE

Request for accommodations or interpretive services must be made 48 hours prior to this meeting.  
Please contact Saugatuck Township Fire District at 269-857-3000 for further information.