



# SAUGATUCK TOWNSHIP FIRE DISTRICT

Proudly serving : Douglas | Saugatuck | Saugatuck Township



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

## NOTICE OF PUBLIC HEARING via Video Conference

### SAUGATUCK TOWNSHIP FIRE DISTRICT FIRE CODE BOARD OF APPEALS May 14<sup>th</sup>, 2020

PLEASE TAKE NOTICE that under the Governor of Michigan's Executive Orders 2020-75 (Covid-19), Temporary authorization of remote participation in public meetings and hearings and temporary relief from monthly meeting requirements for school boards.

PLEASE TAKE FUTURE NOTICE that as a result of these orders, the Saugatuck Township Fire District Fire Code Board of Appeals (Board of Appeals), Allegan County, Michigan, will hold a public hearing on May 14<sup>th</sup>, 2020, via Zoom video Conference beginning at 10:00 a.m. local time.

PLEASE TAKE FURTHER NOTICE that the public hearing will be held by the Board of Appeals to consider and possibly take action regarding the appeal of NORTHSHORES OF SAUGATUCK LLC, pursuant to Section 108 of the International Fire Code (2015 edition), as amended ("IFC"), relative to its property at 6736 Saugatuck Beach Road, Saugatuck Township, Michigan. NORTHSHORES OF SAUGATUCK LLC has appealed the application of the IFC and International Wildland Urban Interface Code (IWUIC) to its development where public water is not available. All interested persons may attend the meeting and comment. In addition, written comments will be accepted by the Board of Appeals up until the time of the meeting.

PLEASE TAKE FURTHER NOTICE that copies of the appeal filed by Northshores of Saugatuck LLC can be reviewed, inspected or purchased at the Saugatuck Township Fire District offices or by contacting the Saugatuck Township Fire District at (269) 857-3000.

#### Some Tips for Zoom Video Conference

1. Zoom works best with the download of an application. Please plan ahead enough time to download. The install should be easy i.e. follow the steps.
2. You don't need to log in online to participate but you won't be able to see any information that will be screen shared.
3. If your computer doesn't have a microphone or webcam, still login in online and also use the phone number to dial in to hear and speak.

We recommend completing these steps ahead of time to ensure you are able to connect.

Public comments will be welcomed during the public comment and public hearing portions of the meeting with the 3-minute time limit as outlined in the Agenda.

Greg Janik, Fire Chief  
Saugatuck Township Fire District  
(269) 857-3000

Posted 5/12/2020 – 3:22pm



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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=NFdtdmV0TFM3RitPU01wNFhaU3c5UT09>

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

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## FIRE CODE BOARD of APPEALS MEETING

10:00am – May 14<sup>th</sup>, 2020

### **AGENDA**

1. Call to Order / Roll Call:
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. **Sample Motion:** “*Move 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.*”
4. Approval of Minutes: **(Roll Call Vote)**
  - A. **February 4<sup>th</sup>, 2020**
5. Unfinished Business: None
6. New Business:
  - A. **BOA Fee Schedule**
  - B. **Public Hearing to Consider Appeal of NORTHSHORES OF SAUGATUCK, LLC**
    - i. **Open Hearing (Chair) – (Roll Call Vote)**
    - ii. **Presentation by the Applicant or designee.** (15-minute time limit)
    - iii. **Presentation by the Fire Code Official or designee.** (15-minute time limit)
    - iv. **Presentation by other parties**
    - v. **Discussion**
    - vi. **Close Hearing (Roll Call Vote)**
    - vii. **Action by Board**
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.:*
8. Board of Appeal Member Comments:
9. Adjournment:

### 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.



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## FIRE CODE BOARD of APPEALS MEETING

4:30pm – February 4<sup>th</sup>, 2020

### DRAFT MINUTES

1. Call to Order / Roll Call:  
**Meeting called to order by Chairperson Miller at 4:31pm**  
**PRESENT: A. Miller, E. Beckman, J. Verplank**  
**ALSO PRESENT: Chief Greg Janik, Deputy Chief Chris Mantels**  
**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*):
  - A. **Agenda stands as presented.**
4. Approval of Minutes:
  - A. **January 27<sup>th</sup>, 2020**  
**Motion by Beckman, 2<sup>nd</sup> by Verplank to approve the minutes of the 1/27/2020 meeting as presented. No discussion, motion carries unanimously.**
5. Public Comment on Agenda Items Only (Limit 3 minutes):
  - A. **Rebecca Bruns – Laketown Resident**
    - i. **Would like written comments included in the public record.**
    - ii. **Speaking in support of the Fire District and Chief Janik.**
6. Unfinished Business:
  - A. **Consider Appeal of NORTSHORES OF SAUGATUCK, LLC**
    - i. **Presentation by the Applicant or designee.**
      1. **Northshores of Saugatuck LLC additional information for Lot 15 was presented by Attorney Carl Gabrielse.**
      2. **Wants to step back and frame issue and this topic.**
      3. **Cautions the BOA not to be misled by the Fire Code Official.**
      4. **Believes that NFPA 1142 applies.**
      5. **New 8" dry hydrants will be 400 feet closer.**
      6. **The BOA is now the AHJ, not the Fire Chief.**
    - ii. **Presentation by the Fire Code Official or designee.**
      1. **Chief Janik and Deputy Chief Mantels presented the Fire District's case. (see Power-Point.)**
    - iii. **Questions from Board Members**
      1. **Verplank has no further questions.**
      2. **Beckman asked for clarification on the 400 feet closer stated by Carl Gabrielse.**
      3. **Miller has no further questions after reviewing all of the codes.**



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## iv. Discussion among Board Members

1. PUD Documents were discussed
  - a. Lot 15 is not part of the PUD at all, it appears that it starts at Lot 16 and up.
2. Consent Judgement
  - a. This does appear to apply to this property.
  - b. Only thing it doesn't allow is a secondary access road.
  - c. Does still allow for equivalent emergency water needs.
  - d. Nothing appears to limit water supply requirements or methods.
3. The Fire Department speaks for the Township as they are their representative for fire safety.
4. The Fire Chief, and the Fire Department are the AHJ in this case, and not lawyers and others.
5. Miller agrees with appellant that the property in question does fall in a rural area.
  - a. Doesn't believe the existing 6" pipes are an adequate or reliable system
  - b. Believes NFPA 1142 code can be applied.
  - c. Also can apply IWUIC.
    - i. Where houses meet wildland area
  - d. Using either NFPA 1142 and IWUIC does not result in an exact formula, it relies on the fire code officials knowledge to determine those needs
  - e. It is clear there is limited access, delayed discovery, and high winds can all contribute to the fire spread quickly.
  - f. Doesn't believe equivalent methods have been proposed, that is up to the fire district and the developer.
  - g. Miller believes that either NFPA 1142 or the IWUIC should be applied to this particular area, but not the entire Township.
7. Verplank
  - A. Any and all code determinations are left to the fire code official
  - B. All code determinations will end with the same result
  - C. Suggests that any re-review would be at the expense of the developer
  - D. Continues to be reminded about the BOA's firefighting ability
  - E. Doesn't believe the Developer or the Attorney know firefighting.
  - F. Takes a long time to lay hose and get it out of the road
  - G. Believes it should be left to the Fire Department of how to fight a fire.
  - H. With all due respect, the Attorney doesn't know much about firefighting
8. Beckman
  - A. Agrees that the property is in a rural area and NFPA 1142 could be applied
  - B. 1142 still reverts to the AHJ to determine water supply needs
  - C. Feels that the system he looked at today is not sufficient, or reliable.
  - D. Leaving it up to the AHJ and review it again with NFPA 1142, and or the IWUIC.
  - E. Only thinking about just Lot 15.



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## i. Action by Board

1. Motion by Miller, 2<sup>nd</sup> by Beckman to reverse the fire code officials decision regarding the Northshores appeal with Lot 15 based on the Board of Appeals determination that NFPA 1142, and/or the International Wildland Urban Interface Code apply to this property, for the reasons set forth in our record of proceedings, and further directing a subsequent review by the fire code official using NFPA 1142, or the Wildland Interface Guidelines as well as the existing Consent Judgement to make their decision.

YAYS – Miller, Beckman, Verplank

NAYS – None

Absent with Notice - None

9. New Business:

**A. None**

10. Public Comments: (Limit 3 minutes):

**A. None**

11. Board of Appeal Member Comments:

12. Adjournment: **Meeting adjourned at 5:35pm**

### NOTICE

This facility is wheelchair accessible with accessible parking spaces available. 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.

DRAFT