



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

NOTICE OF PUBLIC HEARING via Video Conference

SAUGATUCK TOWNSHIP FIRE DISTRICT FIRE CODE BOARD OF APPEALS HEARING – February 1st, 2021

PLEASE TAKE NOTICE that, due to health and safety concerns related to COVID-19, and as permitted by Section 3a(1)(a) of the Open Meetings Act, the Saugatuck Township Fire District Fire Code Board of Appeals (Board of Appeals), Allegan County, Michigan, will hold a public hearing electronically on February 1, 2021, via Zoom video conference beginning at 6:00 p.m. local time. A copy of the agenda for this hearing is available at: <https://www.saugatuckfire.org/ifc-boa-agendas.html>

PLEASE TAKE FURTHER NOTICE that the public hearing will be held as a Board of Appeals to consider and possibly take action regarding the appeal of 3487 66th Street, Tyler & Josi Bowdish, pursuant to Section 108 of the International Fire Code (2015 edition), as amended ("IFC"), relative to their property at 3487 66th Street, Saugatuck Township, Michigan. Tyler & Josi Bowdish have appealed the application of the IFC to their development. All interested persons may attend the hearing and comment. In addition, written comments will be accepted by the Board of Appeals up until the time of the hearing.

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 portions of the hearing with the 3-minute time limit as outlined in the Agenda.

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



SAUGATUCK TOWNSHIP FIRE DISTRICT

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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: **839 9707 7637**

Password: **444944**

One-Touch Weblink:

<https://us02web.zoom.us/j/83997077637?pwd=VklYWWTJpR3RzZzdockJhbG9wUjluZz09>

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

FIRE CODE BOARD of APPEALS MEETING

6:00pm – February 1st, 2021

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)**
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 Meeting via Video Conference.”
4. Approval of Minutes:
 - A. **January 11th, 2021 (Roll Call Vote)**
5. Unfinished Business:
 - A. **None**
6. New Business:
 - A. **Public Hearing to Consider Appeal of 3487 66th Street, Tyler & Josi Bowdish.**
 - i. **Open Hearing (Chair)**
 - ii. **Presentation by the Applicant or designee.** (Limit 15 minutes)
 - iii. **Presentation by the Fire Code Official or designee.** (Limit 15 minutes)
 - iv. **Presentation by other parties** (Limit 3 minutes)
 - 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.

Applicant's Submittal



SAUGATUCK TOWNSHIP FIRE DISTRICT

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Saugatuck, MI 49453
269 857-3000 / Fax: 269 857-1228
E-mail: office@saugatuckfire.org

International Fire Code (2015 edition) - Board of Appeals

Application for Appeal

Appellant Name: JOSI and Tyler Bowdish
Appellant Address: 50 Center Street (apt above Redline Midspa)
City, State, Zip: Douglas, MI 49406
Telephone: 269-512-4982 Alternate Number: 785-840-4482
Email Address: josi@beaconsir.com / tyler@bowdishchophouse.com
Address for which appeal is being sought: 3481 166th St, Saugatuck, MI 49453
Owner of property: JOSI + Tyler Bowdish
Representative other than owner: _____

NATURE OF THIS APPEAL

I respectfully bring this appeal before the International Fire Code (IFC) Board of Appeals because I believe and intend to prove the following: (check any appropriate box/s)

- Unknown, there is no code provision requiring single-family homes to extend municipal water.
- The code has been incorrectly interpreted.
- The provisions of the code do not fully apply.
- An equivalent method of protection or safety is proposed.

IFC Code Section being appealed: 102.5 IFC 2015 EDITION

Describe in detail why you feel the code section does not apply: see attached explanation and supporting docs

If there is any information that you would like to make available at this time, please attach it to this form. I certify that the statements above are true to the best of my information, knowledge, and belief.

Josine Bowdish
Applicant Signature

12/11/2020
Date

(Official Use Only below this line)

Date Received: 12/14/2020 1:30pm Hearing Scheduled Date: _____ Applicant Notified Date: _____

Applicants are appealing to this Board at the suggestion of Township counsel and in an effort to reach a prompt resolution. However, Applicants do not agree that this Board has any authority over the issuance or denial of the requested building permit, which is a Township responsibility pursuant to statute. Applicants reserve all rights to pursue any and all available appeals, and to pursue original actions in Michigan state and/or federal courts at any time. Applicants do not concede that filing this "appeal" is necessary or required to perfect any other legal challenge it may pursue.

The core of this appeal is that absolutely nothing in the Township ordinances, or building , zoning, or fire codes requires a lot owner to pay the Township to extend a public utility (here a water main), as a condition of obtaining a building permit. The Township has evidently delegated some of its responsibility to issue or deny building permits to the Fire District, and the Fire District has unilaterally determined that Applicants must pay to extend municipal water in order to make any economically viable use of their property. Yet, the cost of extending municipal water exceeds the value of the property, rendering the property valueless. The Fire Code does not require this outcome at all; no provision of the Code requires a single homeowner to extend a municipal water main at its expense for the purpose of installing fire hydrants. The present "requirement" is the result of the Fire District's subjective desire that fire hydrants be installed at this property. The District, however, does not impose that same requirement on other single-family construction anywhere in the Township. Indeed, the Fire District repeatedly cites a "single-family dwelling exemption" as the reason for not requiring municipal fire hydrants. Without any basis in law, the Fire District arbitrarily decides who will receive a "single-family dwelling exemption" and who will not. The lack of legal authority for this action, not to mention objective criteria or uniform application, renders the Fire District's (Township's) action unlawful and unconstitutional. By way of further explanation, Applicants attach the December 4, 2020 letter to Township counsel, which is incorporated by reference in this appeal.

We think the construction appeal is the correct jurisdiction for this.



Bridgewater Place | Post Office Box 352
Grand Rapids, Michigan 49501-0352

Telephone 616 / 336-6000 | Fax 616 / 336-7000 | www.varnumlaw.com

Aaron M. Phelps

Direct 616 / 336-6257
amphelps@varnumlaw.com

Via email (ncurcio@curciofirm.com)

December 4, 2020

Nick Curcio, Esq.
Curcio Law Firm PLC
3547 Alpine Avenue, NW #104
Grand Rapids, MI 49544

Re: 3487 66th Street

Dear Mr. Curcio:

On August 20, 2020, Mr. Clayton Schutter of Benchmark Design Studio received a letter from the Saugatuck Township Fire District ("STFD") relating to the property in Saugatuck Township (the "Township") at 3487 66th Street, a/k/a Parcel No. 20-003-063-17. According to this letter, before allowing construction on that parcel, the STFD would be requiring that an "approved water supply" be provided. This "approved water supply," according to paragraph 14 of the letter, would require the "installation of [a] water main and fire hydrants," and amounts to a demand that municipal water be extended to the parcel at the parcel owner's expense.

No ordinance adopted by the Township—and no provision of the 2015 International Fire Code, as adopted by the Township (the "Fire Code")—requires the extension of municipal water in this instance. There is simply no reason why anyone building a single-family home on a single parcel would think that they would be required to extend municipal water before beginning construction.

The only instance in which the Township's Code of Ordinances may specifically require the extension of public utilities, including municipal water, is in the case of a subdivision of land. *See* Article III of Chapter 20 of the Code of Ordinances. In the subdivision context, section 20-199 requires "public and other improvements" potentially including a "water supply system." *See* Ordinance § 20-199(2). But this section is inapplicable to the property at 3487 66th Street, since it is not the result of a subdivision, and thus not subject to Article III at all. Rather, 3487 66th Street is merely the result of an approved land division under Section 108 of the Land Division Act, 1967 P.A. 288. It is only subject to Article II of Chapter 20 of the Code of Ordinances, which contains no requirements related to the extension of public water.

Prior to its sale to Tyler and Josiline Bowdish, 3487 66th Street belonged to our client, Blue Dune, LLC. Besides the fact that our client had no reason to expect a demand to extend municipal water—whether under the Fire Code or otherwise—at every point since its application

for land division in late 2018 until the STFD's letter on August 20, 2020, Saugatuck Township either failed to mention that any STFD review was necessary or positively assured our client that no such review would be needed. For example, on September 13, 2018, Mr. Steve Kushion assured our client via email that "[i]f you keep the driveways under 150', you're not subject to any STFD review." See Attachment A. Since the driveway at 3487 66th Street would never exceed 150 feet, our client understood this parcel to be exempt from STFD review (for this and other reasons). Similarly, when the Township granted land division approval on October 31, 2018, it made no mention whatsoever of STFD review or approval requirements. See Attachment B.

Since receiving final approval for land division, our client has proceeded to sell several of the parcels resulting from the division of its property in reliance on representations from the Township that all required permits had been received or would be forthcoming and that no extension of municipal water would be necessary for construction. The new parcel owners, including Tyler and Josiline Bowdish, similarly took title with the reasonable expectation that no additional material infrastructural improvements needed to be completed before construction of their home could begin.

Against this backdrop, our client's surprise and frustration upon hearing of the STFD's August 20, 2020 letter cannot be overstated. At the latest possible moment, without support in its ordinances, and despite all other relevant approvals, the Township has elected to hold parcel purchasers hostage to its demand that municipal water service be extended under the guise of "fire protection." The Township's abrupt about-face is not only unfair and inequitable; it is arbitrary and unconstitutional.

Demanding that our client and its purchasers extend municipal water for "fire protection" is a violation of their rights to substantive due process and equal protection of the laws. The Township is not permitted to selectively and arbitrarily enforce its laws with discriminatory purpose and effect. See *Bowman v. City of Olmsted Falls*, 756 Fed. App'x 526 (6th Cir. 2018). The Township learned directly in 2005 that "the government may not deprive a person of liberty or property by an "arbitrary" exercise of power." *Wolters Realty, Ltd. v. Saugatuck Twp.*, No. 247228, 2005 WL 2757994, at *1 (Mich. App. Oct. 25, 2005) (citing *Landon Holdings, Inc. v. Grattan Twp.*, 257 Mich. App. 154, 173, 667 N.W.2d 93 (2003)) (emphasis in original). In that case, the court invalidated the Township's unreasonable and arbitrary attempt to prevent the construction of a "travel plaza" that included a gas station. It did so notwithstanding the Township's objection that it allegedly had a "legitimate and reasonable interest in prohibiting the development of the travel plaza because there is no city water or sewer service to serve [the] land . . ." and that "the absence of water and sewer poses a problem because there is a risk of a fire at a gas station, and this risk is magnified by the lack of access to public water." *Id.* at *3. According to the court:

[W]e observe that in addition to many single-family residences that are located in the geographical area near plaintiff's property, roughly twelve commercial establishments already exist in the area . . . , including one gas station. These existing residences and commercial uses have been adequately serviced by non-public sewer and water. Therefore, we are not persuaded by defendant's argument that one additional commercial business, plaintiff's travel plaza, could not also be adequately served without public water and sewer.

Id.

As in *Wolters Realty*, the Township here has attempted to arbitrarily and selectively impose a requirement not imposed on similar parcels. The documents included here as Attachment C demonstrate that the Township has granted at least five site plan approvals within the past year to single-family residences without a demand for the extension of municipal water or any other demand related to an "approved water supply." It did this on the basis of a "single-family dwelling exemption." Although we can find no such exemption expressly stated in the Township's ordinances or the Fire Code (nor can Deputy Chief Chris Mantels as he never cites to it), to the extent it exists in the law, it most surely applies to the single-family dwelling to be built at 3487 66th Street. And to the extent that the exemption is merely an informal policy of the STFD, the STFD's refusal to apply it here represents nothing other than a "deprivation of liberty by an arbitrary exercise of power." *Id.* There is no difference between the parcels referenced in Attachment C and 3487 66th Street. In fact, the Heron Bay properties were approved despite the lack of emergency vehicle turnaround – an alleged requirement under the Fire Code.

The STFD has attempted to justify its demand on the basis that 3487 66th Street is part of a larger "development." The August 20, 2020 letter refers to 3487 66th Street as "Parcel #20-003-063-17 of the Van Horn Development," and in a November 25, 2020, email response to our client Mr. Mantels claimed that "Section 102.5 of the International Fire Code (IFC) 2015 edition," requires "review of residential developments." Besides the fact that Section 102.5 provides no such thing, there is no legal basis for treating this parcel and other parcels resulting from our client's land division as a collective whole.

As explained above, this parcel is not the product of a plat or subdivision that would be governed by Article III of Chapter 20 of the Township's Code of Ordinances. Rather, it is the product of a land division under Section 108 of the Land Division Act and Article II of Chapter 20. And unlike subdivisions, which are by practical necessity developed under common control (in part because of the requirements of Article III), all development on the parcels resulting from our client's approved land division, including 3487 66th Street, is expected to be undertaken individually by the purchaser of each parcel. As defined by Section 20-27 of the Township's Code of Ordinances (which is part of Article II), "Development Site" is "any Parcel on which building development exists or which is intended for building development, other than agricultural or forestry uses as those uses are defined in section 102(k) of the Land Division Act (MCL 560.102(K))" (emphasis added). Each parcel here is a "development site." There is no such thing as the "VanHorn Development."

Deprived of this shield, the Township cannot demonstrate that the STFD's demand is anything more than arbitrary. It cannot explain why the STFD's "single-family dwelling exemption" applies to 6573 Heron Bay Dr., 3144 Red Oak Dr., Old Owl Dr. Parcel #0320-020-035-01, Old Owl Dr. Parcel No. 0320-020-035-02, and 6482 Riverside Road, but not to 3487 66th Street. STFD's demand is therefore unconstitutional as an arbitrary and selective application of the Fire Code.

The STFD's demand also represents an unconstitutional taking without just compensation. The Township cannot by regulation deprive our client and the parcel owners, respectively, of their property without just compensation. Specifically, the Township cannot regulate "all economically beneficial or productive use" out of the land or effect such a negative economic impact on the land

and interfere with distinct investment-backed expectations to such an extent that it impedes the use of the land despite not necessarily depriving its owners of *all* economically beneficial use. See *Palazzolo v. Rhode Island*, 533 U.S. 606, 617 (2001).

By requiring the extension of municipal water to service each parcel, the Township has rendered the parcels unbuildable. In fact, the STFD purports to prohibit even the *presence* of construction materials on the premises without the extension of municipal water. This has drained all economic value from our client's parcels, as well as those sold. In so doing, the Township has interfered with the reasonable investment-backed expectations of everyone involved, who had no reason to expect the STFD to swoop in at the latest possible moment, after other permits and approvals had already been issued, to arbitrarily impose a requirement not imposed on other single-family dwellings. Parcel owners are now being told that they can building NOTHING on the property, without first spending \$750,000 to possibly \$1 million to extend a public utility. The Township may not do this. See *Wolters Realty*, 2005 WL 2757994, at *1. The United States Supreme Court has recently paved the way for such claims against local governments to be filed directly in United States District Court. *Knick v. Township of Scott, Pennsylvania*, ___ U.S. ___, 139 S.Ct. 2162 (2019).

Allow me to state what should be obvious; this problem is not going away. No one is going to spend \$750,000 or more to extend the Township's water lines to a \$100,000 parcel. The Township is imposing a requirement that cannot be met. Further, the ensuing lawsuits will be brought by the actual parcel owners; this matter does not concern a "development," no matter how many times the STFD may say so. The Township approved land divisions without any condition of municipal water extension. The resulting parcels have been sold to third-party purchasers for independent development. As those parcel owners are denied permits, they will have no choice but to file individual suits as outlined above.

We are confident that the arbitrary application of "requirements" that are nowhere found in the Township's ordinances will not be well received by the courts. That said, litigation is rarely in anyone's best interest and therefore we—again—ask the Township to re-consider its position and issue the requested building permit.

Very truly yours,

VARNUM



Aaron M. Phelps

AMP/msp

17256408.1

Attachment A

Please print this email thread for me

Chad Van Horn
Owner
Beacon Sotheby's International Realty
29 W 8th Street, Suite 240
Holland, MI 49423
M: 269.217.0122
O: 269.673.7133
Please forgive any brevity.
Sent from my iPad.

Begin forwarded message:

From: Steve Kushion <skushion@saugatucktownship.org>
Date: September 13, 2018 at 4:55:09 PM EDT
To: Chad VanHorn <chad@beaconsir.com>
Subject: RE: Driveway

If you keep the driveways under 150', you're not subject to any STFD review.

From: Chad VanHorn <chad@beaconsir.com>
Sent: Thursday, September 13, 2018 4:50 PM
To: Steve Kushion
Subject: Driveway

Steve,

Good afternoon. I've obtained a driveway permit from the Allegan County Road Commission for a new drive access to the east side of my property. I will build the drive to their specs and meet Twp requirements for setbacks, minimum width, etc. It will NOT be longer than 150'. Upon reviewing the ZO and per my recollection of our prior discussions, I do not believe further review or permit is required, aside from the permit that I have obtained from the Allegan County Road Commission - Correct?

Regards,

Chad Van Horn
Owner
Beacon Sotheby's International Realty
29 W 8th Street, Suite 240
Holland, MI 49423
M: 269.217.0122
O: 269.673.7133
Please forgive any brevity.
Sent from my iPad.

Attachment B



SAUGATUCK TOWNSHIP

WWW.SAUGATUCKTOWNSHIP.ORG

3461 BLUE STAR HIGHWAY
P.O. BOX 100
SAUGATUCK, MI 49453

PHONE (269) 857-7721
FAX (269) 857-4542

October 31, 2018

Chad and Jenny Van Horn
3515 66th St.
Saugatuck, MI 49453

Dear Chad and Jenny,

This is to confirm that your application for land division to divide Parcel 03-20-003-063-00 into 5 lots as shown and described by the survey and legal descriptions prepared by Nederved on 7-23-18 with a Project No. of 18200056DSC3 has been approved by Saugatuck Township.

If you have any questions, give me a call at 269-857-7721 or by email at skushion@saugatucktowsnip.org.

Sincerely,

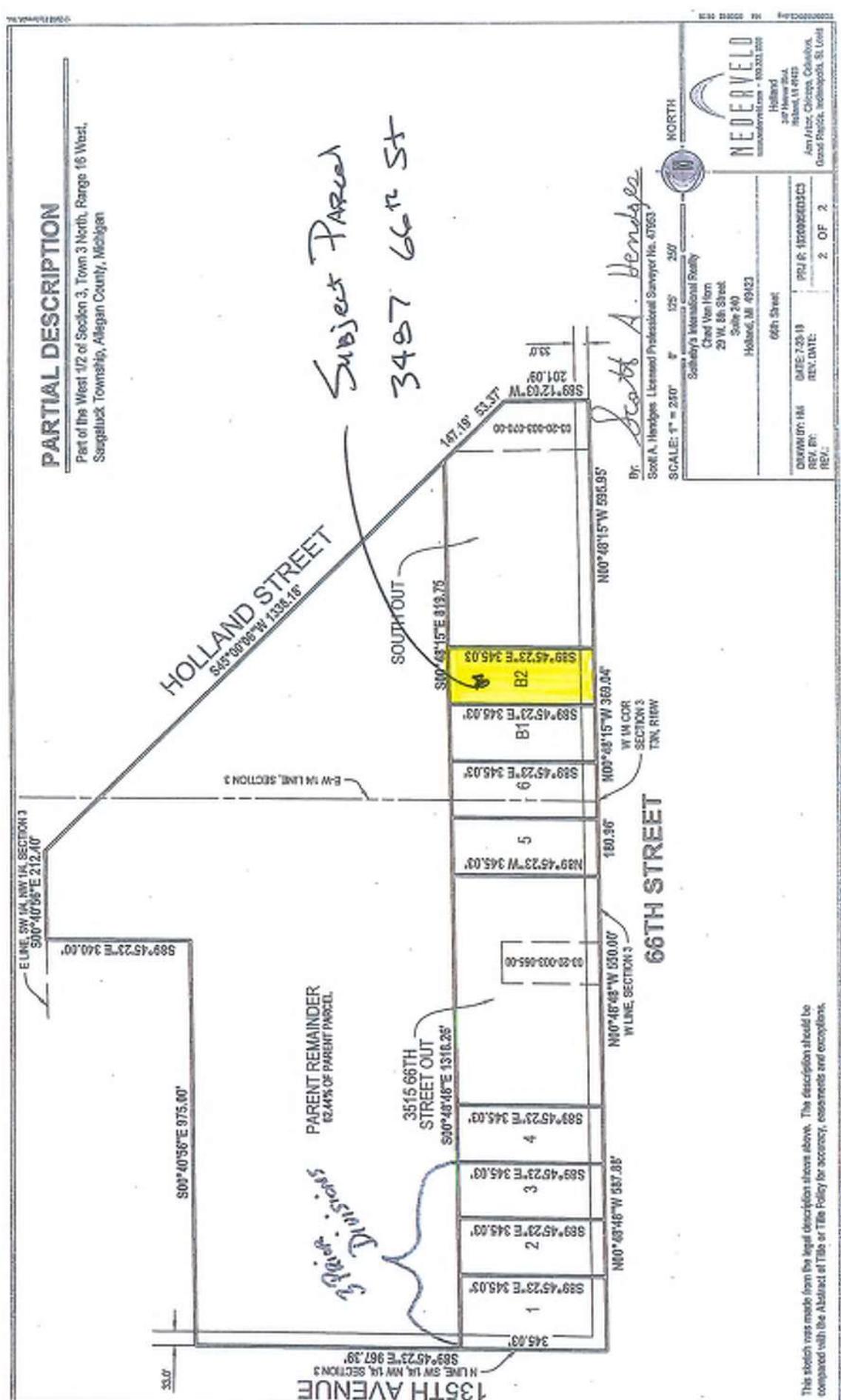
Steve Kushion
Zoning Administrator/Planner

CC: Sherry Mason, Assessor

PARTIAL DESCRIPTION

Part of the West 1/2 of Section 3, Town 3 North, Range 16 West,
Saugatuck Township, Allegan County, Michigan

Subject Parcel
3487 66th St



Dr. *Scott A. Hendges*
Scott A. Hendges, Licensed Professional Surveyor No. 47653

SCALE: 1" = 250'
NORTH

Sotheby's International Realty
Chad Van Horn
29 W. 88 Street
Suite 240
Holland, MI 49423
66th Street

DATE: 7-23-19
REV. DATE:
PRJ #: 19090203C3
REV. #:
2 OF 2



This sketch was made from the legal description shown above. The description should be compared with the Abstract of Title or Title Policy for accuracy, easements and encroachments.

Bonus Division 1: Part of the Southwest 1/4 of Section 3, Town 3 North, Range 16 West, Saugatuck Township, Allegan County, Michigan, described as: Commencing at the West 1/4 corner of said Section; thence S00°48'15"E 94.04 feet along the West line of said Section to the Point of Beginning; thence continuing S00°48'15"E 137.50 feet along said West line; thence S89°45'23"E 345.03 feet parallel with the North line of the Southwest 1/4 of the Northwest 1/4 of said Section; thence N00°48'15"W 137.50 feet; thence N89°45'23"W 345.03 feet to the Point of Beginning. Contains 1.09 acres. Subject to highway right-of-way for 66th Street over the Westerly most 33.00 feet thereof. Subject to easements, restrictions and rights-of-way of record.

Bonus Division 2: Part of the Southwest 1/4 of Section 3, Town 3 North, Range 16 West, Saugatuck Township, Allegan County, Michigan, described as: Commencing at the West 1/4 corner of said Section; thence S00°48'15"E 231.54 feet along the West line of said Section to the Point of Beginning; thence continuing S00°48'15"E 137.50 feet along said West line; thence S89°45'23"E 345.03 feet parallel with the North line of the Southwest 1/4 of the Northwest 1/4 of said Section; thence N00°48'15"W 137.50 feet; thence N89°45'23"W 345.03 feet to the Point of Beginning. Contains 1.09 acres. Subject to highway right-of-way for 66th Street over the Westerly most 33.00 feet thereof. Subject to easements, restrictions and rights-of-way of record.

"PARENT REMAINDER": Part of the Southwest & Northwest 1/4 of Section 3, Town 3 North, Range 16 West, Saugatuck Township, Allegan County, Michigan, described as: Commencing at the West 1/4 corner of said Section; thence N00°48'48"W 1318.84 feet along the West line of the Northwest 1/4 of said Section; thence S89°45'23"E 345.03 feet along the North line of the Southwest 1/4 of the Northwest 1/4 of said Section to the Point of Beginning; thence continuing S89°45'23"E 592.36 feet along said North line; thence S00°40'56"E 975.00 feet; thence S89°45'23"E 340.00 feet; thence S00°40'56"E 212.40 feet along the East line of the Southwest 1/4 of the Northwest 1/4 of said Section; thence S45°00'06"W 1338.18 feet along the Northerly right-of-way line of Holland Street; thence N00°48'15"W 819.57 feet parallel with the West line of the Southwest 1/4 of said Section; thence N00°48'48"W 1318.26 feet to the Point of Beginning. Contains 29.05 acres. Subject to highway right of way for 135th Street over the Northerly most 33.00 feet thereof. Subject to easements, restrictions and rights-of-way of record.

3487 66th Street

"Legal Descriptions"

~~Para~~
Division 1: Part of the Northwest 1/4 of Section 3, Town 3 North, Range 16 West, Saugatuck Township, Allegan County, Michigan, described as: Commencing at the West 1/4 corner of said Section; thence N00°48'48"W 1143.46 feet along the West line of said Section to the Point of Beginning; thence continuing N00°48'48"W 175.38 feet along said West line; thence S89°45'23"E 345.03 feet along the North line of the Southwest 1/4 of the Northwest 1/4 of said Section; thence S00°48'48"E 175.38 feet; thence N89°45'23"W 345.03 feet to the Point of Beginning. Contains 1.39 acres. Subject to highway right-of-way for 66th Street over the Westerly most 33.00 feet thereof. Also, subject to highway right-of-way for 135th Street over the Northerly most 33.00 feet thereof. Subject to easements, restrictions and rights-of-way of record.

~~Para~~
Division 2: Part of the Northwest 1/4 of Section 3, Town 3 North, Range 16 West, Saugatuck Township, Allegan County, Michigan, described as: Commencing at the West 1/4 corner of said Section; thence N00°48'48"W 1005.96 feet along the West line of said Section to the Point of Beginning; thence continuing N00°48'48"W 137.50 feet along said West line; thence S89°45'23"E 345.03 feet parallel with the North line of the Southwest 1/4 of the Northwest 1/4 of said Section; thence S00°48'48"E 137.50 feet; thence N89°45'23"W 345.03 feet to the Point of Beginning. Contains 1.09 acres. Subject to highway right-of-way for 66th Street over the Westerly most 33.00 feet thereof. Subject to easements, restrictions and rights-of-way of record.

~~Para~~
Division 3: Part of the Northwest 1/4 of Section 3, Town 3 North, Range 16 West, Saugatuck Township, Allegan County, Michigan, described as: Commencing at the West 1/4 corner of said Section; thence N00°48'48"W 868.46 feet along the West line of said Section to the Point of Beginning; thence continuing N00°48'48"W 137.50 feet along said West line; thence S89°45'23"E 345.03 feet parallel with the North line of the Southwest 1/4 of the Northwest 1/4 of said Section; thence S00°48'48"E 137.50 feet; thence N89°45'23"W 345.03 feet to the Point of Beginning. Contains 1.09 acres. Subject to highway right-of-way for 66th Street over the Westerly most 33.00 feet thereof. Subject to easements, restrictions and rights-of-way of record.

Division 4: Part of the Northwest 1/4 of Section 3, Town 3 North, Range 16 West, Saugatuck Township, Allegan County, Michigan, described as: Commencing at the West 1/4 corner of said Section; thence N00°48'48"W 730.96 feet along the West line of said Section to the Point of Beginning; thence continuing N00°48'48"W 137.50 feet along said West line; thence S89°45'23"E 345.03 feet parallel with the North line of the Southwest 1/4 of the Northwest 1/4 of said Section; thence S00°48'48"E 137.50 feet; thence N89°45'23"W 345.03 feet to the Point of Beginning. Contains 1.09 acres. Subject to highway right-of-way for 66th Street over the Westerly most 33.00 feet thereof. Subject to easements, restrictions and rights-of-way of record.

Division 5: Part of the Northwest 1/4 of Section 3, Town 3 North, Range 16 West, Saugatuck Township, Allegan County, Michigan, described as: Commencing at the West 1/4 corner of said Section; thence N00°48'48"W 43.46 feet along the West line of said Section to the Point of Beginning; thence continuing N00°48'48"W 137.50 feet along said West line; thence S89°45'23"E 345.03 feet parallel with the North line of the Southwest 1/4 of the Northwest 1/4 of said Section; thence S00°48'48"E 137.50 feet; thence N89°45'23"W 345.03 feet to the Point of Beginning. Contains 1.09 acres. Subject to highway right-of-way for 66th Street over the Westerly most 33.00 feet thereof. Subject to easements, restrictions and rights-of-way of record.

Division 6: Part of the Southwest and Northwest 1/4 of Section 3, Town 3 North, Range 16 West, Saugatuck Township, Allegan County, Michigan, described as: Beginning at the West 1/4 corner of said Section; thence N00°48'48"W 43.46 feet along the West line of said Section; thence S89°45'23"E 345.03 feet parallel with the North line of the Southwest 1/4 of the Northwest 1/4 of said Section; thence S00°48'48"E 42.88 feet; thence S00°48'15"E 94.62 feet parallel with the West line of the Southwest 1/4 of said Section; thence N89°45'23"W 345.03 feet; thence N00°48'15"W 94.04 feet along said West line to the Point of Beginning. Contains 1.09 acres. Subject to highway right-of-way for 66th Street over the Westerly most 33.00 feet thereof. Subject to easements, restrictions and rights-of-way of record.

Attachment C



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

July 23rd, 2020

Patrick Murphy Builders
186 Hamilton Street
Douglas, MI 49406

Re: 6573 Heron Bay Dr, Saugatuck, MI – New Residence – Site Plan Review #1 for new residence.

Dear Mr. Murphy,

We are in receipt of the site plan for 6573 Heron Bay received 7/15/2020. We reviewed the plans using the International Fire Code (IFC) 2015 edition. Please see the result of the fire department review listed *below*.

1. Dead end driveways and access roads in excess of 150 feet in length shall be provided with an approved area for turning around with fire apparatus (IFC 503.2.5) **Not applicable, structure is only +/- 46 feet from the roadway.**
2. "No Parking Fire Lane" signage shall be installed at the dead end of the turnaround. (IFC 503.3) **Not applicable**
3. No parking shall be allowed within the turnaround. The area must be clear and unobstructed for turnaround at all times. (IFC 503.4)
4. Fire apparatus access roads and driveways shall have an unobstructed width of not less than 20 feet, exclusive of shoulders. (IFC 503.2.1) **Approved, driveway is shown as 16' minimum width in plans provided.**
5. Minimum clear height shall be 13'6" across the entire 20ft width of driveway. (IFC 503.2.1) **Approved, height clearance is noted as 13'6" in plans provided.**
6. Road shall not exceed the 10% maximum grade. (IFC 503.2.7) **Approved, grade is noted as less than 10% in plans provided.**
7. The driveway shall be installed with asphalt, concrete, or other approved driving surfaces capable of supporting the 80,000-pound imposed load of our heaviest apparatus and be installed to provide emergency access prior to commencement of building construction. (IFC 503.2.3) **Approved, weight capacity is noted as concrete to support 80,000lbs in plans provided.**
8. The road shall be maintained free of snow and ice to provide all weather driving capabilities. (IFC 503.2.3)
9. Fire department access roads shall be constructed and maintained for all construction sites. (IFC 3310.1)
10. The installation of security gates across a fire apparatus access road shall be approved by the fire chief. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200. (IFC 503.6) **No gate appears to be shown in the plans provided, however if it is installed in the future, a Knox Key switch is required for**



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emergency access and activation.

11. New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. (IFC 505.1) *Address signage must be posted prior to commencement of construction. Green reflective address signs are preferred.*
12. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type listed in accordance with UL 1037, and shall contain keys to gain necessary access as required by the fire code official. (IFC 506.1) *Not applicable (Single-family dwelling exemption).*
13. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings, or portions of buildings are hereafter constructed or moved into or within the jurisdiction. (IFC 507.1) *Not applicable (Single-family dwelling exemption).*
14. The fire code official shall be notified prior to the water supply test. Water supply tests shall be witnessed by the fire code official, or approved documentation of the test shall be provided to the fire code official prior to final approval of the water supply system. (IFC 507.4) *Not applicable (Single-family dwelling exemption).*
15. A hydrant is required within 400 ft. of any exterior portion of a non-sprinklered building or 600 ft. for an R-3 occupancy or sprinklered building. (IFC 507.5.1) *Not applicable (Single-family dwelling exemption).*
16. An approved water supply for fire protection, either temporary or permanent, shall be made available as soon as combustible material arrives on the site. (IFC 3312.1) *Not applicable (Single-family dwelling exemption).*
17. Upon completion of construction, physical testing with apparatus will be required. If the apparatus is unable to navigate the completed road and driveway in a safe and efficient manner, modifications may be required.
18. Anything omitted in this plan review is subject to field inspection. (IFC 105.4.4)

You have approval from the fire department to begin construction at 6573 Heron Bay Dr, for a new residence in Saugatuck Township if you are in agreement with the above-mentioned items. Please ensure you receive the appropriate permits from Saugatuck Township prior to commencement of construction. Please let us know if you have any questions.

Respectfully Yours,

Chris Mantels
Deputy Chief / Fire Inspector

Cc: Greg Janik – Fire Chief (via email)
Lynee Wells – Zoning Administrator (via email)
Alfred Ellingsen – Building Official (via email)



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3342 Blue Star Highway
Saugatuck, MI 49453
269 857-3000 / Fax: 269 857-1228
E-mail: office@saugatuckfire.org

April 17th, 2020

Custom Carpentry Inc.
c/o Chris Lozano
6316 128th Ave.
Fennville, MI 49408

Re: 3144 Red Oak Dr, Saugatuck Township, MI – New Residence – Site Plan Review #1

Dear Mr. Lozano,

We are in receipt of the site plan for 3144 Red Oak Drive, received 3/18/2020. We reviewed the plans using the International Fire Code (IFC) 2015 edition. Please see the result of the fire department review listed *below*.

1. Dead end driveways and access roads in excess of 150 feet in length shall be provided with an approved area for turning around with fire apparatus (IFC 503.2.5) **Not applicable, driveway is less than 115 feet in length as shown in plans provided.**
2. "No Parking Fire Lane" signage shall be installed at the dead end of the turnaround. (IFC 503.3) **Approved, no signage needed. (Single-family dwelling exemption)**
3. No parking shall be allowed within the turnaround. The area must be clear and unobstructed for turnaround at all times. (IFC 503.4)
4. Fire apparatus access roads and driveways shall have an unobstructed width of not less than 20 feet, exclusive of shoulders. (IFC 503.2.1) **Approved, driveway is shown as 20 feet in width.**
5. Minimum clear height shall be 13'6" across the entire 20ft width of driveway. (IFC 503.2.1) **Approved, height clearance is noted as no trees above in the plans provided.**
6. Road shall not exceed the 10% maximum grade. (IFC 503.2.7) **Approved, grade is noted as 1% in the plans provided.**
7. The driveway shall be installed with asphalt, concrete, or other approved driving surfaces capable of supporting the 80,000-pound imposed load of our heaviest apparatus and be installed to provide emergency access prior to commencement of building construction. (IFC 503.2.3) **Approved driveway is shown as concrete over sand to support 80,000lbs in the plans provided.**
8. The road shall be maintained free of snow and ice to provide all weather driving capabilities. (IFC 503.2.3)
9. Fire department access roads shall be constructed and maintained for all construction sites. (IFC 3310.1) **Please ensure the driveway, apparatus access road, and/or turnaround are installed prior to construction material being delivered to the site.**
10. The installation of security gates across a fire apparatus access road shall be approved by the fire chief. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times. Electric gate operators, where



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provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200. (IFC 503.6) *No gate is listed in the plans provided, however if it is installed in the future, a Knox Key switch is required for emergency access and activation*

11. New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. (IFC 505.1) *Address signage must be posted prior to commencement of construction. Green reflective address signs are preferred and are available free of charge to Fire District properties at <https://www.saugatuckfire.org/address-sign-order-form.html>*
12. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type listed in accordance with UL 1037, and shall contain keys to gain necessary access as required by the fire code official. (IFC 506.1) *Not applicable (Single-family dwelling exemption).*
13. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings, or portions of buildings are hereafter constructed or moved into or within the jurisdiction. (IFC 507.1) *Not applicable (Single-family dwelling exemption).*
14. The fire code official shall be notified prior to the water supply test. Water supply tests shall be witnessed by the fire code official, or approved documentation of the test shall be provided to the fire code official prior to final approval of the water supply system. (IFC 507.4) *Not applicable (Single-family dwelling exemption).*
15. A hydrant is required within 400 ft. of any exterior portion of a non-sprinklered building or 600 ft. for an R-3 occupancy or sprinklered building. (IFC 507.5.1) *Not applicable (Single-family dwelling exemption).*
16. An approved water supply for fire protection, either temporary or permanent, shall be made available as soon as combustible material arrives on the site. (IFC 3312.1) *Not applicable (Single-family dwelling exemption).*
17. Upon completion of construction, physical testing with apparatus will be required. If the apparatus is unable to navigate the completed road and driveway in a safe and efficient manner, modifications may be required.
18. Anything omitted in this plan review is subject to field inspection. (IFC 105.4.4)

You have approval from the fire department to begin construction at 3144 Red Oak Dr in Saugatuck Township if you are in agreement with the above-mentioned items. Please ensure you receive the appropriate permits from Saugatuck Township prior to commencement of construction. Please let us know if you have any questions.

Respectfully Yours,

Chris Mantels
Deputy Chief / Fire Inspector

Cc: Greg Janik – Fire Chief (via email)
Lynee Wells – Zoning Administrator (via email)
Alfred Ellingsen – Building Official (via email)



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3342 Blue Star Highway
Saugatuck, MI 49453
269 857-3000 / Fax: 269 857-1228
E-mail: office@saugatuckfire.org

November 14th, 2019

Stellar Homes Inc.
c/o Ron Rutkowski
620 3 Mile Road NW,
Grand Rapids, MI 49544

Re: Old Owl Drive – Parcel #0320-020-035-01 – Larry & Mary Jo Sinchak Residence – Site Plan Review #1

Dear Mr. Rutkowski,

We are in receipt of the site plan for Parcel #0320-020-035-01 on Old Owl Drive, received 11/1/2019. We reviewed the plans using the International Fire Code (IFC) 2015 edition. Please see the result of the fire department review listed *below*.

1. Dead end driveways and access roads in excess of 150 feet in length shall be provided with an approved area for turning around with fire apparatus (IFC 503.2.5) *Approved, turnaround in the plans provided meets the minimum dimensions as required.*
2. "No Parking Fire Lane" signage shall be installed at the dead end of the turnaround. (IFC 503.3) *Approved, signage is noted in the plans provided.*
3. No parking shall be allowed within the turnaround. The area must be clear and unobstructed for turnaround at all times. (IFC 503.4)
4. Fire apparatus access roads and driveways shall have an unobstructed width of not less than 20 feet, exclusive of shoulders. (IFC 503.2.1) *Approved, driveway is shown as 20 feet in width.*
5. Minimum clear height shall be 13'6" across the entire 20ft width of driveway. (IFC 503.2.1) *Approved, height clearance is noted as 13' 6" tall for entire 20 feet width in plans provided.*
6. Road shall not exceed the 10% maximum grade. (IFC 503.2.7) *Approved, grade is noted as not to exceed 10% in the plans provided.*
7. The driveway shall be installed with asphalt, concrete, or other approved driving surfaces capable of supporting the 80,000-pound imposed load of our heaviest apparatus and be installed to provide emergency access prior to commencement of building construction. (IFC 503.2.3) *Approved, weight capacity is noted as supporting 80,000lbs.*
8. The road shall be maintained free of snow and ice to provide all weather driving capabilities. (IFC 503.2.3)
9. Fire department access roads shall be constructed and maintained for all construction sites. (IFC 3310.1)
10. The installation of security gates across a fire apparatus access road shall be approved by the fire chief. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed,



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constructed and installed to comply with the requirements of ASTM F 2200. (IFC 503.6) *No gate is listed in the plans provided, however if it is installed in the future, a Knox Key switch is required for emergency access and activation*

11. New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. (IFC 505.1) *Address signage must be posted prior to commencement of construction. Green reflective address signs are preferred. (Please provide the Fire District with the address to the parcel once assigned by the Allegan County Health Department.)*
12. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type listed in accordance with UL 1037, and shall contain keys to gain necessary access as required by the fire code official. (IFC 506.1) *Not applicable (Single-family dwelling exemption).*
13. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings, or portions of buildings are hereafter constructed or moved into or within the jurisdiction. (IFC 507.1) *Not applicable (Single-family dwelling exemption).*
14. The fire code official shall be notified prior to the water supply test. Water supply tests shall be witnessed by the fire code official, or approved documentation of the test shall be provided to the fire code official prior to final approval of the water supply system. (IFC 507.4) *Not applicable (Single-family dwelling exemption).*
15. A hydrant is required within 400 ft. of any exterior portion of a non-sprinklered building or 600 ft. for an R-3 occupancy or sprinklered building. (IFC 507.5.1) *Not applicable (Single-family dwelling exemption).*
16. An approved water supply for fire protection, either temporary or permanent, shall be made available as soon as combustible material arrives on the site. (IFC 3312.1) *Not applicable (Single-family dwelling exemption).*
17. Upon completion of construction, physical testing with apparatus will be required. If the apparatus is unable to navigate the completed road and driveway in a safe and efficient manner, modifications may be required.
18. Anything omitted in this plan review is subject to field inspection. (IFC 105.4.4)

You have approval from the Fire District to begin construction at -- Parcel #0320-020-035-01 on Old Owl Drive, Saugatuck Township, MI if you are in agreement with the above-mentioned items. Please ensure you receive the appropriate permits from Saugatuck Township prior to commencement of construction.

Respectfully Yours,

Chris Mantelo
Deputy Chief / Fire Inspector

Cc: Greg Janik -- Fire Chief (via email)
Lynce Wells -- Zoning Administrator (via email)
Alfred Ellingsen -- Building Official (via email)



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3342 Blue Star Highway
Saugatuck, MI 49453
269 857-3000 / Fax: 269 857-1228
E-mail: office@saugatuckfire.org

November 15th, 2019

Stellar Homes Inc.
c/o Ron Rutkowski
620 3 Mile Road NW,
Grand Rapids, MI 49544

Re: Old Owl Drive – Parcel #0320-020-035-02 – Jason & Erica Sinchak Residence – Site Plan Review #1

Dear Mr. Rutkowski,

We are in receipt of the site plan for Parcel #0320-020-035-02 on Old Owl Drive, received 11/1/2019. We reviewed the plans using the International Fire Code (IFC) 2015 edition. Please see the result of the fire department review listed *below*.

1. Dead end driveways and access roads in excess of 150 feet in length shall be provided with an approved area for turning around with fire apparatus (IFC 503.2.5) **Approved, turnaround in the plans provided meets the minimum dimensions as required.**
2. "No Parking Fire Lane" signage shall be installed at the dead end of the turnaround. (IFC 503.3) **Approved, signage is noted in the plans provided.**
3. No parking shall be allowed within the turnaround. The area must be clear and unobstructed for turnaround at all times. (IFC 503.4)
4. Fire apparatus access roads and driveways shall have an unobstructed width of not less than 20 feet, exclusive of shoulders. (IFC 503.2.1) **Approved, driveway is shown as 20 feet in width.**
5. Minimum clear height shall be 13'6" across the entire 20ft width of driveway. (IFC 503.2.1) **Approved, height clearance is noted as 13' 6" tall for entire 20 feet width in plans provided.**
6. Road shall not exceed the 10% maximum grade. (IFC 503.2.7) **Approved, grade is noted as not to exceed 10% in the plans provided.**
7. The driveway shall be installed with asphalt, concrete, or other approved driving surfaces capable of supporting the 80,000-pound imposed load of our heaviest apparatus and be installed to provide emergency access prior to commencement of building construction. (IFC 503.2.3) **Approved, weight capacity is noted as supporting 80,000lbs.**
8. The road shall be maintained free of snow and ice to provide all weather driving capabilities. (IFC 503.2.3)
9. Fire department access roads shall be constructed and maintained for all construction sites. (IFC 3310.1)
10. The installation of security gates across a fire apparatus access road shall be approved by the fire chief. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed,



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constructed and installed to comply with the requirements of ASTM F 2200. (IFC 503.6) *No gate is listed in the plans provided, however if it is installed in the future, a Knox Key switch is required for emergency access and activation*

11. New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. (IFC 505.1) *Address signage must be posted prior to commencement of construction. Green reflective address signs are preferred. (Please provide the Fire District with the address to the parcel once assigned by the Allegan County Health Department.)*
12. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type listed in accordance with UL 1037, and shall contain keys to gain necessary access as required by the fire code official. (IFC 506.1) *Not applicable (Single-family dwelling exemption).*
13. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings, or portions of buildings are hereafter constructed or moved into or within the jurisdiction. (IFC 507.1) *Not applicable (Single-family dwelling exemption).*
14. The fire code official shall be notified prior to the water supply test. Water supply tests shall be witnessed by the fire code official, or approved documentation of the test shall be provided to the fire code official prior to final approval of the water supply system. (IFC 507.4) *Not applicable (Single-family dwelling exemption).*
15. A hydrant is required within 400 ft. of any exterior portion of a non-sprinklered building or 600 ft. for an R-3 occupancy or sprinklered building. (IFC 507.5.1) *Not applicable (Single-family dwelling exemption).*
16. An approved water supply for fire protection, either temporary or permanent, shall be made available as soon as combustible material arrives on the site. (IFC 3312.1) *Not applicable (Single-family dwelling exemption).*
17. Upon completion of construction, physical testing with apparatus will be required. If the apparatus is unable to navigate the completed road and driveway in a safe and efficient manner, modifications may be required.
18. Anything omitted in this plan review is subject to field inspection. (IFC 105.4.4)

You have approval from the Fire District to begin construction at -- Parcel #0320-020-035-02 on Old Owl Drive, Saugatuck Township, MI if you are in agreement with the above-mentioned items. Please ensure you receive the appropriate permits from Saugatuck Township prior to commencement of construction.

Respectfully Yours,

Chris Mantels
Deputy Chief / Fire Inspector

Cc: Greg Janik -- Fire Chief (via email)
Lynsee Wells -- Zoning Administrator (via email)
Alfred Ellingsen -- Building Official (via email)



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3342 Blue Star Highway
Saugatuck, MI 49453
269 857-3000 / Fax: 269 857-1228
E-mail: office@saugatuckfire.org

December 6th, 2019

Custom Carpentry Inc.
c/o Chris Lozano
6316 128th Ave.
Fennville, MI 49408

Re: 6482 Riverside Road, Saugatuck Township, MI – Gamble Residence – Site Plan Review #2

Dear Mr. Lozano,

We are in receipt of the revised site plan for 6482 Riverside Road, received 11/26/2019. We reviewed the plans using the International Fire Code (IFC) 2015 edition. Please see the result of the fire department review listed *below*.

1. Dead end driveways and access roads in excess of 150 feet in length shall be provided with an approved area for turning around with fire apparatus (IFC 503.2.5) ***Not applicable, driveway is less than 135 feet in length as shown in plans provided.***
2. "No Parking Fire Lane" signage shall be installed at the dead end of the turnaround. (IFC 503.3) ***Approved, no signage needed. (Single-family dwelling exemption)***
3. No parking shall be allowed within the turnaround. The area must be clear and unobstructed for turnaround at all times. (IFC 503.4)
4. Fire apparatus access roads and driveways shall have an unobstructed width of not less than 20 feet, exclusive of shoulders. (IFC 503.2.1) ***Approved, driveway is shown as 20 feet in width.***
5. Minimum clear height shall be 13'6" across the entire 20ft width of driveway. (IFC 503.2.1) ***Approved, height clearance is not noted as clear to the sky in revised submittals.***
6. Road shall not exceed the 10% maximum grade. (IFC 503.2.7) ***Approved, grade is noted as 6% in revised submittals.***
7. The driveway shall be installed with asphalt, concrete, or other approved driving surfaces capable of supporting the 80,000-pound imposed load of our heaviest apparatus and be installed to provide emergency access prior to commencement of building construction. (IFC 503.2.3) ***Approved, shown as 8" crushed concrete in revised submittals to support 80,000lbs.***
8. The road shall be maintained free of snow and ice to provide all weather driving capabilities. (IFC 503.2.3)
9. Fire department access roads shall be constructed and maintained for all construction sites. (IFC 3310.1) ***Please ensure the driveway, apparatus access road, and/or turnaround are installed prior to construction material being delivered to the site.***
10. The installation of security gates across a fire apparatus access road shall be approved by the fire chief. Where



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security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200. (IFC 503.6) ***No gate is listed in the plans provided, however if it is installed in the future, a Knox Key switch is required for emergency access and activation***

11. New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. (IFC 505.1) ***Address signage must be posted prior to commencement of construction. Green reflective address signs are preferred and are available free of charge to Fire District properties at <https://www.saugatuckfire.org/address-sign-order-form.html>***
12. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type listed in accordance with UL 1037, and shall contain keys to gain necessary access as required by the fire code official. (IFC 506.1) ***Not applicable (Single-family dwelling exemption).***
13. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings, or portions of buildings are hereafter constructed or moved into or within the jurisdiction. (IFC 507.1) ***Not applicable (Single-family dwelling exemption).***
14. The fire code official shall be notified prior to the water supply test. Water supply tests shall be witnessed by the fire code official, or approved documentation of the test shall be provided to the fire code official prior to final approval of the water supply system. (IFC 507.4) ***Not applicable (Single-family dwelling exemption).***
15. A hydrant is required within 400 ft. of any exterior portion of a non-sprinklered building or 600 ft. for an R-3 occupancy or sprinklered building. (IFC 507.5.1) ***Not applicable (Single-family dwelling exemption).***
16. An approved water supply for fire protection, either temporary or permanent, shall be made available as soon as combustible material arrives on the site. (IFC 3312.1) ***Not applicable (Single-family dwelling exemption).***
17. Upon completion of construction, physical testing with apparatus will be required. If the apparatus is unable to navigate the completed road and driveway in a safe and efficient manner, modifications may be required.
18. Anything omitted in this plan review is subject to field inspection. (IFC 105.4.4)

You have approval from the fire department to begin construction at 6482 Riverside Road for the Gamble Residence if you are in agreement with the above-mentioned items. Please ensure you receive the appropriate permits from Saugatuck Township prior to commencement of construction. Please let us know if you have any questions.

Respectfully Yours,

Chris Mantels
Deputy Chief / Fire Inspector

Cc: Greg Janik – Fire Chief (via email)
Lynee Wells – Zoning Administrator (via email)
Alfred Ellingsen – Building Official (via email)

Fire District Response



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Fire Code Board of Appeals
Saugatuck Township Fire District
3342 Blue Star Highway
Saugatuck, MI 49453

January 21, 2021

**Re: Parent Parcel 03-20-003-063-00
Child Parcel 03-20-003-063-17 (3487 66th Street)**

Dear Board Members:

This submittal is made on behalf of the Saugatuck Township Fire District (STFD) in response to the appeal filed by Josi and Tyler Bowdish which was received by the STFD on December 14, 2020. That appeal is scheduled to be heard by the Board of Appeals (BOA) on February 1, 2021. The STFD requests that this submittal, along with its attachments, be accepted into the record regarding this matter.

Members of the STFD, including the STFD's Fire Code Official (FCO), plan to be at the hearing on the appeal and will be available to answer questions the BOA may have with regard to this submittal, the provisions of the IFC at issue, or other matters raised by the appellants. The STFD intends to provide additional information in the form of a power point presentation at the February 1 hearing. The STFD reserves the right to request an adjournment of the hearing in the event that additional claims or issues not contained in the original appeal are raised after the date of this submittal.

Issue

The applicant's argument to the BOA appears, in essence, to be that nothing in the Saugatuck Township ordinances or applicable codes (e.g., the International Fire Code, 2015 edition; IFC) requires that public water be extended to the parcel identified above as a condition to issuance of a building permit for that parcel.¹ Initially, it needs to be stated clearly that this mischaracterizes the FCO's stated position which is that the parcel needs an approved water supply system. While public water may (and would) constitute a valid and "approved" system, that is not the only means by which this requirement of the IFC could be met. The burden rests, however, with the appellants, not the FCO or STFD, to identify and submit for review and approval an "approved" water supply in these circumstances.

Put differently, whether there is express language in the Township ordinances or the IFC mandating public water is not the issue; instead, the proper manner in which to determine whether the STFD's position is legally valid is whether the STFD has a right to require that an approved water supply be provided as a condition to issuance of its approval for the building permit as Saugatuck Township has requested. The position of the STFD is that both express language in the IFC as well as the policies applied over many years by the STFD answer this question in the affirmative.

¹ While not checked on the Application for Appeal submitted by the appellants, for purposes of this response, the STFD is interpreting the basis for the appeal as an assertion that the IFC "has been incorrectly interpreted." No other basis would appear to exist in these circumstances.



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Analysis

Two principal grounds support the FCO's determination which is under review in this appeal.

There appears to be no dispute that the type of construction at issue here is residential in nature. In turn, the IFC, at Section 102.5 (see Attachment A), states that for residential construction, the "[c]onstruction and design provisions of [the IFC] pertaining to the exterior of the structure shall apply including, but not limited to, . . . water supplies." (Emphasis added.) Put more directly, the review authority of the FCO relative to single-family homes does extend to a determination of the adequacy of water supplies (see Attachment B).

While "water supplies" is not defined in Chapter 2 of the IFC, it is addressed in Section 507 (see Attachment C). There, the outline of what is required is set forth as "[a]n approved water supply capable of supplying the required fire flow, . . ." This is a determination to be made by the FCO per Sections 102.8 and 104.1 and .2 of the IFC (see Attachment A and D). Thus, based on a plain reading of the IFC's terms, nothing restricts the FCO's review authority to larger "developments" or conversely exempts single-family residences from review of proposed water supplies.

Nonetheless, the STFD has, over many years and in a consistent and uniform manner, permitted a water supply modification so that only residential projects involving three or more total dwelling units are required to provide a more vigorous water supply. That is, where multiple dwelling units are at issue (and correspondingly more lives and property at risk), then an enhanced water supply system will potentially be needed (and required). This also involves a recognition that with larger projects and more numerous dwelling units, the ability of an owner or developer to pay for enhanced water supply is more likely to exist.

Here, the STFD anticipates that the appellants will argue that their request for a building permit is for a single home, divorced from any larger project or development. Presumably, the appellants' position will be that its circumstance fits the policy exception noted in the preceding paragraph and that its request for a permit is independent from any larger "development" or project in the area that would otherwise subject it to FCO review authority. Thus, as posed by the appellants, the question becomes whether this is a standalone parcel or part of a larger project or development.

It is the position of the FCO and STFD that acceding to the appellants' argument would require them to ignore the reality of this particular parcel's place as a part of a larger project which is being undertaken. Accepting the appellants' position will require the BOA, in turn, to ignore or treat as irrelevant the history and context by which this parcel came into being.²

Here, the relevant land division occurred in 2018 (see Attachment F). In order to develop a recreational and associated residential use, the owner and its contractors or agents submitted in early 2020 applications for approval to the Township for the development of a water ski pond and associated sand mining (see Attachment G). Notable is the fact that the application submitted expressly included the appellants' parcel. In other words, in early 2020 this parcel was purposefully included, along with a number of others owned and/or controlled by the developer, as part of the overall approval needed to develop the eventual water ski pond and to get the sand mined.

² In this regard, it is worth noting that the site plan review references in Attachment C of the appellant's lawyer's letter dated December 4, 2020 (see Attachment E), were never submitted to nor reviewed by the STFD as developments. References to those homes is therefore inapplicable to the situation presented. In the interest of a fair and complete record, the STFD is willing, at the request of the BOA, to provide examples of residential development reviews in which an approved water supply was required by the FCO as is the case here.



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Other aspects meriting the BOA's attention and supporting the FCO's position that this parcel cannot properly be viewed in isolation are the following facts (see Attachment H):

- Overall, the project encompassed 47 acres including this parcel.
- The Township Planning Commission findings, in approving the special approval, of necessity found that this project was an integrated whole.
- The Planning Commission's specifically referenced and relied on the Nederveld plan submitted by the applicant which shows how this "development" fit together.
- The developer and his legal counsel at the hearing on the special approval review represented that this was indeed a development and not limited to sand mining. The developer's comments further noted that when additional development (beyond the sand mining) was submitted in the future, then the developer understood they would be subject to STFD review authority.
- The reclamation and similar plans submitted by the owner(s) all made clear that the applicant's parcel was to be included as part of the larger long-term development of the 47 acres.
- Submitted plans on behalf of the developer's agent expressly referenced the larger project (of which this parcel is but a part) as the "66th Street Development."
- All of the parcels (including this one, Lot 11) have common boundaries with the pond to be developed and are part of an integrated whole.

Thus, the particular parcel presently before the BOA on appeal is, quite simply, the first part of that development to now seek a building permit since the overall plans were made public. As such, the larger development, of which it is a part, requires an approved water supply in accordance with Sections 102. 5 and 507 and the STFD policies.

To paraphrase the appellants' position, nothing in the Township ordinances or its adopted codes requires the FCO or the STFD to ignore the reality of a larger project simply because it is being presented to the Township and STFD in a piecemeal fashion by the property owner. The precedent of allowing a developer to bypass the requirement for an approved water supply system would be highly negative; practically, almost all developments are likely to come in for review at the building permit level on a parcel by parcel basis, each of which, theoretically, stands alone and independent of any larger project. Were this to become the manner in which each permit application was required to be reviewed, then the STFD would likely have no alternative but to get rid of the policy exception for two or fewer dwelling units.

Thank you in advance for your attention to this submittal.

Sincerely,

Greg Janik, Fire Chief & Fire Code Official

Jeff Stuggett, Legal Counsel

[A] 102.5 Application of residential code. Where structures are designed and constructed in accordance with the *International Residential Code*, the provisions of this code shall apply as follows:

1. Construction and design provisions of this code pertaining to the exterior of the structure shall apply including, but not limited to, premises identification, fire apparatus access and water supplies. Where interior or exterior systems or devices are installed, construction permits required by Section 105.7 of this code shall apply.
2. Administrative, operational and maintenance provisions of this code shall apply.

[A] 102.6 Historic buildings. The provisions of this code relating to the construction, *alteration*, repair, enlargement, restoration, relocation or moving of buildings or structures shall not be mandatory for existing buildings or structures identified and classified by the state or local jurisdiction as historic buildings where such buildings or structures do not constitute a distinct hazard to life or property. Fire protection in designated historic buildings shall be provided with an *approved* fire protection plan as required in Section 1103.1.1.

[A] 102.7 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 80, and such codes and standards shall be considered to be part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.7.1 and 102.7.2.

[A] 102.7.1 Conflicts. Where conflicts occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.

[A] 102.7.2 Provisions in referenced codes and standards. Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code, the provisions of this code, as applicable, shall take precedence over the provisions in the referenced code or standard.

[A] 102.8 Subjects not regulated by this code. Where applicable standards or requirements are not set forth in this code, or are contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards, as *approved*, shall be deemed as *prima facie* evidence of compliance with the intent of this code. Nothing herein shall derogate from the authority of the *fire code official* to determine compliance with codes or standards for those activities or installations within the *fire code official's* jurisdiction or responsibility.

[A] 102.9 Matters not provided for. Requirements that are essential for the public safety of an existing or proposed activity, building or structure, or for the safety of the occupants thereof, that are not specifically provided for by this code, shall be determined by the *fire code official*.

[A] 102.10 Conflicting provisions. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. Where, in a spe-

cific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern.

[A] 102.11 Other laws. The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

[A] 102.12 Application of references. References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

PART 2—ADMINISTRATIVE PROVISIONS

SECTION 103 DEPARTMENT OF FIRE PREVENTION

[A] 103.1 General. The department of fire prevention is established within the jurisdiction under the direction of the *fire code official*. The function of the department shall be the implementation, administration and enforcement of the provisions of this code.

[A] 103.2 Appointment. The *fire code official* shall be appointed by the chief appointing authority of the jurisdiction; and the *fire code official* shall not be removed from office except for cause and after full opportunity to be heard on specific and relevant charges by and before the appointing authority.

[A] 103.3 Deputies. In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the *fire code official* shall have the authority to appoint a deputy *fire code official*, other related technical officers, inspectors and other employees.

[A] 103.4 Liability. The *fire code official*, member of the board of appeals, officer or employee charged with the enforcement of this code, while acting for the jurisdiction, in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered civilly or criminally liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act or by reason of an act or omission in the discharge of official duties.

[A] 103.4.1 Legal defense. Any suit or criminal complaint instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representatives of the jurisdiction until the final termination of the proceedings. The *fire code official* or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code; and any officer of the department of fire prevention, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of official duties in connection therewith.

Attachment B

Chris Mantels

From: Chris Reeves <creeves@iccsafe.org>
Sent: Tuesday, January 12, 2021 10:46 AM
To: Chris Mantels
Cc: Chris Reeves
Subject: RE: 2015 IFC Section 102.5
Attachments: 2015 IFC Commentary Section 102.5 IRC applicability.pdf

Chris Mantels,

This email is in response to your email correspondence regarding the applicability of the 2015 IFC to buildings regulated by the 2015 International Residential Building Code (IRC). All comments are based on the 2015 International Fire Code (IFC) unless noted otherwise.

While the IFC does not address specific land-use agreements, Section 102.5 clarifies the extent to which the IFC is intended to be applicable to buildings built in accordance with the 2015 IRC. As stated in Section 102.5, this would include construction and design provisions pertaining to the exterior structure of IRC buildings (detached one-and two-family dwellings and townhouses) including, but not limited to, premises identification, fire apparatus access and water supplies. Attached is a copy of the 2015 IFC Commentary for Section 102.5 for your consideration.

Code opinions issued by ICC staff are based on ICC-published codes and do not include local, state or federal codes, policies or amendments. This opinion is based on the information which you have provided. We have made no independent effort to verify the accuracy of this information nor have we conducted a review beyond the scope of your question. This opinion does not imply approval of an equivalency, specific product, specific design, or specific installation and cannot be published in any form implying such approval by the International Code Council. As this opinion is only advisory, the final decision is the responsibility of the designated authority charged with the administration and enforcement of this code.

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If you would like to discuss this further, I can be reached directly at (888) 422-7233, X4309.

Sincerely,

Chris Reeves

Christopher R. Reeves, P.E.
Director, Architectural & Engineering Services
International Code Council, Inc.
Central Regional Office
4051 W. Flossmoor Road
Country Club Hills, IL 60478
888-ICC-SAFE (422-7233), x4309
708-799-0310 facsimile
creeves@iccsafe.org
www.iccsafe.org

From: Chris Reeves <creeves@iccsafe.org>
Sent: Wednesday, January 6, 2021 9:05 AM
To: cmantels@saugatuckfire.org
Cc: Chris Reeves <creeves@iccsafe.org>
Subject: 2015 IFC Section 102.5

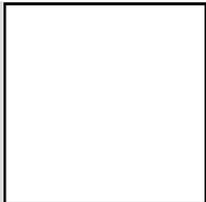
Chris Mantels,

I have forwarded your code opinion request to Chris Reeves. Typical turn-around time for a written response is 5 working days.

Please let me know if you have any questions.

Christopher R. Reeves, P.E.
Director, Architectural & Engineering Services
International Code Council, Inc.
Central Regional Office
4051 W. Flossmoor Road
Country Club Hills, IL 60478
888-ICC-SAFE (422-7233), x4309
708-799-0310 facsimile
creeves@iccsafe.org
www.iccsafe.org

From: ICC <no-reply@iccsafe.org>
Sent: Tuesday, January 5, 2021 2:24 PM
To: Renee Testroet <rtestroet@iccsafe.org>; ICC Code Opinion Requests <ICCCodeOpinionRequests@iccsafe.org>
Subject: ICC Request Code Opinions Confirmation:



ICC Request Code Opinions Confirmation:

Hi rtestroet@iccsafe.org, ICCCodeOpinionRequests@iccsafe.org, Your request has been received. We will get back to you soon.

Details:

Record ID
8418026

Requestor Full Name
Chris Mantels

Job Title
Deputy Chief / Fire Inspector

Requestor email address
cmantels@saugatuckfire.org

Phone Number
(269)857-3000

Requestor Address

Saugatuck Township Fire District,3342 Blue Star Hwy,Saugatuck,MI,49453-9724,UNITED STATES

Code Reference

International Fire Code

Code Edition
2015

Code Section
102.5

Questions

Does section 102.5 allow the IFC to be applied to all single family dwellings?

We have a developer that split 14 parcels via the Michigan Land Act, and claims because they were just land splits, the IFC does not apply since it is not a PUD or subdivision.

I just want to ensure we have interpreted the code correctly, and the IFC applies to the exterior of the structure regarding access and fire protection water supplies?

If you have any questions, please contact:
Website Technical Support Team
International Code Council

1-888-ICC-SAFE (1-888-422-7233) x4444
1-708-799-2300 x4444
websupport@ICCSafe.ORG

Connect with Us

[A] 102.3 Change of use or occupancy. Changes shall not be made in the use or occupancy of any structure that would place the structure in a different division of the same group or occupancy or in a different group of occupancies, unless such structure is made to comply with the requirements of this code and the *International Building Code*. Subject to the approval of the *fire code official*, the use or occupancy of an existing structure shall be allowed to be changed and the structure is allowed to be occupied for purposes in other groups without conforming to all of the requirements of this code and the *International Building Code* for those groups, provided the new or proposed use is less hazardous, based on life and fire risk, than the existing use.

❖ A change in occupancy in an existing structure may change the level of inherent hazards that the code was initially intended to address.

Regardless of whether the change is to an occupancy considered to be more or less hazardous, this section applies the provisions of the IBC for new construction to the existing structure with the new occupancy to match the specific requirements of the code to the specific hazards of the new occupancy. For example, a change from an existing Group M mercantile occupancy to a Group B business occupancy renders all Group B provisions applicable to all portions of the structure where the occupancy has changed, or that are adversely affected by the change.

[A] 102.4 Application of building code. The design and construction of new structures shall comply with the *International Building Code*, and any *alterations*, additions, changes in use or changes in structures required by this code, which are within the scope of the *International Building Code*, shall be made in accordance therewith.

❖ The code is the companion fire and life safety maintenance code to the IBC. Maintenance of other building features is governed by other *International Codes*[®] (I-Codes[®]). When existing buildings change occupancy group or are altered, increased in area or demolished, the IBC provisions must apply. When compliance with the code requires alterations, additions or modifications within the scope of the IBC, the IBC regulations and the building official's authority must prevail. This makes it essential that the code officials responsible for enforcing the building and fire codes establish a sound working relationship. Clear communication is essential to achieve compliance with the respective code officials' orders.

[A] 102.5 Application of residential code. Where structures are designed and constructed in accordance with the *International Residential Code*, the provisions of this code shall apply as follows:

1. Construction and design provisions of this code pertaining to the exterior of the structure shall apply including, but not limited to, premises identification, fire apparatus access and water supplies. Where interior or exterior systems or devices are installed, construc-

tion permits required by Section 105.7 of this code shall apply.

2. Administrative, operational and maintenance provisions of this code shall apply.

❖ This section clarifies the extent to which the *International Residential Code*[®] (IRC[®]) and the code are interrelated and how the provisions of the code apply to the development of one- and two-family dwelling projects built under the IRC.

The IRC is designed and intended for use as a stand-alone code for the construction of detached one- and two-family dwellings and townhouses not more than three stories in height. As such, the construction of detached one- and two-family dwellings and townhouses is regulated exclusively by the IRC and not subject to the provisions of any other I-Codes other than to the extent specifically referenced. Although the IRC regulates the construction of detached one- and two-family dwellings and townhouse structures, it does not regulate the design and construction of emergency access to and community fire protection for residential developments containing such dwelling structures. Accordingly, where the code is adopted, the design, construction, regulation and maintenance of fire apparatus access roads for servicing such residential developments must comply with the provisions of Section 503 and, if adopted, Appendix D. Also, the design, construction, regulation and maintenance of fire protection water supplies for servicing such residential developments must comply with the provisions of Section 507 and, if adopted, Appendices B and C. These specific requirements of the code are applicable because they include design and construction regulations that provide necessary emergency access and **community fire protection** for residential developments containing structures that are regulated within the scope of the IRC.

[A] 102.6 Historic buildings. The provisions of this code relating to the construction, *alteration*, repair, enlargement, restoration, relocation or moving of buildings or structures shall not be mandatory for existing buildings or structures identified and classified by the state or local jurisdiction as historic buildings where such buildings or structures do not constitute a distinct hazard to life or property. Fire protection in designated historic buildings shall be provided with an *approved* fire protection plan as required in Section 1103.1.1.

❖ This section provides a blanket exception from code requirements when the building in question has historic value. The most important criterion for application of this section is that the building must be recognized by a qualified party or agency as having historic significance. Usually this is done by a state or local authority after considerable scrutiny of the historical value of the building. Most, if not all, states have such authorities, as do many local jurisdictions. The agencies with such authority can be located at the state or local government level or through the

Attachment C

character shall be not less than 4 inches (102 mm) high with a minimum stroke width of $\frac{1}{2}$ inch (12.7 mm). Where required by the *fire code official*, address identification shall be provided in additional *approved* locations to facilitate emergency response. Where access is by means of a private road and the building cannot be viewed from the *public way*, a monument, pole or other sign or means shall be used to identify the structure. Address identification shall be maintained.

505.2 Street or road signs. Streets and roads shall be identified with *approved* signs. Temporary signs shall be installed at each street intersection when construction of new roadways allows passage by vehicles. Signs shall be of an *approved* size, weather resistant and be maintained until replaced by permanent signs.

SECTION 506 KEY BOXES

506.1 Where required. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the *fire code official* is authorized to require a key box to be installed in an *approved* location. The key box shall be of an *approved* type listed in accordance with UL 1037, and shall contain keys to gain necessary access as required by the *fire code official*.

506.1.1 Locks. An *approved* lock shall be installed on gates or similar barriers where required by the *fire code official*.

506.1.2 Key boxes for nonstandardized fire service elevator keys. Key boxes provided for nonstandardized fire service elevator keys shall comply with Section 506.1 and all of the following:

1. The key box shall be compatible with an existing rapid entry key box system in use in the jurisdiction and *approved* by the *fire code official*.
2. The front cover shall be permanently labeled with the words "Fire Department Use Only—Elevator Keys."
3. The key box shall be mounted at each elevator bank at the lobby nearest to the lowest level of fire department access.
4. The key box shall be mounted 5 feet 6 inches (1676 mm) above the finished floor to the right side of the elevator bank.
5. Contents of the key box are limited to fire service elevator keys. Additional elevator access tools, keys and information pertinent to emergency planning or elevator access shall be permitted where authorized by the *fire code official*.
6. In buildings with two or more elevator banks, a single key box shall be permitted to be used where such elevator banks are separated by not more than 30 feet (9144 mm). Additional key boxes shall be pro-

vided for each individual elevator or elevator bank separated by more than 30 feet (9144 mm).

Exception: A single key box shall be permitted to be located adjacent to a *fire command center* or the non-standard fire service elevator key shall be permitted to be secured in a key box used for other purposes and located in accordance with Section 506.1.

506.2 Key box maintenance. The operator of the building shall immediately notify the *fire code official* and provide the new key where a lock is changed or rekeyed. The key to such lock shall be secured in the key box.

SECTION 507 FIRE PROTECTION WATER SUPPLIES

507.1 Required water supply. An *approved* water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction.

507.2 Type of water supply. A water supply shall consist of reservoirs, pressure tanks, elevated tanks, water mains or other fixed systems capable of providing the required fire flow.

507.2.1 Private fire service mains. Private fire service mains and appurtenances shall be installed in accordance with NFPA 24.

507.2.2 Water tanks. Water tanks for private fire protection shall be installed in accordance with NFPA 22.

507.3 Fire flow. Fire flow requirements for buildings or portions of buildings and facilities shall be determined by an *approved* method.

507.4 Water supply test. The *fire code official* shall be notified prior to the water supply test. Water supply tests shall be witnessed by the *fire code official* or *approved* documentation of the test shall be provided to the *fire code official* prior to final approval of the water supply system.

507.5 Fire hydrant systems. Fire hydrant systems shall comply with Sections 507.5.1 through 507.5.6.

507.5.1 Where required. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet (122 m) from a hydrant on a fire apparatus access road, as measured by an *approved* route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the *fire code official*.

Exceptions:

1. For Group R-3 and Group U occupancies, the distance requirement shall be 600 feet (183 m).
2. For buildings equipped throughout with an *approved automatic sprinkler system* installed in accordance with Section 903.3.1.1 or 903.3.1.2, the distance requirement shall be 600 feet (183 m).

SECTION 104 GENERAL AUTHORITY AND RESPONSIBILITIES

[A] **104.1 General.** The *fire code official* is hereby authorized to enforce the provisions of this code and shall have the authority to render interpretations of this code, and to adopt policies, procedures, rules and regulations in order to clarify the application of its provisions. Such interpretations, policies, procedures, rules and regulations shall be in compliance with the intent and purpose of this code and shall not have the effect of waiving requirements specifically provided for in this code.

[A] **104.2 Applications and permits.** The *fire code official* is authorized to receive applications, review *construction documents* and issue permits for construction regulated by this code, issue permits for operations regulated by this code, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code.

[A] **104.3 Right of entry.** Where it is necessary to make an inspection to enforce the provisions of this code, or where the *fire code official* has reasonable cause to believe that there exists in a building or upon any premises any conditions or violations of this code that make the building or premises unsafe, dangerous or hazardous, the *fire code official* shall have the authority to enter the building or premises at all reasonable times to inspect or to perform the duties imposed upon the *fire code official* by this code. If such building or premises is occupied, the *fire code official* shall present credentials to the occupant and request entry. If such building or premises is unoccupied, the *fire code official* shall first make a reasonable effort to locate the *owner*, the *owner's* authorized agent or other person having charge or control of the building or premises and request entry. If entry is refused, the *fire code official* has recourse to every remedy provided by law to secure entry.

[A] **104.3.1 Warrant.** Where the *fire code official* has first obtained a proper inspection warrant or other remedy provided by law to secure entry, an *owner*, the *owner's* authorized agent or occupant or person having charge, care or control of the building or premises shall not fail or neglect, after proper request is made as herein provided, to permit entry therein by the *fire code official* for the purpose of inspection and examination pursuant to this code.

[A] **104.4 Identification.** The *fire code official* shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

[A] **104.5 Notices and orders.** The *fire code official* is authorized to issue such notices or orders as are required to affect compliance with this code in accordance with Sections 109.1 and 109.2.

[A] **104.6 Official records.** The *fire code official* shall keep official records as required by Sections 104.6.1 through 104.6.4. Such official records shall be retained for not less than 5 years or for as long as the structure or activity to which such records relate remains in existence, unless otherwise provided by other regulations.

[A] **104.6.1 Approvals.** A record of approvals shall be maintained by the *fire code official* and shall be available

for public inspection during business hours in accordance with applicable laws.

[A] **104.6.2 Inspections.** The *fire code official* shall keep a record of each inspection made, including notices and orders issued, showing the findings and disposition of each.

104.6.3 Fire records. The fire department shall keep a record of fires occurring within its jurisdiction and of facts concerning the same, including statistics as to the extent of such fires and the damage caused thereby, together with other information as required by the *fire code official*.

[A] **104.6.4 Administrative.** Application for modification, alternative methods or materials and the final decision of the *fire code official* shall be in writing and shall be officially recorded in the permanent records of the *fire code official*.

[A] **104.7 Approved materials and equipment.** Materials, equipment and devices *approved* by the *fire code official* shall be constructed and installed in accordance with such approval.

[A] **104.7.1 Material and equipment reuse.** Materials, equipment and devices shall not be reused or reinstalled unless such elements have been reconditioned, tested and placed in good and proper working condition and *approved*.

[A] **104.7.2 Technical assistance.** To determine the acceptability of technologies, processes, products, facilities, materials and uses attending the design, operation or use of a building or premises subject to inspection by the *fire code official*, the *fire code official* is authorized to require the *owner* or *owner's* authorized agent to provide, without charge to the jurisdiction, a technical opinion and report. The opinion and report shall be prepared by a qualified engineer, specialist, laboratory or fire safety specialty organization acceptable to the *fire code official* and shall analyze the fire safety properties of the design, operation or use of the building or premises and the facilities and appurtenances situated thereon, to recommend necessary changes. The *fire code official* is authorized to require design submittals to be prepared by, and bear the stamp of, a registered design professional.

[A] **104.8 Modifications.** Where there are practical difficulties involved in carrying out the provisions of this code, the *fire code official* shall have the authority to grant modifications for individual cases, provided the *fire code official* shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, life and fire safety requirements. The details of action granting modifications shall be recorded and entered in the files of the department of fire prevention.

[A] **104.9 Alternative materials and methods.** The provisions of this code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this code, provided that any such alternative has been *approved*. The *fire code official* is autho-

Attachment E

Attachment C



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

July 23rd, 2020

Patrick Murphy Builders
186 Hamilton Street
Douglas, MI 49406

Re: 6573 Heron Bay Dr, Saugatuck, MI – New Residence – Site Plan Review #1 for new residence.

Dear Mr. Murphy,

We are in receipt of the site plan for 6573 Heron Bay received 7/15/2020. We reviewed the plans using the International Fire Code (IFC) 2015 edition. Please see the result of the fire department review listed *below*.

1. Dead end driveways and access roads in excess of 150 feet in length shall be provided with an approved area for turning around with fire apparatus (IFC 503.2.5) **Not applicable, structure is only +/- 46 feet from the roadway.**
2. "No Parking Fire Lane" signage shall be installed at the dead end of the turnaround. (IFC 503.3) **Not applicable**
3. No parking shall be allowed within the turnaround. The area must be clear and unobstructed for turnaround at all times. (IFC 503.4)
4. Fire apparatus access roads and driveways shall have an unobstructed width of not less than 20 feet, exclusive of shoulders. (IFC 503.2.1) **Approved, driveway is shown as 16' minimum width in plans provided.**
5. Minimum clear height shall be 13'6" across the entire 20ft width of driveway. (IFC 503.2.1) **Approved, height clearance is noted as 13'6" in plans provided.**
6. Road shall not exceed the 10% maximum grade. (IFC 503.2.7) **Approved, grade is noted as less than 10% in plans provided.**
7. The driveway shall be installed with asphalt, concrete, or other approved driving surfaces capable of supporting the 80,000-pound imposed load of our heaviest apparatus and be installed to provide emergency access prior to commencement of building construction. (IFC 503.2.3) **Approved, weight capacity is noted as concrete to support 80,000lbs in plans provided.**
8. The road shall be maintained free of snow and ice to provide all weather driving capabilities. (IFC 503.2.3)
9. Fire department access roads shall be constructed and maintained for all construction sites. (IFC 3310.1)
10. The installation of security gates across a fire apparatus access road shall be approved by the fire chief. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200. (IFC 503.6) **No gate appears to be shown in the plans provided, however if it is installed in the future, a Knox Key switch is required for**



SAUGATUCK TOWNSHIP FIRE DISTRICT

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emergency access and activation.

11. New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. (IFC 505.1) *Address signage must be posted prior to commencement of construction. Green reflective address signs are preferred.*
12. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type listed in accordance with UL 1037, and shall contain keys to gain necessary access as required by the fire code official. (IFC 506.1) *Not applicable (Single-family dwelling exemption).*
13. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings, or portions of buildings are hereafter constructed or moved into or within the jurisdiction. (IFC 507.1) *Not applicable (Single-family dwelling exemption).*
14. The fire code official shall be notified prior to the water supply test. Water supply tests shall be witnessed by the fire code official, or approved documentation of the test shall be provided to the fire code official prior to final approval of the water supply system. (IFC 507.4) *Not applicable (Single-family dwelling exemption).*
15. A hydrant is required within 400 ft. of any exterior portion of a non-sprinklered building or 600 ft. for an R-3 occupancy or sprinklered building. (IFC 507.5.1) *Not applicable (Single-family dwelling exemption).*
16. An approved water supply for fire protection, either temporary or permanent, shall be made available as soon as combustible material arrives on the site. (IFC 3312.1) *Not applicable (Single-family dwelling exemption).*
17. Upon completion of construction, physical testing with apparatus will be required. If the apparatus is unable to navigate the completed road and driveway in a safe and efficient manner, modifications may be required.
18. Anything omitted in this plan review is subject to field inspection. (IFC 105.4.4)

You have approval from the fire department to begin construction at 6573 Heron Bay Dr, for a new residence in Saugatuck Township if you are in agreement with the above-mentioned items. Please ensure you receive the appropriate permits from Saugatuck Township prior to commencement of construction. Please let us know if you have any questions.

Respectfully Yours,

Chris Mantels
Deputy Chief / Fire Inspector

Cc: Greg Janik – Fire Chief (via email)
Lynee Wells – Zoning Administrator (via email)
Alfred Ellingsen – Building Official (via email)



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3342 Blue Star Highway
Saugatuck, MI 49453
269 857-3000 / Fax: 269 857-1228
E-mail: office@saugatuckfire.org

April 17th, 2020

Custom Carpentry Inc.
c/o Chris Lozano
6316 128th Ave.
Fennville, MI 49408

Re: 3144 Red Oak Dr, Saugatuck Township, MI – New Residence – Site Plan Review #1

Dear Mr. Lozano,

We are in receipt of the site plan for 3144 Red Oak Drive, received 3/18/2020. We reviewed the plans using the International Fire Code (IFC) 2015 edition. Please see the result of the fire department review listed *below*.

1. Dead end driveways and access roads in excess of 150 feet in length shall be provided with an approved area for turning around with fire apparatus (IFC 503.2.5) **Not applicable, driveway is less than 115 feet in length as shown in plans provided.**
2. "No Parking Fire Lane" signage shall be installed at the dead end of the turnaround. (IFC 503.3) **Approved, no signage needed. (Single-family dwelling exemption)**
3. No parking shall be allowed within the turnaround. The area must be clear and unobstructed for turnaround at all times. (IFC 503.4)
4. Fire apparatus access roads and driveways shall have an unobstructed width of not less than 20 feet, exclusive of shoulders. (IFC 503.2.1) **Approved, driveway is shown as 20 feet in width.**
5. Minimum clear height shall be 13'6" across the entire 20ft width of driveway. (IFC 503.2.1) **Approved, height clearance is noted as no trees above in the plans provided.**
6. Road shall not exceed the 10% maximum grade. (IFC 503.2.7) **Approved, grade is noted as 1% in the plans provided.**
7. The driveway shall be installed with asphalt, concrete, or other approved driving surfaces capable of supporting the 80,000-pound imposed load of our heaviest apparatus and be installed to provide emergency access prior to commencement of building construction. (IFC 503.2.3) **Approved driveway is shown as concrete over sand to support 80,000lbs in the plans provided.**
8. The road shall be maintained free of snow and ice to provide all weather driving capabilities. (IFC 503.2.3)
9. Fire department access roads shall be constructed and maintained for all construction sites. (IFC 3310.1) **Please ensure the driveway, apparatus access road, and/or turnaround are installed prior to construction material being delivered to the site.**
10. The installation of security gates across a fire apparatus access road shall be approved by the fire chief. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times. Electric gate operators, where



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provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200. (IFC 503.6) *No gate is listed in the plans provided, however if it is installed in the future, a Knox Key switch is required for emergency access and activation*

11. New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. (IFC 505.1) *Address signage must be posted prior to commencement of construction. Green reflective address signs are preferred and are available free of charge to Fire District properties at <https://www.saugatuckfire.org/address-sign-order-form.html>*
12. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type listed in accordance with UL 1037, and shall contain keys to gain necessary access as required by the fire code official. (IFC 506.1) *Not applicable (Single-family dwelling exemption).*
13. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings, or portions of buildings are hereafter constructed or moved into or within the jurisdiction. (IFC 507.1) *Not applicable (Single-family dwelling exemption).*
14. The fire code official shall be notified prior to the water supply test. Water supply tests shall be witnessed by the fire code official, or approved documentation of the test shall be provided to the fire code official prior to final approval of the water supply system. (IFC 507.4) *Not applicable (Single-family dwelling exemption).*
15. A hydrant is required within 400 ft. of any exterior portion of a non-sprinklered building or 600 ft. for an R-3 occupancy or sprinklered building. (IFC 507.5.1) *Not applicable (Single-family dwelling exemption).*
16. An approved water supply for fire protection, either temporary or permanent, shall be made available as soon as combustible material arrives on the site. (IFC 3312.1) *Not applicable (Single-family dwelling exemption).*
17. Upon completion of construction, physical testing with apparatus will be required. If the apparatus is unable to navigate the completed road and driveway in a safe and efficient manner, modifications may be required.
18. Anything omitted in this plan review is subject to field inspection. (IFC 105.4.4)

You have approval from the fire department to begin construction at 3144 Red Oak Dr in Saugatuck Township if you are in agreement with the above-mentioned items. Please ensure you receive the appropriate permits from Saugatuck Township prior to commencement of construction. Please let us know if you have any questions.

Respectfully Yours,

Chris Mantels
Deputy Chief / Fire Inspector

Cc: Greg Janik – Fire Chief (via email)
Lynee Wells – Zoning Administrator (via email)
Alfred Ellingsen – Building Official (via email)



SAUGATUCK TOWNSHIP FIRE DISTRICT

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3342 Blue Star Highway
Saugatuck, MI 49453
269 857-3000 / Fax: 269 857-1228
E-mail: office@saugatuckfire.org

November 14th, 2019

Stellar Homes Inc.
c/o Ron Rutkowski
620 3 Mile Road NW,
Grand Rapids, MI 49544

Re: Old Owl Drive – Parcel #0320-020-035-01 – Larry & Mary Jo Sinchak Residence – Site Plan Review #1

Dear Mr. Rutkowski,

We are in receipt of the site plan for Parcel #0320-020-035-01 on Old Owl Drive, received 11/1/2019. We reviewed the plans using the International Fire Code (IFC) 2015 edition. Please see the result of the fire department review listed *below*.

1. Dead end driveways and access roads in excess of 150 feet in length shall be provided with an approved area for turning around with fire apparatus (IFC 503.2.5) *Approved, turnaround in the plans provided meets the minimum dimensions as required.*
2. "No Parking Fire Lane" signage shall be installed at the dead end of the turnaround. (IFC 503.3) *Approved, signage is noted in the plans provided.*
3. No parking shall be allowed within the turnaround. The area must be clear and unobstructed for turnaround at all times. (IFC 503.4)
4. Fire apparatus access roads and driveways shall have an unobstructed width of not less than 20 feet, exclusive of shoulders. (IFC 503.2.1) *Approved, driveway is shown as 20 feet in width.*
5. Minimum clear height shall be 13'6" across the entire 20ft width of driveway. (IFC 503.2.1) *Approved, height clearance is noted as 13' 6" tall for entire 20 feet width in plans provided.*
6. Road shall not exceed the 10% maximum grade. (IFC 503.2.7) *Approved, grade is noted as not to exceed 10% in the plans provided.*
7. The driveway shall be installed with asphalt, concrete, or other approved driving surfaces capable of supporting the 80,000-pound imposed load of our heaviest apparatus and be installed to provide emergency access prior to commencement of building construction. (IFC 503.2.3) *Approved, weight capacity is noted as supporting 80,000lbs.*
8. The road shall be maintained free of snow and ice to provide all weather driving capabilities. (IFC 503.2.3)
9. Fire department access roads shall be constructed and maintained for all construction sites. (IFC 3310.1)
10. The installation of security gates across a fire apparatus access road shall be approved by the fire chief. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed,



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constructed and installed to comply with the requirements of ASTM F 2200. (IFC 503.6) *No gate is listed in the plans provided, however if it is installed in the future, a Knox Key switch is required for emergency access and activation*

11. New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. (IFC 505.1) *Address signage must be posted prior to commencement of construction. Green reflective address signs are preferred. (Please provide the Fire District with the address to the parcel once assigned by the Allegan County Health Department.)*
12. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type listed in accordance with UL 1037, and shall contain keys to gain necessary access as required by the fire code official. (IFC 506.1) *Not applicable (Single-family dwelling exemption).*
13. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings, or portions of buildings are hereafter constructed or moved into or within the jurisdiction. (IFC 507.1) *Not applicable (Single-family dwelling exemption).*
14. The fire code official shall be notified prior to the water supply test. Water supply tests shall be witnessed by the fire code official, or approved documentation of the test shall be provided to the fire code official prior to final approval of the water supply system. (IFC 507.4) *Not applicable (Single-family dwelling exemption).*
15. A hydrant is required within 400 ft. of any exterior portion of a non-sprinklered building or 600 ft. for an R-3 occupancy or sprinklered building. (IFC 507.5.1) *Not applicable (Single-family dwelling exemption).*
16. An approved water supply for fire protection, either temporary or permanent, shall be made available as soon as combustible material arrives on the site. (IFC 3312.1) *Not applicable (Single-family dwelling exemption).*
17. Upon completion of construction, physical testing with apparatus will be required. If the apparatus is unable to navigate the completed road and driveway in a safe and efficient manner, modifications may be required.
18. Anything omitted in this plan review is subject to field inspection. (IFC 105.4.4)

You have approval from the Fire District to begin construction at -- Parcel #0320-020-035-01 on Old Owl Drive, Saugatuck Township, MI if you are in agreement with the above-mentioned items. Please ensure you receive the appropriate permits from Saugatuck Township prior to commencement of construction.

Respectfully Yours,

Chris Mantelo
Deputy Chief / Fire Inspector

Cc: Greg Janik -- Fire Chief (via email)
Lynce Wells -- Zoning Administrator (via email)
Alfred Ellingsen -- Building Official (via email)



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3342 Blue Star Highway
Saugatuck, MI 49453
269 857-3000 / Fax: 269 857-1228
E-mail: office@saugatuckfire.org

November 15th, 2019

Stellar Homes Inc.
c/o Ron Rutkowski
620 3 Mile Road NW,
Grand Rapids, MI 49544

Re: Old Owl Drive – Parcel #0320-020-035-02 – Jason & Erica Sinchak Residence – Site Plan Review #1

Dear Mr. Rutkowski,

We are in receipt of the site plan for Parcel #0320-020-035-02 on Old Owl Drive, received 11/1/2019. We reviewed the plans using the International Fire Code (IFC) 2015 edition. Please see the result of the fire department review listed *below*.

1. Dead end driveways and access roads in excess of 150 feet in length shall be provided with an approved area for turning around with fire apparatus (IFC 503.2.5) *Approved, turnaround in the plans provided meets the minimum dimensions as required.*
2. "No Parking Fire Lane" signage shall be installed at the dead end of the turnaround. (IFC 503.3) *Approved, signage is noted in the plans provided.*
3. No parking shall be allowed within the turnaround. The area must be clear and unobstructed for turnaround at all times. (IFC 503.4)
4. Fire apparatus access roads and driveways shall have an unobstructed width of not less than 20 feet, exclusive of shoulders. (IFC 503.2.1) *Approved, driveway is shown as 20 feet in width.*
5. Minimum clear height shall be 13'6" across the entire 20ft width of driveway. (IFC 503.2.1) *Approved, height clearance is noted as 13' 6" tall for entire 20 feet width in plans provided.*
6. Road shall not exceed the 10% maximum grade. (IFC 503.2.7) *Approved, grade is noted as not to exceed 10% in the plans provided.*
7. The driveway shall be installed with asphalt, concrete, or other approved driving surfaces capable of supporting the 80,000-pound imposed load of our heaviest apparatus and be installed to provide emergency access prior to commencement of building construction. (IFC 503.2.3) *Approved, weight capacity is noted as supporting 80,000lbs.*
8. The road shall be maintained free of snow and ice to provide all weather driving capabilities. (IFC 503.2.3)
9. Fire department access roads shall be constructed and maintained for all construction sites. (IFC 3310.1)
10. The installation of security gates across a fire apparatus access road shall be approved by the fire chief. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed,



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constructed and installed to comply with the requirements of ASTM F 2200. (IFC 503.6) *No gate is listed in the plans provided, however if it is installed in the future, a Knox Key switch is required for emergency access and activation*

- 11. New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. (IFC 505.1) *Address signage must be posted prior to commencement of construction. Green reflective address signs are preferred. (Please provide the Fire District with the address to the parcel once assigned by the Allegan County Health Department.)*
- 12. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type listed in accordance with UL 1037, and shall contain keys to gain necessary access as required by the fire code official. (IFC 506.1) *Not applicable (Single-family dwelling exemption).*
- 13. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings, or portions of buildings are hereafter constructed or moved into or within the jurisdiction. (IFC 507.1) *Not applicable (Single-family dwelling exemption).*
- 14. The fire code official shall be notified prior to the water supply test. Water supply tests shall be witnessed by the fire code official, or approved documentation of the test shall be provided to the fire code official prior to final approval of the water supply system. (IFC 507.4) *Not applicable (Single-family dwelling exemption).*
- 15. A hydrant is required within 400 ft. of any exterior portion of a non-sprinklered building or 600 ft. for an R-3 occupancy or sprinklered building. (IFC 507.5.1) *Not applicable (Single-family dwelling exemption).*
- 16. An approved water supply for fire protection, either temporary or permanent, shall be made available as soon as combustible material arrives on the site. (IFC 3312.1) *Not applicable (Single-family dwelling exemption).*
- 17. Upon completion of construction, physical testing with apparatus will be required. If the apparatus is unable to navigate the completed road and driveway in a safe and efficient manner, modifications may be required.
- 18. Anything omitted in this plan review is subject to field inspection. (IFC 105.4.4)

You have approval from the Fire District to begin construction at -- Parcel #0320-020-035-02 on Old Owl Drive, Saugatuck Township, MI if you are in agreement with the above-mentioned items. Please ensure you receive the appropriate permits from Saugatuck Township prior to commencement of construction.

Respectfully Yours,

Chris Mantels
Deputy Chief / Fire Inspector

Cc: Greg Janik -- Fire Chief (via email)
Lynsee Wells -- Zoning Administrator (via email)
Alfred Ellingsen -- Building Official (via email)



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3342 Blue Star Highway
Saugatuck, MI 49453
269 857-3000 / Fax: 269 857-1228
E-mail: office@saugatuckfire.org

December 6th, 2019

Custom Carpentry Inc.
c/o Chris Lozano
6316 128th Ave.
Fennville, MI 49408

Re: 6482 Riverside Road, Saugatuck Township, MI – Gamble Residence – Site Plan Review #2

Dear Mr. Lozano,

We are in receipt of the revised site plan for 6482 Riverside Road, received 11/26/2019. We reviewed the plans using the International Fire Code (IFC) 2015 edition. Please see the result of the fire department review listed *below*.

1. Dead end driveways and access roads in excess of 150 feet in length shall be provided with an approved area for turning around with fire apparatus (IFC 503.2.5) *Not applicable, driveway is less than 135 feet in length as shown in plans provided.*
2. "No Parking Fire Lane" signage shall be installed at the dead end of the turnaround. (IFC 503.3) *Approved, no signage needed. (Single-family dwelling exemption)*
3. No parking shall be allowed within the turnaround. The area must be clear and unobstructed for turnaround at all times. (IFC 503.4)
4. Fire apparatus access roads and driveways shall have an unobstructed width of not less than 20 feet, exclusive of shoulders. (IFC 503.2.1) *Approved, driveway is shown as 20 feet in width.*
5. Minimum clear height shall be 13'6" across the entire 20ft width of driveway. (IFC 503.2.1) *Approved, height clearance is not noted as clear to the sky in revised submittals.*
6. Road shall not exceed the 10% maximum grade. (IFC 503.2.7) *Approved, grade is noted as 6% in revised submittals.*
7. The driveway shall be installed with asphalt, concrete, or other approved driving surfaces capable of supporting the 80,000-pound imposed load of our heaviest apparatus and be installed to provide emergency access prior to commencement of building construction. (IFC 503.2.3) *Approved, shown as 8" crushed concrete in revised submittals to support 80,000lbs.*
8. The road shall be maintained free of snow and ice to provide all weather driving capabilities. (IFC 503.2.3)
9. Fire department access roads shall be constructed and maintained for all construction sites. (IFC 3310.1) *Please ensure the driveway, apparatus access road, and/or turnaround are installed prior to construction material being delivered to the site.*
10. The installation of security gates across a fire apparatus access road shall be approved by the fire chief. Where



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security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200. (IFC 503.6) **No gate is listed in the plans provided, however if it is installed in the future, a Knox Key switch is required for emergency access and activation**

- 11. New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. (IFC 505.1) **Address signage must be posted prior to commencement of construction. Green reflective address signs are preferred and are available free of charge to Fire District properties at <https://www.saugatuckfire.org/address-sign-order-form.html>**
- 12. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type listed in accordance with UL 1037, and shall contain keys to gain necessary access as required by the fire code official. (IFC 506.1) **Not applicable (Single-family dwelling exemption).**
- 13. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings, or portions of buildings are hereafter constructed or moved into or within the jurisdiction. (IFC 507.1) **Not applicable (Single-family dwelling exemption).**
- 14. The fire code official shall be notified prior to the water supply test. Water supply tests shall be witnessed by the fire code official, or approved documentation of the test shall be provided to the fire code official prior to final approval of the water supply system. (IFC 507.4) **Not applicable (Single-family dwelling exemption).**
- 15. A hydrant is required within 400 ft. of any exterior portion of a non-sprinklered building or 600 ft. for an R-3 occupancy or sprinklered building. (IFC 507.5.1) **Not applicable (Single-family dwelling exemption).**
- 16. An approved water supply for fire protection, either temporary or permanent, shall be made available as soon as combustible material arrives on the site. (IFC 3312.1) **Not applicable (Single-family dwelling exemption).**
- 17. Upon completion of construction, physical testing with apparatus will be required. If the apparatus is unable to navigate the completed road and driveway in a safe and efficient manner, modifications may be required.
- 18. Anything omitted in this plan review is subject to field inspection. (IFC 105.4.4)

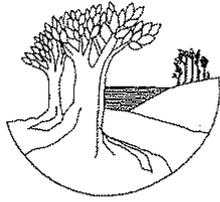
You have approval from the fire department to begin construction at 6482 Riverside Road for the Gamble Residence if you are in agreement with the above-mentioned items. Please ensure you receive the appropriate permits from Saugatuck Township prior to commencement of construction. Please let us know if you have any questions.

Respectfully Yours,

Chris Mantels
Deputy Chief / Fire Inspector

Cc: Greg Janik – Fire Chief (via email)
Lynee Wells – Zoning Administrator (via email)
Alfred Ellingsen – Building Official (via email)

Attachment F



**SAUGATUCK
TOWNSHIP**

WWW.SAUGATUCKTOWNSHIP.ORG

3461 BLUE STAR HIGHWAY
P.O. BOX 100
SAUGATUCK, MI 49453

PHONE (269) 857-7721
FAX (269) 857-4542

September 12, 2018

Chad and Jenny Van Horn
3515 66th St.
Saugatuck, MI 49453

Dear Chad and Jenny,

This is to confirm that your application for land division to divide Parcel 03-20-003-063-00 into 4 lots as shown and described by the survey and legal descriptions prepared by Nederved on 7-23-18 with a revision date of 8-13-18 and a Project No. of 18200056DSC3.1 has been approved by Saugatuck Township.

If you have any questions, give me a call at 269-857-7721 or by email at skushion@saugatucktownship.org.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steve Kushion', is written over a horizontal line.

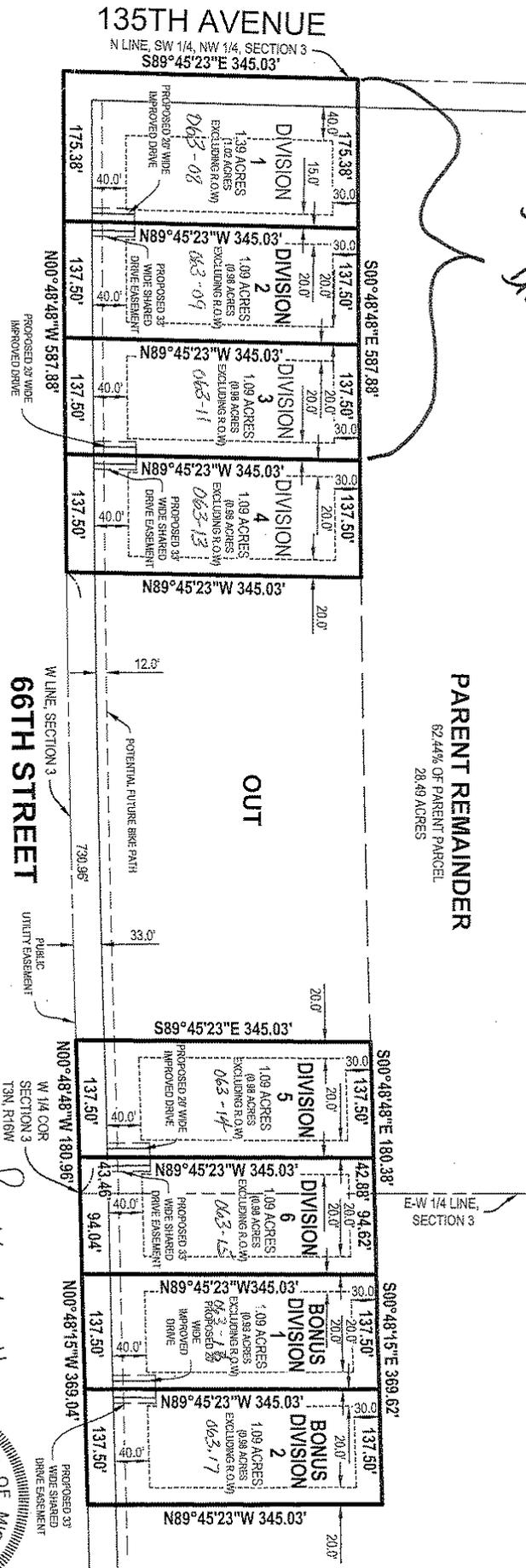
Steve Kushion
Zoning Administrator/Planner

CC: Sherry Mason, Assessor

LARGE ACREAGE PARCEL LAND DIVISIONS

PARTIAL DESCRIPTION

Part of the West 1/2 of Section 3, Town 3 North, Range 16 West, Saugatuck Township, Allegan County, Michigan



This sketch was made from the legal description shown above. The description should be compared with the Abstract of Title or Title Policy for accuracy, easements and exceptions.

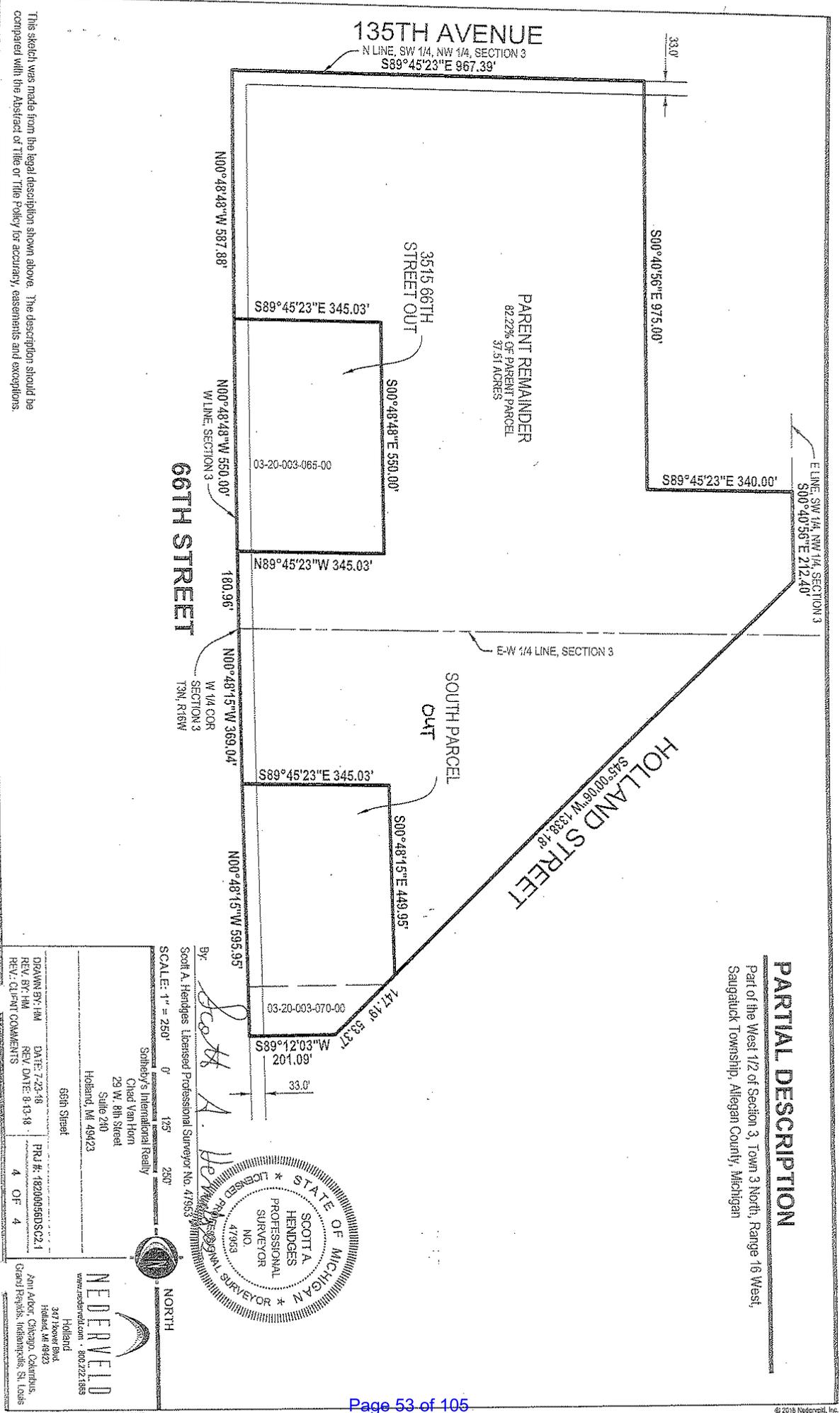
By: *Scott A. Hendiges*
SCOTT A. HENDIGES
 Licensed Professional Surveyor No. 47833
 State of Michigan
 47833
 147953
 Surveyor's International Realty
 Chad Van Horn
 29 W. 8th Street
 Suite 240
 Holland, MI 49423

DATE: 7-23-18
 REV. BY: HM
 REV. DATE: 8-15-18

PRJ #: 18200050D5031
 1 OF 2

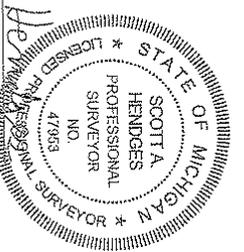
Holland
 347 Koozeb Blvd.
 Holland, MI 49423
 Ann Arbor, Chicago, Columbus,
 Grand Rapids, Indianapolis, St. Louis

www.michiganland.com • 800.222.1888



PARTIAL DESCRIPTION

Part of the West 1/2 of Section 3, Town 3 North, Range 16 West,
 Saugatuck Township, Allegan County, Michigan



By: *Scott A. Hendiges*
 Scott A. Hendiges, Licensed Professional Surveyor No. 47953
 SCALE: 1" = 250'

DATE: 7-23-18	PRJ #: 18230050SDS02.1
REV. BY: JHM	REV. DATE: 8-13-18
REV. CLIENT COMMENTS	4 OF 4

NEDERVELD
 Holland
 347 Hoover Blvd.
 Holland, MI 49423
 www.nederveld.com • 616.272.1889

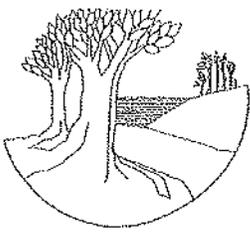
Firm Address: Chicago, Columbus, Grand Rapids, Indianapolis, St. Louis

This sketch was made from the legal description shown above. The description should be compared with the Abstract of Title or Title Policy for accuracy, easements and exceptions.

Attachment G

Application For Special Use Approval

**Chad Van Horn
3515 66th Street
Saugatuck Township**



SAUGATUCK TOWNSHIP

WWW.SAUGATUCKTOWNSHIP.ORG

3461 BLUE STAR HIGHWAY
P.O. BOX 100
SAUGATUCK, MI 49453

PHONE (269) 857-7721
FAX (269) 857-4542

APPLICATION FOR SPECIAL APPROVAL USE

1. Name of Applicant: Chad Van Horn

Address: 3515 66th Street

Telephone: 269-217-0122

2. Name of Land Owner: _____

Address: _____

Telephone: _____

3. Location of property on which Special Approval is requested: (street address)

East of 3515 66th Street, which is on the (N, S, E, W) side

of the street between 66th, 135th and Holland/Blue Star streets.

4. Proprietary interest of Applicant (owner, tenant, lease etc..)

OWNER

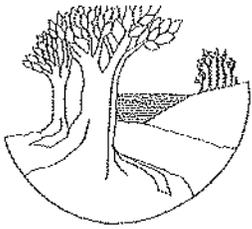
5. Legal Description of Property:

ATTACHED

6. Nature of use for which Special Approval is requested:

(explain fully)

Creation of a water body for
Recreational & Residential Purposes, Removal of Sand/Silt
from site.



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P.O. BOX 100
SAUGATUCK, MI 49453

PHONE (269) 857-7721
FAX (269) 857-4542

7. Duration of Special Approval Use requested:
(permanent, one year, two weeks, ect)

36 Months

8. a. Will the Special Approval Use be designed, constructed, operated, and maintained in a manner harmonious with the character of the surrounding area?

Yes

- b. Will the Special Approval Use change the essential character of the surrounding area?

No

- c. Will the Special Approval Use be hazardous or involve uses, activities, materials, or equipment which might prove detrimental to the health, safety or welfare of persons or property by reason of traffic, noise, vibration, smoke, fumes, or glare?

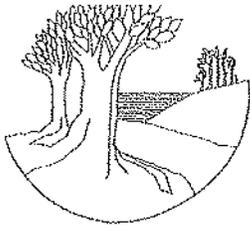
No

- d. Will the Special Approval Use place additional demands on public services and facilities?

No

9. Additional comments by Applicant:

This is one of very few uses the
Property is conducive to. We are pretty
otherwise non-productive land back into
Productivity. The water body, open space and
Residential use is harmonious with the
area. More allowed.



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10. I hereby agree to abide by the terms of the Township Zoning Ordinance, and the terms of the Special Approval Use permit as issued by the Planning Commission should such a permit be granted.

Signed:

Applicant

1/20/2020

Date

Referred to Planning Commission by:

Zoning Administrator

Date

Chad Van Horn Application for Special Use Approval Additional Applicant Comments

Background - the applicant owns 47 acres, lives on site as its primary residence, and plans to continue to do so throughout the water body creation project and indefinitely as a member of the community. The applicant obtained and possesses the necessary permits for the excavation and creation of the existing water body on the property. Such permits include pond permit(s), a zoning determination, a SESC permit and driveway permits. Additionally the applicant has obtained the approval for building sites on 66th Street which will have access to the waterbody. This will add significant additional property tax revenue as the project is built out.

Noteworthy - in 2018 a memo issued by the office of the AG concluded that the creation of a waterbody for recreational or residential purposes shall not be considered mining as it relates to permitting concerns.

Applicant is creating a waterbody for residential and recreational purposes. The vertical excavation setback 200' from West property line is significantly complete and is cleared to the proposed East vertical excavation setback. The vertical excavation on the North & South are setback significantly as well and are also substantially cleared and complete.

As such and consistent with the memo issued by the AG's office, it is the belief of the applicant that it's project does not require a "soils pits, sand mines and quarries" permit from Saugatuck Township. Nonetheless, in the spirit of cooperation and at the request of the Zoning Administrator, the applicant is hereby submitting for such.

The local area is comprised of nearby water bodies such as the Kalamazoo River, Goshorn Lake and Lake Michigan with residential and commercial uses and recreational areas. Applicant's waterbody creation project is harmonious with the area and will yield residential and recreational uses compatible with the surrounding area.

The applicant will obtain required state permits and abide by all state and local statues and regulations, including applicable and appropriate permits such as an EGLE Part 301 Lake Creation permit as required for expanding the existing waterbody to larger than 5 acres.

No mineral extraction excavation will be made within 50' of any ROW or property line. There will not be any fixed machinery installed or located on the property.

The site is posted in accordance with Township regulations. Such postings are intended to keep would be otherwise trespassers safe from any potential dangers.

No buildings will be constructed relating to or for the purpose relating to the SUP.

Access to and from the site is on Blue Star Highway. Blue Star Highway is an all season road designated as a haul route and intended for truck traffic. The drive approach is

proposed to be paved. The access drive is intended to be improved and built in accordance with the Twp driveway specs. The applicant has proposed to include 4" cobble within the drive as recommended by the State of Michigan for best practices of eliminating track out and mitigating dust. The Allegan County Road Commission is supportive of the removal of soil from the site as proposed via Blue Star Highway.

The site will be maintained in a neat and orderly condition to prevent injury to property, persons or the community in general.

A significant setback including a natural wooded buffer will be maintained to help minimize any potential nuisance of noise and dust. The stockpile areas are already established on site.

All finished slopes will be excavated to a grade no steeper than 3:1. Final and finish grading and seeding will be in compliance with the appropriate and necessary Soil Erosion Sedimentation Control permit and control measures.

Applicant's compliance with Saugatuck Township Ordinance

Sec. 40-740. - Soil pits, sand mines and quarries.

The following apply to soil pits, sand mines and quarries:

(1) All Uses shall be established and maintained in accordance with all applicable state statutes and regulations. If any of the requirements of this subsection are less strict than those in applicable state statutes, the state requirements shall prevail.

Applicant is in compliance

(2) No fixed machinery shall be erected or maintained within 50 feet of any property or Street or Private Road line. No cut or excavation shall be made closer than 50 feet to any Street or Private Road right-of-way line or property line in order to ensure sublateral support to surrounding property.

There will not be any fixed machinery within 50' of any ROW or property line. No cut or excavation will be made within 50' of any ROW or property line.

(3) Where a Use is determined by the Planning Commission to be a public hazard, the Use shall be enclosed by a security fence six feet or more in height for the entire periphery of the property or portion thereof so as to discourage trespassing.

Applicant has already proven that there is no hazard to the public as excavation has already occurred for a year. The perimeter of the property is currently posted with "Danger No Trespassing" signs every 275'.

(4) No Building shall be erected on the premises except as may be permitted in this chapter or except as temporary shelter for machinery and a field office subject to approval by the Planning Commission.

No building will be erected for purposes relating to this use.

(5) The Planning Commission shall establish routes for truck movement to and from the site in order to minimize the wear on Streets and to prevent hazards and damage to properties in the community. That portion of access roads within the area of operation shall be provided with a dust-resistant surface.

Blue Star Highway is an all season road intended for truck traffic and already designated as a haul route. The existing driveway onto Blue Star Highway was permitted by the Allegan County Road Commission for the purpose of hauling out material from the site.

(6) All permitted installations shall be maintained in a neat, orderly condition to prevent injury to property, persons, or the community in general.

Applicant will maintain the site in a neat and orderly condition so as to prevent injury to property, persons, or the community in general.

(7) Proper measures, as determined by the Planning Commission, shall be taken to minimize the Nuisance of noise and flying dust or rock. Such measures may include, when considered necessary, limitations upon the practices of stockpiling excavated material upon the site.

Applicant will comply with the already established Saugatuck Township noise ordinance and hours of operation standards. Applicant is required to control dust under its Soil Erosion Sedimentation Control permit. The minimum 50' natural vegetative buffer around the perimeter of the property is intended to further mitigate these concerns.

(8) When excavation and removal operations or either of them are completed, the excavated area shall be graded so that no gradient in disturbed earth shall be steeper than a slope of 3:1 (horizontal-vertical). A layer of arable topsoil of a quality approved by the Zoning Administrator shall be spread over the excavated area, except exposed rock surfaces or areas lying below natural water level, to a minimum depth of four inches in accordance with the approved contour plan. The area shall be seeded with perennial grasses and maintained until the area is stabilized and approved by the Planning Commission.

No final excavated slopes will exceed 3:1. Applicant is required to reclaim the property and seed it appropriately in accordance with its Soil Erosion Sedimentation Control Permit.

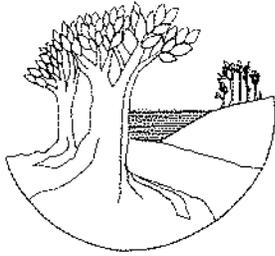
(9) The Planning Commission, in granting a Special Approval Use, may require the posting of a bond or other assurance that the requirements in subsection (8) of this section shall be met.

Applicant has already shown responsible practices and will continue to do so. Applicant has included a conceptual plan showing a potential idea for best utilizing the remaining lands. Applicant acknowledges that any such development will be subject to review and approval of the appropriate governing bodies.

NORTHSHORE OF SAUGATUCK
LAKE MICHIGAN GATED COMMUNITY



The following letter dated February 18, 2020 contains review comments from the Township Planner to the Township Planning Commission regarding the Applicants creation of a waterbody and the removal of sand/soil from the site. The Applicant provides answers in blue italics following each question.



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PHONE (269) 857-7721
FAX (269) 857-4542

TO: Planning Commission
FROM: Lynee Wells, Township Planner
Date: February 18, 2020
RE: Special Approval Use for Sand Mining



OVERVIEW:

Mr. Chad Van Horn has submitted a request for Sand Mining per Section 40-740 of the Township Zoning Ordinance. The properties impacted by the request include: Parcel Numbers – 20-003-063-07, 20-003-063-06, 20-003-063-05, 20-003-063-04, **20-003-063-17**, 20-003-063-16, 20-003-063-15, 20-003-063-14, 20-003-065-05, 20-003-065-04, 20-003-065-03, 20-003-065-02, 20-003-063-13, 20-003-063-11, 20-003-063-09, 20-003-063-08, 20-003-063-18

The Applicant received authorization from the Township to construct two (2) ponds for residential and recreational purposes. Nearing completion of the larger of the two ponds the Applicant was requested by the Township Planner to submit an application for a Special Use Permit for Sand Mining.

The basic project purpose as authorized by the Township has always been pond creation for residential and recreational purposes. The Public Noticing of the project by the Township as a sand mining operation resulted in false accusations by the public as seen during the Public Hearing for the project. The Applicant desires to complete the creation of the waterbody for residential and recreational purposes as currently authorized by the Township or as may be expanded (see reclamation plan) and approved by EGLE.

The parcels affected include approximately 47 acres in land area. This review and application is limited to a sand mining use only. This review and application does not include site condominiums, private roads, or other uses except for sand mining and removal of sand from the site.

The use is waterbody creation for residential, recreational uses and removal of sand/soil from the site.

REVIEW:

Section 40-693 governs Special Approval Uses generally, and Section 40-740 governs Sand Mining specifically

Sec. 40-740. - Soil pits, sand mines and quarries.

- (1) All Uses shall be established and maintained in accordance with all applicable state statutes and regulations. If any of the requirements of this subsection are less strict than those in applicable state statutes, the state requirements shall prevail.**

Comment: There remain questions related to state permits and approval, namely EGLE permits which may be necessary when more than 3000 tons (2222 cubic yards) are removed, as well as lake creation over 5 acres. Additionally, a current SESC permit is needed from the Allegan County Health Department. Concerning the driveways, two are shown on the site, only the permit for the driveway on Blue Star Highway has been approved.

Applicant is in compliance with all State, local, and federal regulations for pond creation. Applicant will obtain any applicable EGLE Permit(s), including a Part 301 when required. An active SESC Part 91 permit issued by the ACHD for the pond creation was submitted with the original application (see attached). The driveway on 135th was pre-existing.

- (2) No fixed machinery shall be erected or maintained within 50 feet of any property or Street or Private Road line. No cut or excavation shall be made closer than 50 feet to any Street or Private Road right-of-way line or property line in order to ensure sublateral support to surrounding property.**

Comment: This standard is met. Mining limits are depicted on the site plan and these limits are more than 50' from any property line. It should be noted that no new private or public roads are depicted on the site plan.

There will not be any fixed machinery within 50' of any ROW or property line. No deep cut or excavation will be made within 50' of any ROW or property line.

- (3) Where a Use is determined by the Planning Commission to be a public hazard, the Use shall be enclosed by a security fence six feet or more in height for the entire periphery of the property or portion thereof so as to discourage trespassing.**

Comment: The applicant has not provided any indication of fencing or gates to the site. The Planning Commission should discuss security measures with the applicant.

The existing use is not a public hazard. The pond creation has been ongoing quietly for a year. The perimeter of the property retains a significant forested vegetative buffer that prevents off road vehicle access. The property is currently posted with "Danger No Trespassing" signs every 275'. The two points of entry shall remain secured during off hours. The owner lives on-site providing site security.

For over a year the Applicant has demonstrated that the pond creation project will not be a public hazard. Furthermore, no similar uses (lakes, ponds or mining sites) in Saugatuck Township and the surrounding area are fenced. Applicant will install a gate at the Blue Star entrance and lock off the 135th drive access with a cable or otherwise.

- (4) No Building shall be erected on the premises except as may be permitted in this chapter or except as temporary shelter for machinery and a field office subject to approval by the Planning Commission.**

Comment: No buildings are proposed to be erected on the site.

No building will be erected for purposes relating to this use.

- (5) The Planning Commission shall establish routes for truck movement to and from the site in order to minimize the wear on Streets and to prevent hazards and damage to properties in the community. That portion of access roads within the area of operation shall be provided with a dust-resistant surface.**

Comment: The applicant has stated that Blue Star Highway will be used as the haul route. A gravel drive approach is required by the Allegan County Road Commission for dust control.

Blue Star Highway is an all season road intended for truck traffic and already designated as a haul route. The existing driveway onto Blue Star Highway was permitted by the Allegan County Road Commission and has been approved for the purpose of hauling out material from the site. Applicant is committed to appropriate measures for dust control and track out from the site as are common practice by the ACRC. An example would be that historic established practice on nearby Dugout Road.

- (6) All permitted installations shall be maintained in a neat, orderly condition to prevent injury to property, persons, or the community in general.**

Comment: The Planning Commission may wish to require a performance bond to ensure compliance with a site reclamation plan, and the repair and replacement of any damaged portions of the Blue Star Trail.

Applicant will maintain the site in a neat and orderly condition so as to prevent injury to property, persons, or the community in general. Applicant expects to repair and replace any damage to Blue Star Trail that is resultant of its activities.

- (7) Proper measures, as determined by the Planning Commission, shall be taken to minimize the Nuisance of noise and flying dust or rock. Such measures may include, when considered necessary, limitations upon the practices of stockpiling excavated material upon the site.**

Comment: The existing stockpiles are 70' in height. The Planning Commission may wish to discuss with the applicant measures to ensure sand and dust do not cause a nuisance to adjacent properties.

Top soil, seed, mulch, sod of impacted areas has progressed with the pond creation. Applicant will comply with the already established Saugatuck Township noise ordinance and hours of operation standards. Applicant is required to control dust under its Soil Erosion Sedimentation Control permit. The minimum 50' natural vegetative buffer around the perimeter of the property has proven to further mitigate these concerns.

Conducting progressive reclamation and revegetation of excavated areas concurrent with pond creation the Applicant has demonstrated appropriate practices to ensure that sand and dust do not cause a nuisance to adjacent properties. The Applicant is subject to SESC regulations that govern this concern. Applicant has self-imposed a significant natural vegetative buffer around the site (at minimum twice that required by SESC to avoid additional measures). The adjacent property owners who could be most affected have expressed support of the project.

- (8) When excavation and removal operations or either of them are completed, the excavated area shall be graded so that no gradient in disturbed earth shall be steeper than a slope of 3:1 (horizontal-vertical). A layer of arable topsoil of a quality approved by the Zoning Administrator shall be spread over the excavated area, except exposed rock surfaces or areas lying below natural water level, to a minimum depth of four inches in accordance with the approved contour plan. The area shall be seeded with perennial grasses and maintained until the area is stabilized and approved by the Planning Commission.**

Comment: A site restoration plan has not been provided to indicate the restoration of the site with top soil, finished grades, nor seeding. This plan shall be provided for review to determine compliance with this standard. A note has been added to the discussion list at the end of this memorandum.

No final excavated slopes will exceed 3:1. Applicant is required to reclaim the property and seed it appropriately in accordance with its Soil Erosion Sedimentation Control Permit. Applicant has submitted a restoration plan that meets or exceeds these concerns.

- (9) The Planning Commission, in granting a Special Approval Use, may require the posting of a bond or other assurance that the requirements in subsection (8) of this section shall be met.**

Comment: The Planning Commission may wish to require a performance bond to ensure the site is restored per a site restoration plan (yet to be submitted). The overall development plan is not a restoration plan, and this review does not include analysis of future building sites or private roads. A performance bond shall also include costs associated with periodic repairs and eventual replacement of the impacted portions of the Blue Star Trail.

Applicant has already demonstrated responsible site reclamation practices and will continue to do so. Reclamation of impacted areas will continue to progress along with the creation of the waterbody. Applicant has previously submitted a conceptual plan showing a potential idea for best utilizing the remaining lands. Applicant acknowledges that any such development will be subject to review and approval of the appropriate governing bodies.

Section 40-693

- 1. Will the Special Approval Use be designed, constructed, operated, and maintained in a manner harmonious with the character of the surrounding area?**

Comment: A determination cannot be made until additional information is provided as discussed herein.

Yes. The creation of the waterbody is for residential and recreational uses consistent with neighboring homes and uses in the surrounding area.

- 2. Will the Special Approval Use change the essential character of the area?**

Comment: A determination cannot be made until additional information is provided as discussed herein.

No. The Special Use Approval will not change the essential character of the area. The waterbody creation is for residential, recreational purposes consistent with surrounding uses and the essential character of the area.

- 3. Will the Special Approval Use be hazardous or involve uses, activities, materials, or equipment which might prove detrimental to the health, safety or welfare of persons or property by reason of traffic, noise, vibration, smoke, fumes or glare?**

Comment: A determination cannot be made until additional information is provided as discussed herein.

No. Activities related to waterbody creation are non-polluting. Vehicle traffic shall access a Class A all season Rd. designed for such uses. Excavation occurs below existing grades surrounded by significant vegetative buffer reducing the chance for wind-blown material and further mitigates equipment noise, dust, vibration, etc.

- 4. Will the Special Approval Use place additional demands on public services and facilities.**

Comment: A determination cannot be made until additional information is provided as discussed herein.

No. Applicant has already demonstrated no additional demands will be placed on public services and facilities.

RECOMMENDATION DISCUSSION ITEMS:

The Planning Commission may wish to consider comments from the public, the staff reports prepared, and the discussion at the February 24, 2020 meeting. Due to the outstanding items and questions raised in this report, the Planning Commission may request the applicant return with written explanations and solutions to concerns raised, including but not limited to:

1. The applicant shall provide a timetable for mineral removal, including start and end dates, hours of operation and days of the week the mine will be open, as well as the anticipated number of trucks entering and leaving the site on a daily basis.

Applicant requested the permit for 36 months for the removal of material from the site. Applicant's proposed hours of operation are 7am - 6pm Monday - Friday. No removal of material shall occur on Saturday, Sunday or legal holidays. An average of a few dozen trucks per day is anticipated to leave the site. Double bottoms or trains will be discouraged.

2. A restoration plan shall be provided without land division lines or roads, simply showing water elevation of the pond, spot elevations throughout the site, grading and landscaping. Future land development requests on the site would require separate and subsequent application and consideration by the Township.

Applicant has submitted a restoration plan that meets or exceeds recommended standards.

3. A performance bond shall be required in the amount necessary to restore the site per the restoration plan.

Applicant has demonstrated that restoration will not be a concern. The self-imposed practices to date far exceed any required standard.

4. The applicant shall describe measures, in addition to sign posting, for site security especially at project entries and around the water body.

Applicant has demonstrated a record of safety. Sign posting is the customary safety measure for such activity. Nonetheless applicant is agreeable to installing a gate at the Blue Star driveway and a locked cable at the 135th Street drive.

5. Slopes shall be labeled for not only the berms, but also the relative to water elevation. Consideration should be given to the slope at water level, consistent with the development standards of the Allegan County Drain Commissioner's development standards for wet basins.

The plans submitted show proposed upland slopes, further identified on the Reclamation Plan. Applicant has also included sub-aqueous slopes on the reclamation plan, of the typical sub surface slope standard that it will comply with. Such meets or exceeds those standards for the development of wet basins as recommended by the Allegan County Drain Commissioner.

6. Applicant shall indicate the material of the berms and its slope. Measures shall be taken to protect against blowing sand.

Berm details are identified on the Reclamation Plan. Applicant has maintained a significant natural vegetative buffer around the property and has demonstrated that blowing sand will not be a nuisance to adjacent properties. Berms shall be top soiled, finished graded and seeded.

7. Dewatering plans for excavation and potential effects on adjacent wells shall described and addressed, if applicable.

No dewatering is proposed.

8. Implications of the mining activity to the established Well Head Protection Plan adopted by the Kal-Lake Water and Sewer Authority, and any comments or conditions requested by the Authority.

Waterbody creation does not involve dewatering or a consumptive water process that would adversely impact subaqueous water quality or supply.

9. Certification process shall be required for ensuring ponds have been constructed per prior approved pond creation plans, as well as the plans depicted in this submittal dated 1/10/20.

Applicant will provide the Twp with an as built survey.

10. Impacts to the Blue Star Trail should be discussed, and a performance bond shall be required in an amount determined by the Township, for replacement after mining operations have ceased, as well as periodic repairs during mining operations when and if determined by the Township.

Applicant shall be responsible for any damage to the Blue Star Trail while crossing it to get into the site.

11. The applicant shall state whether materials will be brought onto the site, and if so, describe the types of materials and their source.

No outside soils will be brought on site.

12. The applicant shall describe any dewatering plans for excavation, and determine potential effect on adjacent wells.

No dewatering shall occur as part of the waterbody creation process.

13. All conditions as set forth by the Fire District during their review.

Applicant has addressed traffic related concerns as well as additional precautions to be taken at the Blue Star Trail crossing.

14. All conditions of the utility district, Allegan County Road Commission, and other applicable reviewing agencies, including the Township Engineer.

Applicant has obtained driveway approval from the ACRC, Part 91 Approvals from ACDPH, and Pond Creation permits from the Township. Applicant will obtain any other necessary approvals.

15. Applicant shall secure all required permits by EGLE, the County Drain Commissioner, Health Department and any other reviewing agencies. It should be noted that a driveway permit was issued by the ACRC for Blue Star Highway, but no other permit has been issued for 135th street, even though it has been used as ingress and egress to this site.

Applicant possesses applicable permits for work that has been completed. Applicant agrees to procure any additional permits that may be required. The 135th Drive was pre-existing.

The following letter dated February 17, 2020 contains comments from the Twp Engineer to the Township Planner regarding the Applicants creation of a waterbody and the removal of sand/soil from the site. The applicant provides answers in blue italics following each question.

February 17, 2020
2200282

Ms. Lynee Wells
Saugatuck Township Planner
3461 Blue Star Hwy
Saugatuck, MI 49453

RE: 135th Ave and 66th Street - Special Approval Use for Sand Mining
Saugatuck Township – Section 03

Dear Ms. Wells:

On behalf of Saugatuck Township, our office has done an initial review of the site plan drawings and information provided for the Special Approved Use Application for Chad Van Horn 3515 66th Street for creation of water body and removal of sand/soil from the site. Plans were received from you on February 4, 2020 and are dated January 27, 2019 (believed to be 2020).

Specific comments to this proposed use are:

1. Applicant should consider disruption to Township non-motorized path at Blue Star Hwy. regarding provisions for traffic safety and structural repairs.

Applicant will cause to have installed “caution pedestrian and bike crossing” signs posted at the drive on both sides of the Blue Star Trail. Applicant will cause to have installed “caution truck crossing” signs posted at Blue Star Trail on both sides of the drive crossing.

2. Proposed drive locations shall be approved by the Allegan County Road Commission.

The Blue Star drive entrance has been permitted and approved by the Allegan County Road Commission.

3. Proposed private roadways are to be reviewed for compliance with township ordinance.

Proposed drive is in accordance with Twp standards and requirements.

4. A current SESC permit is needed from Allegan County Health Department.

Applicant possesses a current SESC permit from ACHD (see attached).

5. EGLE permits may be necessary:

- a. Part 637 Designated Sand Dune Area (Not Critical Dune) - Will more than 3,000 tons (2,222 cubic yards) be removed from site? Is use for industrial or commercial purpose? *No*
- b. Part 301, Inland Lakes and Streams – Will a lake be created over 5 acres?

Applicant will obtain all necessary EGLE permits.

6. What is the timeline for material removal? Start and end dates?

Applicant has requested 36 months for the removal of material from the site.

7. What is the reclamation plan for the site and the process for approval?

Applicant has submitted a reclamation plan. Applicant has demonstrated self-governing abilities relating thereto. Upon completion of the project, Applicant will submit an as built survey to the Twp.

8. Is a performance guarantee in the form of a bond or letter of credit necessary to enforce reclamation of the site?

No. The Applicant has demonstrated self-governing abilities relating thereto. Upon completion of the project, Applicant will submit an as built survey to the Twp.

9. What is the anticipated water elevation of the pond/lake? Please note on drawings.

The anticipated water level was noted on the plans initially submitted. 599'

10. The Township ordinance does not specify slope relative to water elevation. However, consideration should be given to slope at water level. The Allegan County Drain Commissioner's development standards for wet basins call for 1:4 or flatter slope above static water level, and 1:6 or flatter between static water level and 3' depth, and 1:3 or flatter below 3' depth. The current plans do not label proposed slopes.

The plans submitted indicated upland slopes. The reclamation plan further identifies upland slopes. It also includes subaqueous slopes of the typical sub surface grades. Applicant will meet or exceed standards for wet basins established by the Allegan County Drain Comm.

General comments for consideration related to mineral mining in additional to Saugatuck Township Ordinance 40-470:

1. Is property in an area of suspected contamination that would warrant soil testing?

The property was historically used for agricultural. Extensive soil testing has been completed. Arsenic from the historical use was found in limited select areas and lies in the top few inches of the soil profile. Applicant engaged Lakeshore Environmental to monitor site activities to ensure proper measures are taken for its safe handling and placement.

2. Are other materials to be imported to the site? What is their source/testing necessary?

No other materials will be imported to the site.

3. Hours of operation?

Applicant's proposed hours of operation are 7am - 6pm Monday - Friday. No removal of material shall occur on Saturday, Sunday or legal holidays.

4. Identification of off-site haul routes including dust and debris maintenance plan?

Off-site hauling will occur on paved roads and loads will be tarped so as to eliminate the concern of dust or debris.

5. Site security – fencing, locked gates, traffic?

Applicant has demonstrated a record of safety and security while excavating the pond. Applicant lives on-site and provides daily site security. Applicant will install a security gate at the Blue Star driveway and a locked cable at the 135th Street driveway.

6. Dewatering plans for excavation – potential affect on adjacent wells?

No dewatering is proposed to complete the pond and future lake creation.

7. Certification that ponds were constructed per plans?

Applicant will provide an as built survey confirming compliance upon completion of the project.

8. Approval process for future residential development?

Applicant will apply for appropriate permits when desired for the residential development on the East side of the pond.

Plan review and construction observation fees for this project are to be paid by the developer based on the actual costs of the fees charged. These fees shall be paid to Saugatuck Township prior to accepting the project.

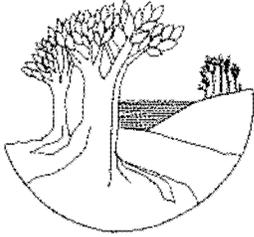
If you have any questions or comments regarding the above, please call me at 616-432-6693.

Sincerely,

Prein&Newhof



Dana R. Burd, P.E.
DRB/drb



SAUGATUCK TOWNSHIP

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3461 BLUE STAR HIGHWAY
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SAUGATUCK, MI 49453

PHONE (269) 857-7721
FAX (269) 857-4542

TO: Planning Commission
FROM: Lynee Wells, Township Planner
Date: April 21, 2020
RE: **Special Approval Use for Sand Mining (UPDATED)**

OVERVIEW:

Mr. Chad Van Horn has submitted a request for Sand Mining per Section 40-740 of the Township Zoning Ordinance. The properties impacted by the request include: Parcel Numbers – 20-003-063-07, 20-003-063-06, 20-003-063-05, 20-003-063-04, 20-003-063-17, 20-003-063-16, 20-003-063-15, 20-003-063-14, 20-003-065-05, 20-003-065-04, 20-003-065-03, 20-003-065-02, 20-003-063-13, 20-003-063-11, 20-003-063-09, 20-003-063-08, 20-003-063-18

The parcels effected include approximately 47 acres in land area. This review and application is limited to a sand mining use only. This review and application does not include site condominiums, private roads, or other uses except for sand mining and removal of sand from the site.

This request was tabled at the February 24, 2020 Planning Commission meeting. The Planning Commission requested additional information, which has been provided by the Applicant.

We will also have the Township's Attorney Nick Curcio in attendance at the meeting. We have prepared this review memorandum as well as a resolution of approval in the packet for consideration by the Planning Commission. Additionally, you will find the applicant has revised the restoration plan and provided written correspondence related to various pending items, including hours of operation, truck routes, site restoration, driveways, and soil quality for your review.

I also wanted to remind the commission that Section 125.3205 of the Michigan Zoning Enabling Act of 2006 provides the authority and governance opportunities for the Planning Commission when considering natural resource extraction. There is limited control over mining operations. The Act provides that we can establish conditions for things dust control, truck loading hours, hours of operation, noise levels, etc. We can also revoke permits for non-compliance.

REVIEW:

Section 40-693 governs Special Approval Uses generally, and Section 40-740 governs Sand Mining specifically

Sec. 40-740. - Soil pits, sand mines and quarries.

- (1) All Uses shall be established and maintained in accordance with all applicable state statutes and regulations. If any of the requirements of this subsection are less strict than those in**

applicable state statutes, the state requirements shall prevail.

~~Comment: There remain questions related to state permits and approval, namely EGLE permits which may be necessary when more than 3000 tons (2222 cubic yards) are removed, as well as lake creation over 5 acres. Additionally, a current SESC permit is needed from the Allegan County Health Department. Concerning the driveways, two are shown on the site, only the permit for the driveway on Blue Star Highway has been approved.~~

UPDATE: The applicant has clarified that Blue Star Highway is the haul route. This has been confirmed by the Allegan County Road Commission who also require Blue Star Highway to be used as the driveway for hauling materials. The proposed resolution addresses this, as well as the requirement that permits be furnished to the Township, and that should/if the excavation exceed 5 acres, permits will be furnished to the Township.

- (2) No fixed machinery shall be erected or maintained within 50 feet of any property or Street or Private Road line. No cut or excavation shall be made closer than 50 feet to any Street or Private Road right-of-way line or property line in order to ensure sublaterals support to surrounding property.**

Comment: This standard is met. Mining limits are depicted on the site plan and these limits are more than 50' from any property line. It should be noted that no new private or public roads are depicted on the site plan.

- (3) Where a Use is determined by the Planning Commission to be a public hazard, the Use shall be enclosed by a security fence six feet or more in height for the entire periphery of the property or portion thereof so as to discourage trespassing.**

~~Comment: The applicant has not provided any indication of fencing or gates to the site. The Planning Commission should discuss security measures with the applicant.~~

UPDATE: The applicant has placed signage not less than every 275' on the site around the pond. Further, a gate has been installed at the Blue Star Highway driveway. The applicant has also offered to place four signs at the driveway (two for trucks, two at the Blue Star Trail) to notify passersby of truck traffic and truck traffic of trail users. A condition has been added to the proposed resolution.

- (4) No Building shall be erected on the premises except as may be permitted in this chapter or except as temporary shelter for machinery and a field office subject to approval by the Planning Commission.**

Comment: No buildings are proposed to be erected on the site.

- (5) The Planning Commission shall establish routes for truck movement to and from the site in order to minimize the wear on Streets and to prevent hazards and damage to properties in the community. That portion of access roads within the area of operation shall be provided with a dust-resistant surface.**

Comment: The applicant has stated that Blue Star Highway will be used as the haul route. A gravel drive approach is required by the Allegan County Road Commission for dust control.

- (6) All permitted installations shall be maintained in a neat, orderly condition to prevent injury to**

property, persons, or the community in general.

~~Comment: The Planning Commission may wish to require a performance bond to ensure compliance with a site reclamation plan, and the repair and replacement of any damaged portions of the Blue Star Trail.~~

UPDATE: A condition has been added to the proposed resolution that a bond in the amount of \$100,000 shall be provided, as well as requirements that the Blue Star Trail be maintained and repaired. Please see the proposed resolution.

- (7) Proper measures, as determined by the Planning Commission, shall be taken to minimize the Nuisance of noise and flying dust or rock. Such measures may include, when considered necessary, limitations upon the practices of stockpiling excavated material upon the site.**

~~Comment: The existing stockpiles are 70' in height. The Planning Commission may wish to discuss with the applicant measures to ensure sand and dust do not cause a nuisance to adjacent properties.~~

UPDATE: The required buffering and maintaining the landscape buffer has been proposed as dust control for the site. A condition has been added to the resolution requiring this be maintained per the site plan.

- (8) When excavation and removal operations or either of them are completed, the excavated area shall be graded so that no gradient in disturbed earth shall be steeper than a slope of 3:1 (horizontal-vertical). A layer of arable topsoil of a quality approved by the Zoning Administrator shall be spread over the excavated area, except exposed rock surfaces or areas lying below natural water level, to a minimum depth of four inches in accordance with the approved contour plan. The area shall be seeded with perennial grasses and maintained until the area is stabilized and approved by the Planning Commission.**

~~Comment: A site restoration plan has not been provided to indicate the restoration of the site with top soil, finished grades, nor seeding. This plan shall be provided for review to determine compliance with this standard. A note has been added to the discussion list at the end of this memorandum.~~

UPDATE: The applicant has provided a Site Restoration Plan and has provided that the site will be restored within 36 months from the date of approval. Please see the proposed resolution.

- (9) The Planning Commission, in granting a Special Approval Use, may require the posting of a bond or other assurance that the requirements in subsection (8) of this section shall be met.**

~~Comment: The Planning Commission may wish to require a performance bond to ensure the site is restored per a site restoration plan (yet to be submitted). The overall development plan is not a restoration plan, and this review does not include analysis of future building sites or private roads. A performance bond shall also include costs associated with periodic repairs and eventual replacement of the impacted portions of the Blue Star Trail.~~

UPDATE: A condition has been added to the proposed resolution that a bond in the amount of \$100,000 shall be provided, as well as requirements that the Blue Star Trail be maintained and repaired. Please see the proposed resolution.

Section 40-693

- 1. Will the Special Approval Use be designed, constructed, operated, and maintained in a manner harmonious with the character of the surrounding area?**

~~Comment: A determination cannot be made until additional information is provided as discussed herein.~~

UPDATE: The applicant has provided and has offered operational and site standards to mitigate offsite impacts to ensure the operation will be as harmonious as possible during its operation. Hours of operation have been established and are included in the proposed resolution.

- 2. Will the Special Approval Use change the essential character of the area?**

~~Comment: A determination cannot be made until additional information is provided as discussed herein.~~

UPDATE: The mining operation is temporary to create a pond for residential enjoyment. Once restored, the site will be similar to other residentially used and zoned properties in the Township.

- 3. Will the Special Approval Use be hazardous or involve uses, activities, materials, or equipment which might prove detrimental to the health, safety or welfare of persons or property by reason of traffic, noise, vibration, smoke, fumes or glare?**

~~Comment: A determination cannot be made until additional information is provided as discussed herein.~~

UPDATE: Conditions have been added to the proposed resolution. The applicant is required to operate in accordance with all applicable federal, state and local laws.

- 4. Will the Special Approval Use place additional demands on public services and facilities.**

~~Comment: A determination cannot be made until additional information is provided as discussed herein.~~

UPDATE: The applicant is required to use Blue Star Highway for site access. The Kent County Road Commission has provided a letter of support and their driveway permit for this use. The applicant has and will post no trespass signs. Additional demands on public services and facilities are not anticipated to be greater than those typical for the proposed use.

RECOMMENDATION:

The Planning Commission may wish to review this memorandum, consider the resolution that has been prepared by the Township Attorney and seek any additional comments from the Applicant. The public hearing was February 24, 2020; therefore, no additional public testimony is required. The minutes from that meeting are included in the packet for reference.

NEDERVELD
 www.nederveld.com
 800.222.1888
GRAND RAPIDS
 1000 WEST WALTON AVENUE
 GRAND RAPIDS, MI 49503
 PHONE: 616.953.5199

ANN ARBOR
 CHICAGO
 COLUMBUS
 HOLLAND
 INDIANAPOLIS
 ST. LOUIS

PREPARED FOR:
 Chad Hartmann

3474 66th Street
 Saugatuck, Michigan 49483
 269-217-0122

CREATED:
 Drawn: WBS Date: 11/20/20

REVISIONS:

REV. NO.	DATE	DESCRIPTION
1	11/20/20	INITIAL DESIGN
2	11/20/20	REVISED DESIGN
3	11/20/20	REVISED DESIGN
4	11/20/20	REVISED DESIGN
5	11/20/20	REVISED DESIGN
6	11/20/20	REVISED DESIGN
7	11/20/20	REVISED DESIGN
8	11/20/20	REVISED DESIGN
9	11/20/20	REVISED DESIGN
10	11/20/20	REVISED DESIGN
11	11/20/20	REVISED DESIGN
12	11/20/20	REVISED DESIGN
13	11/20/20	REVISED DESIGN
14	11/20/20	REVISED DESIGN

66th Street
Site Plan

PART OF THE WEST 1/2 OF SECTION 3, T1N, R16W,
 SAUGATUCK TOWNSHIP, ALLEGAN COUNTY, MICHIGAN

STAMP:

PROJECT NO.:
 12300056

SHEET NO.:
SP.4

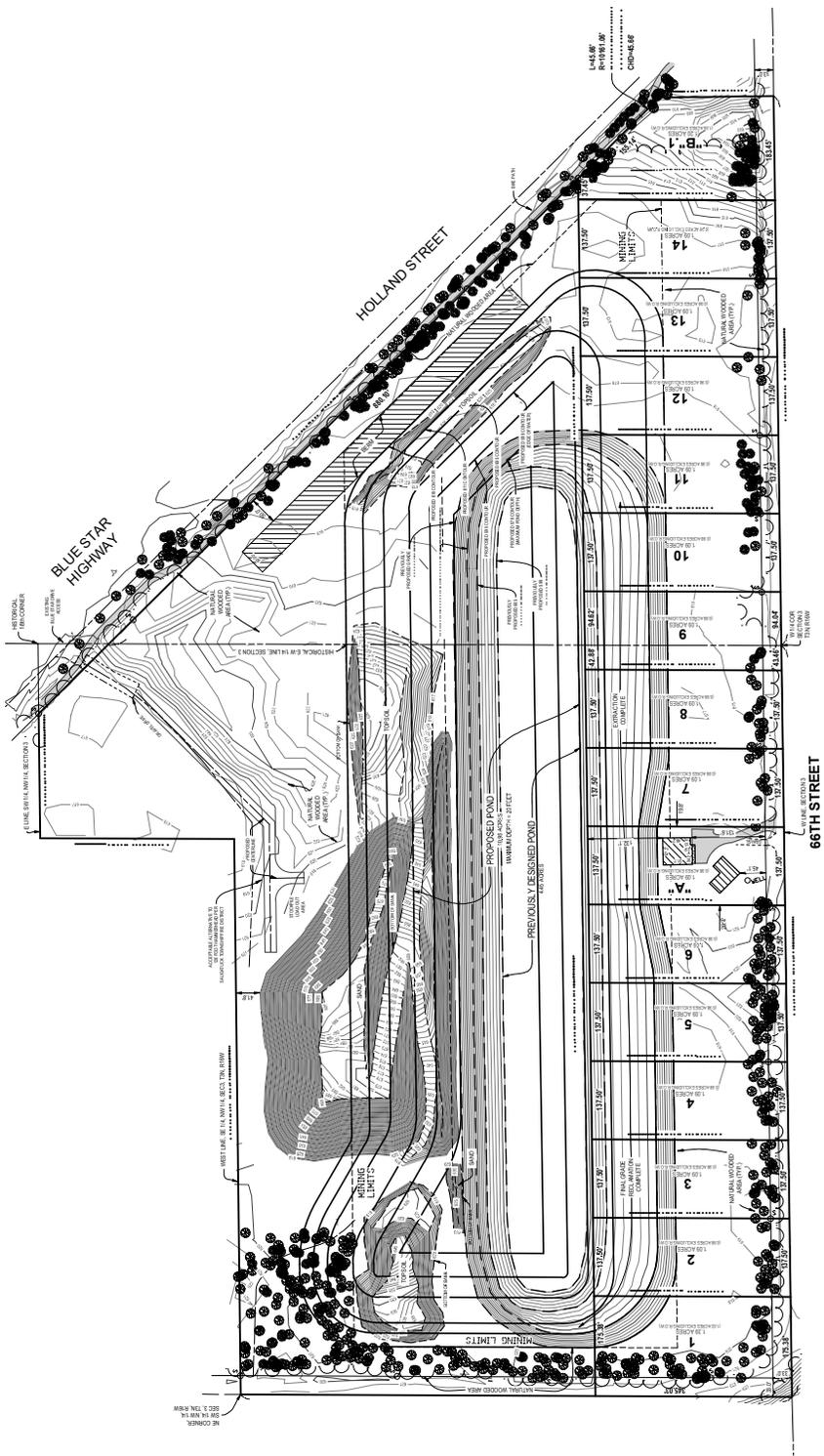
SHEET: 1 OF 1

SURVEYOR'S NOTES

- 1) Mine a clearing is complete.
- 2) Utility easements include Consumers Energy, Michigan Gas, and Comcast.
- 3) All existing grasses and trees are to be preserved.
- 4) All existing trees are to be preserved.
- 5) "Top of bank" or "full bank" signs to be installed at bankhead.
- 6) Access drive shall be constructed with a minimum of 6" of ADOOT 22A aggregate upon a compacted base.
- 7) Applicant will be responsible for obtaining appropriate EDCLE permits.

LEGEND

- ⊙ Deciduous Tree
- ⊙ Evergreen Tree
- ⊙ Utility Pole
- ⊙ Commodity
- ⊙ Regulatory Sign (11' x 6' 25")



811
 Know what's below.
 CALL before you dig.
 SCALE: 1" = 100'

LAND PLANNING — LANDSCAPE ARCHITECTURE — CIVIL ENGINEERING — HIGH DEFINITION SCANNING — FORENSIC ENGINEERING — FIRE INVESTIGATION

From: Chad VanHorn <chad@beaconsir.com>
Sent: Wednesday, April 8, 2020 1:00 PM
To: Lynee Wells
Cc: Andy Prietz; Philip Johnson; Matthew D. Zimmerman
Subject: Additional correspondence
Attachments: cidF7577148-5596-45E9-9BDA-E3D6BCE4F6FC.pdf; ATT00001.htm;
pastedGraphic.png;
ATT00002.htm

Good afternoon.

Per your request for additional comment on your discussion item #13 - Fire District Letter, the following comments supplement the previously submitted information.

1. Additional truck traffic coming into the site and exiting the site onto Blue Star Highway.

The Allegan County Road Commission (ACRC) is the local governing body and authority on access drives, traffic counts, and traffic safety, and has reviewed the proposed use and commented to the Township in the attached letter. Utilizing current traffic counts and Michigan Department of Transportation (MDOT) standards the ACRC has analyzed the permitted driveway access to Blue Star Highway for any requirements related to truck traffic ingress and egress. The ACRC analysis has determined the proposed truck traffic volumes will be well under the maximum allowed at this site during peak hours and the use of the driveway will not require a deceleration lane or other mitigating measures.

2. Truck traffic crossing the Blue Star Trail.

Signage will be posted on the trail to the north and south of the driveway alerting pedestrians of the driveway location and truck traffic. A stop sign shall be installed interior of the property with additional signage alerting drivers to the trail and potential pedestrian traffic. Drivers will be instructed, and required, to check for pedestrian, bike, scooter and other use of the trail before crossing the trail. With these measures in place the use will be safer than any other driveways or roads onto the public streets which cross over public sidewalks or trails.

3. Consider Memorial Day to Labor Day prohibition.

As indicated by the ACRC the anticipated truck traffic volumes will be well below the maximum allowed during peak hours. Peak hourly traffic counts occur during the referenced summer months. Prohibition of the access during these months will significantly lengthen the time to remove the excavated materials from the approved pond creation. The proposed driveway use is no different than any other crossing of equivalent vehicle count, and significantly less than occurs into and out of commercial businesses along Blue Star Highway within the Township. If requested by the Twp or the ACRC additional signage can be installed along Blue Star Highway alerting traffic of the potential for truck traffic.

4. Water supply plans/site plan review.

The existing use is already approved as pond creation for existing residential/recreational purposes. **No site plan for additional development of the property has been submitted for review. Should that occur in the future, required information for such development will be submitted to the Township for further Fire District review and comment.**

To clarify, the Fire District makes reference to "...this sand mining project..." and also "...prior to allowing the sand mining operation to commence", which neither is accurate. The basic project purpose is pond creation for residential and recreation purposes for which the property owner has commenced substantial construction.

If we can provide any additional information to assist in your review please contact me.

Attachment H



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P.O. BOX 100
SAUGATUCK, MI 49453

PHONE (269) 857-7721
FAX (269) 857-4542

Planning Commission Meeting Monday, April 27, 2020 7:00 p.m.

AGENDA

1. Call to Order

2. Roll Call, Pledge of Allegiance

3. Approval of Agenda

April 27, 2020 Planning Commission Agenda

4. Approval of Minutes

February 24, 2020 Planning Commission Meeting

5. Public Comments. The Planning Commission requests that speakers respect the three-minute time limit for individual comments and the five-minute time limit for an individual speaking on behalf of a group. This is not a question and answer session, it is an opportunity to voice your thoughts with the Planning Commission.

6. New Business (None)

7. Old Business

Consideration for a Special Approval Use application from Chad VanHorn for a Mineral Extraction, Sand Mine in the R-1 district.

Parcel Numbers – 20-003-063-07, 20-003-063-06, 20-003-063-05, 20-003-063-04, 20-003-063-17, 20-003-063-16, 20-003-063-15, 20-003-063-14, 20-003-065-05, 20-003-065-04, 20-003-065-03, 20-003-065-02, 20-003-063-13, 20-003-063-11, 20-003-063-09, 20-003-063-08, 20-003-063-18

8. Public Comments

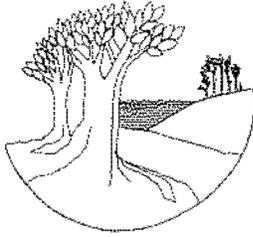
Previous guidelines apply.

9. Board Discussion

Township Board Update

10. Adjourn. - Next Meeting: TBD

**Individuals with disabilities requiring auxiliary aids or services can contact Saugatuck Township for reasonable accommodations. If you require accommodations, please contact Township Manager Griffin Graham at least seven (7) days prior to the meeting in writing or by calling the Township Hall at (269) 857-7721.



Planning Commission Minutes 02/24/20 approved

The Saugatuck Township Planning Commission met February 24, 2020 at the Township Hall on Blue Star Highway Saugatuck, Michigan

1) Call to Order at 7:00 p.m. by vice-chairperson Israels. She thanked residents, neighbors and guests for attending the evening meeting.

2) Roll call and Pledge of Allegiance

Present: J. Helmrich, D. Ihle, R. Israels, C. Lozano, B. Rowe

Excused: A. Prietz, E. Welk

Also present: L. Wells, Zoning Administrator

3) Approval of Agenda-

Motion by Rowe to approve the agenda as written. Seconded by Ihle. Motion passed by unanimous voice vote.

4) Approval of PC Minutes: January 27, 2020

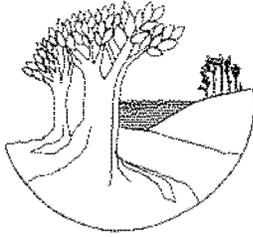
Corrections:

- Page 1, line 7 under public comment, change 'in' to 'is'
- Page 2, A. line 1, delete 'of '
- Page 2 A. conditions, delete box comic at the end of 7 conditions. Seems to be a glitch with the sending of conditions to the township computers.
- Page 3 A. line 1, delete the comic box, again after all 7 conditions.
- Page 4 A. conditions 8-11, delete the comic box at the end of the sentences.
- Page 4 C. second paragraph, line 8, delete the word 'have'.

Motion by Rowe to approve the minutes of 01/27/20 as amended. Seconded by Lozano. Motion passed by unanimous voice vote.

5) Public Comment:

- Sandra Randolph: I am really just here to see what is going on. I have heard lots of things, but am mostly concerned about the selling of sand.
- Bart Webb: I share the concerns of Sandra and am not sure that things have been transparent. I am here to be educated on the process.
- Scott Wierenga: He read his email submission dated and entered into record on February 22, 2020 requesting that the Special Approval Use variance be denied. His email cited the Unnecessary Hardship Law and legal definition thereof.



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- Sandra Randolph: Expressed concerns about road and traffic issues, and exiting the property onto the Blue Star Highway.

6) New business:

A. Public Hearing and consideration of a Conditional Rezoning application to change the zoning of parcel #20-003-001-00 (aka. 3577 64th St.) from Conditional C-3 Interchange Commercial District (Medical Marijuana) to Conditional C-3 Interchange Commercial District (Marijuana Facilities to include Adult-use and Medical). This is a request to amend the conditional rezoning application to include adult-use marijuana for retail use.

Legal description - THAT PT OF NE 1/4 NE FRL 1/4 LYING E OF THE HOLLAND RD S OF US 31 & W OF E SEC LIN SEC 3 EX THE S 478.02 FT SEC 3 T3N R16W. (03)

Staff Introduction: Wells explained the current project of Aaron Smith who has conditional rezoning for Medical marijuana sales at this site, and is requesting to include Adult-use to his conditional rezoning request. The Township ordinance was recently amended to include Adult-use business. The previous conditions agreed upon remain, and the property would revert back to C-1 zoning if the applicant is not able to get licensed from the State within 18 months of final approval, or if they fail to open within 22 months, or if the court determines there is a violation in the agreement.

Project Representative: Aaron M. Smith spoke in support of the conditional rezoning request. He has been in contact with our Township attorney about proposed changes.

Israels declared the Public Hearing Open-

There were no public comments-

Israels declared the Public Hearing Closed.

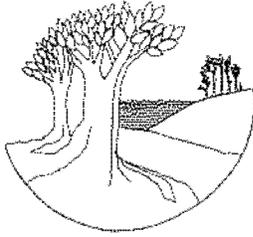
Commission discussion: Rowe questioned when the 22 month period would begin, and Lynee explained once everything is approved. The commission also explained where the site is located to members of the audience.

Motion by Rowe to recommend support of the conditional rezoning request to the Township Board. Seconded by Lozano. Motion passed by unanimous voice vote.

B. Public Hearing and consideration of a Special Approval Use and Site Plan Review application to amend the approved special approval use and site plan for a medical marijuana provisioning center to also include Adult-use marijuana retail on parcel #20-003-001-00 (aka. 3577 64 th) ^[SEP]

Legal description - THAT PT OF NE 1/4 NE FRL 1/4 LYING E OF THE HOLLAND RD S OF US 31 & W OF E SEC LIN SEC 3 EX THE S 478.02 FT SEC 3 T3N R16W. (03) ^[SEP]

Staff Introduction: Wells explained the applicant has updated his building renderings and revised the site plan accompanying the Special Approval Use application to include adult-use marijuana, as well as move the building closer to the intersection of North 64 th and the Lakeshore Tackle and Firearms business. The building size, location and elevation have changed. The current building will be removed. In general, the applicant has met the



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requirements of Section 40-693 (Special Approval Uses) and Section 40-746 (medical marijuana facilities). Wells reviewed the standards and noted the following recommendations:

1. Windows and doors shall remain closed except for ingress and egress. [SEP]
2. Negative interior air pressure shall be maintained at all times. [SEP]
3. Buffer yards shall remain, only removal of dead brush shall be permitted. Existing trees within the [SEP] buffer yards shall remain to satisfy the minimum size requirements and specifications of section 40-878. The applicant shall flag all trees to remain to be counted towards the buffer yard requirements, and new plant materials added should any deficiencies arise. [SEP]
4. The landscaping shall conform to section 40-880 and any new plant materials shall be installed and maintained per 40-880 (i) 1-6. [SEP]
5. All exterior lighting fixtures shall be downward facing, fully-shielded and dark sky compliant. Any exterior lighting will require submission of cut sheets to the Township Planner. [SEP]
6. The applicant shall adhere to all requirements and standards of applicable local, state and federal laws, including Ordinance 40-746 at all times. [SEP]
7. The exterior building façade shall meet the transparency requirements with windows per the Township Zoning Ordinance. An updated façade with dimensions shall be provided to the Township Planner for review. [SEP]
8. All conditions as set forth by the Fire District shall be met prior to issuance of building permit. [SEP]
9. All conditions as set forth by the Township's Engineer shall be met prior to issuance of building permit.
10. All conditions of the utility district, Allegan County Road Commission, and other applicable [SEP] reviewing agencies shall be met. [SEP]
11. The applicant shall remain in good standing and maintain all required licenses through the State [SEP] of Michigan and the Township. [SEP]
12. The Special Approval Use shall be conditioned upon approval of the conditional rezoning request [SEP] by the Township Board. [SEP]
13. All information provided by the applicant in previous reviews and included in this memorandum [SEP] are deemed as conditions of approval, including hours of operation, security, air filtration, and waste disposal. [SEP]

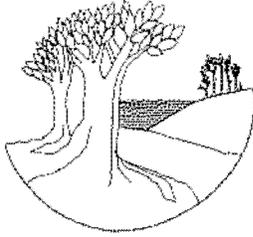
Project Representative: Aaron Smith explained that the project has taken on many positive elements. The building will be new and landscaping will be done with an arborist, retaining the natural aspect of the site. He is working with the Road Commission regarding access which is now off Blue Star at the light. He is aware of the Township conditions and working to meet them all. Ihle questioned the detention basin location. Aaron explained it is the same location as before. Israels questioned mechanicals on the roof and Aaron explained there will not be any. Aaron further explained they have added full auto access around the building.

Israels declared the Public Hearing Open-

There were no public comments-

Israels declared the Public Hearing Closed.

Commission discussion: Rowe noted that we are somewhat revisiting an approved item, but with some positive changes.



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A **Motion** was made by Rowe to approve the Special Approval Use and the site plan review to include the 13 conditions listed in the Township Planners' memo of February 18, 'SAU and Site Plan review for a provisioning center and marijuana retailer at 3577 64th.' Seconded by Helmrich. Motion passed by unanimous voice vote.

C. Public Hearing and Consideration for a **Special Approval Use** application from Chad VanHorn for a Mineral Extraction, Sand Mine in the R-1 district. ^[SEP]

Parcel Numbers – ^[SEP]20-003-063-(04 through 09), 20-003-063-11, 20-003-063-(13 through 17), 20-003-065-(02 through 05)

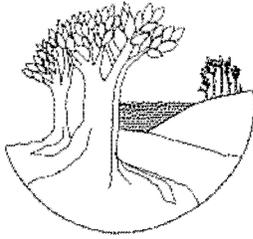
Staff Introduction: Wells explained that Mr. Van Horn submitted a request for sand mining per Section 40-740 of the Township Zoning Ordinance. **The parcel(s) affected includes appx. 47 acres and the request is limited to sand mining and removal of sand only.** Two pond permits were obtained in 2018 and there were no conditions on the permits. Also DEQ approval was not required. Wells review Section 40-470 and the nine standards governing sand mines, soil pits and quarries. She explained we do not have a State permit on file for the proposed 10 acre pond, and we may need additional permits from the County. See Planning Commission Memo date February 18, 2020 regarding *Special Approval Use for Sand Mining*.

Also included are comments from the Fire District in a memo date February 18, 2020 to the Saugatuck Township Planning Commission.

Wells noted that determination for the project to meet the General Standards for Special Use (Section 40-693) could not be made until additional information is provided.

The Township Planner made the following recommendations:

1. The applicant shall provide a timetable for mineral removal, including start and end dates, hours of operation and days of the week the mine will be open, as well as the anticipated number of trucks entering and leaving the site on a daily basis.
2. A restoration plan shall be provided without land division lines or roads, simply showing water elevation of the pond, spot elevations throughout the site, grading and landscaping. Future land development requests on the site would require separate and subsequent application and consideration by the Township.
3. A performance bond shall be required in the amount necessary to restore the site per the restoration plan.
4. The applicant shall describe measures, in addition to sign posting, for site security especially at project entries and around the water body.
5. Slopes shall be labeled for not only the berms, but also the relative to water elevation. Consideration should be given to the slope at water level, consistent with the development standards of the Allegan County Drain Commissioner's development standards for wet basins.
6. Applicant shall indicate the material of the berms and its slope. Measures shall be taken to protect against blowing sand.
7. Dewatering plans for excavation and potential effects on adjacent wells shall be described and addressed, if applicable.
8. Implications of the mining activity to the established Well Head Protection Plan adopted by the Kal-



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Lake Water and Sewer Authority, and any comments or conditions requested by the Authority.

9. Certification process shall be required for ensuring ponds have been constructed per prior approved pond creation plans, as well as the plans depicted in this submittal dated 1/10/20.

10. Impacts to the Blue Star Trail should be discussed, and a performance bond shall be required in an amount determined by the Township, for replacement after mining operations have ceased, as well as periodic repairs during mining operations when and if determined by the Township.

11. The applicant shall state whether materials will be brought onto the site, and if so, describe the types of materials and their source.

12. The applicant shall describe any dewatering plans for excavation, and determine potential effect on adjacent wells.

13. All conditions as set forth by the Fire District during their review.

14. All conditions of the utility district, Allegan County Road Commission, and other applicable reviewing agencies, including the Township Engineer.

15. Applicant shall secure all required permits by EGLE, the County Drain Commissioner, Health Department and any other reviewing agencies. It should be noted that a driveway permit was issued by the ACRC for Blue Star Highway, but no other permit has been issued for 135th street, even though it has been used as ingress and egress to this site.

Helmrich questioned the access to 135th Street and access. Ihle questioned the future layout of lots and Wells explained she is requesting a site restoration plan after the removal of the sand.

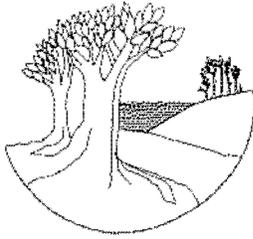
Project Representative(s): Chad Van Horn, aka property owner, Matt Zimmerman, attn., and Phil Johnson represented the project.

Chad thanked the community and planners for being here. Explained he came to the Township before buying the property and explained his intended use for the property. He noted that there have been 4 zoning administrators in the Township since he started the project, and was initially informed he did not have to come before the Board for permitting.

- He explained the access (two track) on 135th existed for many years before he bought the property-
- He said there is a permit from the Allegan Co. Health Department included in our packet-
- Noted there seemed to be Township correspondence last week that he wasn't included in-

Zimmerman, attn. for the project explained the objective of the project so folks could see the end result. He stated they are voluntarily seeking a sand mining permit although the ordinance does not require a permit as it is common usage for recreational and residential activity. See Water Resource Division, Response Summary, Application NO; 2R8-N9W4-J542 and 2PT-ZEK8-QK9H, permit number WRPO1027 v1.and WRPO10189 v.1.0, dated January 26, 2018 and distributed by Zimmerman, attn.

Zimmerman noted that at 6:27 this evening, while driving here, they received the staff report, engineers report and fire district report. He explained that they would have answered many of the concerns if they had the information ahead of time. He further described how well the



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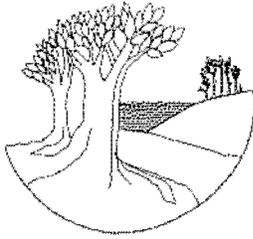
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property fits into the surrounding area. He also noted that Mr. Van Horn lives on the property and will be equally impacted by sand movement on the property, and therefore shares concerns about dust et al and will minimize the impact. He addressed the SAU standards, Section 40-693. He explained that soil samples and water samples from 4 different grounds wells have been taken consistently for over two years. There are no additional demands on public services and facilities. He said that EGLE has been on the site and acknowledged that there was some arsenic on the site and the EGLE is satisfied with the way it is being handled. He discussed pond safety, dust control, and limited machinery use. **He again explained that the end result is not a sand mining operation but a development for living around a pond. He noted there already is a bond on the roadway to the project.**

Johnson, a natural resource designer and planner, spoke about several sand mining sites in Michigan. He explained he looked at the property with Van Horn in 2018 to assure there would be no adverse issues with development and State ordinances noting there are no wetland or habitat issues. He also explained that digging a pond for residential/recreational use does not constitute sand mining. Helmrich questioned the size of the pond and if the intent is to make it a 10 acre pond. Johnson explained that the original concept was two ponds, one for fishing and one for recreation. **Johnson reminded the Board that they are here to talk about removing the sand and the end goal is to have residential home sites around the (ski) pond.**

Israels declared the Public Hearing Open-

- Glenn Shook- questioned the excavation
- Roy McIlwaine- explained he wrote a letter to the Planning Board stating his concerns and many of those things have been addressed tonight. He questioned transparency about the project and said that sand was moved from the site to the Padnos property without a permit. He also said that there is a profit to be gained from selling the sand.
- Becky Bruns- speaking on behalf of Lori Goshorn, David Swan, and other residents that could not be here. She said the project appears to be something other than what it is, which is a commercial project. She expressed concern for the project and asked the Board to be very careful to assure that several years from now it remains a good use for the land.
- Sandra Randolph- had additional questions about the project design, where the pond and lots are located, and use of the pond. She also questioned increased traffic.
- Bart Webb- expressed displeasure with the property design, sand mining and use of the property. He asked for 'honest answers'.
- Scott Wierenga- disputed that this is really sand mining and not a waterskiing project and there is no comparisons to the North Shore project.
- Terry Shull- Shull owns property on the edge of this property that is dependent on tourism. Expressed concern about the noise factor, dust and who will monitor what really happens on the property. Expressed that the project seems to be commercial to him.



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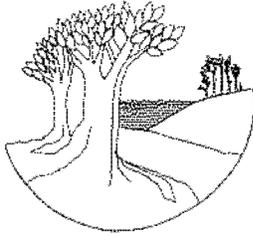
- Nancy Brehm- new to community and concerned with 'water skiing' on a small pond. Does not believe it is a probability. Asked if it would be for residents on the property or public. Questioned where the Blue Star access will be and where will the removed sand go?
- Israels noted that the Board has received correspondence from Wierenga's expressing opposition to the project, McIlwaine's expressing opposition to the project and the Township Planner has received an email from Bosgraaf expressing support for the project.
- Dennis Shaffer- executive director of the nearby camp and expressed that he is probably most affected by the project through proximity, and believes that the land owner has been very upfront with him and has assured him that he would make it a complimentary environment for the camp. He spoke in favor of the development.
- Roy McIlwaine- Stated that the development of the property did not require having a pond and restated that it does not seem to be transparent.
- Bart Webb- expressed displeasure with the project again.
- Nancy Brehm- Stated this is not a water skiing pond.

Israels declared the Public Hearing Closed.

Board discussion: Rowe expressed that many sentiments and good information was shared and suggests we obtain legal opinion from our attorney about the project. It is an intense project and there is a lot of community involved here. Helmrich expressed that the comparisons to North Shore made it more confusing. He also noted there was a fire on the property and the property owners responded that it was because of Consumers Energy. Ihle asked if the sand is actually going to be sold or just moved off site. The property owner stated that he really just wants to sand moved and willing to sell or give it away. He explained there is no scenario that would recoup the investment he has put into the property by selling sand.

Property owners response: Van Horn explained the lots are one acre parcels. The use is to water ski on the small pond and have residential housing. He is passionate and thrilled to own the property and states he is 'friendly'. He explained the intent is not to mine the whole area. He explained he has not burned on the property without a permit. In closing, Van Horn asked that the Board review his responses to the permit request. He feels he addressed every question on it and is demonstrating good faith through this request. Zimmerman spoke again in favor of this project and explained that any development would create excess sand. Israels questioned a DEQ report, truck traffic and truck size. Other considerations may have to be made relative to traffic flow.

A **motion** was made by Rowe to table the application pending our Townships attorneys' review, recommendation, and presence at the next possible meeting. The motion was seconded by Lozano. The motion passed by unanimous voice vote.



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7. Old Business: (unfinished business)

Helmrich reported follow up from the last meeting. He passed the comments from B. Wasso regarding plowing of a pedestrian area shared by the Township and Saugatuck City to our Township Manager and also reported that there is now a link on the Township Website to access the Allegan Co. website.

8. Public Comments:

No public Comments

9. Township Staff and Board Report

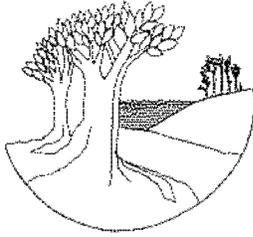
Wells reported that there will be a marijuana facility request at the March meeting

Helmrich summarized Board activity:

- The auditors report presented an overview of the FY 2018-19 and summarized the strong financial position we are in relative to other Townships in the State.
- Public comments at the last Township meeting included the Parks budget and water connection fees, especially for marijuana facilities.
- The treasurer reported on the end of tax season. (February 28)
- There was continued discussion on the ambulance services agreement for the South area of the Township,
- and discussion regarding allowing a marijuana growth facility to pay water connection fees in installments with interest,
- and review of the 2020 board goals adopted by the board—which are also available on the website and by email request to Township Manager Graham.
- The Township approved endorsing the Lower Kalamazoo River Greenway Plan,
- and reviewed new financial and administrative policy drafts from the Township Manager Graham,
- and agreed to join the Tri-Community Recycling Committee; making appointments to that group in March.
- Helmrich complimented Wells noting she has been working to formalize processes and procedures for permitting relative to zoning.
- The Board voted to have legal counsel and Manager Graham draft comments to the USACE regarding historical review of the North Shore property to submit by Friday, February 28, which is an extension date granted to the Gun Lake Tribal groups.
- Next official Township Board meeting is Wed., March 11, 2020 at 6:00 p.m.

10. Adjourn

Next P.C. meeting: March 23, 2020 7:00p.m



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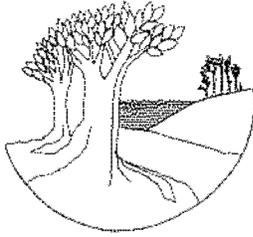
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A **motion** by Rowe, pending no objections, to adjourn the meeting at 8:10 p.m. Seconded by Helmrich. Motion passed by unanimous voice vote.

Respectfully,
R. Israels, P.C. Sec.

Motions: 02/24/20

1. **Motion** by Rowe to approve the agenda. Seconded by Ihle. Motion passed by unanimous voice vote.
2. **Motion** by Rowe to approve the minutes of 01/27/20 as amended. Seconded by Lozano. Motion passed by unanimous voice vote.
3. **Motion** by Rowe to recommend support of the conditional rezoning request to the Township Board. Seconded by Lozano. Motion passed by unanimous voice vote.
4. **Motion** was made by Rowe to approve the Special Approval Use and the site plan review to include the 13 conditions listed in the Township Planners' memo of February 18, '*SAU and Site Plan review for a provisioning center and marijuana retailer at 3577 64th.*' Seconded by Helmrich. Motion passed by unanimous voice vote.
5. **Motion** was made by Rowe to table the application pending our Townships attorneys' review, recommendation, and presence at the next possible meeting. The motion was seconded by Lozano. The motion passed by unanimous voice vote.
6. **Motion** by Rowe, pending no objections, to adjourn the meeting at 8:10 p.m. Seconded by Helmrich. Motion passed by unanimous voice vote.



Planning Commission Minutes 04/27/20 (approved)

The Saugatuck Township Planning Commission met April 27, 2020 via video Zoom conference.

Wells performed a brief overview of present members. She was unable to hear Lozano.

1) Call to Order at 7:03 p.m. by Chairperson Prietz.

2) Roll call

Present: J. Helmrich, D. Ihle, R. Israels, C. Lozano, B. Rowe, A. Prietz

Absent: E. Welk

Also present: N. Curcio, esq., L. Wells, Zoning Administrator

3) Approval of Agenda-

A Motion was made by Rowe to conduct the meeting via video conference, ratify the procedures for public participation and meeting conduct as described in the Notice of Public Meeting, and to approve the agenda as written. Seconded by Helmrich. The Motion passed by unanimous roll call vote.

4) Approval of PC Minutes: February 24, 2020

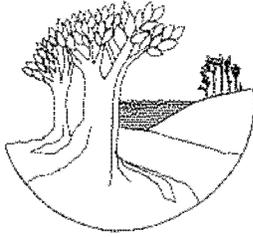
Corrections:

- Page 4: #7 add the word 'be' to described and addressed
- Page 6: correct spelling of Shuil to Shull
- Page 6: add 'ed' to 'question' under comments by R McIlwaine
- Page 7: Omit an extra l in 'McIlwaine' and add an l to willing..willing

A Motion was made by Rowe to approve the minutes of 02/24/20 as amended. Seconded by Ihle. The Motion passed by unanimous roll call vote.

5) Public Comment:

Lauri Goshorn: (Representing the Coastal Alliance in her comments) Expressed concerns with the applicants statement on page 5, and page one of the typed application. 1) referencing a memo related to water body and sand mining issued by the Attorney General. She questioned if the memo exists, and says it is not included in the application. Asks that the application be dismissed and denied if the memo cannot be produced and/or validated. 2) States EGLE is not aware of the sand mining intent or request. Asks for their review before granting the request. 3) States a water ski pond is not harmonious with the surrounding conservation area. The area is zoned residential and sand mining and water ski ponds are not harmonious with the natural conservation area. One reason there is a no



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wake zone to is decrease noise for the homes on the River. This will increase noise. The Alliance is requesting that the commission 1) Deny a permit until the AG memo is produced 2) Require a review and permit by EGLE and 3) Require non motorized use on the existing pond.

Roy McIlwaine: Read a letter from 5 residents referencing a 10 acre water ski pond on the site. States the owner benefits financially by removing the sand. Suggests the PC deny the SAU and the owner redistribute the sand around the area. (Reference letter included in the meeting Agenda packet from 5 homeowners in the area).

7) Old Business:

Special Approval Use:

Consideration for a Special Approval Use application from Chad VanHorn for a Mineral Extraction, Sand Mine in the R-1 district.

- Parcel Numbers – 20-003-063-07, 20-003-063-06, 20-003-063-05, 20-003-063-04, 20-003-063-17, 20-003-063- 16, 20-003-063-15, 20-003-063-14, 20-003-065-05, 20-003-065-04, 20-003-065-03, 20-003-065-02, 20-003-063-13, 20-003-063-11, 20-003-063-09, 20-003-063-08, 20-003-063-18

Mr. VanHorn thanked the Board for their efforts in holding the meeting. He reviewed the draft resolution proposed by our Attorney and felt it reasonable. He hopes the Board finds it reasonable as well.

Wells reviewed the requirements for an SAU as outlined in a memo dated April 21, 2020 to the Planning Commission RE: Special Approval Use for Sand Mining (updated)

She explained the commission reviewed this item in February and conducted a public hearing with public comments at that time.

She further explained it is a 47 acre site and the special land use we are reviewing this evening is “ for sand mining and the removal of sand from the property”.

She reviewed the SAU standards and the updated information to those standards.

See attachment A

Summary from Wells:

All uses shall be established and maintained in accordance with State regulations. The attorney and staff have prepared a resolution which includes that the site and all operational use shall be in accordance with State, Local and Federal standards.

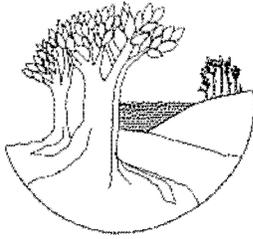
Blue Star Highway will be used as the haul route; confirmed by the Allegan road commission.

If the excavation exceeds 5 acres all State and Federal permits must be furnished to the Township.

No fixed machinery or excavation shall be maintained within 50’ of the property line.

No new private road is permitted.

If the use is considered to be a public hazard a security fence will be required in the area of hazard to discourage trespassing.



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A gate will be installed at the Blue Star access and the applicant has offered signage for trucks and trail users. It is also included as an added condition.

The PC can establish routes and the Blue Star highway will be the haul route. There are dust control measures outlined. The area shall be maintained in a neat and orderly condition.

A bond amount (\$100,000.00) was established to include any repairs to the Blue Star Trail and site resolution.

Practices shall include minimizing dust, and rock and stock piling excavated material.

The site buffer shall be maintained for dust control. The gradient shall not be steeper than 3:1 slope and top soil shall be spread over the area to 4", seeded and maintained.

The restoration plan includes a 36 month completion time frame.

Also it will conform to the general land use SAU section 40:693'

Summary from Wells:

The Planning Commission can set a time frame for the operation and the operation shall be harmonious to the area.

The mining operation is temporary.

The health, safety and welfare of the area have been addressed and standards are included to assure conformity to State, Local and Federal laws.

The Allegan Co. Road Commission has provided a letter of support. No trespassing signs are posted and they do not anticipate additional land use accommodation from providers.

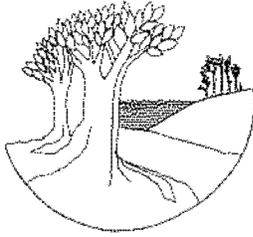
Discussion:

Helmrich questioned the 36 month time frame. Curcio explained that the time frame took into consideration probable issues with the Covid-19 virus and also a period of time for reclamation once the sand is removed. VanHorn confirmed that the initial request was for 48 months but it is now 36 months.

Helmrich questioned the gate on Blue Star and VanHorn explained the fence has been ordered from Fence Consultants but they are currently figuring out if they are able to work due to the State virus restrictions. In the meantime there is a locked cable across the property.

Helmrich questioned 'additional demand use' and the wording of such. Lynee explained that she was referencing use in comparison to other sand mining and not the overall use of the property.

Helmrich also questioned a reference from VanHorn regarding a communication from the AG office in 2018 regarding this project and asked for clarification on the reference and if it could be reviewed by the commission. VanHorn explained that the AG reference at this time is now a mute point as he is now working and fully committed to working with the Township and planning commission. Curcio confirmed that the applicant is here for sand mining only and it has been built into the resolution that the applicant will have to obtain any State permit if required. He also explained that it is often customary for the AG to take



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position on legal issues by letter, verbally or memo but it is not necessary for this application. The proposed resolution is clear that a permit from EGLE will be obtained for the mining. If an inland in-land lake is proposed at some point in time, a permit from EGLE will be necessary.

Lozano questioned the bike path crossing. Prietz explained the bike path signs are part of the resolution.

Lozano expressed concern about the number of trucks crossing the path. VanHorn explained that he has taken a further step than what is required in the resolution. He is adding an additional sign along the drive so truck will have to stop at the bike path. Ihle suggested a steel plate or something to add integrity to the path.

Ihle expressed concern over trucks leaving the site, turning left into traffic. VanHorn referenced a study done by the road commission and their determination was based on 10,000 cars per day in that area. The fire department estimates there is 7,000 cars per day at the specific area. Both indicate that the access from Blue Star is adequate.

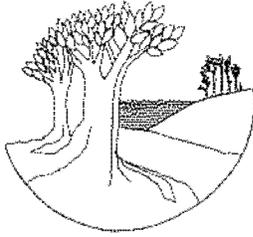
Ihle also questioned dust control and possible potential for a water truck. VanHorn explained he will be paving the first three hundred feet, beyond that he will have a cobbled strip, and he is using Southwest Michigan for dust control. He also explained that he will check on the availability of a water truck and is willing to proactively do this.

Israels questioned the time frame of 07:00 a.m. to 8:00 p.m. and suggested shortening the time frame, and also consider the holidays as a four day period. VanHorn explained that the hours of operation M-F would be difficult to change but has agreed to eliminate weekend hauling and will agree to extending all holidays to a four day period of 'no trucking'. Israels questioned what a 'few dozen trucks' mean. VanHorn explained the calculation in the proposal based on weight and traffic. Israels asked about discouraging double loaded trucks (train trucks) and VanHorn explained he will 'dis-incentivize' operators so it will not be in their interest to use train trucks.

Curcio commented on procedure and recommended that if the PC is ready to approve the application resolution one of the conditions would be that Mr. VanHorn will work with the Township staff to incorporate items agreed upon this evening into the resolution. The applicant will comply with statements made during this meeting.

Helmrich wondered if we should table the resolution and vote until May. Curcio explained that the applicant was specific enough in this discussion that there is not a need to postpone addressing the resolution. Curcio further explained that the driveway will meet the requirements of the Allegan Co. Road Commission, as discussed, and the Township driveway requirements. VanHorn explained that the driveway will be paved to the road. Helmrich stated that a representative from EGLE who oversees sand mining is planning to visit the site this week and asked VanHorn if he was aware. VanHorn referred this to his attorney who stated he was not aware of an impending visit this week but they have visited the site at other times.

Prietz thanked the attorney, staff and participants for their time and efforts in the discussion this evening.



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A **Motion** was made by Israels to adopt the proposed resolution with the understanding that we incorporate the changes discussed and agreed upon this evening, as recommended by our attorney. Seconded by Ihle.

Discussion: Helmrich voiced that he would like to table the decision until the next meeting.

The Motion passed by roll call vote 5:1, Helmrich voting no.

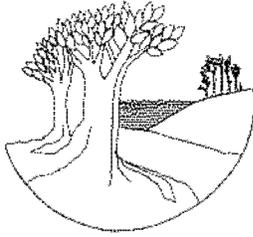
Prietz again thanked everyone for their participation in the meeting.

8. Public Comment:

- L. Goshorn: expressed she finds it interesting that the commission passed it prior to other permitting, but doesn't understand the legal process, and glad it is on the docket for pending approval by EGLE.
- R. McIlwaine: expressed that not one member of the commission brought up the concern of this project fitting into the neighborhood character. Stated we approved a single family 10 acre pond for power boat water skiing in a residential area with sand mining involved.
- D. Swan: Expressed he spoke with the sand mining manager at the DEQ (referring to EGLE) and they are not aware of this project. He said the DEQ (referring to EGLE) is shocked that this is going on and they will visit the site this week.

9. Board Discussion/Update: from J. Helmrich

- Township board conducted its first remote meeting via Zoom on April 8, 2020.
- The newly revised Administrative Policy Handbook was adopted by a 5 – 0 vote. It is available on the website.
- Manager Graham presented a first draft for the Fiscal Year 2021 budget which must be presented publically and adopted before July 1. Many improvements have been made to the format of the budget to increase transparency and improve understanding.
- A second agreement was approved to allow for an applicant to pay water connection fees over time; Cabbage Construction on Just Barns Drive.
- Road projects for remainder of FY2020 and a plan for FY 2021 were reviewed.
- A discussion was held on reviewing and possibly amending the current Short Term Rental policy.
- Manager Graham reviewed the status of the 'Board Goals' which were adopted in December, 2019.
- Public Comment by P.C. Chair Prietz. He asked the Board to consider and include better response times for both the North and South sides of the Township in their emergency response.



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- Next Township Board meeting is Wed., May 13, 2020 at 6:00pm via Zoom.

10. Adjourn

A **motion** was made by Israels to adjourn the meeting at 08:24 p.m. Seconded by Rowe. Motion passed by unanimous roll call vote.

Next P.C. meeting: (scheduled) May 18, 2020 07:00 p.m.

Motions:

1. A **Motion** was made by Rowe to conduct the meeting via video conference, ratify the procedures for public participation and meeting conduct as described in the Notice of Public Meeting, and to approve the agenda as written. Seconded by Helmrich. The Motion passed by unanimous roll call vote.

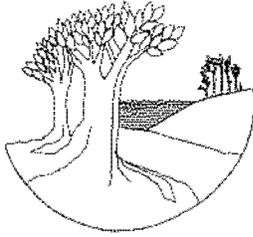
2. A **Motion** was made by Rowe to approve the minutes of 02/24/20 as amended. Seconded by Ihle. The Motion passed by unanimous roll call vote.

3. A **Motion** was made by Israels to adopt the proposed resolution with the understanding that we incorporate the changes discussed and agreed upon this evening, as recommended by our attorney. Seconded by Ihle. The motion passed by 5:1 roll call vote, Helmrich voting no.

4. A **Motion** was made by Israels to adjourn the meeting at 08:24 p.m. Seconded by Rowe. The Motion passed by unanimous roll call vote.

Respectfully,

R. Israels, P.C. Sec.



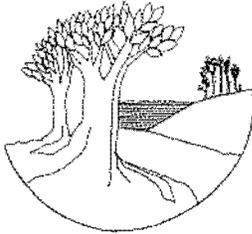
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Attachment A



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PHONE (269) 857-7721
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TO: Planning Commission
FROM: Lynee Wells, Township Planner
Date: April 21, 2020
RE: **Special Approval Use for Sand Mining (UPDATED)**

OVERVIEW:

Mr. Chad Van Horn has submitted a request for Sand Mining per Section 40-740 of the Township Zoning Ordinance. The properties impacted by the request include: Parcel Numbers – 20-003-063-07, 20-003-063-06, 20-003-063-05, 20-003-063-04, 20-003-063-17, 20-003-063-16, 20-003-063-15, 20-003-063-14, 20-003-065-05, 20-003-065-04, 20-003-065-03, 20-003-065-02, 20-003-063-13, 20-003-063-11, 20-003-063-09, 20-003-063-08, 20-003-063-18

The parcels effected include approximately 47 acres in land area. This review and application is limited to a sand mining use only. This review and application does not include site condominiums, private roads, or other uses except for sand mining and removal of sand from the site.

This request was tabled at the February 24, 2020 Planning Commission meeting. The Planning Commission requested additional information, which has been provided by the Applicant.

We will also have the Township’s Attorney Nick Curcio in attendance at the meeting. We have prepared this review memorandum as well as a resolution of approval in the packet for consideration by the Planning Commission. Additionally, you will find the applicant has revised the restoration plan and provided written correspondence related to various pending items, including hours of operation, truck routes, site restoration, driveways, and soil quality for your review.

I also wanted to remind the commission that Section 125.3205 of the Michigan Zoning Enabling Act of 2006 provides the authority and governance opportunities for the Planning Commission when considering natural resource extraction. There is limited control over mining operations. The Act provides that we can establish conditions for things dust control, truck loading hours, hours of operation, noise levels, etc. We can also revoke permits for non-compliance.

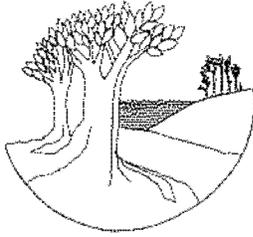
REVIEW:

Section 40-693 governs Special Approval Uses generally, and Section 40-740 governs Sand Mining specifically

Sec. 40-740. - Soil pits, sand mines and quarries.

- (1) All Uses shall be established and maintained in accordance with all applicable state statutes and regulations. If any of the requirements of this subsection are less strict than those in applicable state statutes, the state requirements shall prevail.**

Comment: There remain questions related to state permits and approval, namely EGLE permits which may be necessary when more than 3000 tons (2222 cubic yards) are removed, as well as lake



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creation over 5 acres. Additionally, a current SESC permit is needed from the Allegan County Health Department. Concerning the driveways, two are shown on the site, only the permit for the driveway on Blue Star Highway has been approved.

UPDATE: The applicant has clarified that Blue Star Highway is the haul route. This has been confirmed by the Allegan County Road Commission who also require Blue Star Highway to be used as the driveway for hauling materials. The proposed resolution addresses this, as well as the requirement that permits be furnished to the Township, and that should/if the excavation exceed 5 acres, permits will be furnished to the Township.

- (2) No fixed machinery shall be erected or maintained within 50 feet of any property or Street or Private Road line. No cut or excavation shall be made closer than 50 feet to any Street or Private Road right-of-way line or property line in order to ensure sublaterals support to surrounding property.**

Comment: This standard is met. Mining limits are depicted on the site plan and these limits are more than 50' from any property line. It should be noted that no new private or public roads are depicted on the site plan.

- (3) Where a Use is determined by the Planning Commission to be a public hazard, the Use shall be enclosed by a security fence six feet or more in height for the entire periphery of the property or portion thereof so as to discourage trespassing.**

~~Comment: The applicant has not provided any indication of fencing or gates to the site. The Planning Commission should discuss security measures with the applicant.~~

UPDATE: The applicant has placed signage not less than every 275' on the site around the pond. Further, a gate has been installed at the Blue Star Highway driveway. The applicant has also offered to place four signs at the driveway (two for trucks, two at the Blue Star Trail) to notify passersby of truck traffic and truck traffic of trail users. A condition has been added to the proposed resolution.

- (4) No Building shall be erected on the premises except as may be permitted in this chapter or except as temporary shelter for machinery and a field office subject to approval by the Planning Commission.**

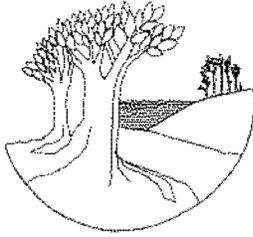
Comment: No buildings are proposed to be erected on the site.

- (5) The Planning Commission shall establish routes for truck movement to and from the site in order to minimize the wear on Streets and to prevent hazards and damage to properties in the community. That portion of access roads within the area of operation shall be provided with a dust-resistant surface.**

Comment: The applicant has stated that Blue Star Highway will be used as the haul route. A gravel drive approach is required by the Allegan County Road Commission for dust control.

- (6) All permitted installations shall be maintained in a neat, orderly condition to prevent injury to property, persons, or the community in general.**

~~Comment: The Planning Commission may wish to require a performance bond to ensure compliance with a site reclamation plan, and the repair and replacement of any damaged portions of the Blue Star Trail.~~



SAUGATUCK TOWNSHIP

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3461 BLUE STAR HIGHWAY
SAUGATUCK, MI 49453

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UPDATE: A condition has been added to the proposed resolution that a bond in the amount of \$100,000 shall be provided, as well as requirements that the Blue Star Trail be maintained and repaired. Please see the proposed resolution.

- (7) Proper measures, as determined by the Planning Commission, shall be taken to minimize the Nuisance of noise and flying dust or rock. Such measures may include, when considered necessary, limitations upon the practices of stockpiling excavated material upon the site.**

~~Comment: The existing stockpiles are 70' in height. The Planning Commission may wish to discuss with the applicant measures to ensure sand and dust do not cause a nuisance to adjacent properties.~~

UPDATE: The required buffering and maintaining the landscape buffer has been proposed as dust control for the site. A condition has been added to the resolution requiring this be maintained per the site plan.

- (8) When excavation and removal operations or either of them are completed, the excavated area shall be graded so that no gradient in disturbed earth shall be steeper than a slope of 3:1 (horizontal-vertical). A layer of arable topsoil of a quality approved by the Zoning Administrator shall be spread over the excavated area, except exposed rock surfaces or areas lying below natural water level, to a minimum depth of four inches in accordance with the approved contour plan. The area shall be seeded with perennial grasses and maintained until the area is stabilized and approved by the Planning Commission.**

~~Comment: A site restoration plan has not been provided to indicate the restoration of the site with top soil, finished grades, nor seeding. This plan shall be provided for review to determine compliance with this standard. A note has been added to the discussion list at the end of this memorandum.~~

UPDATE: The applicant has provided a Site Restoration Plan and has provided that the site will be restored within 36 months from the date of approval. Please see the proposed resolution.

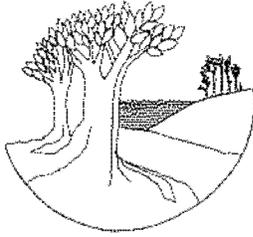
- (9) The Planning Commission, in granting a Special Approval Use, may require the posting of a bond or other assurance that the requirements in subsection (8) of this section shall be met.**

~~Comment: The Planning Commission may wish to require a performance bond to ensure the site is restored per a site restoration plan (yet to be submitted). The overall development plan is not a restoration plan, and this review does not include analysis of future building sites or private roads. A performance bond shall also include costs associated with periodic repairs and eventual replacement of the impacted portions of the Blue Star Trail.~~

UPDATE: A condition has been added to the proposed resolution that a bond in the amount of \$100,000 shall be provided, as well as requirements that the Blue Star Trail be maintained and repaired. Please see the proposed resolution.

Section 40-693

- 1. Will the Special Approval Use be designed, constructed, operated, and maintained in a manner harmonious with the character of the surrounding area?**



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~~Comment: A determination cannot be made until additional information is provided as discussed herein.~~

UPDATE: The applicant has provided and has offered operational and site standards to mitigate offsite impacts to ensure the operation will be as harmonious as possible during its operation. Hours of operation have been established and are included in the proposed resolution.

2. Will the Special Approval Use change the essential character of the area?

~~Comment: A determination cannot be made until additional information is provided as discussed herein.~~

UPDATE: The mining operation is temporary to create a pond for residential enjoyment. Once restored, the site will be similar to other residentially used and zoned properties in the Township.

3. Will the Special Approval Use be hazardous or involve uses, activities, materials, or equipment which might prove detrimental to the health, safety or welfare of persons or property by reason of traffic, noise, vibration, smoke, fumes or glare?

~~Comment: A determination cannot be made until additional information is provided as discussed herein.~~

UPDATE: Conditions have been added to the proposed resolution. The applicant is required to operate in accordance with all applicable federal, state and local laws.

4. Will the Special Approval Use place additional demands on public services and facilities.

~~Comment: A determination cannot be made until additional information is provided as discussed herein.~~

UPDATE: The applicant is required to use Blue Star Highway for site access. The Kent County Road Commission has provided a letter of support and their driveway permit for this use. The applicant has and will post no trespass signs. Additional demands on public services and facilities are not anticipated to be greater than those typical for the proposed use.

RECOMMENDATION:

The Planning Commission may wish to review this memorandum, consider the resolution that has been prepared by the Township Attorney and seek any additional comments from the Applicant. The public hearing was February 24, 2020; therefore, no additional public testimony is required. The minutes from that meeting are included in the packet for reference.

**TOWNSHIP OF SAUGATUCK
ALLEGAN COUNTY, MICHIGAN**

Planning Commissioner Israels, supported by Planning Commissioner Ihle, moved adoption of the following resolution:

RESOLUTION NO. 2020-08

**RESOLUTION TO APPROVE A SAND MINING SPECIAL APPROVAL USE (SAU)
AND TO MODIFY POND PERMITS PREVIOUSLY ISSUED FOR THE PROPERTY AT
3515 66TH STREET**

WHEREAS, Chad and Jenny Van Horn (the “Owners”) own the property commonly known as 3515 66th Street, which is approximately 47 acres in size and consists of the following tax parcels: 20-003-063-07, 20-003-063-06, 20-003-063-05, 20-003-063-04, 20-003-063-17, 20-003-063-16, 20-003-063-15, 20-003-063-14, 20-003-065-05, 20-003-065-04, 20-003-065-03, 20-003-065-02, 20-003-063-13, 20-003-063-11, 20-003-063-09, 20-003-063-08, 20-003-063-18 (the “Property”); and

WHEREAS, in the fall of 2018, the Township zoning administrator granted permits for the construction of two manmade ponds (one 2.8 acres in size and the other 4.98 acres in size) to be located on the Property, pursuant to section 40-637 of the Township zoning ordinance; and

WHEREAS, in late 2019, after commencing excavation, the Owners requested to modify the existing pond permits in order to construct a single 10.96-acre pond in the same general vicinity as the two previously proposed ponds; and

WHEREAS, upon reviewing the request and discussing the Owner’s intentions for the use of the sand spoils, the zoning administrator determined that excavation activity should be regulated through a sand mining special use approval (SAU); and

WHEREAS, the Owners submitted an SAU application for the site on January 27, 2020 (the “Application”); and

WHEREAS, the Planning Commission first reviewed the Application at a public hearing on February 24, 2020, and postponed consideration of the request in order to obtain additional information from the Owners and other community stakeholders; and

WHEREAS, the Planning Commission has carefully considered: (1) the contents of the Application, (2) the supplementary information provided by the Owners; (3) comments submitted by the Saugatuck Township Fire District, the Allegan County Road Commission, Township Engineer Dana Burd, and other interested parties; and (4) the staff reports prepared by the Township zoning administrator, and has determined to grant the application in accordance with the terms and conditions of this resolution.

Now, it is therefore resolved that:

A. The Planning Commission finds that the Application satisfies the applicable criteria in sections 40-693(b) and Section 40-740 of the zoning ordinance for the reasons stated in the zoning administrator’s report and those discussed on the record at the April 27, 2020 meeting and previous meetings of the Planning Commission.

B. The Application is hereby approved, subject to the following conditions:

1. The Owners must obtain all required federal, state, county, and local permits and approvals needed to conduct the mining operation and/or create the proposed pond, and shall comply with all terms and conditions thereof.

2. The pond shall be constructed in accordance with the site plan prepared by Nederveld (Project No. 18200056, Sheet No. SP.3, 1 of 3, last dated 4/21/20) and submitted in conjunction with the Application.
3. All excavation and pond creation activity shall comply with applicable Township ordinances, including but not limited zoning sections 40-637 and 40-740 and the Township's noise ordinance.
4. All excavation and pond creation activity shall be conducted in accordance with the representations made by the Owners in the Application and supplementary materials and testimony at the public hearing, except as expressly modified by these conditions.
5. The pond excavation on the site shall not exceed 5 acres until the Owners submit to the Township a copy of a Part 301 permit issued by the Michigan Department of Environment, Great Lakes, and Energy (EGLE).
6. Trucks traveling to and from the Property must take the Blue Star Highway, not 135th Avenue. Truck travel to and from the Property shall occur only between the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday, and shall not occur on legal holidays or the Fridays before a legal holiday occurring on a Saturday, Sunday, or Monday. The Owners shall discourage the use of trucks with double bottoms or trains to the extent possible.
7. The Owners shall keep the Blue Star Highway free and clear of sand spillage from the trucks traveling to and from the Property and shall implement appropriate measures for dust control.
8. A gate shall be installed at the Blue Star Highway entrance to the Property and shall lock off the driveway to 135th Avenue with cable or otherwise.
9. A total of 5 signs shall be posted near the entrance to the Property off of the Blue Star Highway. Two signs shall be labeled "Caution Pedestrian and Bike Crossing" and shall be posted so as to be seen by trucks driving in either direction on the Blue Star Highway. Two signs shall be labeled "Caution Truck Crossing" and be posted as to be seen by pedestrians traveling in either direction on the Blue Star Trail. Additionally, an octagonal red "Stop" sign shall be posted on the Property in a location near the right-of-way line, so as to be seen and trucks before they cross the Blue Star Trail and turn onto Blue Star Highway.
10. The Owners shall keep the portion of the Blue Star Trail that will be crossed by trucks entering the Property free of dirt and debris and in generally good and passable condition, consistent with nearby portions of the trail. The Owners shall repair any damage to the Blue Star Trail that results from their activities, at the Owners' sole expense, to the specifications of the design plans for the Blue Star Trail or the Township's Engineer.
11. The Owners must post warning signs around the pond at intervals of no more than 275 feet apart, in accordance with the Township's man-made pond ordinance, Section 40-637.
12. Algae mitigation measures for the pond shall be limited to mechanical or aeration methods only. Chemicals shall not be added to the pond.
13. If hydraulic gradient testing is performed during the development of the Property, the Owners shall provide a copy of the testing results to the Township.
14. By April 28, 2024, excavation on the Property shall have ceased and the Property shall have been seeded and graded with a vegetative buffer installed in accordance with the **Excavation Reclamation Plan prepared by Nederveld (Project No. 18200056, Sheet No. SP.3, 4 of 4, last dated 1/10/20)**. The Owners shall conduct progressive reclamation and revegetation of the excavated area to the extent reasonably possible. No final slopes shall exceed 3:1.
15. No soil or other earth materials shall be brought onto the Property from other locations. Regrading shall be done with earth materials previously excavated from the Property.

16. No dewatering shall occur on the Property.

17. After the project is complete, Owners shall provide the Township with an as-built survey.

18. The Owners shall provide a performance bond or irrevocable letter of credit in the amount of \$100,000, which may be used by the Township for: (1) the restoration of the excavated pond, if left incomplete; and/or (2) restoration of the Blue Star Trail, if damaged by truck traffic or other aspects of the operations conducted on the site. The performance bond or irrevocable letter of credit shall be in a form acceptable to the Township Attorney. The amount of the required performance bond or irrevocable letter of credit was calculated based on the premise that approximately \$5,000 is appropriate for each acre of disturbed land, and that roughly 20 acres (10-acre pond plus surrounding area) would be substantially disturbed as part of the project.

C. The pond permits issued in the fall of 2018 are hereby rescinded. Construction of the proposed pond shall be as provided above.

D. This resolution shall not be construed as an approval of any future lot split or residential development on the Property.

E. All resolutions and parts of resolutions are, to the extent of any conflict with this resolution, rescinded.

YEAS: Planning Commissioners Ihle, Israels, Lozano, Prietz, Rowe

NAYS: Planning Commissioners Helmrich

ABSTAIN: Planning Commissioners none

ABSENT: Planning Commissioners Welk

CERTIFICATION

As its Recording Secretary, I certify that this is a true and complete copy of a resolution adopted by the Planning Commission of the Township of Saugatuck, Allegan County, Michigan, at a regular meeting held on April 27, 2020.

Rebecca Israels

Rebecca Israels, Recording Secretary

NEDERVELD
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800.222.1888
GRAND RAPIDS
1000 WESTLAND AVE. SW
PO BOX 10000
ANN ARBOR MI 48106
CHICAGO
COLUMBUS
HOLLAND
INDIANAPOLIS
ST. LOUIS

PREPARED FOR:
Glad Van Horn

3545 66th Street
Spartanburg, Michigan 49453
269-217-0122

CREATED:
DATE: 11/16/20
DRAWN: WBS

REVISIONS:

REV. NO.	DATE	DESCRIPTION
1	11/16/20	INITIAL DESIGN
2	11/16/20	REVISED DESIGN
3	11/16/20	REVISED DESIGN
4	11/16/20	REVISED DESIGN
5	11/16/20	REVISED DESIGN
6	11/16/20	REVISED DESIGN
7	11/16/20	REVISED DESIGN
8	11/16/20	REVISED DESIGN
9	11/16/20	REVISED DESIGN
10	11/16/20	REVISED DESIGN
11	11/16/20	REVISED DESIGN
12	11/16/20	REVISED DESIGN
13	11/16/20	REVISED DESIGN
14	11/16/20	REVISED DESIGN

66th Street
Site Plan
PART OF THE WEST 1/2 OF SECTION 3, T3N, R16W,
SAIGATUCK TOWNSHIP, ALLEGAN COUNTY, MICHIGAN

STAMP:
PRELIMINARY

PROJECT NO.:
1230056

SHEET NO.:
SP.3

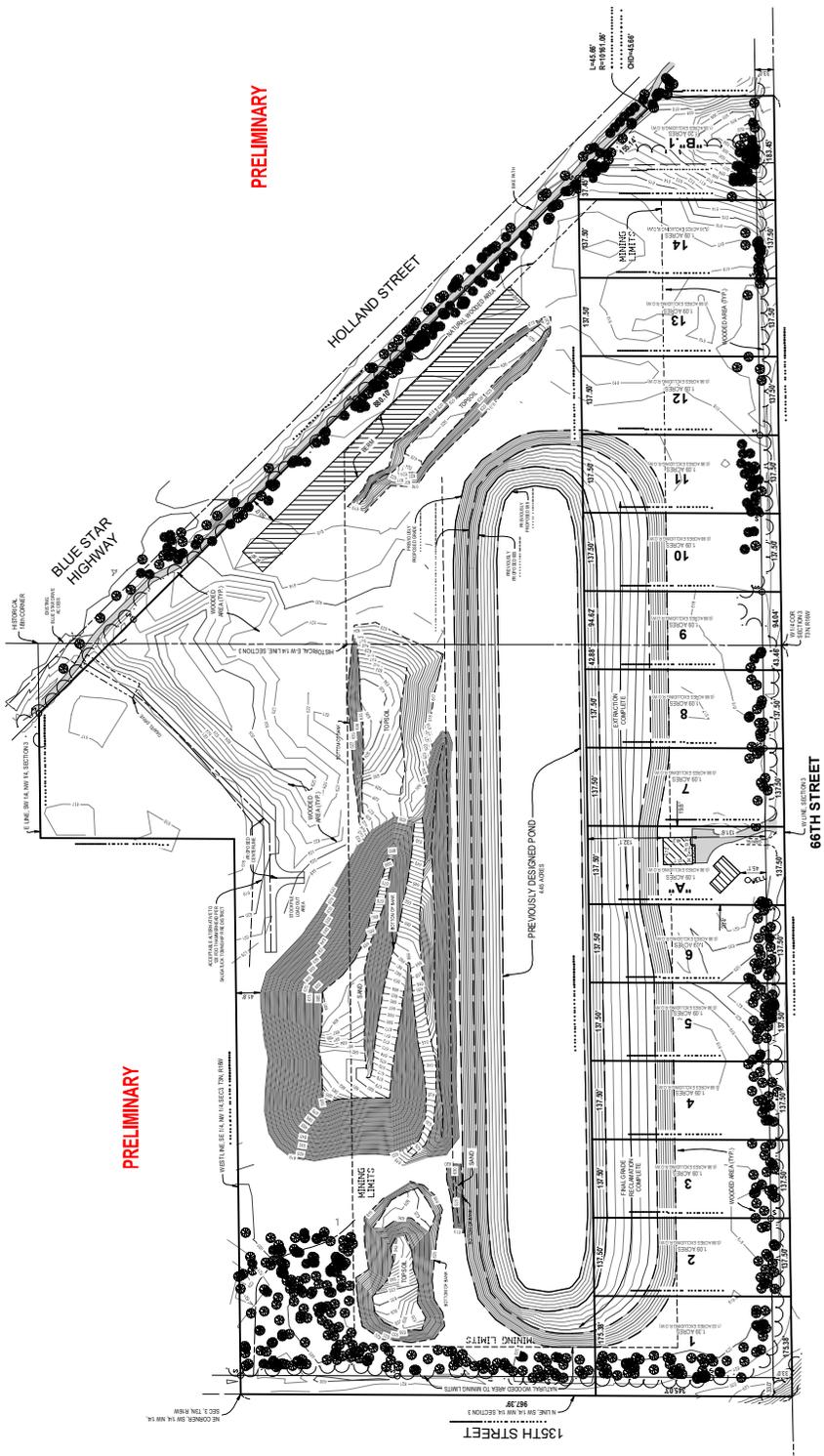
SHEET: 1 OF 3

SURVEYOR'S NOTES

- 1) Mine is enclosing is complete.
- 2) Utility easements include Consumer's Energy, Michigan Gas, and Comcast.
- 3) All hydrographs were not exceed 1:1 slope.
- 4) "No Parking" signs are to be installed at all intersections.
- 5) "No Parking" signs are to be installed at all intersections.
- 6) Access drive shall be constructed with a minimum of 6" of MOOT 2A, appropriate gravel compacted base.
- 7) Applicant will be responsible for obtaining appropriate EDELE permits.

LEGEND

- Decision Tree
- Emergency Tree
- Utility Pole
- Owned Utility
- Proposed Utility Design (11" or 16" dia)



PRELIMINARY

811
Know what's below.
CALL before you dig.

SCALE: 1" = 100'

0 50 100 200

811
Know what's below.
CALL before you dig.

811
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ST. LOUIS

PREPARED FOR:
Glad Van Horn
3545 85th Street
Sarasota, Michigan, 49453
289-217-0122

CREATED:
Date: 11/16/20
Drawn: WBS

REVISIONS:

REV. NO.	DATE	DESCRIPTION
1	12/19/20	REVISED COMMENTS
2	01/06/21	REVISED COMMENTS
3	01/06/21	REVISED COMMENTS
4	02/17/21	REVISED COMMENTS

66th Street
Conceptual Overall Development Plan

STAMP:
PRELIMINARY

PROJECT NO:
1620056

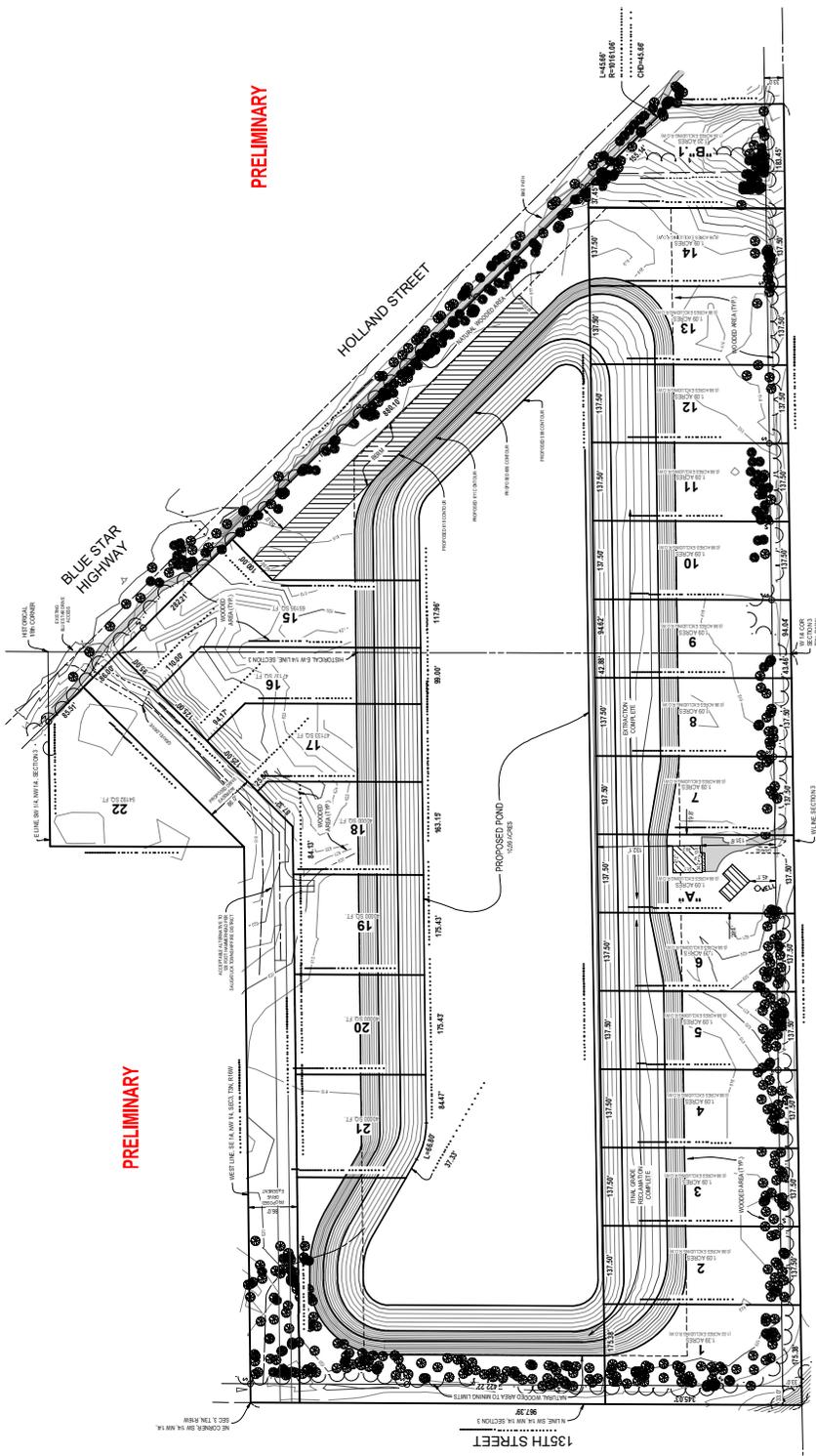
SHEET NO:
SP.3
SHEET: 2 OF 3

SURVEYOR'S NOTES

- 1) Mire is encroaching on lot 1.
- 2) Utility easements include Consumer's Energy, Michigan Gas, and Comcast.
- 3) All hydrographs were not exceed 1.5 steps.
- 4) "No Parking" signs to be installed at intersection.
- 5) "No Parking" signs to be installed at intersection.
- 6) Access drive shall be constructed with a minimum of 6" of MDOT 2A aggregate upon compacted base.
- 7) Applicant will be responsible for obtaining EOLE Permit 301 Lake Ontario Permit.

LEGEND

- Decision Tree
- Emergency Tree
- Utility Pole
- Owned Utility
- Proposed Utility
- Proposed Utility Design (1" = 10')



811
Know what's below.
CALL before you dig.

811 is a national program that provides a central point of contact for utility companies to provide information on the location and depth of underground utilities. This information is critical for the safe and efficient installation of new utilities and for the maintenance of existing utilities. For more information, visit www.811.com.