

Approved as amended, 9/17/12

Casco Township Board of Trustees

Regular meeting of August 20, 2012, 7:00 p.m.

Called to order at 6:59 p.m. by Supervisor Allan Overhiser, who led in the pledge of allegiance. Present: Overhiser, Winfrey, Graff, Ridley, and Cowie, along with approximately 35 members of the public.

The Supervisor opened public comment while surmising that the crowd in attendance was most interested in the TOPIC OF HIGH DENSITY rezoning of a parcel along Baseline Road AND CREATION OF A HIGH DENSITY TEXT AMENDMENT TO THE ZONING ORDINANCE. He announced that the rezoning Public Hearing will take place Monday, August 27 at 6 pm led by the Planning Commission.

Letters: Many residents signed and submitted a form letter, made part of these minutes, which was read aloud. Additionally, a second letter from Dr. Martin J. Graber (attached) was read aloud. Issues that the Planning Commission have been pursuing include spot zoning, drainage, police protection, and traffic. (Other personal letters from Dorothy Ann Dale, 7406 Washington St; Harry W. Hendrix & Connie Schaeffer; Betty & William Hiatt, 69 Pershing St; Steven & Rosellen Sallen, 7434 Washington Street; and Marcel & Sherry van der Elst, 95 North Shore Drive N. are included in the attachments, preceding the form letters).

Overhiser addressed security. The township has been in touch with the city of South Haven and the Sheriff's department. The County will roll out a precinct system in the Fall. Overhiser illustrated a potential police protection area serving the western edge of Casco Township.

Regarding drainage, the process has evolved and a 433 agreement could be required. This would empower the Drain Commissioner to take corrective action as needed. Perhaps the Drain Commissioner could attend the Planning Commission meeting.

Public Comment:

Marcy Fitch, 7438 Washington Street, wished to speak to the drainage issue on Washington St. The drainage system worked until West Wing was constructed. She asked the Board to work with the residents to work with the Drain Commissioner. She wondered who approved the drawings for West Wing to go into the Washington St. drainage district? Pete Klan, also of 7438 Washington Street, asked for the second half of West Wing's engineering drawings. The county didn't have record of any permits either.

Overhiser responded that drains are under control of the Drain commissioner. A State Drain Code sets the parameters, and the Drain Commissioner oversees improvements. Overhiser proposed having Becky Rininger come to Casco Township and have a meeting, and she could be requested to bring

permitting for West Wing sections 1 & 2 to the meeting, so that Washington Street residents can know who approved the West Wing drainage.

It was clear that residents would appreciate having a meeting with the Drain Commissioner. A possible date/time was 4 pm on Monday August 27 ahead of the Planning Commission meeting.

Public comment continued: Matt Super of 7366 North Shore Drive stated that their business has had drainage issues since North Shore Elementary was constructed.

Steve Sallen, 7434 Washington Street, referenced the community survey from 2005. The qualities of life (top 5) mentioned in that survey are not served by the high density development proposed for Baseline Road. He cited a comment that density should be kept low, except in areas of historically platted subdivisions (which is not this area). He believes the Master Plan (some confusion about whether he was actually citing the Zoning Ordinance) would have the highest density be 2 ½ units per acre.

Overhiser cited the Master Plan that referred to density of 6 units per acre; the current master plan, p. 10, referred to higher density being located in areas that can be appropriately served by amenities (p. 15). He further described the rezoning process as it occurred a few years ago. At the time we didn't imagine the school selling its parcels. We knew it made sense to build out from the City and we had years of discussions and amended the ordinance.

Steve Sallen shared further comments about the lack of suitability of that parcel for high density related to health, public safety, and drainage issues.

Overhiser spoke to the notion that density issues have been articulated in Casco's Master Plans and Zoning Ordinances for many years.

Carol May, of 7415 Washington St., stated that she doesn't want R-5 along Baseline Road. She expects the Planning Commission to do what the citizens want and represent the will of the people. She felt the desires of the community are not being considered. She has concerns that, in the long run, the higher density will create more trouble than the revenue will solve. She feels there is no demand for R-5 in this area. The local apartments have openings. She wondered why this was being considered.

Gary Jonna, the developer of the proposed project, stated that his firm has surveyed other communities; the apartment communities are very well occupied. The type of product he is proposing is different with respect to amenities.

Klindt Houlberg, a resident of 102nd Avenue, stated that he has been on the losing side of density issues since 2005. He asked if a variance would be required to build this, or does the current 2012 Master Plan allow it.

Overhiser responded that the Master Plan is the permissive document that allows for things to go into the Zoning Ordinance. The 2005 and 2012 Master Plan had both indicated that higher densities could be considered. It would require a zoning change, which is under the purview of the Planning Commission.

The meeting on Monday is on the text of the zoning change. (It is not on the plan of the proposed project).

Graff stated that the issue of spot zoning has come up, and the answers will be addressed on Monday.

Jim McKenzie read a document, "Casco Township Neighbors" (made part of these minutes). He stated that he didn't think it was in the board's best interest to force this, given all the people who are against it. Mr. McKenzie asked why this activity is underway, given Mr. Jonna's lack of connection to Casco Township.

Overhiser responded that the goal is to offer the option of 10 units per acre, since 6 units per acre is not economically feasible.

McKenzie asked further about the nature of the proposed development.

Overhiser responded that the Township knows nothing about the proposed development. There is no plan to approve. We are reviewing high density zoning in the Township. The process is public and everyone has a chance for input.

McKenzie asked to solve the drainage problems stemming, he believed from West Wing. He asked for better communication.

Graff stated that in order for zoning to change, the policy has to be outlined in the master plan, and that allows the zoning ordinance to be updated.

McKenzie asked when it will be known what Mr. Jonna's intentions are.

Debra Teslow, 7416 Washington St., stated that she had asked shopowners about an apartment complex going in next to the school, and people seemed clueless and unhappy about it. Everyone understands that anything that adds 400 more people will change the community and the capacity of the First Street Beach access.

Mr. Super asked about Al Pertelle Beach—it was a road end (a ROW). That beach access was closed prior to 1988. In the Master Plan process, the Board became aware that people didn't want their beaches abandoned.

Eric Schlanser, of 45 North Shore Drive N., spoke about Diane Schlanser coming to meetings and speaking against high density. Mr. Schlanser feels this would be a mistake, and feels that this is too late. He stated that the PC stated that the schools were the worst mistake Casco Township has ever made. He believes the R5 zoning change would be a mistake and would continue. He favored quality of life issues.

Dan Fleming, a Planning Commissioner who was present, asked to speak to the frustration. Zoning by law cannot be exclusionary. Yet zoning is exclusionary. He feels this is an impossible task.

Allan Green, 87 Pershing, commented on the police protection map. He distributed a report regarding the Sheriff's response time.

Overhiser stated that he fully understands the police situation. The State constitution doesn't require the County to have road patrol.

Carol May said that she will happily pay a police protection increase for those of us who are already residents. She doesn't want to pay more for people who aren't here now. She cited survey responses from the Master Plan that didn't want development, etc.

Tay Oysterman, of 7453 North Shore Drive, said that if we are going to go to R5, it's a big step for us; he favored letting the City annex the parcel and let the City worry about it.

Vito Benigno, 31 Columbine, likes living on Columbine, and intends to file a lawsuit against Mike Hill, the developer of West Wing.

Connie Schaefer, 735 North Shore, felt the comments expressed were great, and the beach issues are huge. She lives near Newcomb Beach. She feels that everyone else is enjoying our beach but we're not enjoying our beach.

Judy Graff thanked everyone for coming. She appreciated the thought that has gone into letters and documents presented. She is interested in attending the meeting with Drain Commissioner Becky Rininger.

The Planning Commission will take up ~~the effort~~ of this matter.

Minutes: July 16 minutes were presented; Graff moved approval, seconded by Winfrey; MSC.

Cowie said the ambulance renewal passed by a very strong margin.

Treasurer's report:

General Fund	\$321,118.00
Parks Fund	\$ 14,207.99
Senior Services	\$ 24,703.62
Fire Dept	\$580,448.71
Road Fund	\$249,559.33
Cemetery	\$ 28,342.14
Collected Tax	\$156,408.71

Winfrey moved to approve the following: General Fund orders #21581-21641 in the amount of \$71,346.20; Collected Tax orders #2753-2755 in the amount of \$246,522.99; Parks Fund orders #283-289 in the amount of \$8,888.06; Seniors Fund orders #321-324 in the amount of \$3,947.53; Road Fund order #1075 in the amount of \$14,500.00; Cemetery Fund, #1029 in the amount of \$1,270.00; Fire Fund, #3903 in the amount of \$90,912.25.

Al-Van Humane Society: building has been sold so the Rescued Treasures will be moving; they are interested in expanding their building.

Overhiser moved to approve the Al-Van Humane society contract for the year, supported by Cowie; MSC. Some discussion ensued regarding whether \$1500 covers the fees adequately. Lu was asked to have that conversation with the Al-Van Board.

Seniors: Susan Katt presented a written monthly report (included with minutes). Jeremy Binder will give a talk to Casco veterans and their families (lunch and potluck) at the church on September 27; there will be a flu clinic on October 3, 10 to 12 noon at Township Hall. The senior luncheon is scheduled for Oct 17 at the Township Hall.

In efforts to get the office ready for the seniors, there is a need to authorize Allan to work with a contractor and spend up to \$10,000 to get the former fire station kitchenette/room ready for the Senior Care Program staff. Cowie moved to authorize Allan Overhiser to work with a contractor, likely John Brush, for renovation expenditures up to \$10,000, seconded by Graff; MSC.

Parks: Bruce Brandon, Chair, stated that we're on the cusp of opening the Preserve. He requested guidance on the official ceremony. The date of September 21, at 11 a.m. was proposed as the dedication time, to be held at the Nature Preserve parking lot.

Pam Blough distributed a memo on Conceptual Costs for the Blue Star path, outlining costs not delineated by Scott Post's previously distributed proposal.

Other reports:

Hospital: Judy Graff announced there is a new doctor of osteopathic medicine. There will also be an athletic training program through the cardiac rehab wellness center, by contract with SHPS. Graff also shared patient satisfaction numbers, which were as high as 96% rating their experience satisfactory.

ZBA: No meeting in August.

Water/Sewer Authority: Close to hooking up Miami Park; they have distributed an agreement they are most likely entering into next week.

Old Business:

Community Hall Land Contract: The land contract with Bruce and Marie McIntosh has been paid off.

Boundary line adjustment: Andrew Marks requested a boundary line adjustment, and correspondence from Attorney Ron Bultje had been distributed to the Board pertaining to a question from the previous meeting. Parcel B will be lots 8, 9, and 10; Parcel A will be lots 1 & 2; Lots 3,4,and 5 will become an 80' lot (per the narrative). The only action the board is taking is to move the boundary on lot 2 southward 10' to lot 3. Graff moved to approve the boundary application for boundary line adjustment; seconded by Winfrey; Ridley, Cowie, Overhiser, Winfrey, and Graff voted yes in a roll call vote.

Electrical inspector: 3 people want the job; Overhiser will interview them and get back to the board.

Building inspector fees: A memo from Alfred Ellingsen was reviewed. Alfred has been at the \$30 rate for some time; Overhiser moved to increase his fee to \$40, supported by Winfrey; MSC. Cowie was glad that Alfred is publishing a cell phone number. Cowie moved approval of Alfred's request that the Township pay a portion of his continuing education (which is budgeted); this motion was supported by Ridley; MSC.

Employee compensation: Ruth Hewitt; Janet DeWitte; Ron Winfrey; Alfred Ellingsen; Robin Ashbrook; and Joe Dubas are Township employees who did not receive a raise last year. Overhiser proposed a 3% increase effective August 1; supported by Cowie; MSC.

Donation of Scooters from the Carroll family: Three scooters belonging to Toni Carroll, with values of \$2700, \$1700, \$1100, have been donated to the Township Senior Care Program. One was designed to go out on trails. To use them, people need their own lift. The lift is a permanent fixture in a van. Tim Carroll was thanked for this very generous gift and Cowie will acknowledge the donation by letter.

Public comment:

Gary Jonna said he thought he had been misquoted; the minutes (from Planning Commission meetings) do accurately reflect his comments. He stated that he has no intention of doing a low income development, but rather he is proposing a high end development.

Overhiser thanked everyone for their endurance.

Winfrey moved to adjourn at 9:37 pm, supported by Cowie; adjourned.

Respectfully,

Julie M. Cowie, Clerk

Casco Township Board of Trustees

Attachments:

1. "This is an official correspondence" letter in opposition to R-5 High Density Rezoning, dated August 2012
2. Letters from Martin J. Graber, MD, dated 20 August 2012; Dorothy Ann Dale, 7406 Washington St; Harry W. Hendrix & Connie Schaeffer; Betty & William Hiatt, 69 Pershing St; Steven & Rosellen Sallen, 7434 Washington Street; and Marcel & Sherry van der Elst, 95 North Shore Drive N.
3. Listing of residents and addresses of people submitting form letters in opposition to R-5 Rezoning
4. "Casco Township Neighbors"
5. Casco Senior Care Program report
6. Marks Boundary Adjustment
7. Allegan County Sheriff's response time