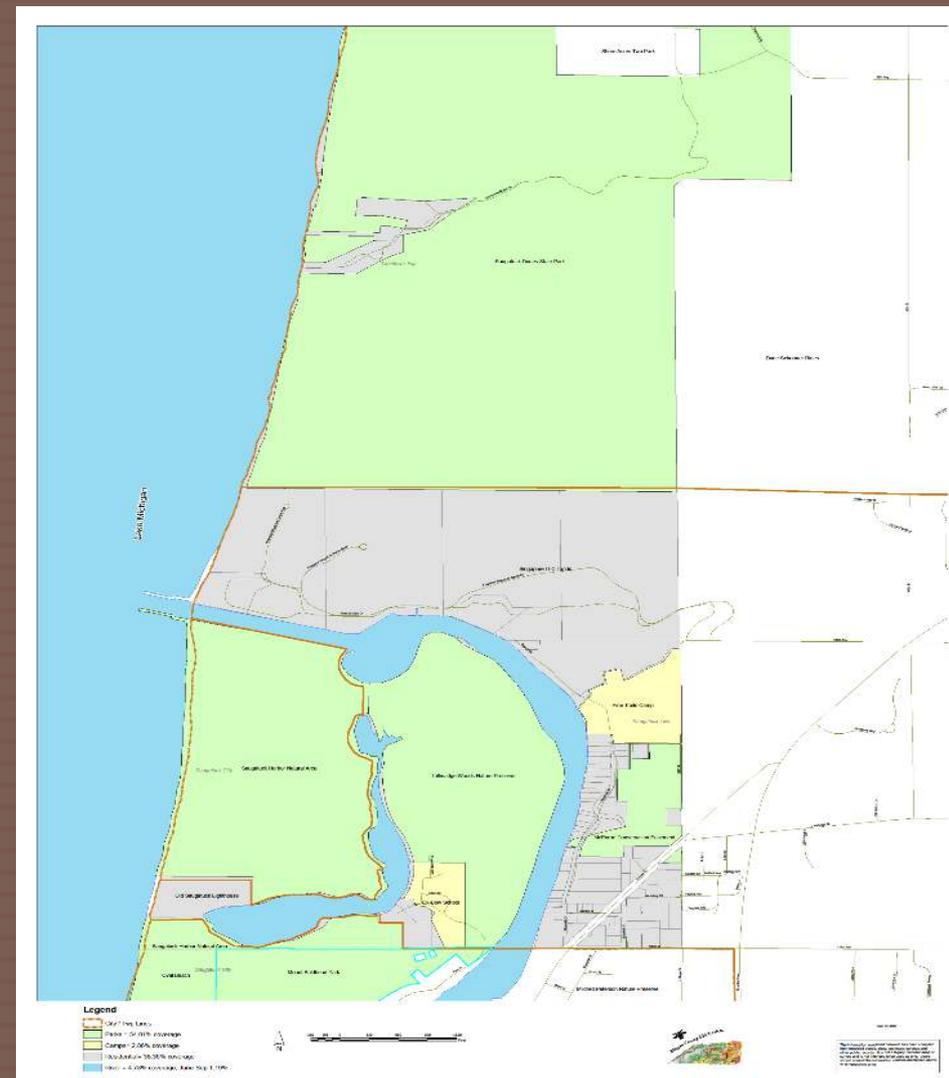


Saugatuck's Historic River Mouth Neighborhood

2

Land Use of the Surrounding Area -- Historic River Mouth Neighborhood:

- Conservation Easements, Legally Designated Natural Areas – 54.01% (shaded green)
- Residential – 38.86%, including *all* of North Shore of Saugatuck regardless of slope and wetlands (shaded grey)
- Camps – 2.86% (shaded yellow)
- River – 4.78% [June-Sept 1.19%] (shaded blue)

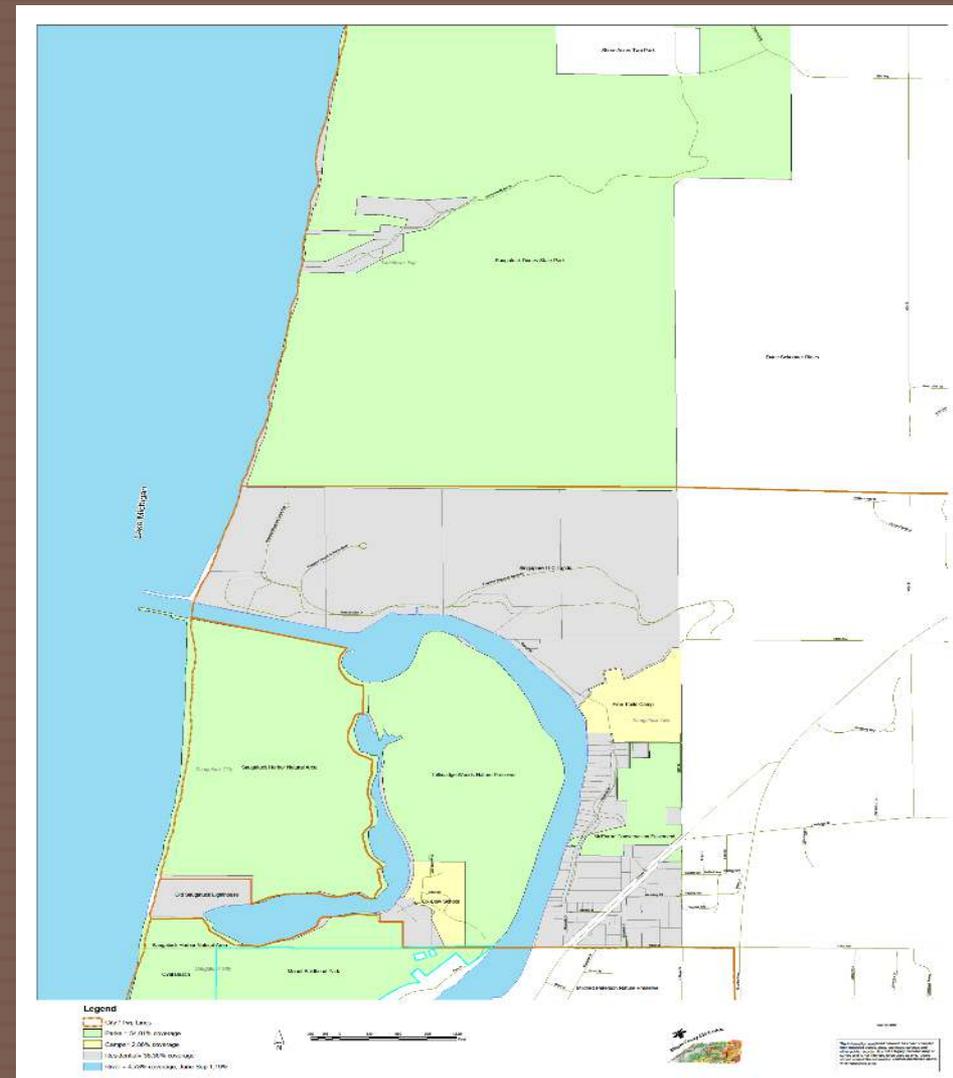


Saugatuck's Historic River Mouth Neighborhood

3

Historic River Mouth Neighborhood:

- Saugatuck Dunes State Park
 - Established in 1982
 - Given its unique natural resources it is one of Michigan's only state parks to prohibit over night camping.
 - The mission of Saugatuck Dunes State Park is to allow for low-impact nature study
 - The original State Park Master Plan created by Michigan's first-ever Citizen's Advisory Committee, chaired by Patricia Birkholz, included an expansion plan that encompassed the property south to include the globally-imperiled interdunal wetlands and the site of Singapore

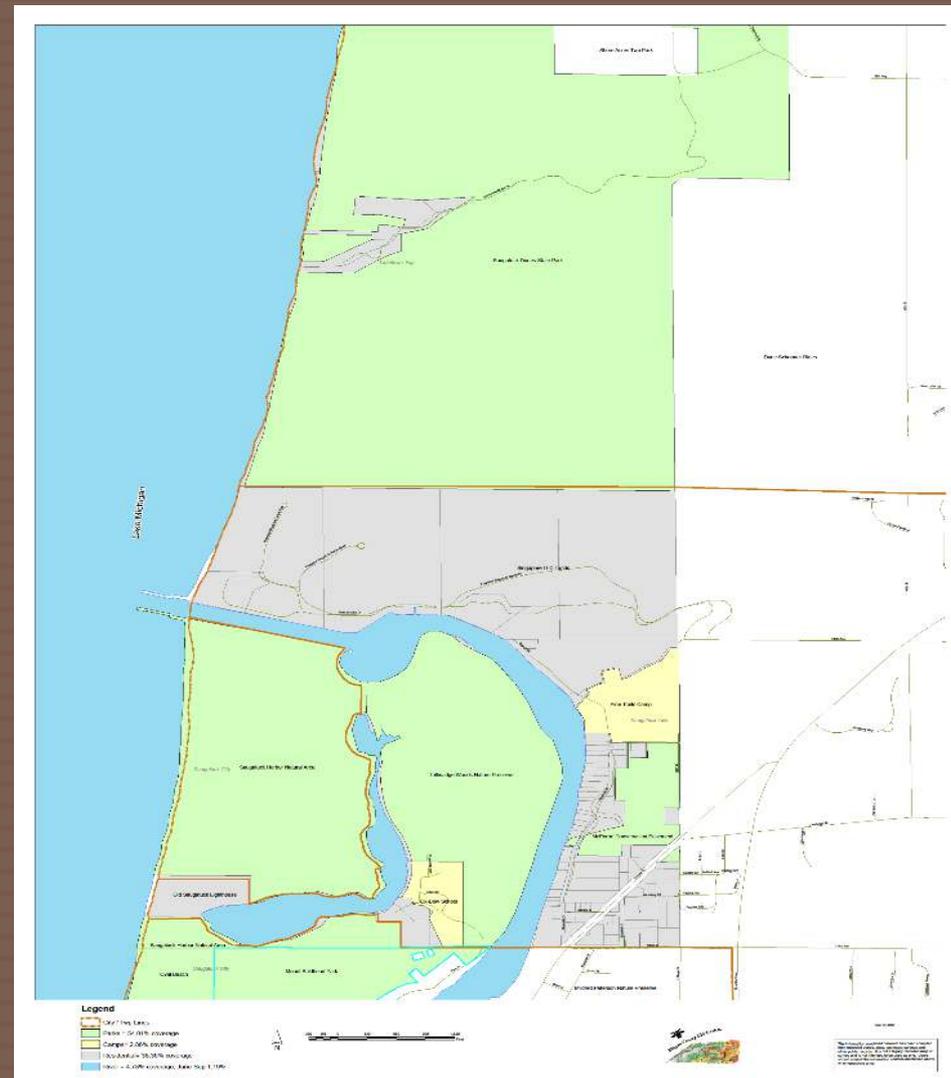


Saugatuck's Historic River Mouth Neighborhood

4

Historic River Mouth Neighborhood:

- Patricia Birkholz Natural Area
 - Established in 1988
 - ***One of only 20 Legally Dedicated Natural Areas in Michigan***
 - **Legally Dedicated Natural Areas have the strictest legal protections of any zoning district in Michigan.** Structures, signage, and motorized/non-motorized vehicles are prohibited.
 - “With only a very small portion of Michigan’s original landscape remaining, **it is integral to the mission of the Michigan Department of Natural Resources to protect representative examples of the native ecosystems and unique natural features that remain.**”

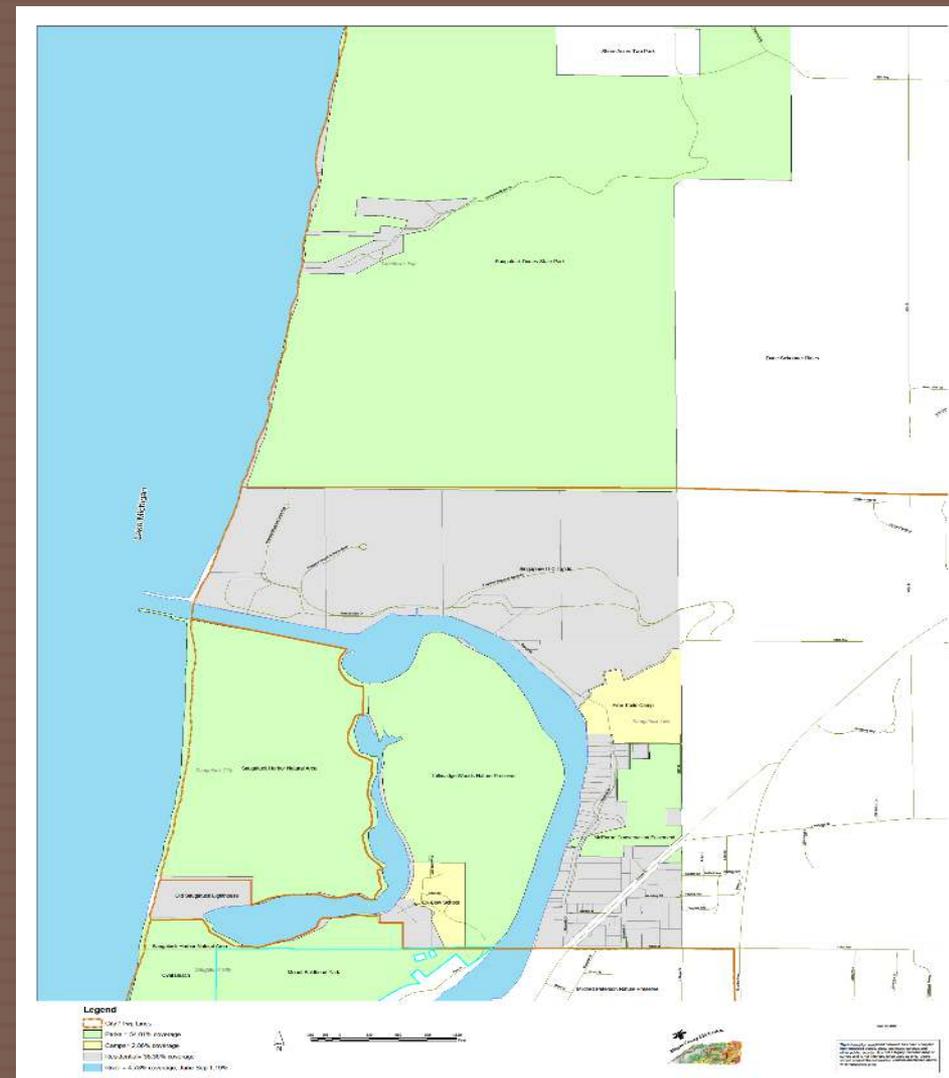


Saugatuck's Historic River Mouth Neighborhood

5

Historic River Mouth Neighborhood:

- Patricia Birkholz Natural Area
 - Recognition: Legally Dedicated Natural Area
 - Size: 291 acres
 - Activities: Hiking, cross-country skiing, bird watching, nature study, photography, wildflower viewing
 - Importance: This area encompasses a complex of Lake Michigan shoreline (approximately 1 mile), open dunes, large blowouts, **interdunal wetlands**, and wooded dunes. **Pitcher's thistle**, listed as **threatened by the state and federal governments**, occurs within this area. In addition, migrating birds use the red oak dominated forested dunes in the spring and fall.

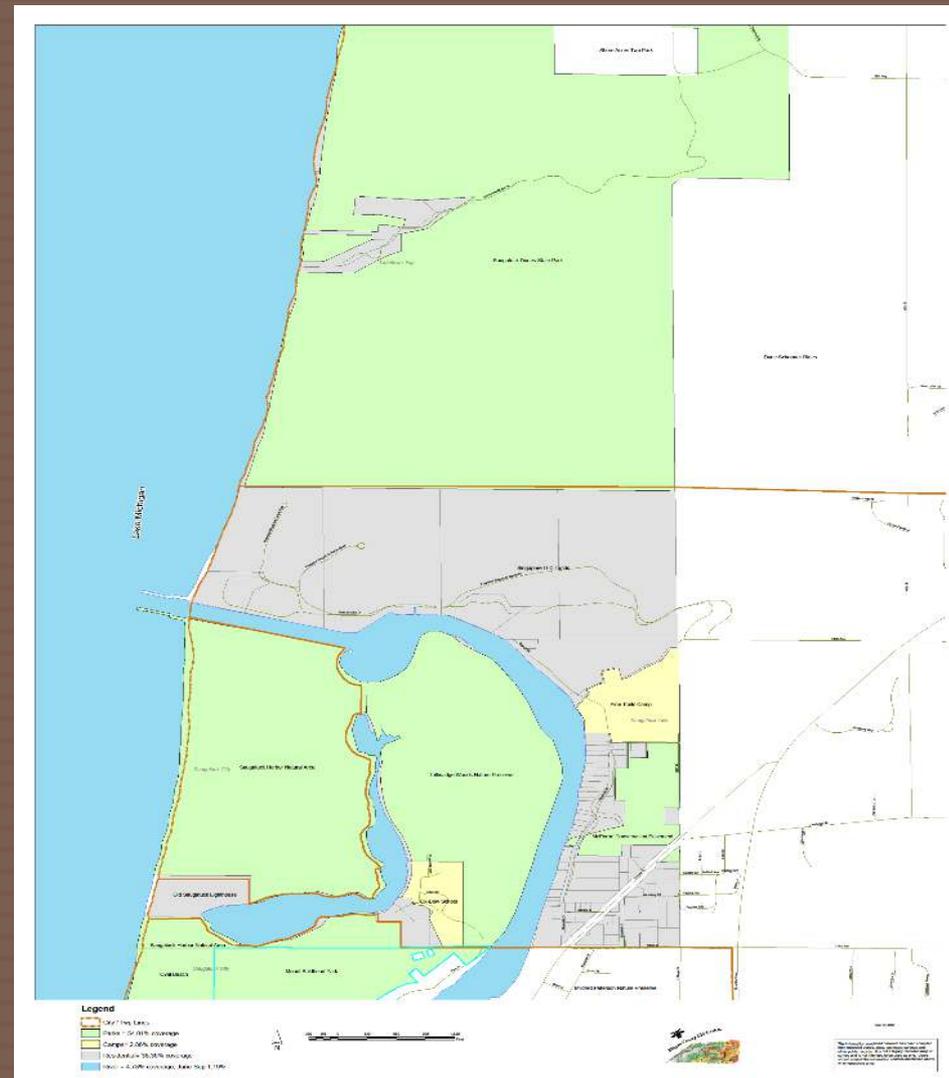


Saugatuck's Historic River Mouth Neighborhood

6

Historic River Mouth Neighborhood:

- North Shore of Saugatuck
 - Privately owned
 - Shared Neighborhood Resources with the Patricia Birkholz Natural Area
 - Globally imperiled interdunal wetlands
 - Parabolic dunes
 - Endangered/Threatened species
 - State Endangered Prairie Warbler
 - Pitcher's Thistle
 - Piping Plover
 - Archeological sites
 - Singapore
 - Pottawatomi Village and cemetery

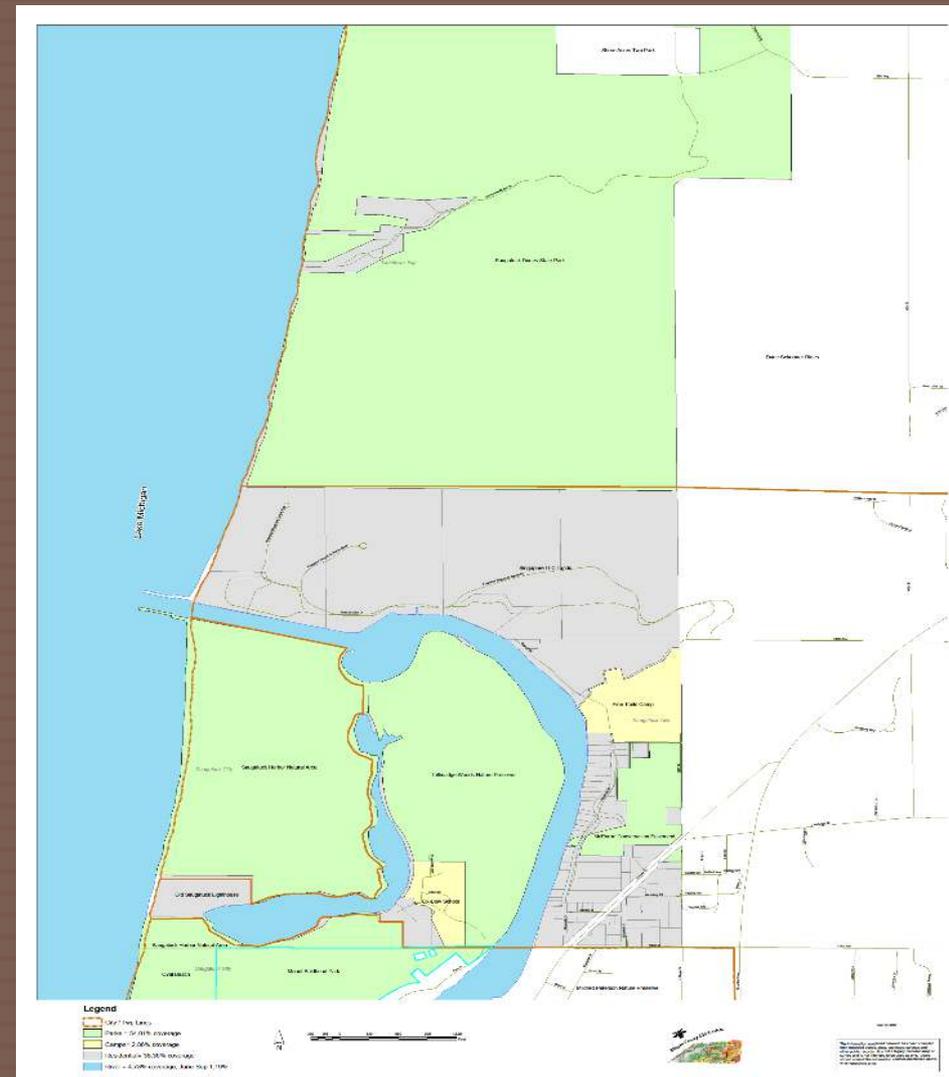


Saugatuck's Historic River Mouth Neighborhood

7

Historic River Mouth Neighborhood:

- North Shore of Saugatuck
 - Shared Neighborhood Resources with the Patricia Birkholz Natural Area
 - Scientific Studies & Public Policy & Master Plan
 - Saugatuck Dunes State Park Master Plan
 - West Michigan Strategic Alliance Green Infrastructure Initiative
 - Dissertations and thesis
 - Kristi Sherfinski - wetlands
 - Lissa Leege - wetlands
 - Katherine Kahl – Prairie Warbler
 - Peter Murphy sent over 1500 MSU students into the field to study this eco system and oversaw 7 dissertations specific to this land
 - National Trust for Historic Preservation 'One of America's Most Endangered Places'

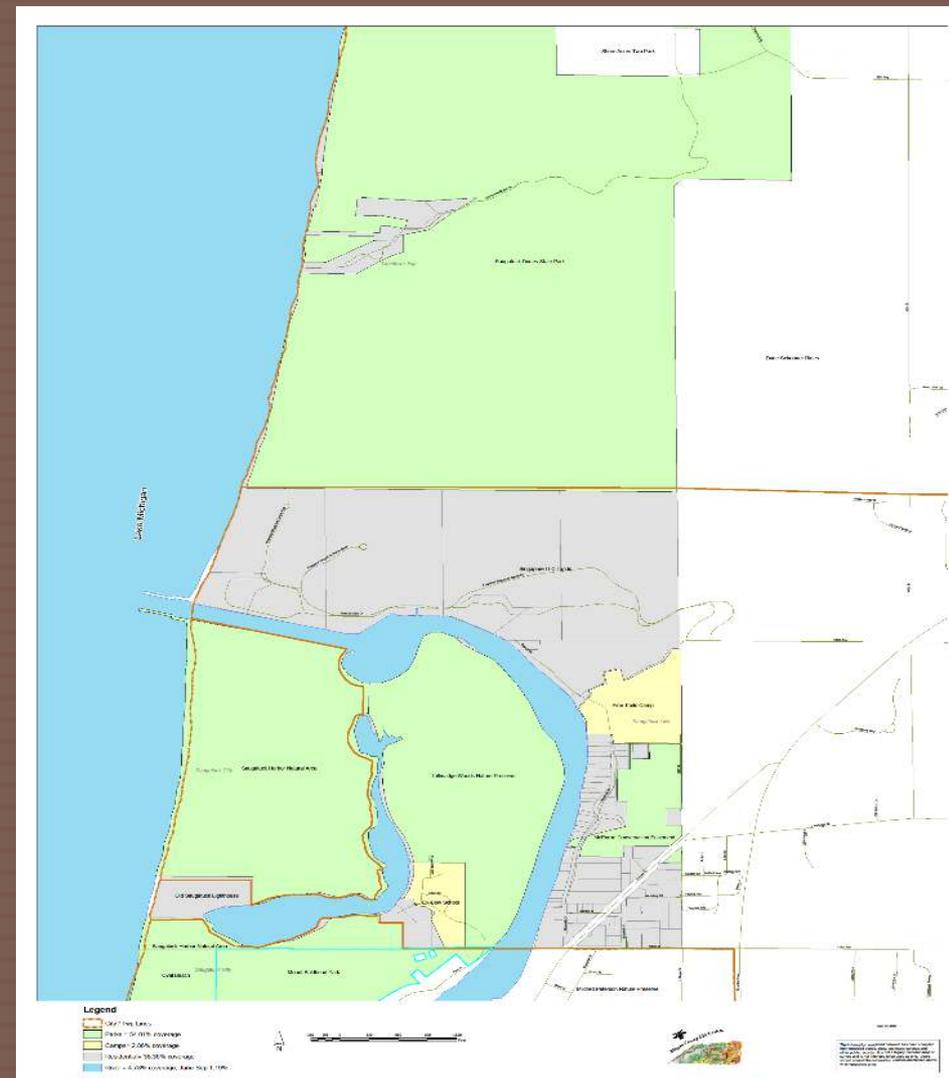


Saugatuck's Historic River Mouth Neighborhood

8

Historic River Mouth Neighborhood:

- North Shore of Saugatuck
 - Shared Neighborhood Resources with the Patricia Birkholz Natural Area
 - USEPA and Department of the Interior
 - “Constructing a road and residences within or near this critical dune and interdunal wetland complex will result in negative indirect impacts. **For example, the road within the interdunal wetland complex would disconnect the habitats of the small wetlands from each other and could alter their hydrology and vegetation.**” 11/7/13
 - Michigan Department of Environmental Quality Conditions 3/26/14
 - “Interdunal wetlands exist, as a unique dune community, within common areas and on at least four proposed parcels (Parcels 12, 15, 16, & 18).
 - No regulated activities are authorized within a 30-foot setback of all interdunal wetlands on-site.
 - A conservation easement will encumber certain common areas and at least two proposed parcels (Parcels 16 & 18).
 - **The permittee shall execute a conservation easement over a minimum of 8.57 acres of on-site interdunal wetland complex, as shown on the attached permit plans.**”



Saugatuck's Historic River Mouth Neighborhood

9

Historic River Mouth Neighborhood:

- North Shore of Saugatuck
 - Shared Neighborhood Resources for the Kalamazoo River Mouth Neighborhood
 - Unanimously approved Master Plan 2005, updated 2016
 - **"The northwest corner of the Township, along with the most of the land in Saugatuck west of the Kalamazoo lake should be preserved for public open space and the portion that remains in private ownership should be maintained for low intensity uses (like the art colony and church camp)."** Pg 10-7
 - **"Public acquisition of the Denison property on both sides of the Kalamazoo River is the top priority for the Tri-Communities."** Pg 13-2



Saugatuck's Historic River Mouth Neighborhood

10

Historic River Mouth Neighborhood:

□ North Shore of Saugatuck

□ Shared Neighborhood Resources

- Unanimously approved Master Plan 2005, updated 2016
- “Although waterfront lands have a high revenue generating potential, a major attraction of both the Lake Michigan and Kalamazoo River waterfronts is their scenic, natural shorelines composed of forested sand dunes and large wetland areas. Should these natural areas be greatly damaged or destroyed through inappropriate development, then the “goose that laid the golden egg” will be dead.” Pg 8-2
- “The Plan seeks to define a balance between competing uses. **It places protection of the natural environment as first and foremost in making future land use decisions along the Lake Michigan and Kalamazoo River waterfronts.**”Pg 8-2
- **“Sensitive dune ecosystems also occur in the dune areas on either side of the Kalamazoo River mouth at Lake Michigan. This area is planned for protection but details have yet to be finalized.”** Pg 8-6



The Kalamazoo River Mouth Neighborhood

11

River Mouth Neighborhood:

- US Army Corps of Engineers Commercial Channel
 - ▣ Dredged in 1906 to facilitate commercial marine traffic
 - National Register of Historic Places



Saugatuck's Historic River Mouth Neighborhood

12

Historic River Mouth Neighborhood:

- Saugatuck Harbor Natural Area
 - **177-acre designated Natural Area was purchased by locals in 2009 for \$20 million**
 - This purchase is exactly what the Tri-Community Master Plan recommended: **“The northwest corner of the Township, along with the most of the land in Saugatuck west of the Kalamazoo lake should be preserved for public open space** and the portion that remains in private ownership should be maintained for low intensity uses (like the art colony and church camp).” Pg 10-7



Saugatuck's Historic River Mouth Neighborhood

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River Mouth Neighborhood:

□ Saugatuck Harbor Natural Area

- Letter from Lana Pollack, Chair of the Michigan Natural Resources Trust Fund
- **“My own valuation of this area is best demonstrated by the recent MNRTF decision to grant \$10.5 million to protect a portion of the land now representing a significant part of this application. The grant approved in December 2009 is one of the largest MNRTF has ever made and is a particularly impressive commitment given the intense competition from other worthy applicants that year.”**
- The designation that we now seek from the National Trust for Historic Preservation is needed because of the threat of development on the parcel immediately north of the Saugatuck Harbor Natural Area. The current proposal calls for a major marina development with a suggested nine story hotel, restaurants, retail businesses as well as a 70 slip marina near the site of the buried ghost town of Singapore – all prohibited by current zoning. If completed, the proposed development's impact on MNRTF's investment of \$10.5 million still leaves me concerned that our public investment may become mostly the enhanced viewscape for a commercial development.
- Fortunately, the history of preservation of the Saugatuck Dunes is strong. In the 1940's the State of Michigan looked at constructing a State Park at the mouth of the Kalamazoo River. In the 1950's the National Park Service surveyed the Saugatuck Dunes for its potential as a National Lakeshore. In the 1980's area citizens worked together to draft the Master Plan for the Saugatuck Dunes State Park and Natural Area. This followed the initial plan from the state DNR that called for paved roads and a parking plot on the beach, which was met with near unanimous resistance. Since that time several additional key parcels have been placed into conservation easements or turned into parks; historic buildings have been acquired by the local Historical Society; and progressive planning has established a Lakeshore Open Space District designed to better protect the historic and ecological treasures along the river and lakeshore.
- **It was with this in mind – the long and determinedly fought history of protecting the Saugatuck Dunes – that I felt comfortable urging MNRTF to award the \$10.5 million grant. The tenacious commitment of the local community to protect the Saugatuck Dunes' many historic, cultural and ecological resources ultimately held more sway than the threat of a developer's legal war chest to overturn protective zoning controls.”**



Saugatuck's Historic River Mouth Neighborhood

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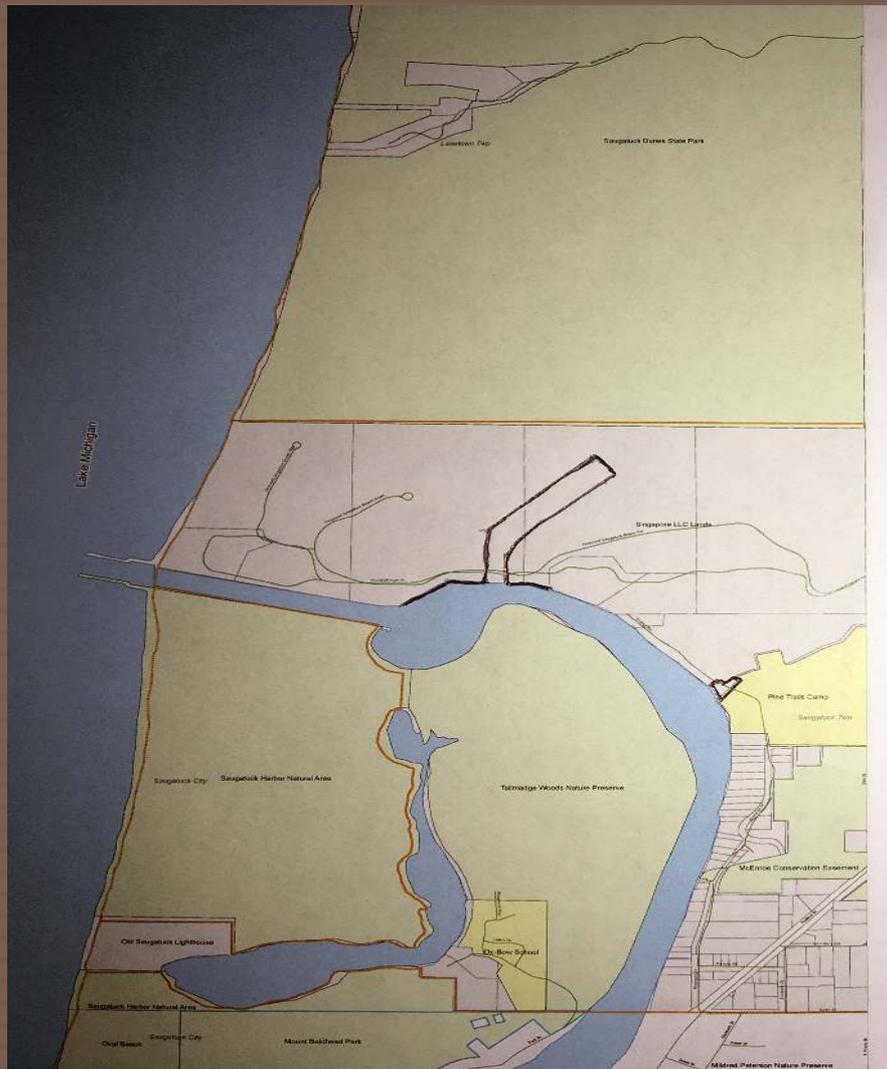
Historic River Mouth Neighborhood:

- Tallmadge Woods
 - ▣ Ox-Bow School of Art and the City of Saugatuck agreed to place Tallmadge Woods into a legally-binding Conservation Easement in 2007.
 - ▣ Protecting these forested dunes with a Conservation Easement is exactly what the Tri-Community Master Plan recommended: **“The northwest corner of the Township, along with the most of the land in Saugatuck west of the Kalamazoo lake should be preserved for public open space and the portion that remains in private ownership should be maintained for low intensity uses (like the art colony and church camp).”** Pg 10-7
- McEnroe Conservation Easement

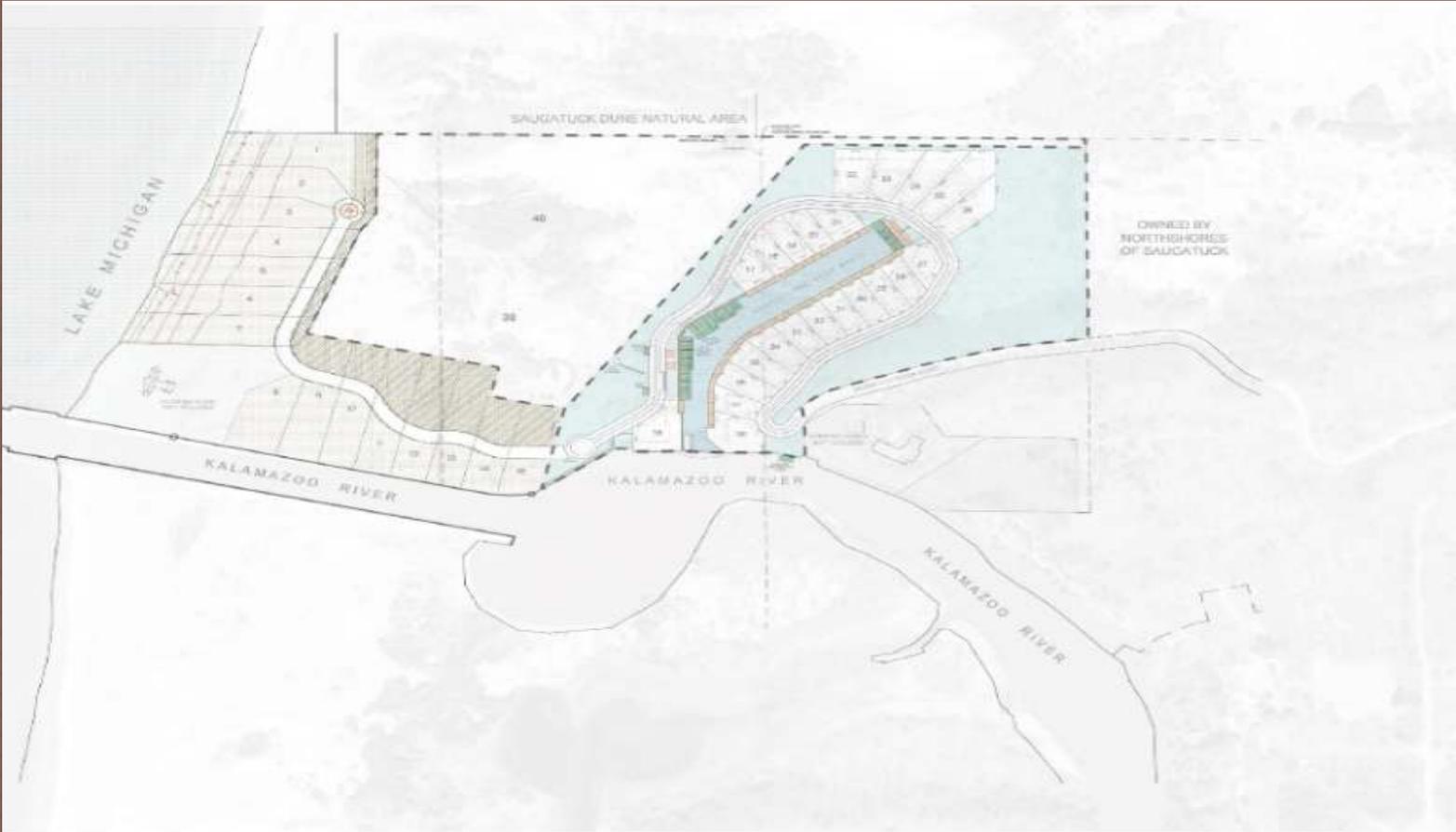


Saugatuck's Historic River Mouth Neighborhood

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The Kalamazoo River Mouth Neighborhood



PROPOSED MARINA PROJECT BY NORTHSHORES OF SAUGATUCK, LLC. APPLICATION

Saugatuck's Historic River Mouth Neighborhood

19

Proposed Padnos Marina

- **Waterfront**
 - Current waterfront is 1400'
 - Proposed Marina will add 3400' – a proposed total of 4600', more than three times the current frontage

- **Boats**
 - Waterfront of 1400'
 - 9 150' lots
 - 2 slips and 1 dock per lot
 - 18 boats
 - Proposed Marina of 4600'
 - 23 100' lots
 - 50 slips/docks
 - “Mr. Weykamp, of Edgewater, stated that the maximum size would be boats measuring 120 feet” – Planning Commission Minutes 3/28/18

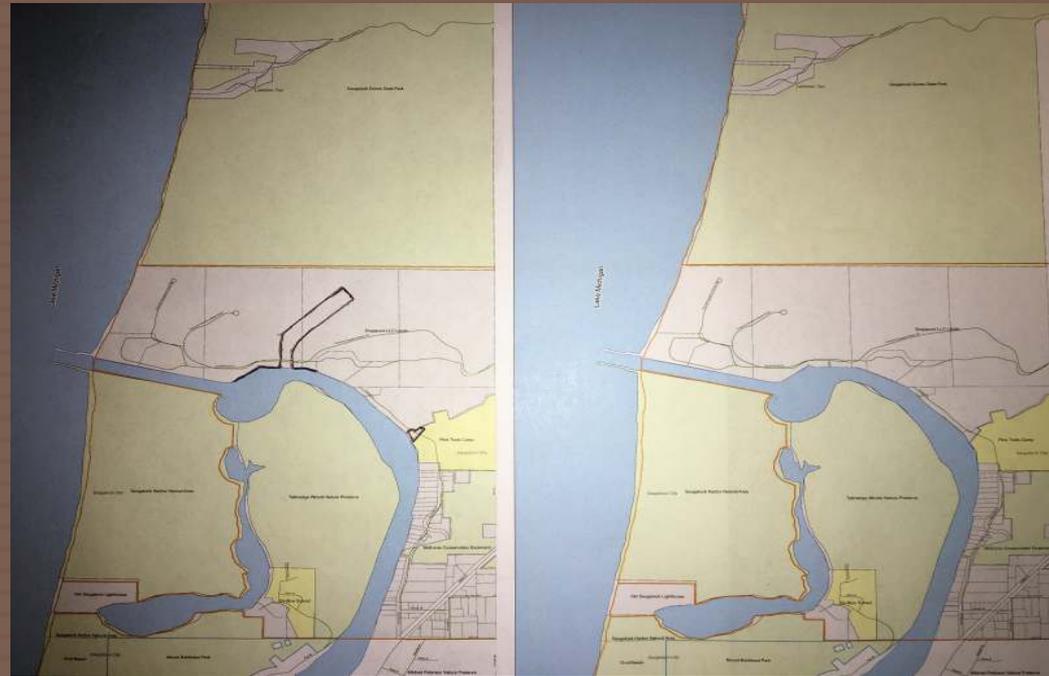


Saugatuck's Historic River Mouth Neighborhood

20

Proposed Padnos Marina

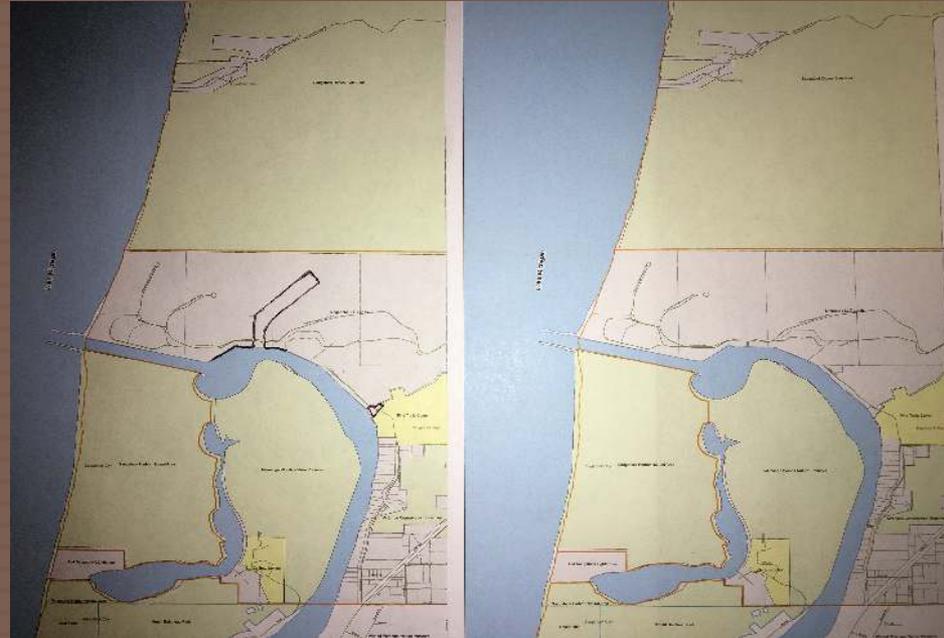
- Ordinances
 - ARTICLE VI. - SPECIAL APPROVAL USES Sec. 40-693. - Basis of determination
 - ARTICLE XII. - WATER ACCESS AND DOCK DENSITY REGULATIONS Sec. 40-910.



Saugatuck's Historic River Mouth Neighborhood

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- ARTICLE VI. - SPECIAL APPROVAL USES Sec. 40-693. - Basis of determination
 - Sec. 40-693. - Basis of determination.
 - (a) Compliance with standards. Prior to approval of a Special Approval Use application, the Planning Commission shall ensure that the standards specified in this section, as well as applicable standards established elsewhere in this chapter, shall be satisfied by the completion and operation of the Special Approval Use under consideration.
 - (b) General standards. The Planning Commission shall review the particular circumstances of the Special Approval Use application under consideration in terms of the following standards and shall approve a Special Approval Use only upon a finding of compliance with each of the following standards, as well as applicable standards established elsewhere in this chapter:
 - (1) The Special Approval Use shall be designed, constructed, operated, and maintained **in a manner harmonious with the character of adjacent property and the surrounding area.**
 - (2) The Special Approval Use **shall not change the essential character of the surrounding area.**
 - (3) The Special Approval Use **shall not be hazardous to adjacent property** or involve Uses, activities, materials or equipment which will be detrimental to the health, safety, or welfare of the persons or property by traffic, parking requirements, noise, vibration, smoke, fumes or glare.
 - (4) The Special Approval Use **shall not place demands on public services and facilities in excess of capacity.**



Saugatuck's Historic River Mouth Neighborhood

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Zoning Board of Appeals Handbook, Published by the Michigan Municipal League

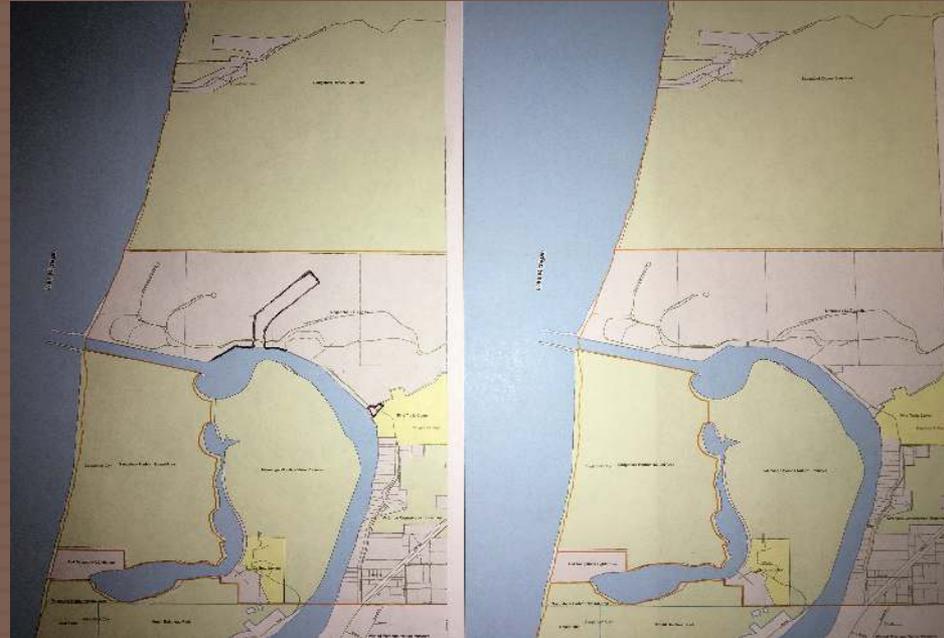
Probably the most difficult aspect of this standard is determining what the essential character of an area is, and if the use variance is approved, what effect might the variance have on that character. **What is the "area" affected by a use variance?**

The "area" which may be affected by a use variance will depend on the nature of the request and the size of the property that is the subject of the requested use variance. **For example, a small residential lot requesting a use variance for an office will affect a smaller area than a request on a large site for an intensive commercial use.**

One of the easiest ways to determine the essential character of an area is through a site visit to examine the area and see the various land uses that exist.

In some cases the character may be evidenced simply by the dominance of one land use over any others. In others it may not be as obvious. For example, some areas may have a wide variety of uses, occupying different sizes of lots. Viewing the area may not directly lead to a conclusion as to the character of the area and may require some degree of judgement.

Another way to determine the character of an area and the possible effect of a use variance is to examine the community's master plan. The plan may clearly indicate the existing or intended character of an area.



Saugatuck's Historic River Mouth Neighborhood

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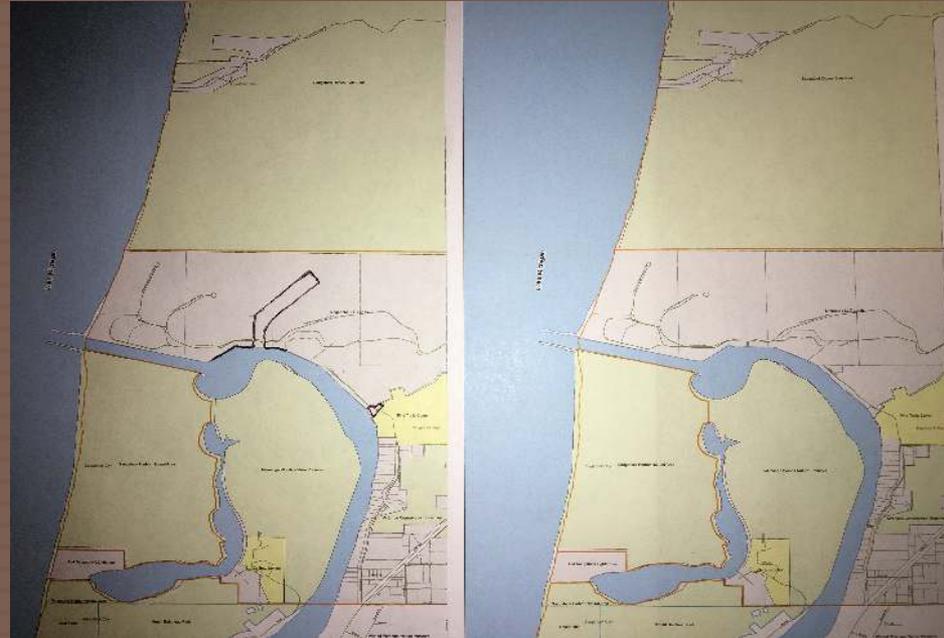
Land Use of the Surrounding Area --
River Mouth Neighborhood:

**Conservation Easements, Legally
Designated Natural Areas – 54.01%**

Residential – 38.86%, including *all* of North
Shore of Saugatuck regardless of slope and
wetlands

Camps – 2.86%

River – 4.78% [June-Sept 1.19%]



Saugatuck's Historic River Mouth Neighborhood

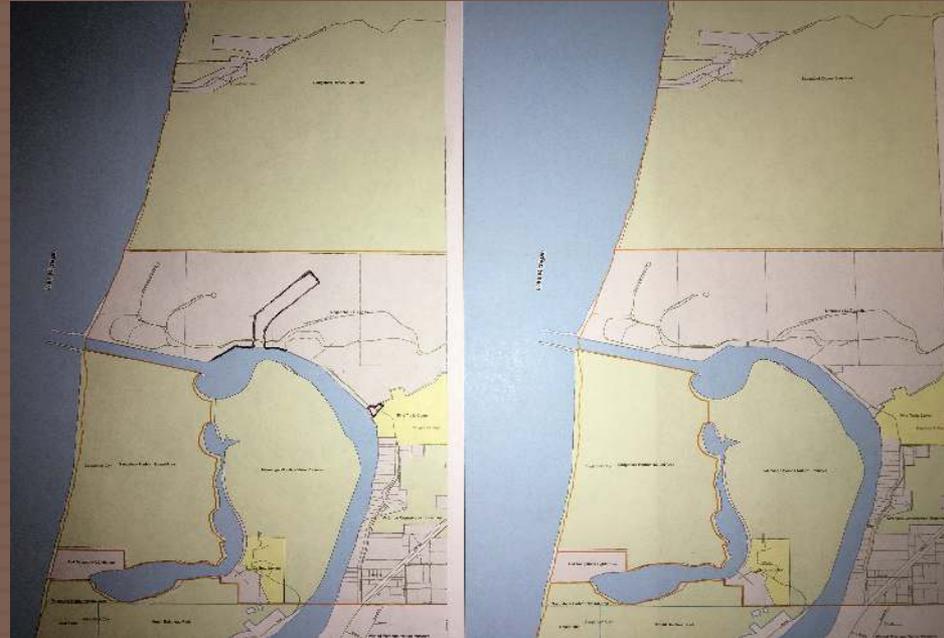
24

“Another way to determine the character of an area and the possible effect of a use variance is to examine the community’s master plan. The plan may clearly indicate the existing or intended character of an area.”

Unanimously approved Master Plan 2005, updated in 2016 and unanimously approved

“The northwest corner of the Township, along with the most of the land in Saugatuck west of the Kalamazoo lake should be preserved for public open space and ***the portion that remains in private ownership should be maintained for low intensity uses (like the art colony and church camp).***” Pg

10-7



Saugatuck's Historic River Mouth Neighborhood

25

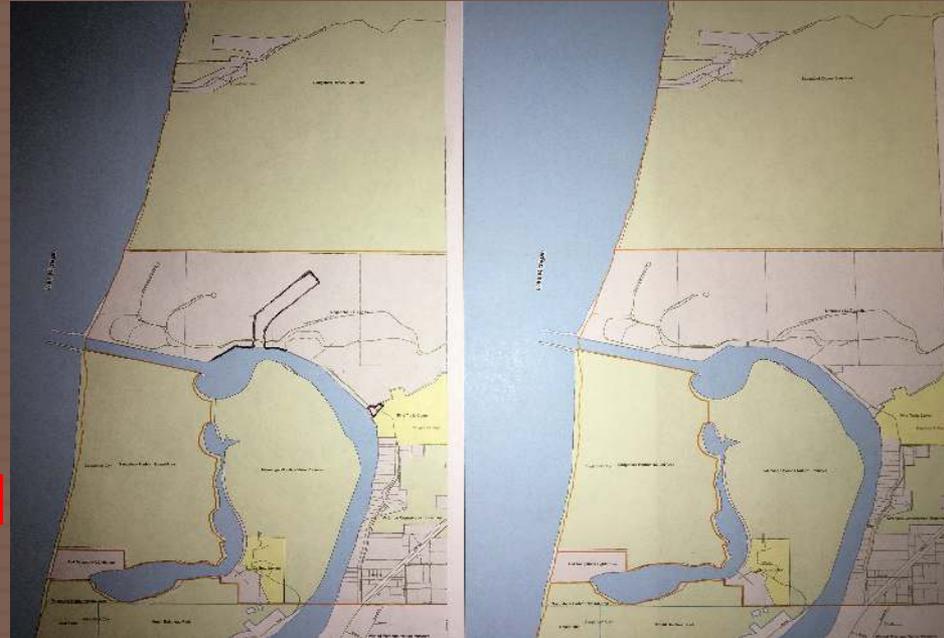
“Another way to determine the character of an area and the possible effect of a use variance is to examine the community’s master plan. The plan may clearly indicate the existing or intended character of an area.”

Unanimously approved Master Plan 2005, updated 2016

“The Plan seeks to define a balance between competing uses. **It places protection of the natural environment as first and foremost in making future land use decisions along the Lake Michigan and Kalamazoo River waterfronts.**” Pg 8-2

“Sensitive dune ecosystems also occur in the dune areas on either side of the Kalamazoo River mouth at Lake Michigan. This area is planned for protection but details have yet to be finalized.” Pg 8-6

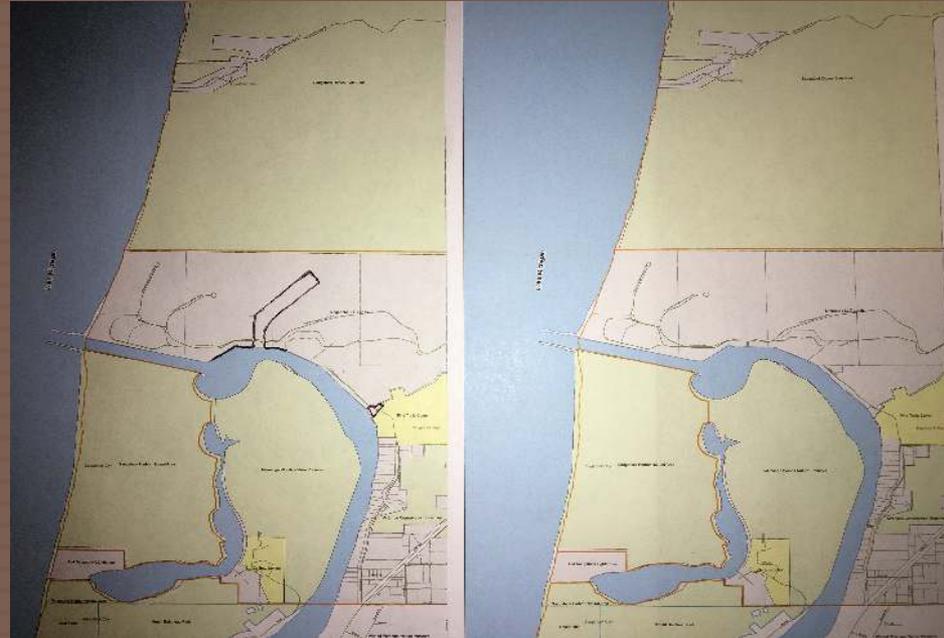
[Note: Saugatuck Harbor Natural Area and Tallmadge Woods were both placed into Conservation Easements following the 2005 release of the Master Plan]



Saugatuck's Historic River Mouth Neighborhood

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- ARTICLE VI. - SPECIAL APPROVAL USES
Sec. 40-693. - Basis of determination
 - (3) The Special Approval Use **shall not be hazardous to adjacent property** or involve Uses, activities, materials or equipment which will be detrimental to the health, safety, or welfare of the persons or property by traffic, parking requirements, noise, vibration, smoke, fumes or glare.
 - From the hydrogeologist study required by the DEQ: “The results show that the proposed development if constructed without a clay liner. **will cause the water table to decline by approximately 2 to 4 inches in the main wetland area. and 4 to 6 inches at the eastern edges of the wetlands close to the development.**”
 - **The act of excavation will likely lower the water levels in the globally-imperiled interdunal wetlands**



Saugatuck's Historic River Mouth Neighborhood

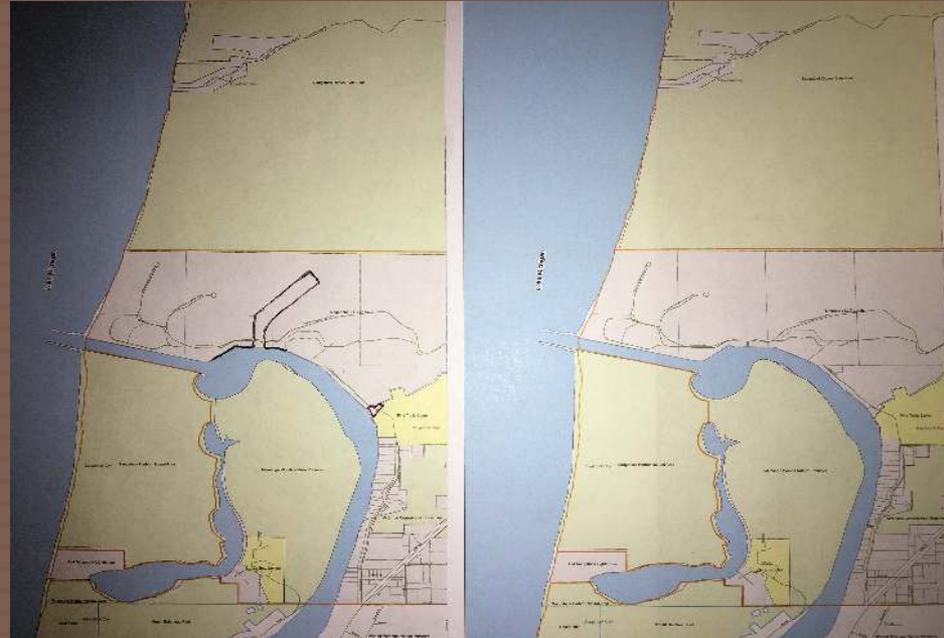
27

ARTICLE VI. - SPECIAL APPROVAL USES Sec. 40-693. - Basis of determination

- (4) The Special Approval Use **shall not place demands on public services and facilities in excess of capacity.**

Boats

- Waterfront of 1400'
 - 9 150' lots
 - 2 slips and 1 dock per lot
 - 18 boats
 - **18 boats 80' long is 1,440 feet**
- Proposed Marina and waterfront of 4600'
 - 23 100' lots
 - 50 slips/docks
 - **"Mr. Weykamp stated that the maximum size would be boats measuring 120 feet "**
 - **50 boats 120' long is 6,000 feet**
 - **50 boats 80' long is 4,000 feet**



Saugatuck's Historic River Mouth Neighborhood

28

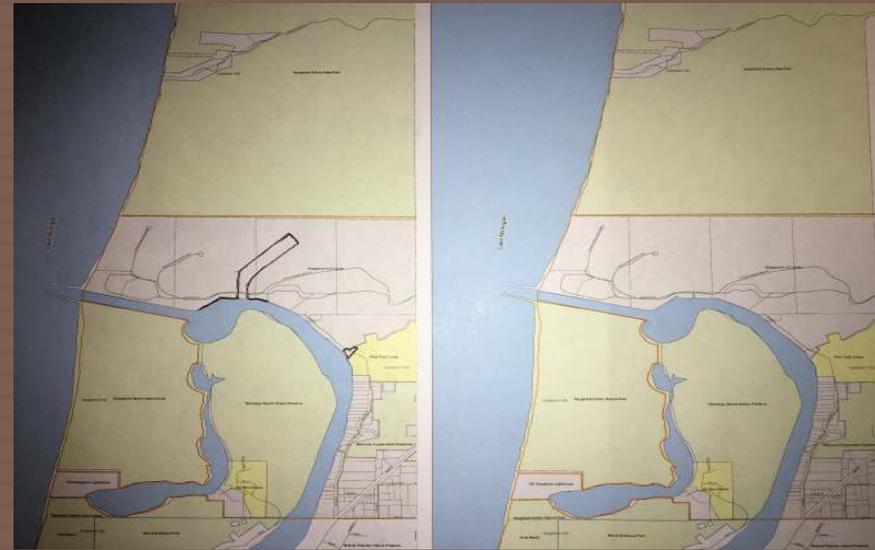
ARTICLE XII. - WATER ACCESS AND DOCK DENSITY REGULATIONS

Sec. 40-906. - Intent and purpose.

a) The township, after extensive deliberations and discussions, has concluded that the use of water resources situated within the township must be considered within the framework of the township's longterm costs and benefits. Further, **the township has concluded that it is desirable to retain and maintain the physical, cultural and aesthetic characteristics of its Inland Waterways and its portion of Lake Michigan.**

b) Pursuant to its deliberations and discussions, **the township has concluded that a lack of regulation regarding the density of Docks on and general access to Inland Waterways and Lake Michigan within or adjacent to the township has resulted in a Nuisance condition and an impairment of irreplaceable natural resources of the township. Further, the lack of regulation is resulting in the destruction of property values and constitutes a threat to the public health, safety and welfare of all persons utilizing these Inland Waterways and Lake Michigan and occupying adjacent properties within the township. Consequently, the township desires to adopt reasonable regulations regarding Dock density and general water access to protect the public health, safety and welfare, as well as the irreplaceable natural resources of the township.**

c) **The township has further concluded that regulation of water access and Dock density will help reduce conflicts which occur between residential single-Family use of the waterfront and shared waterfront use.**

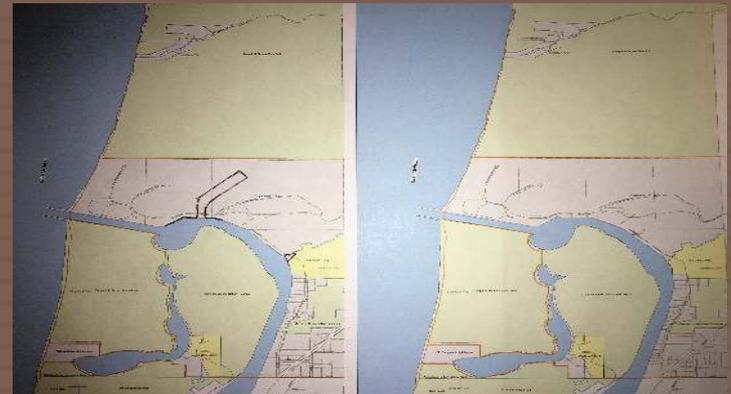


- Boats
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 - 18 boats
 - **18 boats 80' long is 1,440 feet**
 - Proposed Marina and waterfront of 4600'
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Saugatuck's Historic River Mouth Neighborhood

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- ARTICLE VI. - SPECIAL APPROVAL USES
Sec. 40-693. - Basis of determination
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 - (4) The Special Approval Use **shall not place demands on public services and facilities in excess of capacity.**



The Character of the adjacent property and surrounding area is: Legally Designated Natural Areas and Conservation Easements.

The Proposed Marina will change the Essential Character of the Surrounding Area from legally-protected dune eco-system to man-made lagoon; adding engine noise/vibration/exhaust within 300 feet of a legally-designated Natural Area.

The Proposed Marina, without a clay liner, will lower the, already shallow, globally imperiled interdunal wetlands up to 6". The process of excavation would lower the necessary ground water levels of the surrounding area.

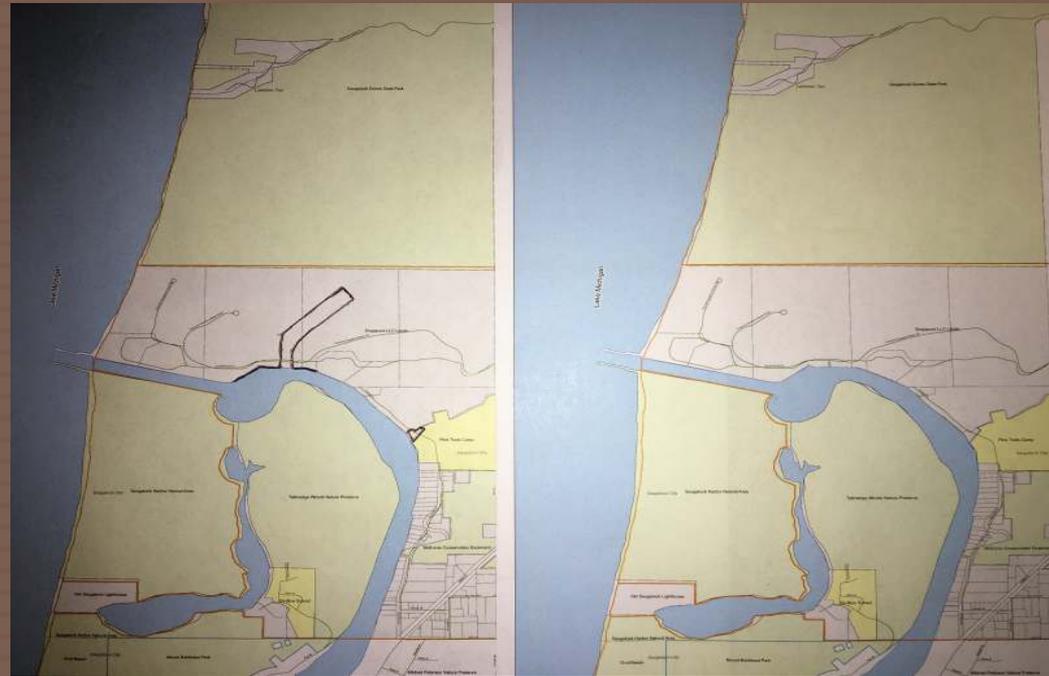
Boat traffic will increase between three-four times what is allowed by zoning.

Saugatuck's Historic River Mouth Neighborhood

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ARTICLE XII. - WATER ACCESS AND DOCK DENSITY REGULATIONS Sec. 40-910.

- Sec. 40-910. (h): ***In no event shall a canal or channel be excavated for the purpose of increasing the Water Frontage*** required by this section. Canals or channels ***which interface*** with an Inland Waterway or Lake Michigan and were lawfully in existence ***as of the effective date of this section*** may be cleaned and maintained in accordance with applicable laws of the State of Michigan ***so long as they are not enlarged***.



Saugatuck's Historic River Mouth Neighborhood

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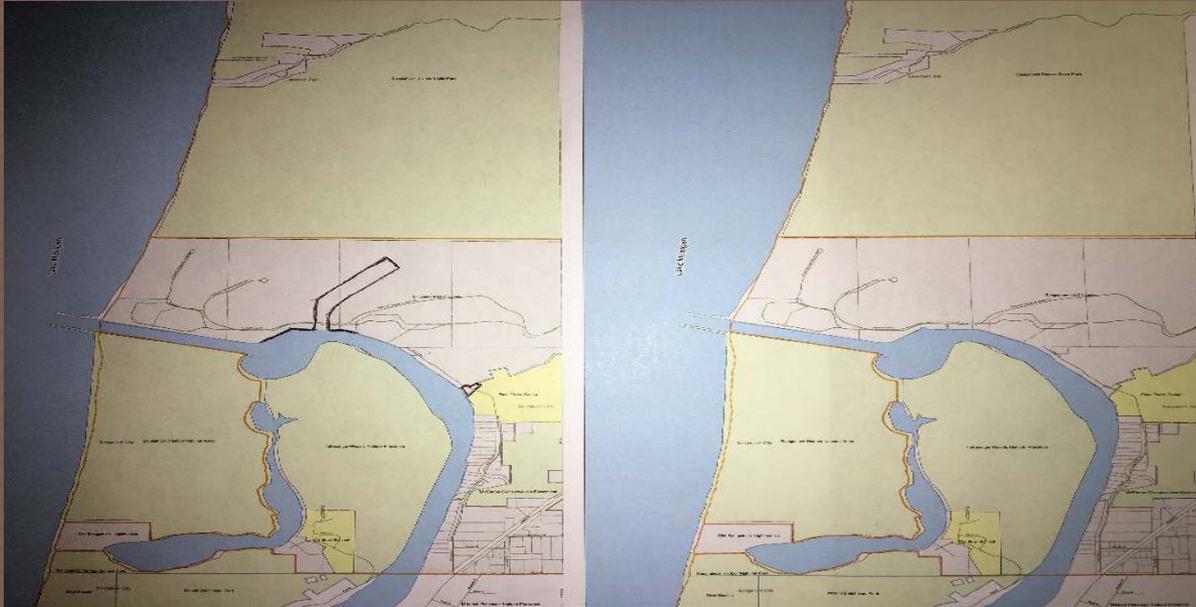
ARTICLE XII. - WATER ACCESS AND DOCK DENSITY REGULATIONS Sec. 40-910.

Sec. 40-910. (h): **In no event**



Saugatuck's Historic River Mouth Neighborhood

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Sec. 40-910. (h): **In no event shall a canal or channel be excavated for the purpose of increasing the Water Frontage** required by this section.

Sec. 40-910. (i) **To the extent applicable**, this article shall be considered when the Township receives a Planned Unit Development application. At the discretion of the Township, **and as allowed by the standards in Section 40-779** and the objectives of Section 40-780, **the requirements of this article may be modified.**

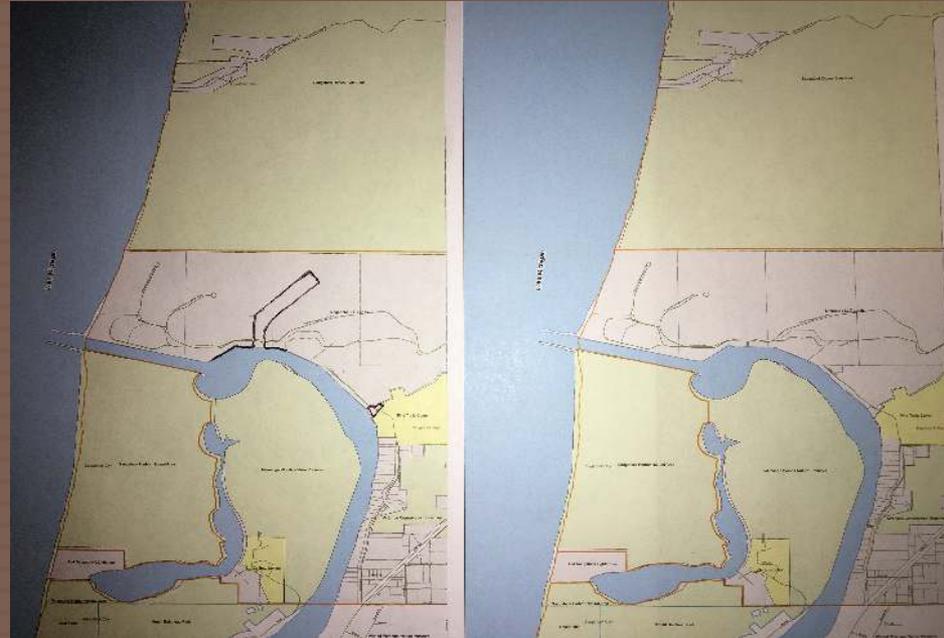
Saugatuck's Historic River Mouth Neighborhood

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Sec. 40-910. - Waterfront Access Property: Limitations and regulations.

In any zoning district where there is an intent to create or use a Lot or Parcel (or condominium unit treated as a Lot or Parcel), easement, private park or common area for the purpose of providing shared Water Frontage access, by deed or otherwise, **the following standards shall apply:**

- (a) Area **Requirements**
- (b) Easements
- (c) Number of permitted accesses and required setbacks
- (d) Substandard Waterfront Access Property of record
- (e) Contiguity and proximity of ownership
- (f) Improvements
- (g) No Waterfront Access Property may be used for any purpose except in accordance with this section and in accordance with the Uses allowed by the underlying zoning district.
- (h) In no event shall a canal or channel be excavated for the purpose of increasing the Water Frontage required by this section. Canals or channels which interface with an Inland Waterway or Lake Michigan and were lawfully in existence as of the effective date of this section may be cleaned and maintained in accordance with applicable laws of the State of Michigan so long as they are not enlarged.
- (i) To the extent applicable, this article shall be considered when the Township receives a Planned Unit Development application. At the discretion of the Township, and as allowed by the standards in Section 40-779 and the objectives of Section 40-780, the **requirements** of this article may be modified.



a) through i) are Standards

Standard i) in its second sentence refers to the **requirements** which are detailed only in standard a)

Saugatuck's Historic River Mouth Neighborhood

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- Sec. 40-779. - General standards.
- The Planning Commission shall review the particular circumstances of the Planned Unit Development application under consideration in terms of the following standards and shall approve the PUD only upon a finding of substantial compliance with each of the following standards, as well as substantial compliance with applicable standards established elsewhere in this chapter:
 - (1) The Planned Unit Development shall be designed, constructed, operated and maintained **so as to be harmonious with the character and Use of adjacent property in the surrounding area.**
 - (2) The Planned Unit Development **shall not change the essential character of adjacent property in the surrounding area.**
 - (3) The Planned Unit Development **shall not create hazards to adjacent property or the surrounding area** and shall not involve such uses, activities, materials or equipment which shall be detrimental to the health, safety or welfare of persons or property through the creation or maintenance of such nuisances as traffic, noise, smoke, fumes or glare.
 - (4) The planned unit development **shall not place demands on public services and/or facilities in excess of current or anticipated capacity.**



The Character of the adjacent property and surrounding area is: Legally Designated Natural Areas and Conservation Easements.

The Proposed Marina will change the Essential Character of the Surrounding Area from legally-protected dune eco-system to man-made lagoon; adding engine noise/vibration/exhaust within 300 feet of a legally-designated Natural Area.

The Proposed Marina, without a clay liner, will lower the, already shallow, globally imperiled interdunal wetlands up to 6". The process of excavation would lower the necessary ground water levels of the surrounding area.

Boat traffic will increase between three-four times what is allowed by zoning.

Saugatuck's Historic River Mouth Neighborhood

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ARTICLE XII. - WATER ACCESS AND DOCK DENSITY REGULATIONS Sec. 40-910.

- Regarding 'shared waterfront':
 - From the April 2017 Planning Commission Minutes: "Attorney Smith stated that since none of the condominiums in this PUD development have shared water access, each having their own waterfront access, the condition in paragraph h no longer applies."
 - From the April 2017 Planning Commission minutes, Joe Milauckas stated, "He doesn't personally agree with the township attorney's interpretation of the waterfront access ordinance. **Milauckas motioned to request from the township board the services of a planner to review the detailed site plan of this particular project.**"



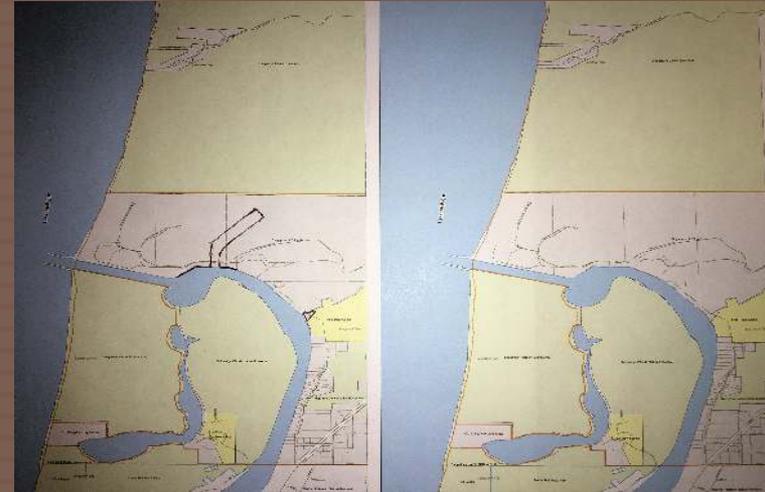
Saugatuck's Historic River Mouth Neighborhood

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ARTICLE XII. - WATER ACCESS AND DOCK DENSITY REGULATIONS Sec. 40-910.

Regarding 'shared waterfront':

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- Sec. 40-907. - Definitions.
- **Inland Waterways** means Goshorn Lake, Silver Lake and the Kalamazoo River.
- **Shared Waterfront Property Ownership** means the **multiple or divided interest in property having frontage on Inland Waterways** or Lake Michigan, through deed, land contract, nonexclusive easement or other form of dedication or conveyance, which ownership is shared by two or more persons.
- Waterfront Access Property means a Lot or Parcel or two or more contiguous Lots or Parcels (or condominium units treated as Lots or Parcels), **abutting an Inland Waterway** or other inland lake or Lake Michigan, used or intended to be used in whole or in part by persons having Shared Waterfront Property Ownership at that location, for gaining pedestrian or vehicle access to the Water Frontage of an Inland Waterway or other inland lake or Lake Michigan from land without Water Frontage. Waterfront access over the Waterfront Access Property may be gained by easement, common fee ownership, lease, or other form of dedication or conveyance. The dedication or conveyance may or may not entitle physical interaction with the water body itself and may or may not otherwise entitle or limit the use and purposes of the Waterfront Access Property.
- **Water frontage** means that portion of a Lot or Parcel, existing on documentation recorded with the county register of deeds, which abuts or intersects with Inland Waterways or Lake Michigan, whether such Lot or Parcel is owned by one or more persons. The length of Water Frontage shall be the linear measure along the Water's Edge.



"Water frontage means that portion of a Lot or Parcel, existing on documentation recorded with the county register of deeds, which abuts or intersects with Inland Waterways"

The proposed lots do not have waterfrontage.

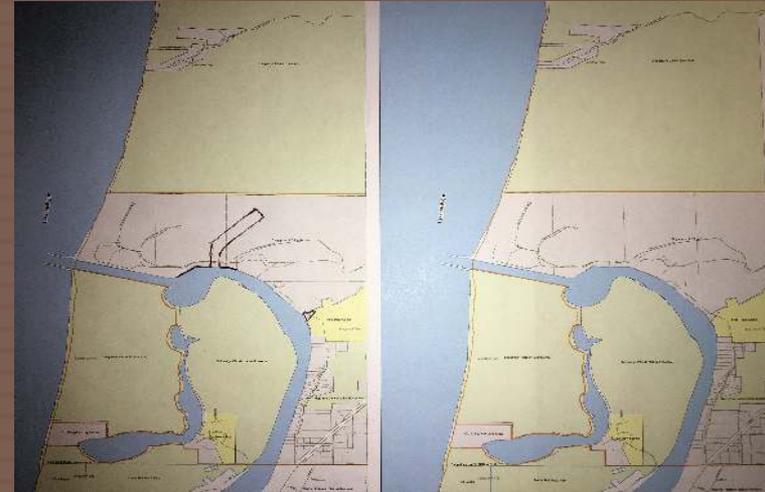
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- The DEQ approved permit states, "Construct a marina basin with associated piers **that will connect to the Kalamazoo River.**"
- From the ordinance: "**Canals or channels which interface with an Inland Waterway** or Lake Michigan and were lawfully in existence as of the effective date of this section may be cleaned and maintained in accordance with applicable laws of the State of Michigan so long as they are not enlarged."
- **The 200' interface with the Kalamazoo River is the shared waterfront access.**



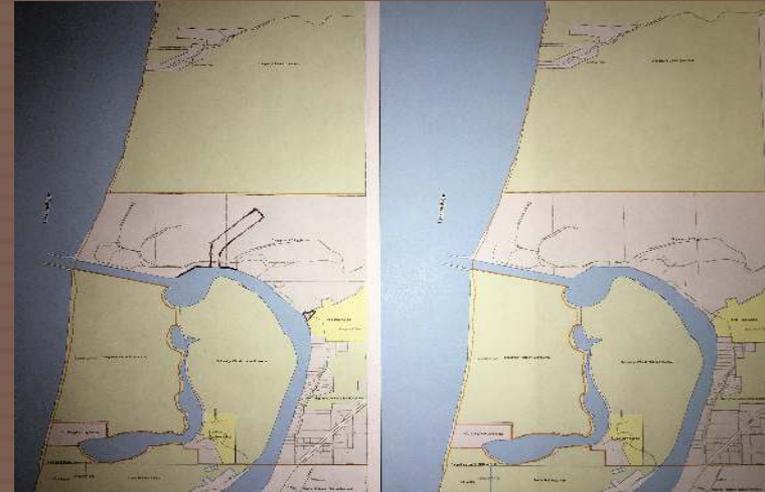
Saugatuck's Historic River Mouth Neighborhood

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ARTICLE XII. - WATER ACCESS AND DOCK DENSITY REGULATIONS Sec. 40-910.

Waterfront:

- It is likely that the Padnos development team added the footage along the channel, which is owned by the USACE, when Greg Weykamp, of Edgewater Resources, claimed during the March 2017 Planning Commission meeting, **“The frontage area of this development is 4,000 linear feet.”**
- Then, during the April 2017 PC meeting Weykamp claimed, **“The frontage area of this development is 3,000 linear feet.”**
- **Then, in an email to the DEQ on 1/30/18, Padnos developer Scott Bosgraaf states they only have 1400’.**
- **The 200’ interface with the Kalamazoo River is the shared waterfront access.**



Saugatuck's Historic River Mouth Neighborhood

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The Character of the adjacent property and surrounding area is: Legally Designated Natural Areas and Conservation Easements.

The Proposed Marina will change the Essential Character of the Surrounding Area from legally-protected dune eco-system to man-made lagoon; it would bring boat noise/vibration/fumes to within 300' of a legally-designated Natural Area.

The Proposed Marina, without a clay liner, will lower the, already shallow, globally imperiled interdunal wetlands up to 6". The process of excavation will lower the necessary ground water that feeds the globally-imperiled interdunal wetlands.

Boat traffic will increase between three-four times what is allowed by zoning.

