



CITY COUNCIL WORKSHOP AGENDA

August 9, 2023 – 4:00 pm

*This is an in-person meeting at Saugatuck City Hall, 102 Butler St, Saugatuck, MI 49453.
The meeting will also be available live, virtually on Zoom.*

1. **Call to Order**
2. **Roll Call**
3. **Agenda Changes** (*Additions/Deletions*)
4. **Guest Speaker**
5. **Public Comment on Agenda Items Only** (*Limit 3 minutes*)
6. **Discussion Items:**
 - A. HDC Appointment *Pg.2*
 - B. 4th of July Event Presentation
 - C. Clearbrook Youth Golf Outing Sign Request *Pg.10*
 - D. North Shore Development Letter *Pg.12*
7. **Public Comments** (*Limit 3 minutes*)
8. **Correspondence**
 - A. Joseph Leonatti
 - B. Catherine Simon
 - C. Lisa Mize
9. **Council Comments**
10. **Adjourn**

NOTICE:

Join online by visiting:

<https://us02web.zoom.us/j/2698572603>

Join by phone by dialing:

**(312) 626-6799 -or-
(646) 518-9805**

Then enter "Meeting ID":

2698572603

Please send questions or comments regarding meeting agenda items prior to meeting to:
ryan@saugatuckcity.com

Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact Saugatuck City Clerk at 269-857-2603 or Wolters@saugatuckcity.com for further information.



City Council Agenda Item Report

FROM: Ryan Cummins

MEETING DATE: August 14, 2023

SUBJECT: Historic District Commission Appointment

DESCRIPTION:

Historic District Commissioner, Daniel Pannozzo, advised he was not going to apply for reappointment to the Historic District Commission (HDC). His term expired on August 1.

The City Clerk provided notice that the City was accepting applications to the HDC. An application was received from Laura Godfrey. An interview with Ms. Godfrey took place on July 25. Rosemary Johnson previously interviewed and advised she was still interested in being considered for the HDC. Ms. Johnson submitted supplemental materials for consideration.

After considering both applicants and consulting Chair Straker and myself, Mayor Dean is recommending that Laura Godfrey be appointed as a Historic District Commission member with a term ending August 1, 2026.

BUDGET ACTION REQUIRED:

N/A

COMMITTEE/COMMISSION REVIEW:

Historic District Chair, Tim Straker, was provided with a copy of the applications and supplemental materials, participated in the interviews, and provided his recommendation to Mayor Dean.

LEGAL REVIEW:

N/A

SAMPLE MOTION:

Motion to appoint Laura Godfrey to the Historic District Commission with a term ending August 1, 2026.

Jamie Wolters

From: no-reply@weebly.com
Sent: Saturday, June 10, 2023 8:54 AM
To: Jamie Wolters
Subject: New Form Entry: Application for Boards & Commissions

You've just received a new submission to your [Application for Boards & Commissions](#).

[Mark as Spam](#)

Submitted Information:

Name

Laura Godfrey

Email

godfreylaura10@gmail.com

Home Phone Number**Mobile Phone Number**

708-308-2853

Address

550 Francis Street
Box 185
, Michigan Saugatuck

Current Employer

Self

Occupation/Position

Partner

Business Phone Number

Business Reference Name

Business Reference Phone Number

Business Reference Email

Does your employer have any business dealings with the City which might present a conflict of interest

No

If yes, please explain:

Are you a City of Saugatuck resident?

Yes

Are you a registered City of Saugatuck voter?

Yes

Serving on a board or commission can be time-consuming. Are you committed to attending all regularly scheduled meetings?

Yes

On which boards and/or commissions would you be willing to serve? .Historic District Commission

1

Please describe any qualifications, expertise or special interests that relate to your possible appointment:

I grew up in the Historic District of Oak Park, Illinois, a few blocks from Frank Lloyd Wright's Home and Studio. Immersed in architecture and design with a love of history, craftsmanship, and all things of enhancement.

Thank you for the opportunity. I look forward to serving with respect and competence.

Regards,
Laura J. Godfrey

Digital Signature

Laura Godfrey

Submitted Files

Resume

[resumelaurafinalfinal.docx](#)

LAURA J. GODFREY, PHR

Godfreylaura10@gmail.com

708-308-2853

Linkedin/in/com/lgodfrey

Midwest based, willing to travel and relocate

U.S. Citizen

Continuous learner-understands business and the importance of people to it.

Global Human Resources and Talent Executive with Fortune 500 and Big 4 experience.

- Multiple industry experience to include Operations, Finance, Legal, Marketing, IT, Healthcare, Construction, Energy, Cyber and Capital Markets.
- Advisor to C-Suite on Human Resources, Training, Performance Management, Workforce Planning, Executive Recruiting, System implementation, and building teams to drive results.
- Leader of teams to innovate new talent solutions and processes.
- Partner level hiring along with high-volume within leading financial services companies.

Expert Human Capital Consultant-Executive Recruiting, Human Resources Business Partner January 2012 to present

- Citadel Investments/Omnium, Chicago, Illinois: Recruited by the CHRO to prepare the back-office fund administrator entity/Omnium for acquisition by the Northern Trust Bank. This assignment lasted over nine months with new compensation outlines, revised team alignments, and eighty (80+) people hired.
- C-Suite build-out for P/E backed NYC start-up resulting in expansive business offerings.
- Silicon P/E start-up build-out for high-tech platform to accelerate product offering. This SaaS company had a rapid increase in new business and I worked with the CPO/Leaders to identify specific talent in a narrow niche.
- Pritzker Venture Capital, Chicago, Illinois: Supported a key portfolio company with Talent Management and Acquisition which resulted in geographic and client expansion.
- Two large corporations on CEO searches and related organizational design. Advisor to a bank CEO on enhancement of annual performance reviews to revamp titles, re-align staff, adjust the related organization charts, and confirm succession plans. Partnered with HR to re-align compensation models to provide the proper rewards and reposition staff in their new roles for future career pathing. Advisor to the Founder/CEO of large manufacturing company to solve issues of leadership alignment. Interviewed a cross-section of team members to understand where concerns resided, prepared documentation of such, made a presentation to the CEO to outline solutions. Implemented agreed upon steps that resulted in the recruitment of a key leader who then doubled the size of the company.
- Both outcomes yielded growth for both organizations due to having the right leaders in place.

BRG Consulting, Chicago, IL

Human Capital/Recruiting

Dec. 2018 to July 2022

- BRG is a global consulting firm with an emphasis on expert litigation in multiple industries.
- Recruited leaders for the Corporate Finance, Restructuring practice, Construction, Cyber, Healthcare, Economic Damages and Global Investigations.
- Partnered with leadership to structure outreach for new talent and define success.
- Introduced new HRIS system.
- Hired on average fifty leaders per year.

Huron Consulting Group, Chicago, IL Feb. 2013 – June 2015

Director of Executive Recruiting

- Aligned with leadership in two practices: Legal and Business Advisory.
- Legal: Recruited several professionals to leadership roles including key leaders for the London Legal and Forensic market.
- Business Advisory/Capital Markets: Accelerated the goal of expanding this practice through the introduction of a multi-million-dollar acquisition and significant senior hires.

Navigant Consulting, Inc. Chicago, IL

Promoted to Senior Manager, Human Capital, Business Consulting Services 2008 – 2011

Manager, Human Capital, Business Consulting Services 2004 – 2008

- Built high-performing teams of global recruiters to support multiple practices to include Energy Construction and Real Estate, Testifying Experts, Capital Markets, and Legal Investigations.
- Collaborated on several key acquisitions to include Chicago Partners, a leading firm with expertise in Legal Investigations.
- Implemented the acquisition of several healthcare practices and supported their onboarding and leadership integration. Recruited additional partners to supplement growth.
- Managed the acquisition of key leaders for the London office in multiple practices.
- Worked closely with corporate legal and finance leadership to support fast moving acquisition of practices, partners and clients.

Education

- Lake Forest Graduate School of Management: Organizational Effectiveness
- Professional of Human Resources (PHR) Certificate: 2009
- Stanford University: Certificate in Organizational Theory
- Northwestern University: Multiple Certificates in Leadership Development and Strategy and Negotiation
- University of Illinois: Certificate in Contract and Employment Law
- KolbeA-6572
- World at Work: Executive Compensation
- DePaul University: Business Management

Personal

Dog rescuer, non-fiction reader, traveler, gardener, community helper, cook, early riser.



P.O. Box 86, Saugatuck, MI 49453
Phone: 269.857.2603 Fax: 269.857-4406
Website: www.saugatuckcity.com

**APPLICATION FOR APPOINTMENT TO
BOARDS/COMMISSIONS/COMMITTEES**

Name: Rosemary Johnson Home Phone: 586--489-3883

Home/Mailing Address: 500 Mill Street Saugatuck, MI 49453

E-mail Address: rjohnson49@hotmail.com

Employer: retired Occupation/Position: _____

Business Phone: _____ Business Reference: _____

Are you a Saugatuck City resident? yes Are you a registered Saugatuck City voter? yes

Do you or your employer have any business dealings with the City which might present a conflict of interest? no If yes, explain _____

Serving on a Board or Commission can be time-consuming. Are you committed to attending all regularly scheduled meetings? yes

On which Boards and/or Commissions would you be willing to serve?

- | | | |
|-------------------------|-------------------------------------|-------------------------|
| Planning Commission | <u>Historic District Commission</u> | Zoning Board of Appeals |
| Board of Review | Harbor Commission | Township Fire Board |
| Twp. Recreation Comm. | Kalamazoo Lake Sewer & Water | Library Board |
| Interurban Transit Auth | Peterson Nature Preserve | Construction Board |

Please describe any qualifications, expertise or special interests that relate to your possible appointment:

I live in the historic district and I have appeared three times before the commission. I believe it is very important to have members on the commission re-

You may wish to submit a cover letter with your application. Please return the original to the City Clerk's office at the above address for processing. The City of Saugatuck recognizes and supports the concept of balanced representation in regard to filling vacancies on Boards and Commissions. To this end, every effort is made to appoint members who represent Saugatuck's diverse community, including citizens of all ethnic groups as well as people with disabilities. Reasonable accommodations and equal access to communication are provided upon request.

Signature: Rosemary Johnson Date: 7/18/2022

****Disclaimer:** Per the City of Saugatuck's retention schedule this application will be kept on file for twelve months, unless you are chosen to serve on a board, then this application is kept on file for the duration of your term.

COPY: Mayor City Council City Clerk

Rosemary E. Johnson

Background Information

Education:

B.A. – Eastern Michigan
M.A. – Oakland University
Sp. Ed. – Wayne State University

Work History:

Special Education teacher/consultant – 36 years Warren Consolidated Schools
Currently substitute teaching in Allegan County area

Volunteering in Saugatuck Area:

Saugatuck Douglas Library programs volunteer since moving to Saugatuck
Reforestation of Mount Baldhead Park
Tree and vegetation planting Saugatuck Township River Bluff Park
Beach cleaning Saugatuck/Douglas
Tri-Community Recycling Initiative
Blue Star Highway Arbor Day clean-up

Historic District Involvement:

Five appearances before the Historic District for a new home, rock wall, shed, garage and windows/roof for additional property

Why I am interested in the Historic District Commission:

After appearing numerous times before the commission, I feel there is a need for input from a resident who has dealt with the commission and experienced the interpretations issued by the commission. I am a volunteer who has had those experiences and can add my observations to the decision-making of the commission.



FROM: Jamie Wolters, City Clerk

MEETING DATE: August 14, 2023

SUBJECT: Right of Way Signage

DESCRIPTION

Merijeane Webb has applied for a pallet banner approval. Operation Hope for Allegan Youth golf outing will take place on Sep 21, 2023. Banner date request is September 8-15.

The City Council may approve a banner as an exception, as listed in section 150.30(H). The conditions for approval of the exception are as follows:

1. The sign does not create a traffic vision obstruction;
2. The sign does not create a pedestrian traffic obstruction;
3. The sign is compatible with the surroundings and is not uniquely out of character for the community;
4. The sign does not create a situation which could be detrimental to health safety, or welfare; and,
5. The banner shall be displayed for no more than three 14-day periods between January 1 and December 31 of any year.

BUDGET ACTION REQUIRED

None.

COMMITTEE/COMMISSION REVIEW

None.

LEGAL REVIEW

None.

SAMPLE MOTION:

Motion to approve/deny the request to install a banner on the pallet sign during the dates of September 8th-15th promoting the Operation Hope for Allegan Youth Golf Outing.



Right of Way Sign Application

APPLICANTS INFORMATION

APPLICATION NUMBER _____ - _____

Name Meri Jean Webb Address / PO Box 986
 City Saugatuck State Mi Zip 49453 Phone 843.318.0707
 E-Mail remax.merijeau@gmail.com.
 Signature Meri Jean Webb Date 7/28/2023

SIGN DESCRIPTION (ATTACH MORE SHEETS IF NECESSARY)Type: Number of Yard Signs 0 Number of Banners 1Dates to be displayed Sep 8 thru 15Further Comments: Pallette sign Banner

Operation Hope for Allegan Youth
Golf Dating Sep 21, 2023
Clearbrook.

PLEASE INCLUDE THE FOLLOWING INFORMATION**Pursuant to Section 150.30, please attach the following supporting documents when applying for sign approval**

Y N NA

- Dimensions and type of each proposed sign 7' x 4' Pallette.
- Map showing the location of each sign
- Explanation of how each sign will be attached and secured Bunge Cord.

Pursuant to Section 150.30(H), please to the following questions:

- Will the signs create a traffic vision obstruction? No
- Will the signs create a pedestrian traffic obstruction? No
- Are the signs compatible with the surroundings and is not uniquely out of character for the community? and yes
- Do the signs create a situation which could be detrimental to health, safety, or welfare? No.



City Council Agenda Item Report

FROM: Ryan Heise, City Manager

MEETING DATE: July 19, 2023

SUBJECT: Resolution for public comment on North Shore Development

DESCRIPTION:

As agreed by City Council, please see a proposed resolution providing city council's public comment to the Department of Environment, Great Lakes, and Energy ("EGLE") permit (with EGLE Submission Number HPF-7A8A-RGC7Q) on north shores of Saugatuck, LLC's permit to build a marina basin.

LEGAL REVIEW:

Yes

SAMPLE MOTIONS:

Official resolution adoption to take place on Monday.

**CITY OF SAUGATUCK
COUNTY OF ALLEGAN
STATE OF MICHIGAN**

RESOLUTION NO. _____

**A RESOLUTION PROVIDING CITY COUNCIL’S PUBLIC COMMENT
TO THE DEPARTMENT OF ENVIRONMENT, GREAT LAKES AND ENERGY ON
NORTH SHORES OF SAUGATUCK, LLC’S PERMIT TO BUILD A MARINA BASIN**

Council Member _____, offered the following resolution and moved for its adoption, seconded by Council Member _____,

WHEREAS, North Shores of Saugatuck, LLC has applied for a permit from the Department of Environment, Great Lakes and Energy (“EGLE”) (with EGLE Submission Number HPF-7A8A-RGC7Q) under 1994 Public Act 451 to build a marina basin located in the Kalamazoo River, near the mouth of the Kalamazoo in Saugatuck Township (the “Township”), Michigan.

WHEREAS, the site is located offshore at 3574 Dugout Road and 6500 135th Avenue, Allegan County, Michigan 49453.

WHEREAS, the City’s jurisdictional boundaries, including its jurisdiction and control over the Kalamazoo River that exists within the City’s boundaries, is near to the proposed marina basin.

WHEREAS, the City further owns extensive acreage held as public lands with substantial frontage on the Kalamazoo River that is directly south of the proposed marina basin.

WHEREAS, the City has interests, as reflected below, that are impacted by developments in the area, including the City’s interests as a fiduciary in holding public lands in trust for its community and representing the general interests of the public within the City.

WHEREAS, on June 2, 2023, EGLE provided Public Notice to the City to seek input on the HPF-7A8A-RGC7Q application to build a marina basin (the “Application”).

WHEREAS, in response to the Public Notice and the understanding that EGLE will still consider public comment as part of the open application, City Council desires to provide public comment on the pending Application and stress to EGLE the importance of carefully reviewing and considering whether the project will adversely affect the public trust and riparian rights as set forth below.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The legislature of the State of Michigan has found that “[t]he critical dune areas of this state are a unique, irreplaceable, and fragile resource that provide significant recreational, economic, scientific, geological, scenic, botanical, educational, agricultural, and ecological benefits to the people of this state and to people from other states and

countries who visit this resource.”¹

2. Michigan law states that EGLE “shall issue a permit if it finds that the structure or project will not adversely affect the public trust or riparian rights.”²
3. EGLE is required to “consider the possible effects of the proposed action upon the inland lake or stream and upon waters from which or into which its waters flow and the uses of all such waters, including uses for recreation, fish and wildlife, aesthetics, local government, agriculture, commerce, and industry.”³
4. The legislature of this State has chosen to regulate use impacting the critical dunes of this state in order to “[e]nsure and enhance the diversity, quality, functions, and values of the critical dunes in a manner that is compatible with private property rights.”⁴
5. The legislature of this State has recognized the importance of critical dune areas and the “benefits to the people of this state and to people from other states and countries who visit this resource.”⁵
6. Subject to section 35316, EGLE must approve a permit “unless the local unit of government or the department determines that the use will significantly damage the public interest on the privately owned land, or, if the land is publicly owned, the public interest in the publicly owned land, by significant and unreasonable depletion or degradation of any of the following: (i) The diversity of the critical dune areas within the local unit of government. (ii) The quality of the critical dune areas within the local unit of government. (iii) The functions of the critical dune areas within the local unit of government.”⁶
7. The City, as a municipality having particular interest in the project finds that the proposed excavation to build a marina basin in the Kalamazoo River near the City will “adversely affect the public trust. . . .”⁷
8. The City finds that the excavation and construction of the proposed marina will have significant adverse environmental effects on Michigan’s Critical Dune Area and its tree canopy and wooded sand dunes along the Kalamazoo River.
9. The City finds that the excavation and construction of the proposed marina will have significant negative effects on uses of the area for recreation, agriculture, and aesthetics by destroying the historic site of Singapore and damaging wild rice growth gathered and connected to the area, a Potawatomi traditional cultural resource.
10. The City finds that the Tri-Community tourist-based economy relies on the preservation of the historical, ecological, and cultural values in the river mouth area and that the excavation and construction of the proposed marina will have a significant negative impact on the uses of the surrounding waters for commerce and industry.
11. The City finds that the proposed marina basin has the potential of impacting well-

1 MCL 324.35302.

2 MCL 324.30106.

3 MCL 324.30106.

4 MCL 324.35302.

5 *Id.*

6 MCL 324.35304.

7 MCL 324.30106.

established public and private uses of the area, including public lands held by governmental agencies to the north and south of the proposed marina basin.

ECOLOGICAL OVERVIEW: THE PROPOSED PROJECT WILL RESULT IN A SIGNIFICANT AND UNREASONABLE DEPLETION AND DEGRADATION OF THE QUALITY AND DIVERSITY OF THE CRITICAL DUNE AREAS

1. The construction of the canal will decrease Michigan's Critical Dune Area by 6.5 acres.⁸
2. The construction of the canal will destroy the historic site of Singapore, a 19th century lumber town buried under the dunes and eligible for the National Register of Historic Places.⁹
3. The construction of the canal may damage the Potawatomi traditional cultural resources, disturbing Lake Sturgeon, wild rice growth traditionally gathered and connected to the area, and traditional burial grounds at the mouth of the Kalamazoo River.¹⁰
4. The construction of the canal will contribute to deforestation of a significant tree canopy of wooded sand dunes along the Kalamazoo River.¹¹
5. The construction of the canal will contribute to negative impacts to the City of Saugatuck effort to maintain its own areas, as well as conservation measures taken to support, augment, and further the positive environmental impacts of the City's property, such as the adjacent Saugatuck Harbor Natural Area, Tallmadge Woods Nature Preserve, and the Patty Birkholtz Natural Area.¹²

HISTORY OF THE TRI-COMMUNITY'S VALUES AND TOURIST ECONOMY: THE PROPOSED PROJECT WILL HAVE AN ADVERSE EFFECT ON THE USE OF THE AREA FOR RECREATION, FISH AND WILDLIFE, AESTHETICS, LOCAL GOVERNMENT, AND COMMERCE.

1. The City of Saugatuck, Saugatuck Township, and the Village of the City of Douglas ("Tri-Communities") have a 137-year history of deliberately building a tourist-based economy centered on the *preservation* and *conservation* of public open space in the river mouth area.

8 US Army Corps of Engineers, Public Notice: Proposed Marina in the Kalamazoo River and Beach Nourishment in Lake Michigan at Saugatuck, Michigan 1 (2017) ("[a] total of 241,750 cubic yards of sand would be excavated from a 6.54-acre upland area approximately 1,639 feet long and up to 200 feet wide, temporarily leaving a soil plug at the marina basin entrance.").

9 US Army Corps of Engineers, Public Notice: Historic Properties Review for Proposed Marina Basin in the Kalamazoo River in Saugatuck Township, Michigan 4 (2018) (finding "the undertaking would have no adverse effect on Areas A, B, and D, but the undertaking would have an adverse effect on Area C, as defined in 36 CFR 800.5(a)(1)"). Area C has been identified as part of the buried 19th Century lumber town of Singapore.

10 Mario Battaglia & Rebecca A. Hawkins, Ethnographic Traditional Cultural Property Study of the Mouth of the Kalamazoo River, Allegan County, Michigan 13-18, 23 (2019).

11 City of Saugatuck et al., Tri-Community Master Plan 4-23 (2016) ("Mature trees represent a valuable resource in maintaining the aesthetic character of the area, not to mention their overall importance to wildlife and the natural environment. In particular, the wooded sand dunes along the Kalamazoo River and Lake Michigan, and those buffering adjacent uses from I-196, are especially important. They should be managed to insure their long term existence."). Recent drone images reveal that the "laydown area" proposed by NorthShore of Saugatuck in both the USACE and EGLE permit applications has been clearcut and excavated.

12 See Letter from Lana Pollack, chair of Michigan Natural Resources Trust Fund Board, to National Trust for Historic Preservation (Jan. 15, 2010) (on file with the City of Saugatuck).

2. In 1884, the Village of Saugatuck—the former governmental entity prior to incorporation of the Village into the now City of Saugatuck— purchased Mount Baldhead and the lake frontage to the west. The lake frontage would eventually become Oval Beach. Stairs up the east side of the dune and a pavilion at the bottom were built to attract tourists to the area.
3. In 1920, Thomas Eddy Tallmadge purchased 105 acres of forested dunes surrounding the Ox-Bow School of Art. To protect the school and land, Tallmadge made arrangements with the City to preserve the land as green space in times the school did not operate.
4. In 1936, the City opened Oval Beach.
5. In 1957, the National Park Service conducted a survey of potential park sites along Lake Michigan. The Park Service wrote in its study: “[b]y virtue of its fine beaches (Oval Beach) and scenic hinterlands, Saugatuck has a high public use value. . . . *Immediate steps should be taken to safeguard these values in order to meet the recreation demands of this region.*” (emphasis added).
6. Between 1977 and 1988, local citizens worked to establish Saugatuck Dunes State Park and Natural Area.
7. In 1977, the Natural Areas Conservancy of West Michigan (NACOWMI) acquired a 300-acre parcel, known as the Luther-Uhl property, which was adjacent to what would become the Saugatuck Dunes State Park.
8. Around this time, the State acquired 550 acres from the Augustinian Seminary. It kept 40 acres of this land for the operation of a prison and gave the remainder of the land to the Department of Natural Resources (DNR).
9. Following its acquisition of the land, the DNR advocated for the Luther-Uhl land to be protected as a natural area for scientific study.
10. Following this, the DNR announced its state park plan which called for a 1,500 car parking lot on the beach and an off-road vehicle area. *The local response was immediate and unanimously negative.*
11. The DNR withdrew its state park plan and allowed for the formation of a citizen’s advisory committee to draft a master plan for Saugatuck Dunes State Park. *This was the first time a citizen’s advisory committee was entrusted to create a State Park Master Plan.*
12. Patty Birkholz, a Parks Commissioner from the Township, was appointed Chair of the committee.
13. The committee’s Master Plan called for a *low-impact nature study* and prohibited overnight camping—a rare prohibition in the state park system.
14. The Master Plan included detailed expansion plans for acquiring, among other lands, those around the proposed marina basin, including the NorthShore of Saugatuck property. These plans called for an expanded natural area and designated historic site where the buried ghost town of Singapore lies.
15. The Master Plan required the Luther-Uhl property to be legally designated as a Natural Area until October 1988.

16. The citizens charged with drafting the Master Plan worked with the conservancy community, the DNR, and the State for six years to ensure the protection of the land. In 1982, the Master Plan was unanimously approved by the Natural Resources Commission.
17. In January 2004, the DNR received over 100 individual letters supporting a proposed expansion of the Saugatuck Dunes State Park to include Denison property, which then became the Singapore Dunes LLC property and most recently became the NorthShore of Saugatuck property.
18. Between the years 2003 and 2005, the Tri-Communities came together for a series of meetings to discuss and debate land use issues and future development. This meeting led to the publication of the 2005 Tri-Community Master Plan, (the “2005 Master Plan”) which focused on protecting the historical, ecological, and cultural values that drive the tourist-based economy.
19. During this period of time, there were two townhall-style meetings, as well as the collection of data from a community survey. Almost every other resident in the community responded.
20. The 2005 Master Plan was unanimously approved by the City of Saugatuck, the City of the Village of Douglas, Saugatuck Township, and Allegan County.
21. To put the 2005 Master Plan into place, the municipalities took several actions towards protecting the natural areas.
22. In 2007, the Tri-Communities placed a conservative easement onto Tallmadge Woods Nature Preserve.
23. In 2009, the Tri-Communities assisted in the \$20 million public acquisition of the Saugatuck Harbor Natural Area. A grant of \$10.5 million from the Michigan Natural Resources Trust Fund was the largest public grant ever extended by this state fund.
24. In 2010, the City voters passed a millage to tax themselves for better support of the natural resources’ local zoning protections.
25. In 2010, local organizations applied to have the Wild Heart of Saugatuck, an area near the river mouth, added to the National Trust for Historic Preservation’s annual list of America’s 11 Most Endangered Places.
26. Lana Pollack, former Chair of the Michigan Natural Resources Trust Fund Board, submitted the following letter to the National Trust for Historic Preservation in support of the designation, primarily in hopes of protecting the state’s investment:

“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. Support for the grant did not come easily, but not because of a questioned worth of the project – 171 acres of critical dunes with globally imperiled inter-dunal wetlands, habitat that is home to several threatened and endangered species. The project’s value was undoubtedly enhanced by its immediate proximity to Saugatuck’s Oval Beach, the Saugatuck Lighthouse Cottage and the Ox-Bow School of Art. Although MNRTF is focused on saving natural landscapes, we also recognized in

this case the historic and cultural context of the particular 171 acres that our grant was supporting.

“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.” (emphasis added).

27. In 2016, the updated Tri-Community Master Plan (the “2016 Master Plan”) was released. The priority among the Tri-Communities remains: “Public acquisition of the Denison property on both sides of the Kalamazoo River is the top priority for the Tri-Communities.”¹³
28. Today, the City owns nearly 16,000 feet of water frontage in the River Mouth Area immediately adjacent to the proposed canal. A portion of this is the Saugatuck Harbor Natural Area, a 177 acre designated natural area/sanctuary held under the supervision of the City. The Saugatuck Harbor Natural Area has 570 feet of water frontage on the Kalamazoo River, 1,800 feet of water frontage along the USACE channel, and nearly 6,200 feet of water frontage on the Old Harbor. All of this water frontage is in its natural state and does not have seawalls or riprap. The City also manages the Tallmadge Woods Nature Preserve, a 100-acre preserve with 6,200 feet of Kalamazoo River frontage and 2,900 feet of Old Harbor water frontage.
29. The Saugatuck Harbor Natural Area and the Tallmadge Woods Nature Preserve connect with Saugatuck’s Oval Beach and Mount Baldhead Park, together comprising 415 acres of park land and natural areas. These areas are all managed as low-impact natural areas to ensure the protection of the ecological, historical, and cultural values that drive

¹³ City of Saugatuck et al., Tri-Community Master Plan 9-6 (2016).

Saugatuck's tourism-based economy. These areas are indispensable to the economic well-being of the Tri-Communities.

30. The NorthShore of Saugatuck development and management may directly affect these natural areas and sanctuaries that the City manages for the benefit of the community.
31. Because of its effect on the low-impact natural areas and City-owned property, the NorthShore of Saugatuck development may have significant impacts on the Tri-Communities' tourist-based economy.
32. Among the goals listed in the 2016 Master Plan is the goal to "[p]rotect special environments and open spaces, including but not limited to sand dunes, wetlands, and critical wildlife habitat, from the harmful effects of incompatible development activity by limiting the type and intensity of land development in those areas."¹⁴
33. The 2016 Master Plan also outlines the goal to "[g]uide development in a manner which is orderly, consistent with the planned expansion of public facilities, and strives to preserve the scenic beauty, foster the wise use of natural resources, protect environmentally sensitive areas, and enhance the special character of the Tri-Communities."¹⁵
34. The 2016 Master Plan states that "[t]hese joint goals and policies are premised on a pledge by Saugatuck Township, the City of Saugatuck, and the City of the Village of Douglas to mutually cooperate in guiding future development to advance a common vision. It is intended that these goals and policies be consulted when considering future land use decisions within an individual jurisdiction, as well as those decisions that affect the interests of more than one jurisdiction."¹⁶
35. The goals and policies in the 2016 Master Plan "are premised on a pledge by Saugatuck Township, the City of Saugatuck, and the City of the Village of Douglas to mutually cooperate in guiding future development to advance a common vision."¹⁷
36. The goals and policies outlined in the 2016 Master Plan and those outlined by the City here should be considered a representation of the uses of bodies of water "for recreation, fish and wildlife, aesthetics, local government, agriculture, commerce, and industry."¹⁸
37. The 2016 Master Plan articulates the economic public interest in preserving the river mouth area of the Kalamazoo River for "low-impact development" or public open space.¹⁹
38. The City considers the 2016 Master Plan to be a reflection of the uses of bodies of water connected to the proposed project "for recreation, fish and wildlife, aesthetics, local government, agriculture, commerce, and industry." The 2016 Master Plan states "[t]hese joint goals and policies are premised on a pledge by Saugatuck Township, the City of Saugatuck, and the City of the Village of Douglas to mutually cooperate in guiding future development to advance a common vision. It is intended that these goals and policies be

14 City of Saugatuck et al., Tri-Community Master Plan 1-12 (2016).

15 *Id.* at 1-4.

16 *Id.* at 1-2.

17 *Id.*

18 MCL 324.30106.

19 See generally City of Saugatuck et al., Tri-Community Master Plan (2016).

consulted when considering future land use decisions within an individual jurisdiction, as well as those decisions that affect the interests of more than one jurisdiction.”²⁰

39. Specifically, the City considers the following 36 excerpts from the 2016 Plan to be a reflection of the plans for “recreation, fish and wildlife, aesthetics, local government, agriculture, commerce, and industry”²¹:
1. “**Goal:** Guide development in a manner which is orderly, consistent with the planned expansion of public facilities, and strives to preserve the scenic beauty, foster the wise use of natural resources, protect environmentally sensitive areas, and enhance the special character of the Tri-Communities.”²²
 2. “**Policy:** Insure compatible land use planning and zoning across municipal borders and minimize land use conflicts by separating incompatible uses and requiring buffers where necessary.”²³
 3. “**Policy:** Support efforts to foster tourism by preserving the scenic beauty of the environment, expanding recreational opportunities, improving tourist attractions, preserving the historic character of the communities through the preservation of historic structures, expanding cultural and arts opportunities and encouraging development of promotional material which highlight the attractions of the Tri-Communities.”²⁴
 4. “**Goal:** Encourage planning efforts based on the understanding, knowledge and respect for the Tri-Community’s historical and cultural resources.”²⁵
 5. “**Policy:** Discourage the development of high intensity residential uses along the waterfront.”²⁶
 6. “**Goal:** Protect special environments and open spaces, including but not limited to sand dunes, wetlands, and critical wildlife habitat, from the harmful effects of incompatible development activity by limiting the type and intensity of land development in those areas.”²⁷
 7. “**Policy:** Identify development limitations on special environments which classify environments based on their value to the ecosystem, unique attributes, the presence of endangered plant and wildlife species, and other characteristics deemed significant.”²⁸
 8. “**Policy:** Encourage acquisition of special environments of significant public value by public agencies or nonprofit conservancy organizations for the purpose of preservation.”²⁹
 9. “**Policy:** Prepare and maintain a subarea plan for the Oxbow Peninsula including the [NorthShore of Saugatuck Property] ‘Denison Property.’”³⁰
 10. “**Policy:** Promote the preservation of open spaces and natural areas, as well as limited, carefully planned development along the Kalamazoo River, Kalamazoo Lake, Silver Lake, Goshorn Lake, and Lake Michigan and connecting streams, creeks, and drainage ways to protect and enhance the scenic beauty of these waterfront areas.”³¹

²⁰ See *id.*; see also MCL 324.30106.

²¹ See MCL 324.30106.

²² *Id.* at 1-4.

²³ *Id.* at 1-5.

²⁴ *Id.* at 1-6.

²⁵ *Id.* at 1-10.

²⁶ *Id.* at 1-12.

²⁷ *Id.*

²⁸ *Id.*

²⁹ *Id.*

³⁰ *Id.*

³¹ *Id.* at 1-13.

11. "In 2002 the City of Saugatuck completed a strategic plan for purposes of future growth and development and efforts involved an examination of local tourism and public opinion. The following data was secured from the plan's survey of visitors to the area, and provides useful information considered applicable to each of the Tri-Communities when considering economic and recreational impacts on the area. . . Activities – beach (40%), dune rides (12%), and boating (11%) Spending Patterns - \$500 to \$599 (median range), 15% spend +\$1,000. . . ."³²
12. "The primary reasons people visit or live in the three communities are to enjoy the scenery and recreational opportunities and to live in a picturesque, safe place while they commute to nearby (or distant) urban centers. Beach recreation, boating and other water activities, shopping, art galleries and enjoying the scenery are the primary attractions for both tourists and year-around residents. ***While agriculture, industry and tourism are important economic sectors represented in the Tri-Communities, tourism is king.***" (emphasis added).³³
13. "Mature trees represent a valuable resource in maintaining the aesthetic character of the area, not to mention their overall importance to wildlife and the natural environment. *In particular, the wooded sand dunes along the Kalamazoo River and Lake Michigan, and those buffering adjacent uses from I-196, are especially important. They should be managed to insure their long term existence.*" (emphasis added).³⁴
14. "A large portion of the lakeshore both north and south of the mouth of the Kalamazoo River is undeveloped or very sparsely developed. *A portion of this segment of the shoreline is in public ownership as Oval Beach Park. In 2011, the City of Saugatuck completed its acquisition of the 173 acres of natural dunes and 3,650 feet of undeveloped Lake Michigan Shoreline, formerly owned by the Denison family, between the south Kalamazoo River pier and Oval Beach City Park. This was made possible through a partnership between the City; the Land Conservancy of West Michigan; a 10.5 million grant from the Michigan Natural Resources Trust Fund; The Nature Conservancy; The Conservation Fund; and generous private donors.* The Saugatuck Harbor Natural Area, as it is now called, is open year round for low impact uses such as hiking, fishing, bird watching and beach combing."³⁵
15. "The Tri-Community area is rich in cultural, and historical points of interest and many archaeological sites can be found throughout the area. Leading economists and forward-thinking governmental leaders have recognized the social and economic value of promoting and preserving cultural and historic assets. The state of Michigan has made community cultural; planning a key part of its most publicized and marketed economic development strategies: the 'smart growth'; 'heritage/cultural tourism'; and 'cool cities' initiatives."³⁶
16. "Archaeological sites are of particular scientific value to the fields of anthropology, ecology and biology, and may have historic or ethnic significance as well. There are 120 archaeological sites scattered throughout the Tri-Community area, mostly related to Ottawa and Potawatomi cultures. Their exact locations have not been disclosed by the Bureau of history to protect them from exploitation. One of these sites, the Hacklander Site, located in Section 23 is listed on the National Register of Historic Places and has components representing Middle and Late Woodland periods. *A second important site is the old Singapore site located at the north edge of the 'new' (1906) harbor channel. Recipients of Federal assistance must ensure that their projects avoid damage or destruction of significant historical and archaeological resources.* The

32 *Id.* at 2-8.

33 *Id.* at 3-1.

34 *Id.* at 4-23.

35 *Id.* at 5-7.

36 *Id.* at 5-9.

Michigan Bureau of History reviews these projects to assess their impact on archaeological sites.” (emphasis added).³⁷

17. “Parks, recreation, and open space are essential to the quality of life of area residents, and are an important component of the local tourist economy. They enhance property values, as well as physical and psychological well-being.”³⁸
18. “According to the 2004 community opinion survey, following was the response to the question of whether the respondent would support the additional recreation-related activities even if it meant an increase in general property taxes. . . . The greatest support among recreation-related topics was for better water quality with 62.5%, bike lanes/pathways with 60.5% support and *parks and recreation at 50.9%. When citizens express a willingness to pay higher taxes for a service that is very significant.*” (emphasis added).³⁹
19. “*Recreation is important to the Tri-Communities and the visual experience of the community is tied to the recreational experience.* Residents like to live in the Tri-Communities, in part, because it is a uniquely attractive location. *Tourists visit and spend money in the Tri-Communities based in part on the visual experience. Natural features and open spaces are important components of the Tri-Communities,* contrasting with the concentrated, developed areas of the City of Saugatuck and the City of the Village of Douglas. The compact, strong identities of the City and Village are enhanced when natural, open spaces surround the two communities. Water is one of the natural features surrounding the City and Village and helping to give them form and identity. Wetlands, woodlands, farms and parks are other existing natural features that currently contribute to natural open space.”⁴⁰
20. “Tourists have always been attracted to the area, but tourism is now the number one economic activity. . . . Consequently, how the waterfront is used will be of crucial importance to the future of the Tri-Community area.”⁴¹
21. “*Although waterfront lands have 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. It is essential that the natural beauty of the waterfront be maintained along the Lake Michigan shoreline, the Kalamazoo River from the channel to Saugatuck, and from the Blue Star Highway Bridge inland.*” (emphasis added).⁴²
22. “This plan seeks to define a balance between competing uses. It places protection of the natural environment at first and foremost in making future land use decisions along the Lake Michigan and Kalamazoo River waterfronts. The ultimate goal is to minimize disruption of the natural environment so that new development and redevelopment is in harmony with the environment, rather than in conflict with it. Alteration of existing natural features should be very limited, and with mitigation to provide the same values and functions nearby.”⁴³
23. “Under the state Wilderness, Wild, and Natural Areas Program (Part 351 of the Natural Resources and Environmental Protection Act of 1994), the DNR is charged with identifying, dedicating and administering wilderness, wild and natural areas. Within the Saugatuck region, the DNR has dedicated the Saugatuck Dunes Natural Area to

37 *Id.* at 5-11.

38 *Id.* at 7-1.

39 *Id.* at 7-18.

40 *Id.*

41 *Id.* at 8-1.

42 *Id.* at 8-1 through 8-2.

43 *Id.* at 8-2.

protect the unique dune ecosystem of open dunes, blowouts, interdunal wetlands and wooded dunes, Pitcher's Thistle occurs within the area and is listed as a threatened species by both the state and federal government. The Saugatuck Dunes Natural Area is within Saugatuck Dunes State Park. 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. Management would likely be the responsibility of the City of Saugatuck, Saugatuck Township and the State Park. The entire Kalamazoo River, including the Saugatuck/Douglas area is designated as an area of particular concern by the DNR. Areas of particular concern are those having scarce resources, unusual scenic beauty, unusual economic value, recreational attractions, or some combination of the above. They are only located in coastal areas. Altering the environment in an area of 'particular concern' could have a significant impact on the quality of coastal and Great Lakes waters."⁴⁴

24. "As has been emphasized throughout this Plan, *the natural beauty of the waterfront has much to do with the attraction of the Tri-Community area.*" (emphasis added).⁴⁵
25. "***Several vistas have public values that deserve protection. These include the entry into and exit from Lake Michigan on the Kalamazoo River,*** the view from Mount Baldhead, the view of Kalamazoo Lake from both ends, and approaches to the Kalamazoo River Bridge." (emphasis added).⁴⁶
26. "In seeking to balance economic development with environmental protection, the concept of carrying capacity should be a major consideration. If the carrying capacity of land or water is exceeded, then activities cannot be undertaken without unacceptable impacts on users, the environment, or both. Impacts can include increased trip times, decreased safety, pollution, loss of open space, and many other considerations. The key is prevention of overuse by limiting intensity of use on adjoining lands and regulating surface water use. Environmental protection must be a leading principle in making future land use decisions along the waterfront. Environmentally sensitive areas such as sand dunes, wetlands, high risk erosion areas, floodplains, and key woodlands should be protected from unnecessary destruction. Development should complement rather than destroy these areas and their values. By doing so the environmental quality of the air and water will be improved, wildlife habitat will be preserved, scenic values will be protected, and the character of the area will be maintained. Some new intensive shoreline development will be desirable and necessary, but the balance should not be disproportionately on the side of new tax base as it has been for the past three decades. Opportunities to enhance the waterfront should be seized. Parks and open spaces should eventually be linked with other public places."⁴⁷
27. "Protection mechanisms, like the Natural River designation, should be recognized for the ancillary benefits they bring to the community."⁴⁸
28. "Good land use planning is essential to the future quality of life in the Tri-Communities. Actual future land uses are difficult to predict and guide to achieve desired results. A future land use map and plan expresses local and use goals and policies and provides a land use scenario which a community may use as a physical guide. Goals and policies, in turn, drive land use and development decisions."⁴⁹
29. "The following planning and design principles are the technical foundation in support of the proposed land use arrangements graphically depicted on the Future Land Use Map. These principles are consistent with the goals and policies in Chapter 1 and

44 *Id.* at 8-6.

45 *Id.* at 8-25

46 *Id.*

47 *Id.* at 8-25 through 8-26.

48 *Id.* at 8-27.

49 *Id.* at 10-1.

should remain the basis for reviewing any subsequent changes to the proposed Future Land Use Map. These planning principles are:

- Protection of public health and safety
 - *Conservation of natural resources*
 - *Environmental Protection*
 - Minimizing public service costs
 - Efficiency and convenience in meeting land use needs
 - *Insuring compatibility between land uses.*” (emphasis added).⁵⁰
30. “Failure to consciously protect nonrenewable natural resources exposes a community to unbridled destruction of those resources which are the foundation for an area's character and quality of life. Conservation of natural resources usually focuses on: land, water, minerals, certain soils (such as prime farmland), wetlands, sand dunes, areas supporting an abundance and diversity of wildlife, and unique forested lands. Areas where the land and the water meet are the most important. Indiscriminate land subdivision frequently reduces the size or alters the shape of land, thereby compromising the resource value and production potential of those lands. This occurs frequently in prime agricultural areas and once lost, these lands may never be reclaimed for food production purposes.”⁵¹
31. “This principle aims at preventing pollution, impairment or destruction of the environment. While there is considerable overlap with natural resource conservation issues, environmental protection measures focus primarily on air and water quality, and the impact of activities where the water meets the land. Environmental quality is best preserved by planning for appropriate land use activities in and near sensitive environmental areas, and managing development accordingly.”⁵²
32. “A central objective of land use planning is to locate future land uses so that they are compatible with one another. This prevents future nuisance situations between adjacent land uses, such as loud sound, ground vibrations, dust, bright lights, restricted air flow, shadows, odors, traffic, and similar impacts.”⁵³
33. “Other natural resource areas include sand dunes, wetlands, floodplains, streams, creeks and drains, the Kalamazoo River, Lake Kalamazoo, and areas at high risk of erosion along Lake Michigan. ***These areas are proposed for very limited future development in keeping with their fragility and importance in buffering Lake Michigan storms***, filtering and storing water during periods of flooding, draining stormwater from land, providing habitat for a wide range of plants and animals, and for their wide ranging open space values. ***Destroying these resources would destroy the essential qualities which continue to attract residents and tourists to the area.*** If conserved and wisely used, waterways and farms will become a natural greenbelt system that continues to enhance the area for years to come. Local zoning ordinances should be reviewed to ensure they include adequate conservation practices.” (emphasis added).⁵⁴
34. “The R-3 Lakeshore Residential Zoned District is that area of the township where controls are placed upon the use and development of areas adjacent to the shoreline of Lake Michigan *so as to preserve the shoreline as a natural resource to prevent and/or control erosion and to maintain the aesthetic qualities of the area.*” (emphasis added).⁵⁵

50 *Id.* at 10-1.

51 *Id.* at 10-3.

52 *Id.*

53 *Id.* at 10-4.

54 *Id.*

55 *Id.* at 10-12.

35. “Public acquisition of the Denison property on both sides of the Kalamazoo River is the top priority for the Tri-Communities.”⁵⁶
36. “While the above priority initiatives are being implemented, the matters that come before planning commissions and governing bodies month-to-month will permit many opportunities to implement key policies in this Plan (see policies in Chapter 1). Following are key strategies that should be implemented at every opportunity through local zoning, subdivision regulations and capital improvement programs. Many may first require updates to existing Zoning Ordinances. Most of the following strategies focus on preservation of the existing charter of the Tri-Communities:
- Protect the natural environment of the area AND Protect the visual quality of and visual access to the waterfront.”⁵⁷
40. The City finds that the marina basin may cause harm to the long-protected uses of public bodies of water for “recreation, fish and wildlife, aesthetics, local government, agriculture, commerce, and industry.”⁵⁸

HISTORIC LAND-USE AND PLANNING: THE CANAL WILL HAVE AN ADVERSE AFFECT ON “PRIVATE PROPERTY RIGHTS” AND TO THE USE OF THE AREA BY “THE PEOPLE OF THIS STATE AND TO PEOPLE FROM OTHER STATES AND COUNTRIES WHO VISIT THIS RESOURCE”

41. The City finds that the 2005 Master Plan and the 2016 Master Plan reflect the designation of the area for the use by private landowners and by “people of this state and to people from other states and countries who visit this resource.”⁵⁹
42. The 2005 Master Plan states “The northwest corner of the Township, along with [] 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).”⁶⁰
43. The 2005 Master Plan and the 2016 master plan state “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. It is essential that the natural beauty of the waterfront be maintained along the Lake Michigan shoreline, the Kalamazoo River from the channel to Saugatuck, and from the Blue Star Highway Bridge inland.”⁶¹
44. The 300-acre Patty Birkholz Natural Area is immediately adjacent to the proposed marina basin. It is one of only 20 legally-designated natural areas in the State of Michigan, and the City finds its preservation as one of the preeminent natural areas in the State of great importance to the local community and City.
45. The Master Plan for Saugatuck Dunes State Park and Patty Birkholz Natural Area calls for a low-impact nature area.

⁵⁶ *Id.* at 13-2.

⁵⁷ *Id.* at 13-5.

⁵⁸ MCL 324.30106.

⁵⁹ *Id.*

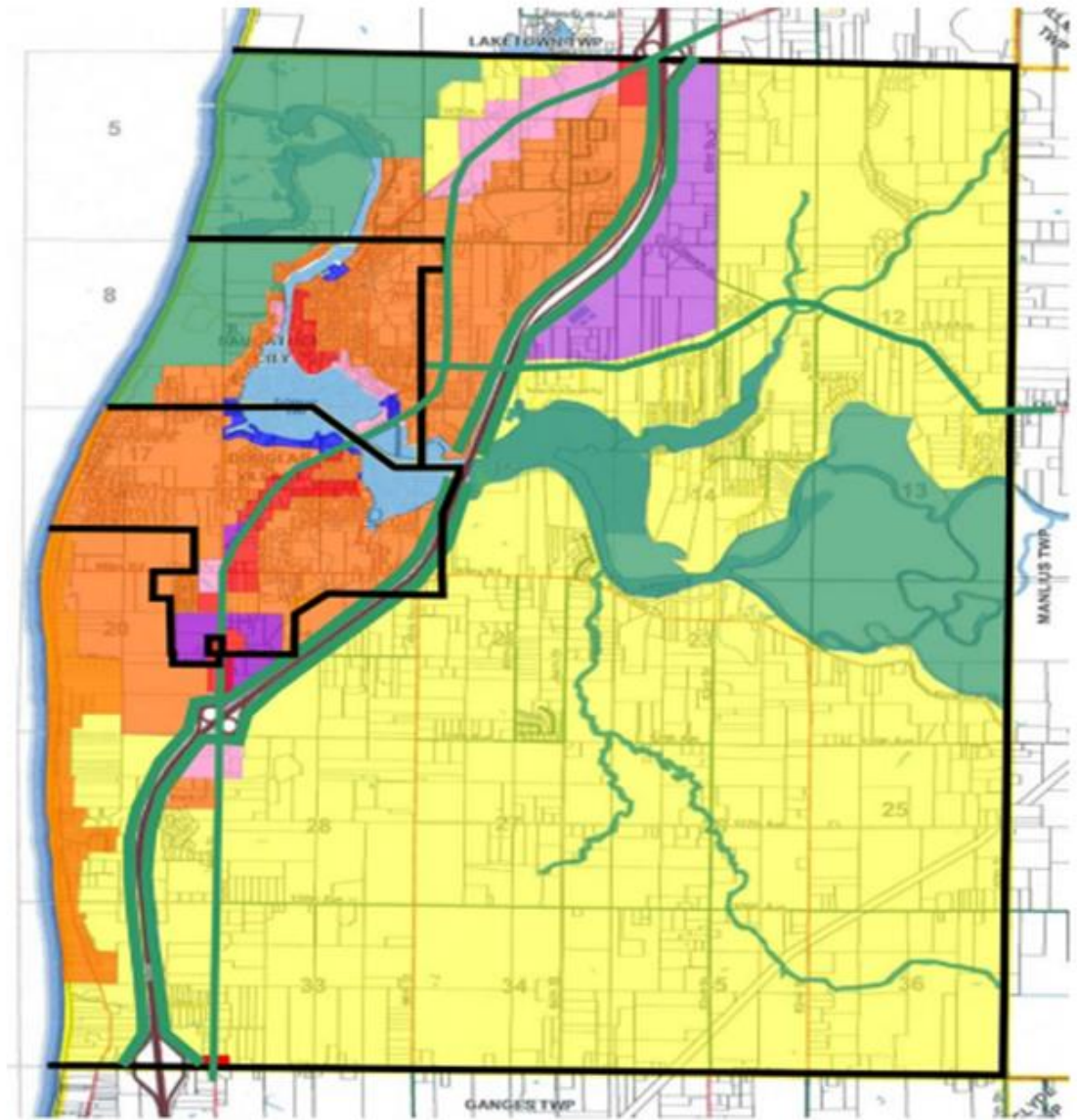
⁶⁰ City of Saugatuck et al., Tri-Community Master Plan 10-7 (2005).

⁶¹ *Id.* at 8-1 through 8-2; City of Saugatuck et al., Tri-Community Master Plan 8-1 through 8-2 (2016).

46. The parking lot for these nature areas was situated to be as far from the natural area as possible to ensure no noise, vibrations, glare, or fumes would be introduced into this sanctuary. The proposed marina basin itself would be contrary to those extra efforts to maintain the natural area in pristine environmental condition and quality.
47. The City finds that the proposed marina basin is contrary to the well-established riparian rights and responsibilities of adjacent private landowners.
48. The City finds that the proposed marina basin is contrary to the rights of those from this state and from other states and countries who visit the dunes.
49. For reference, the City acknowledges that the following is the future land use map proposed by the 2016 Master Plan:

Map 10-1

Future Land Use Map



- Legend**
- Rural Low Density Single Family Residential/Agricultural
 - Medium to High Density Single and Multi-Family Residential
 - Mixed Use Residential/Commercial
 - Waterfront Mixed Use
 - Commercial
 - Industrial
 - Greenspace, Preserve
 - Highway Buffer

Tri-Community Master Plan Update
2016
10-2

PLEASE NOTE:

Any promise of future conservation easements, trails, land swaps by the property owner of NorthShore of Saugatuck, based upon what happens with permitting, is considered a Quid Pro Quo and is thus not considered a conservation easement permissible for tax reduction. xvi

50.

CONCLUSION

- 51. The City finds that the proposed marina will have an adverse effect on the public trust, and may impact related riparian rights.
- 52. The City finds that by damaging the historical, ecological, and cultural values of the area which attract tourism and recreation to the Tri-Communities, the proposed marina will negatively impact the use of waters for recreation, aesthetics and the local tourism industry. The proposed marina may further impact fish and wildlife.
- 53. The City finds that the proposed marina basin is not consistent with the public uses in and around the area.
- 54. Based on the findings in this Resolution, the City of Saugatuck asks the Department of Environment, Great Lakes and Energy to strongly consider standards and findings established by the Michigan Legislature in 1994 Public Act 451, to consider the appropriateness of the requests made.

YEAS: Council Members: _____

NAYS: Council Members: _____

ABSENT: Council Members: _____

RESOLUTION DECLARED ADOPTED.

Dated:

Scott Dean, Mayor

Jamie Wolters, City Clerk

CERTIFICATION

I, Jamie Wolters, the City Clerk of the City of Saugatuck do hereby certify the foregoing is a true and complete copy of a resolution adopted by the Saugatuck City Council at a regular meeting held _____, in compliance with the Open Meetings Act, Act No. 267 of the Public Acts of Michigan, 1976, as amended, the minutes of the meeting were kept and will be or have been made available as required by said Act.

Attest:

Jamie Wolters, City Clerk

Dear Scott,

We have chatted a few times and heard you speak at a Mt Baldy meeting. I have come away with the following opinion: Although we may argue and disagree, until you prove differently, I am going on the assumption you are attempting to do what you see is best for Saugatuck. (As we say in the mafia, it is not personal. It is just business.)

Now to the point of this letter: I believe you understand that Western Michigan Wireless (W.M.W.) has been operating a business from Mt Baldy for the past 12 to 15 years. This seemingly, was done without a contract, the knowledge of, or permission of Saugatuck. Peter, at city hall, has not been able to locate records of any payments from W.M.W. My feeling is that if Peter cannot find them; they are not there.

I had a meeting with Ryan and mentioned, that my conservative, back of the envelope math would indicate W.M.W. owes the city a minimum of \$25,000. Ryan said he would look into this. A few weeks went by and I casually asked Ryan, when I am getting my money. He flippantly replied, "Does he owe you money?" I told him since I pay taxes it is actually my money. He went to say he was not sure the city should incur the legal cost of going after W.M.W. With the money Saugatuck, has expended in legal fees over the past few years it is always something to consider.

A short time later, and I may have copied you, I offered Ryan a proposal. I said, because all correspondence between Saugatuck and W.M.W. has been verbal, W.M.W. has incurred no legal fees. I suggested sending a letter threatening to sue him for possibly criminal trespass, or at least nonpayment to see if he blinks. He would have to consider the option of settling with Saugatuck or the cost of hiring an attorney. I received an email saying it was not up to him but the council's decision and his recommendation was to not pursue the issue. I suggested he re-read my suggestion and requested a response with 5 working days. It has been 8 days and I have yet to hear from him.

This offends me in two ways. First, as a tax payer, I resent him not receiving a response from a city employee. Second how can he make a recommendation if he does not know the money involved? Ergo, how can the council make a decision if they have not been presented with options including the money involved? What are we talking about, \$25,000, \$50,000, more? I do not know and you do not know because the manager is neglecting what I see as his duty.

Joseph Leonatti

Jamie Wolters

From: Catherine Simon <info@maplewoodhotel.com>
Sent: Tuesday, August 8, 2023 10:16 AM
To: Jamie Wolters
Subject: Please give to council and add to meeting packet.

To Whom It May Concern:

Respectfully, where do I begin? To say Venation Weekend was a letdown would be kindhearted. Part of the solution is honest criticism.

The verbose guest comments ranged from disappointment to anger. Touted on the front page of the 'Holland Sentinel', the cover of 'What's Happening' and the CVB website as the main summer event, it turned out to be a Big Nothing Burger. Cancellation of the boat parade did not appear on the CVB website till Saturday. In fact, the parade had been canceled the week prior. A posting on Facebook does not satisfy adequate notification to lodging establishments or businesses in the tourism industry.

Saugatuck is blessed for its inclusivity and historically a nonpartisan council. How unfortunate, the sponsors thought it appropriate to choose a political theme for the festive boat parade 'Being Green'. These days 'Green' ranges from sorting bottles/garbage to suggesting gas stoves be outlawed. Leave the environmental agenda for those interested and let visitors enjoy their vacation unencumbered. Keep it simple and non-controversial.

Catherine L. Simon

Maplewood Hotel

July 26, 2023

Saugatuck City Council
Ryan Heise, City Manager
City of Saugatuck
Saugatuck, MI 49453

Subject: 4th of July Extravaganza

I am writing on behalf of the Saugatuck Douglas Area Convention and Visitors Bureau to express our enthusiastic support for the recent 4th of July fireworks celebration and the introduction of the captivating laser light show, accompanied by the outstanding music from DJ House Shoes. We want to commend the City of Saugatuck for organizing such an exhilarating event that undoubtedly enhanced the festive spirit and brought joy to residents and visitors alike.

The 4th of July is a time-honored tradition when communities come together to celebrate the founding of our great nation. It is also an excellent opportunity to showcase the vibrant culture and natural beauty of our region to tourists and visitors. The addition of the laser light show brought a unique and modern twist to the event, captivating audiences of all ages and leaving lasting memories.

We believe that events like these significantly contribute to the economic prosperity of our community. By drawing in visitors from neighboring towns and even from afar, the 4th of July celebration boosts local businesses, including restaurants, hotels, retail establishments, and attractions. Moreover, the positive word-of-mouth generated by such events helps to bolster Saugatuck's reputation as a destination for unforgettable experiences and fosters repeat visitation.

As the Saugatuck Douglas Area Convention and Visitors Bureau, we pledge our ongoing support to collaborate with the City of Saugatuck in promoting and highlighting future events that contribute to the enrichment of our community and elevate its allure as a premier tourist destination.

Once again, we congratulate the City of Saugatuck on the resounding success of the 4th of July fireworks and the introduction of the mesmerizing laser light show.

Thank you for your dedication to enhancing the quality of life for residents and visitors alike.

Sincerely,

Lisa Mize
Executive Director
Saugatuck Douglas Area CVB