

Harbor Commission

Regular Meeting Minutes

Tuesday, March 15, 2016
5:30 p.m., Council Chambers



City of South Haven

1. Call to Order by Stephens at 5:30 p.m.

2. Roll Call

Present: Greg Sullivan, Tim Reineck, Steve Schlack, Tim Stegeman, Nick Fazio, Mary Stephens

Absent: Cathy Pyle

Stephens welcomed Nick Fazio to the board.

Hosier noted Fazio was appointed at the last council meeting.

At Stephens' request, Fazio introduced himself, stated he lives on the Black River and indicated he has been boating for about three years.

3. Approval of Agenda

Motion by Schlack, second by Stegeman to approve the March 15, 2016 Regular meeting agenda as presented.

All in favor. Motion carried.

4. Approval of Minutes – January 19, 2016

Motion by Reineck, second by Schlack to approve the January 19, 2016 regular meeting minutes as written.

All in favor. Motion carried.

5. Interested Citizens in the Audience Will be Heard on Items Not on the Agenda

There were none.

6. Financial Reports

Hosier reviewed the financial reports.

Schlack requested the date of fiscal closing which Hosier indicated is June 30 each year.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

7. Idler Deck

Hosier noted that she expected the applicant, Bob Lewis, to be present but added that his submission has been reviewed by the Planning and Zoning Administrator, Linda Anderson and Anderson has written a cover letter about the expansion. Hosier noted that she believes, since the project does touch the waterfront, that it should be reviewed by this advisory panel and sent on to the Planning Commission with any comments. Lewis did provide several drawings as well as projected pictures and a model of what the expansion of the deck is going to be. Hosier added that the deck will be located on the second floor of the Old Harbor Village/Inn, not the bottom level where the wine tasting room is, but a floor up. The proposed deck will be almost parallel to where the Idler is currently located; the deck will not come onto the Idler but will project from the store that used to be Bling, which is where the bar is going to be and the extension deck will be off the back. Hosier described the proposed deck's position as being between the Old Harbor and the Idler, noting that it will not extend beyond the existing lower deck.

After a question by Stephens regarding the measurement of the space between the deck and the Idler, Hosier distributed paper copies of the drawings that were submitted to supplement the electronic copies everyone has. Discussion ensued regarding whether there will be access to the Idler from the deck to which Stegeman explained that there is a gangway for access to the Idler and Hosier reiterated that it is her understanding that there will be no access from the deck to the Idler, that Lewis told her that it will be an enclosed back deck, only accessible from the former Bling store and access to the Idler will continue to be from the gangway as it is now.

Schlack asked, "Under the submittal requirements it says the drawings need to be signed and sealed by the professional, and if they were signed and sealed by the professional they might be easier to understand."

Schlack asked for the definition of "waterfront renovation," for those new to the Harbor Commission. "Is that any property touching the waterfront?" to which Hosier responded that is her reading. Schlack also asked if the lower and upper levels are the same property identification number to which Hosier stated she does not know and would have to do some research on that. Schlack explained he asked the question for future reference as to whether "waterfront" means adjacent to the river; does that include second stories because they are near the river or if that property number is adjacent to the river.

Stephens asked Schlack if he would prefer that this be postponed until we have signed and sealed plans. Schlack stated he does not like to hold people up, so he believes we should go ahead with the questionnaire. Stephens then asked Hosier, to be sure all are on the same page, whether Hosier would like the commission to go on with their site plan review. Hosier indicated, "Yes, this is advisory and your recommendation will go on to the Planning

Commission which would be the final place to approve that. Of course, your comments here would help guide their discussion.”

Stephens referred to page 17 of the packet, noting that she would try to go quickly through the site plan review and that all comments are welcome here.

Discussion ensued regarding the width of the river; location of the project in relation to the river which Hosier described as not touching but adjacent; the project does not touch the harbor lines; whether project property lines are provided; size of the deck (40' x 12') and the interpretation of opposing sides of the river. Further discussion ensued regarding the type of structure the Idler is; whether permanent or floating and whether setbacks of any kind would need to be considered.

Questions arose about the location of the Idler in conjunction with the harbor lines; whether the dock is a commercial dock which might involve height setbacks; that the dock is in an association. Hosier will do some research and send out an email to the commissioners.

Stephens noted that it would be interesting to know whether the Idler falls under Coast Guard rules and whether the gangway falls under Coast Guard rules. Reineck wondered if there is cribbing under the Idler and whether there would be additional parking required due to the amount of seating provided.

Stephens asked about the serving of alcoholic beverages and the height of the railing on the decking. Discussion ensued regarding the strict regulation of liquor licenses and that the proposed deck will have to be built to the building codes.

Upon a request from Stephens for any other comments, Schlack commented that he would suggest the applicant acquire the signed and sealed documents before submitting to Planning Commission.

Fazio asked whether anyone has any power to ask the owners of the Idler to clean the thing up and make it look more respectable. Discussion ensued regarding the appearance of the Idler and Reineck observed that the Harbor Commission doesn't have that kind of power.

Hosier stated she will be doing research into the questions and comments received at this meeting.

Schlack pointed out that this proposal does not have anything to do with the Idler, which Hosier corroborated and noted, "It's just by the same management company."

The commission quickly reviewed the findings form.

Sullivan asked if we are talking about postponing this or make a recommendation. Hosier explained there is really no recommendation to make; your comments are being sought.

Sullivan asked whether the Harbor Commission should have the ability to dictate aesthetics or recommend aesthetics to any harbor development. Hosier said she will check that out and get that information to the commissioners.

Stegeman added that when he sat as an alderman, time and again people would come in and complain, for example, that their neighbor painted their house purple and they don't like it. This is where you have to draw the distinction, about personal property rights, that maybe if this person feels that way, they should live in a gated community that has that type of rules or if they can be in the public domain and just sit back and let their neighbor do what they want to do with their property. Sullivan spoke about the Maritime District and wondered if there should be some aesthetic guidelines within the Maritime District. Reineck suggested that Old Harbor Village may have such guidelines in place.

Stephens asked for further comments or concerns.

Hosier stated she would like to update this form. Stegeman said he believes that form is more for development of docks and so forth.

Schlack thinks it comes down to signed and sealed drawings. It is hard to answer those questions without the required documents. Schlack suggested that when a full blown site plan review is done this form may be fine, but for comments perhaps something different would be advisable.

Sullivan noted that, moving forward, in the springtime a safety meeting has been held, bringing in the fire chief. Hosier asked if they would like her to schedule something with the fire chief. Stephens said also the Coast Guard Auxiliary, the DNR, all the law enforcement that oversees South Haven harbor and immediately out in the lake including the Sheriff's Marine Patrol, both Sheriffs. Stephens noted the former Harbor Master would schedule it as a work shop in a round table format and everyone would bring us up to speed on the latest information, their concerns on the water.

Stegeman asked the purpose of this group, whether it is televised, whether there should be a wider audience. Sullivan noted that in the past it has been scheduled as a workshop before our regular meeting and we have dealt with issues such as boat fires and direct fueling. Stephens noted it could be open to a wider audience; one of our goals as a Harbor Commission is the safety of navigation on the water. Stegeman wondered if this could be turned into a workshop/seminar for the general public which Stephens stated she thinks is a great idea. Hosier will try to aim for April or May to get something scheduled.

8. Adjourn

Motion by Stegeman, second by Sullivan to adjourn.

All in favor. Motion carried.

RESPECTFULLY SUBMITTED,

Marsha Ransom
Recording Secretary