

**PAW PAW TOWNSHIP  
PLANNING COMMISSION MINUTES**

**Regular Meeting – March 15, 2022**

**1. CALL TO ORDER AND ROLL CALL**

Chairman Kerby called the Paw Paw Township Planning Commission meeting to order at 6:00 PM.

**PRESENT:** Chairman Kip Kerby, Phillip Arbanas, Phil Hover, E. Frances Sanders, Chuck Felcyn, Mark Root, Chad Learned (arrived at 6:08 PM)

**ABSENT:**

Also present were David Jirousek, AICP, Township Consulting Planner; Tom Palenick, Deputy Township Supervisor; and several Paw Paw Township citizens.

**2. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

**3. APPROVAL OF THE AGENDA**

A motion was offered by Mr. Felcyn to approve the agenda with the addition of comments by Tom Palenick as item 6.a. The motion was supported by Mr. Root.

- Chairman Kerby called for the vote, and the motion passed unanimously (6-0).
- Aye: Chairman Kerby, Phillip Arbanas, Phil Hover, E. Frances Sanders, Chuck Felcyn, Mark Root
- Nay: none
- Abstain: none
- Not present for vote: Chad Learned

**4. APPROVAL OF MINUTES- February 15, 2022**

A motion was offered by Ms. Sanders to approve the minutes from the meeting held on February 15, 2022, as submitted. The motion was supported by Mr. Hover.

- Chairman Kerby called for the vote, and the motion passed unanimously (6-0).
- Aye: Chairman Kerby, Phillip Arbanas, Phil Hover, E. Frances Sanders, Chuck Felcyn, Mark Root
- Nay: none
- Abstain: none
- Not present for vote: Chad Learned

## 5. PUBLIC COMMENT ON NON-AGENDA ITEMS

Chairman Kerby called for general public comments. There were no comments.

## 6. BUSINESS:

### **a. Comments by Deputy Supervisor Tom Palenick**

Mr. Palenick outlined the draft overlay district map and mentioned the purpose was to preserve important fruit-growing areas in the Township, and further land use restrictions would be proposed within this area. Mr. Palenick also mentioned the extension of the current moratorium to the end of the year.

Mr. Palenick answered general informal public comments about the overlay district and moratorium.

### **b. Site Plan Review: Alex Frazier, P.E., of Hurley & Stewart (on behalf of KPEP), requests approval of a site plan amendment for 38254 West Red Arrow Highway, Paw Paw, MI 49079 (parcel #s 80-14-350-001-10 and 80-14-350-004-00).**

Mr. Jirousek explained that the applicant requests a site plan amendment approval for a new building and parking improvements. The subject parcels are zoned General Commercial (GC), and approval of the application will authorize the following site improvements:

- Demolition of existing building and construction of a 1,152 square foot office building
- 13 parking spaces and paved parking and driveway
- Dumpster enclosure
- Utilities and stormwater management

Mr. Jirousek outlined the positive findings of his March 9, 2022 memorandum.

Ms. Sanders asked about water and sewer services, Mr. Learned asked about traffic impact, Mr. Hover asked about the number of employees, and Mr. Arbanas asked about the use of the building.

The applicant stated that the office would accommodate 3-5 employees and meetings with up to 15 people. The applicant also addressed water and sewer services and stated that the traffic impact would be minimal. The applicant explained that existing site lighting would be used.

Mr. Root asked about parcel combination, and Mr. Jirousek stated that it is recommended that it occurs as a condition of approval.

Mr. Hover asked about preserving open space, and the applicant stated that the remainder of the site would remain undisturbed.

A motion was offered by Mr. Learned to approve the site plan amendment (last revised February 15, 2022), including the plans and supplemental materials provided by the applicant. This motion is based on the documented findings included within the staff report dated March 9, 2022, provided by the

Township Planner. Additionally, approval is conditioned on the following, with items 1-4 to be completed prior to the issuance of building permits.

1. Secure Fire Department approval of the site plan.
2. Secure Van Buren County Drain Commission approval for stormwater design and Van Buren County Drain Commission SESC permit, unless proof of exemption is provided.
3. Secure Van Buren County Road Commission approval of a driveway permit.
4. Combine parcels 80-14-350-001-10 and 80-14-350-004-00.
5. Secure water and sewer permits.
6. All site improvements shall be finalized and inspected prior to building occupancy.

The motion was supported by Mr. Root.

- Chairman Kerby called for the vote, and the motion passed unanimously (7-0).
- Aye: Chairman Kerby, Phillip Arbanas, Phil Hover, E. Frances Sanders, Chuck Felcyn, Mark Root, Chad Learned
- Nay: none
- Abstain: none

**c. Public Hearing and Consideration of a Zoning Ordinance Text Amendment: Zoning Ordinance Text Amendment to Exempt the CSV, AGR, and ARR Zoning Districts from the Hard Surface Parking Lot Requirement to Allow Gravel Construction- Section 42-9.12 (D)(2).**

Mr. Jirousek explained that the proposal would exempt the rural zoning districts from the hard surface paving requirement for drive aisles and parking lots.

Chairman Kerby called open the hearing at 6:31. There were no public comments. Chairman Kerby closed the hearing at 6:31.

A motion was offered by Mr. Learned to recommend the ordinance to the Township Board. The motion was supported by Mr. Root.

- Chairman Kerby called for the vote, and the motion passed unanimously (7-0).
- Aye: Chairman Kerby, Phillip Arbanas, Phil Hover, E. Frances Sanders, Chuck Felcyn, Mark Root, Chad Learned
- Nay: none
- Abstain: none

**d. Overlay District.**

Mr. Jirousek stated that the Overlay District language was not yet prepared, so a public hearing is not anticipated for another 2-3 months.

Ms. Sanders explained that the Overlay District could be prepared in phases, and Mr. Hover stated that there are more important farm areas to preserve than just this area. Mr. Learned asked for confirmation that this area was unique for fruit farming rather than an area of public opposition.

There were general comments regarding current farmland preservation efforts through zoning, and the current 10-acre minimum is actually a detriment. Mr. Felcyn agreed that current zoning efforts were not sufficient.

#### **7. ADDITIONAL PUBLIC COMMENT**

- George Multer and John Reitsma stated that current farmland preservation efforts through zoning are insufficient.
- Nate Smallcombe suggested an overlay district to state where marihuana uses should be allowed rather than not be allowed.

Mr. Learned reiterated the need to reassess dock and waterfront regulations.

The Planning Commission members agreed on the need to have a joint meeting with the Township Board, and Chairman Kerby stated he would speak to the Township Supervisor on this matter.

#### **8. ADJOURNMENT**

Mr. Root made a motion to adjourn the meeting at 7:15 PM. The motion was supported by Mr. Felcyn.

- Chairman Kerby called for the vote, and the motion passed unanimously (7-0).
- Aye: Chairman Kerby, Phillip Arbanas, Phil Hover, E. Frances Sanders, Chuck Felcyn, Mark Root, Chad Learned
- Nay: none
- Abstain: none

Prepared by: David Jirousek, AICP  
Township Consulting Planner  
March 21, 2022

Approved: April 19, 2022