

**PAW PAW TOWNSHIP
PLANNING COMMISSION MINUTES**

Regular Meeting – June 20, 2023

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, Mark Root, E. Frances Sanders, Chuck Felcyn,

ABSENT: Chad Learned

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

3. APPROVAL OF THE AGENDA

A motion was offered by Root to approve the agenda as presented. The motion was supported by Hover.

- Chairman Kerby called for the vote, and the motion passed unanimously (6-0).
- Aye: Chairman Kerby, Arbanas, Hover, Root, Sanders, Felcyn
- Nay: none
- Abstain: none

4. APPROVAL OF MINUTES

A motion was offered by Arbanas to approve the minutes from the regular meeting held on May 16, 2023, as presented. The motion was supported by Hover.

- Chairman Kerby called for the vote, and the motion passed unanimously (6-0).
- Aye: Chairman Kerby, Arbanas, Hover, Root, Sanders, Felcyn
- Nay: none
- Abstain: none

5. PUBLIC COMMENT ON NON-AGENDA ITEMS

- Michael Austerman addressed the Township board with his concerns regarding the property at 39283 CR 374 and wanted to share them with the Planning Commission as well. He considers the property a blight issue. There is an RV trailer behind a solid fence that is being used as a primary residence. (for at least 14 months). The residents have been burning trash and plastics, disregarding the dangerous drought conditions. He said that the Township has known about this situation. The police have also been called.

6. BUSINESS:

a. Public Hearing and Consideration of a Special Land Use and Site Plan: RB Elevators, LLC, requests approval of a special land use and site plan amendment for a grain elevator facility at 63600 M 51, Paw Paw, MI 49079 (parcel # 80-14-020-013-11).

The attorney for applicant RB Elevators was present. He is hoping that local farmers will want to store grain at the facility. He also mentioned that the owners may want to expand, or add, elevators in the future.

Hover asked why we have not been given the information prior to this meeting. He believes site plans should have been submitted ahead of time. Several other Planning Commission members agreed.

Chairman Kerby opened the public hearing at 6:25.

- Deke Teloushis (Sp?) lives on M 51 just down from the elevators. He has concerns about the proposed six foot chain link fence. He believes that if the business goes out of business and leaves the fence around the facility it will be an eyesore.

The hearing was closed at 6:30.

Felcyn supports the plan and feels that it is beneficial for the community. Chairman Kirby agreed and trusts the recommendations of the Township Planner.

Hover said that he was happy to see that the facility was going to be running again. He also questioned whether MDOT had to be involved or notified regarding the driveway off of M 51.

A motion was offered by Felcyn to approve the commercial grain elevation facility as a special land use on the site and to approve the amended site plan (last revised May 31, 2023), including the plans and supplemental materials provided by the applicant, and a waiver for the north and west buffers. This motion was based on the documented findings included within the staff report dated June 14, 2023, provided by the Township Planner. Additionally, approval is conditioned on the following occurring prior to site development and the issuance of building permits:

1. Secure Zoning/Assessing approval of the boundary line adjustment and ensure all setbacks from adjusted property lines are met.
2. Provide five (5) passenger car parking spaces in accordance with Section 42-9.12.
3. Provide lighting details in accordance with Section 42-9.13.
4. Secure Van Buren County Drain Commission stormwater approval, if applicable. If not applicable, provide correspondence from the agency indicating that a permit is not required.
5. Secure Van Buren County Drain Commission approval of a SESC permit, if applicable. If not applicable, provide correspondence from the agency indicating that a permit is not required.
6. Secure fire department approval for site access and maneuverability.
7. Secure a driveway permit from the Van Buren County Road Commission.

The motion was supported by Root.

During discussion, Felcyn said that he thought that the elevators were good to move forward. Hover said that a six foot fence would help deter people from getting near the elevators.

- Chairman Kerby called for the vote, and the motion passed unanimously (6-0).
- Aye: Chairman Kerby, Arbanas, Hover, Root, Sanders, Felcyn
- Nay: none
- Abstain: none

7. ADDITIONAL PUBLIC COMMENT

- None.

8. ADDITIONAL DISCUSSION

- Sanders provided an update on the cannabis moratorium.

9. ADJOURNMENT

Hover made a motion to adjourn the meeting at 7:49 pm. The motion was supported by Root.

- Chairman Kerby called for the vote, and the motion passed unanimously (6-0).
- Aye: Chairman Kerby, Arbanas, Hover, Root, Sanders, Felcyn
- Nay: none
- Abstain: none

Prepared by: Mark Root and formalized by David Jirousek, AICP, Township Consulting Planner
June 27, 2023

Approved: August 15, 2023