PAW PAW TOWNSHIP
PLANNING COMMISSION MINUTES

Regular Meeting – October 20, 2026

1. CALL TO ORDER AND ROLL CALL

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

PRESENT: Kip Kerby, Chuck Felcyn, Adam Garland, Phillip Arbanas, Jim DeGroff, Phil Hover

ABSENT: Chad Learned

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

3. APPROVAL OF THE AGENDA

The Planning Commission reviewed the proposed meeting agenda.

- DeGroff offered a motion *to approve the agenda as presented.*
- Hover supported the motion.
- Chairman Kerby called for the vote, and the motion passed unanimously (6-0).
    - Aye: Kerby, Felcyn, Arbanas, DeGroff, Hover, Garland
    - Nay: none
    - Abstain: none

4. APPROVAL OF MINUTES

The Planning Commission reviewed the draft minutes from September 15, 2026.

- Garland offered a motion *to approve the minutes from the meeting held on September 15, 2026, with the following changes:*
    - Update name to Brian Herbert
    - Update absent members to Kip Kerby and Chad Learned
    - State that Jim DeGroff would follow up on the greenhouse shading question
- Felcyn supported the motion.
- Chairman Kerby called for the vote, and the motion passed unanimously (6-0).
    - Aye: Kerby, Felcyn, Arbanas, DeGroff, Hover, Garland
    - Nay: none
    - Abstain: none

5. PUBLIC COMMENT ON NON-AGENDA ITEMS

- None

6. BUSINESS

a. Public Hearing and Consideration of a Special Land Use and Site Plan. Kenneth Brinkman requests special land use and site plan approval for an off-site accessory building (garage) with reduced setbacks (front, side, and rear) and increased height on a lot across the street from 44082 Woodman Drive, Paw Paw, MI, 49079 (80-14-019-003-00).

The Planning Commission reviewed a request from Kenneth Brinkman for special land use and site plan approval to construct an 864-square-foot (24' x 36') off-site accessory building on a vacant parcel across Woodman Drive from the applicant's waterfront dwelling. The request included modifications to the required setbacks, allowing the building to be located 7 feet, 6 inches from the property lines. The applicant withdrew the request to increase the building height to 22 feet, and stated he would comply with the maximum permitted height of 18 feet.

Chairman Kerby called for public comments, and there were none.

The Planning Commission determined that the proposed building was compatible with surrounding residential development and would not result in significant adverse impacts.

- Garland offered a motion *to approve the placement of the accessory building as proposed with the following conditions:*
    - *Revise ownership of the subject lot to match the principal building lot and record a restrictive covenant in accordance with Section 42-8.01 F.5.*
    - *Construct the accessory building substantially in accordance with the site plan and application materials reviewed by the Planning Commission.*
    - *Obtain all required building permits prior to construction.*
    - *Comply with all other applicable requirements of the Zoning Ordinance.*
- Felcyn supported the motion.
- Chairman Kerby called for the vote, and the motion passed unanimously (6-0).
    - Aye: Kerby, Felcyn, Arbanas, DeGroff, Hover, Garland
    - Nay: none
    - Abstain: none

b. Public Hearing and Consideration of a Special Land Use and Site Plan. Christopher Huggett, Huggett Builders, requests special land use and site plan approval for an accessory building (garage) with reduced setbacks (side setbacks and street setback), increased height, and increased lot coverage at 34223 Hillside Drive, Paw Paw, MI, 49079 49079 (80-14-419-004-00).

The Planning Commission reviewed a request from Christopher Huggett of Huggett Builders for special land use and site plan approval to construct a 528-square-foot (22' x 24') accessory building at 34223 Hillside Drive. The request included modifications to the required setbacks, allowing the building to be located 16 feet from the street and 8 feet from both side property lines, an increase in lot coverage from

30% to 34%, and an increase in maximum building height from 18 feet to 21 feet. The Planning Commission considered the existing development pattern, including similar accessory buildings on two properties to the north and one property to the south, as well as the nonconforming lot widths and areas in the neighborhood.

Chairman Kerby called for public comments, and there were none.

The Planning Commission determined that the proposed building was compatible with surrounding residential development and would not result in significant adverse impacts.

- Garland offered a motion *to approve the placement of the accessory building as proposed with the following conditions:*
    - *Construct the accessory building substantially in accordance with the site plan and application materials reviewed by the Planning Commission.*
    - *Obtain all required building permits prior to construction.*
    - *Comply with all other applicable requirements of the Zoning Ordinance.*
- Felcyn supported the motion.
- Chairman Kerby called for the vote, and the motion passed unanimously (6-0).
    - Aye: Kerby, Felcyn, Arbanas, DeGroff, Hover, Garland
    - Nay: none
    - Abstain: none

c. Public Hearing and Consideration of a Special Land Use and Site Plan. Corey and Lisa Parlin request special land use and site plan approval to construct a new principal dwelling beyond the 250-foot maximum building setback from the street right-of-way (AGR zoning district) at 54124 CR 671, Paw Paw, MI, 49079 (80-14-007-002-55).

The Planning Commission reviewed a request from Corey and Lisa Parlin for special land use and site plan approval to construct a new 1,881-square-foot dwelling at 54124 CR 671. The request included a modification to the 250-foot maximum front setback requirement in the AGR zoning district, allowing the buildings to be located approximately 370 feet from the road right-of-way. The Planning Commission considered the proposed building location along the edge of the existing forested area, which would minimize impacts on surrounding farmland and agricultural operations.

Chairman Kerby called for public comments, and there were none.

The Planning Commission determined that the proposed building placement was compatible with surrounding agricultural uses, would preserve existing farmland and wooded areas, and would not result in significant adverse impacts on neighboring properties, public services, traffic, or the natural environment.

- Hover offered a motion *to approve the placement of the principal building as proposed with the following conditions:*
    - *Construct the buildings substantially in accordance with the site plan and application materials reviewed by the Planning Commission.*
    - *Obtain all required building permits prior to construction.*
    - *Comply with all other applicable requirements of the Zoning Ordinance.*
- DeGroff supported the motion.

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

d. Public Hearing and Consideration of a Rezoning. An Ordinance to amend the Paw Paw Township Zoning Ordinance and the Official Zoning Map by rezoning all lots that are currently zoned Agricultural Rural Residential (ARR) Zoning District south of the Village of Paw Paw to the Agricultural Farmland Protection (AGR) Zoning District.

The Planning Commission reviewed a proposed rezoning of properties south of the Village of Paw Paw from Agricultural Rural Residential (ARR) to Agricultural Farmland Protection (AGR), consistent with the Agricultural Residential designation on the Township's Future Land Use Map. The proposed rezoning would reduce future residential development potential by increasing the minimum lot size from two acres to 10 acres under the current zoning requirements.

Chairman Kerby called for public comments:

- Brian Herbert expressed support for the proposed rezoning.
- Bob Ritsema expressed support for the proposed rezoning.
- Deb Sternum asked about the Future Land Use Plan.
- A member of the public asked about battery energy storage systems.
- Adam Dudycha expressed support for the proposed rezoning.
- Maureen Castagnasso asked whether the rezoning would ensure long-term farmland protection.
- David Flory expressed opposition to the proposed rezoning.
- A member of the public commented that two- to three-acre residential lots would not effectively preserve farmland.
- Brian VanDyke asked whether the rezoning would affect property taxes.
- Chairman Kerby read a letter from Bex Farms expressing opposition to the proposed rezoning

The Planning Commission discussed the ongoing review of the AGR zoning district, including potential amendments that would allow smaller residential lots along public streets while maintaining a low overall residential density and preserving larger agricultural parcels. Given the ongoing consideration of these zoning requirements, the Planning Commission decided that this item should be tabled for further consideration at a future meeting.

- Felcyn offered a motion *to table consideration of the rezoning.*
- Hover supported the motion.
- Chairman Kerby called for the vote, and the motion passed unanimously (6-0).
    - Aye: Kerby, Felcyn, Arbanas, DeGroff, Hover, Garland
    - Nay: none
    - Abstain: none

e. Public Hearing and Consideration of a Zoning Ordinance Amendment. Temporary Moratorium Authority and Temporary Moratorium for Data Centers.

The Planning Commission reviewed a proposed Zoning Ordinance amendment to establish a temporary moratorium on data center development. Township Planner David Jirousek stated that data centers are an emerging land use not specifically addressed by the current Zoning Ordinance and may have significant impacts on electrical infrastructure, water resources, public services, noise, vibration, lighting, and surrounding land uses. The recently adopted 2026 Township Master Plan recommends limiting data centers by scale, restricting their location to industrial districts, and establishing appropriate development standards. The proposed amendment would establish an initial six-month moratorium, with the possibility of a six-month extension, to allow the Township to evaluate potential impacts and develop appropriate zoning regulations.

Chairman Kerby called for public comments:

- A question regarding what limitations could prevent a smaller data center from expanding into a substantially larger facility.
- A question regarding whether the Township was considering allowing data centers in agricultural areas.
- A comment that some communities restrict data centers to the least obtrusive areas within their jurisdictions.

The Planning Commission supported the proposal.

- Hover offered a motion *to recommend approval of a Zoning Ordinance Amendment for Temporary Moratorium Authority and Temporary Moratorium for Data Centers.*
- DeGroff supported the motion.
- Chairman Kerby called for the vote, and the motion passed unanimously (6-0).
    - Aye: Kerby, Felcyn, Arbanas, DeGroff, Hover, Garland
    - Nay: none
    - Abstain: none

f. Zoning Ordinance Update Discussion. Housing/Residential Zoning (Master Plan Implementation).

Township Planner David Jirousek summarized several proposed Zoning Ordinance amendments intended to provide greater flexibility for residential development, simplify zoning requirements, and reduce the need for special land use approvals. The proposed amendments included reduced setbacks for smaller accessory buildings, modifications to accessory dwelling unit requirements related to height, size, and placement, and a revised planned unit development (PUD) approval process allowing preliminary approval before detailed engineering.

Additional amendments included reducing the minimum dwelling size to 650 square feet, eliminating the automatic combination of contiguous nonconforming lots, adjusting minimum lot sizes and widths in certain zoning districts, simplifying side yard setback requirements, and eliminating the CSV zoning district. The Planning Commission determined that additional time was needed to review and discuss the proposed amendments and deferred further consideration to a future meeting.

g. Zoning Ordinance Update Discussion. AGR District (Master Plan Implementation).

The Planning Commission held a general discussion regarding the minimum lot size requirements in the AGR zoning district, including the potential allowance of smaller residential "house lots" while preserving larger agricultural parcels. Discussion focused on the appropriate minimum lot size for agricultural parcels, the number of smaller house lots that should be permitted, and the minimum and maximum sizes of those lots. The Planning Commission determined that additional time was needed to review and discuss the proposed amendments and deferred further consideration to a future meeting.

ADDITIONAL PUBLIC COMMENT

- None

7. ADDITIONAL DISCUSSION

- The Planning Commission discussed the decommissioning provisions for solar facilities and whether additional provisions are necessary. The Porter Township ordinance was referenced as an example.

8. ADJOURNMENT

The meeting concluded at 7:45 pm.

- DeGroff offered a motion *to adjourn the meeting at 7:45 pm.*
- Hover supported the motion.
- Chairman Kerby called for the vote, and the motion passed unanimously (6-0).
    - Aye: Kerby, Felcyn, Arbanas, DeGroff, Hover, Garland
    - Nay: none
    - Abstain: none

Prepared by: David Jirousek, October 28, 2026
Approved: November 17, 2026