PAW PAW TOWNSHIP
PLANNING COMMISSION MINUTES

Regular Meeting – September 15, 2026

1. CALL TO ORDER AND ROLL CALL

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

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

ABSENT: Kip Kerby, 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.*
- Arbanas supported the motion.
- Felcyn called for the vote, and the motion passed unanimously (5-0).
    - Aye: Felcyn, Arbanas, DeGroff, Hover, Garland
    - Nay: none
    - Abstain: none

4. APPROVAL OF MINUTES

The Planning Commission reviewed the draft minutes from August 18, 2026.

- Hover offered a motion *to approve the minutes from the meeting held on August 18, 2026.*
- Garland supported the motion.
- Felcyn called for the vote, and the motion passed unanimously (5-0).
    - Aye: 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 Rezoning. Joseph and Emilie Italia request the rezoning of two parcels from the Low Density Residential (LDR) District to the Agricultural-Farmland Preservation (AGR) District at 43708 Paw Paw Road, Paw Paw, MI 49079 (80-14-029-011-00 and 80-14-029-012-20)

Township Planner Jirousek explained that Joseph and Emilie Italia requested rezoning two parcels at 43708 Paw Paw Road, totaling 24.36 acres, from the LDR Low Density Residential District to the AGR Agricultural Farmland Preservation District. The applicants intend to continue using the property for a single-family residence, hobby farm, and rural lifestyle, with no additional development proposed. The rezoning is consistent with the Agricultural Residential future land use designation and surrounding rural zoning pattern and would reduce the property's potential for land division and residential development.

Felcyn called for public comments. DeGroff mentioned that a neighbor, Ben Bowater, supported the request. Felcyn closed the public hearing.

The Planning Commission agreed that the rezoning standards of approval were met.

- DeGroff offered a motion *to recommend approval of the rezoning to AGR.*
- Garland supported the motion.
- Felcyn called for the vote, and the motion passed unanimously (5-0).
    - Aye: Felcyn, Arbanas, DeGroff, Hover, Garland
    - Nay: none
    - Abstain: none

b. Public Hearing and Consideration of a Special Land Use and Site Plan. Steven Tess requests retroactive special land use and site plan approval for a shed with a reduced side setback at 44662 Woodman Drive, Paw Paw, MI 49079 (80-14-740-014-00). Public Hearing and Consideration of a Special Land Use and Site Plan.

Township Planner Jirousek explained that Steven Tess requested retroactive special land use and site plan approval for an existing 60-square-foot shed at 44662 Woodman Drive. The shed is located six feet from the west side property line, requiring a modification of the applicable setback requirement. The shed is intended for personal storage and complies with the ordinance limitations on accessory building size and height. Due to its small size and residential use, it is not expected to adversely affect neighboring properties, traffic, public services, natural resources, or public health and safety.

In response to questions from the Planning Commission, Tess stated that the application process was cumbersome and confusing because he initially applied using Village application materials. He also stated that the neighbors were supportive of the request.

Felcyn called for public comments. Felcyn closed the public hearing.

The Planning Commission agreed that the special land use standards of approval were met.

- Garland offered a motion *to approve the placement of the accessory building.*
- DeGroff supported the motion.
- Felcyn called for the vote, and the motion passed unanimously (5-0).
    - Aye: Felcyn, Arbanas, DeGroff, Hover, Garland
    - Nay: none
    - Abstain: none

c. Public Hearing and Consideration of a Special Land Use and Site Plan. Luis Gonzalez Acevedo requests special land use and site plan approval for a shed with reduced side and rear setbacks at 45440 County Road 374, Paw Paw, MI 49079 (80-14-007-005-02).

Township Planner Jirousek explained that Luis Gonzalez Acevedo requested special land use and site plan approval to construct a 549-square-foot accessory building at 45440 County Road 374. The applicant stated that the portable shed would have a peak roof height of 11'6". In response to questions from the Planning Commission, Luis and Rachel Gonzalez Acevedo stated that the building may be climate-controlled.

The applicant then clarified that the building would be placed in the side yard, 10 feet from the east property line and 45 feet from the north property line, generally east of the residence, and would not be located in the front yard. This revised location is necessary due to the propane tank and electrical lines crossing the east side yard from the southwest to the northeast, which require the building to be shifted south from its originally proposed location.

Felcyn called for public comments. A neighboring property asked for confirmation regarding the proposed location and then stated that they had no objection. Felcyn also read an email of support from Matt Goddard, a resident of 4555 County Road 374, and then closed the public hearing.

The Planning Commission agreed that the special land use standards of approval were met.

- Garland offered a motion *to approve the placement of the accessory building.*
- Arbanas supported the motion.
- Felcyn called for the vote, and the motion passed unanimously (5-0).
    - Aye: Felcyn, Arbanas, DeGroff, Hover, Garland
    - Nay: none
    - Abstain: none

d. Consideration of a Site Plan. Kevin Kusmack requests site plan approval for a new building and site development at 58600 CR 671, Paw Paw, MI 49079 (80-14-017-041-11).

Township Planner Jirousek explained that Kevin Kusmack requested site plan approval for a contractor's facility at 58600 County Road 671. The proposal includes a 25,200-square-foot, 28-foot-high building containing offices, tool rooms, bathrooms, and warehouse space, with a new gravel driveway, concrete parking area, circular access drive, and stormwater retention ponds. The application did not include sufficient information regarding business operations, employees, parking, outdoor storage, fencing, landscaping, lighting, refuse disposal, commercial driveway approval, or Fire Department review.

The applicant clarified some elements of the plan and agreed that consideration should be postponed until details can be provided.

The Planning Commission felt that tabling the request until the outstanding information is provided was more appropriate than conditional approval, given the extent of the information needed.

- Garland offered a motion *to table consideration of the site plan.*
- DeGroff supported the motion.
- Felcyn called for the vote, and the motion passed unanimously (5-0).
    - Aye: Felcyn, Arbanas, DeGroff, Hover, Garland
    - Nay: none
    - Abstain: none

e. Data Center Discussion. Moratorium and Zoning.

Township Planner Jirousek presented a report concerning the regulation of data centers and a potential moratorium. He explained that data centers are not currently listed as an authorized use under the Zoning Ordinance and may create significant impacts involving electrical demand, water use, cooling equipment, generators, noise, vibration, lighting, emergency services, and surrounding land uses.

The Planning Commission discussed the supplemental findings were prepared based on the 2026 Master Plan, the Township's groundwater and surface water resources, the history of groundwater impacts associated with the Coca-Cola facility, limited public water and sewer capacity, uncertainty regarding electrical capacity and infrastructure costs, and the potential effects of data centers on neighboring properties and the Township's rural character. The findings also identify the need to study appropriate locations, separation from sensitive uses, noise and vibration limits, water and energy demands, mechanical equipment, emergency response, and decommissioning requirements.

Jirousek mentioned that a temporary moratorium would allow the Township time to develop appropriate regulations, and the Planning Commission could schedule a public hearing on the proposed zoning ordinance amendment or continue its deliberations.

- Hover offered a motion *to set a public hearing regarding a Zoning Ordinance text amendment to establish a moratorium on data center development.*
- DeGroff supported the motion.
- Felcyn called for the vote, and the motion passed unanimously (5-0).
    - Aye: Felcyn, Arbanas, DeGroff, Hover, Garland
    - Nay: none
    - Abstain: none

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

Township Planner David Jirousek presented an update on proposed housing and zoning ordinance amendments. The recommendations include reducing the minimum dwelling area to 650 square feet with an 18' by 18' minimum core area, reducing setbacks for smaller accessory buildings, providing additional flexibility for accessory dwelling units, eliminating the automatic joining of contiguous nonconforming lots, revising the planned unit development review process, repealing the CSV District, evaluating revised minimum lot sizes in the ARR, LDR, and Village Edge areas, and simplifying side

setback requirements in several zoning districts. Formal ordinance language is expected to be presented in October, followed by a public hearing in November.

Township resident Brian Herbert also raised the need to improve consistency between the Future Land Use Map and Zoning Map, specifically by rezoning the area south of the Village of Paw Paw from ARR to AGR in accordance with the Future Land Use Map.

- DeGroff offered a motion *to set a public hearing regarding Township-initiated rezoning of all ARR lands south of the Village of Paw Paw to AGR.*
- Hover supported the motion.
- Felcyn called for the vote, and the motion passed unanimously (5-0).
    - Aye: Felcyn, Arbanas, DeGroff, Hover, Garland
    - Nay: none
    - Abstain: none

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

Township Planner David Jirousek presented options for increasing the minimum farm lot size in the AGR District while allowing a limited number of 1- to 3-acre Small House Lots to reduce farmland fragmentation. Garland suggested simplifying the approach by allowing smaller lots along public roads. Jirousek suggested aligning those lots with the Small House Lot option, potentially establishing a maximum lot depth and calibrating setbacks accordingly. This conversation will continue in October.

h. Marijuana Regulatory Compliance. Annual Operating License and Special Land Use Reviews.

The Planning Commission reviewed the report provided by Mark Root.

ADDITIONAL PUBLIC COMMENT

- Kevin Kusmack discussed the development potential of County Road 671 between I-94 and Red Arrow.
- A resident of County Road 374 asked if shading is required for greenhouse grow operations. DeGroff stated that he would follow-up on this question.

7. ADDITIONAL DISCUSSION

- Hover addressed additional training opportunities.

8. ADJOURNMENT

The meeting concluded at 7:45 pm.

- DeGroff offered a motion *to adjourn the meeting at 7:45 pm.*
- Garland supported the motion.
- Felcyn called for the vote, and the motion passed unanimously (5-0).
    - Aye: Felcyn, Arbanas, DeGroff, Hover, Garland
    - Nay: none

- Abstain: none

Prepared by: David Jirousek, September 23, 2026
Approved: October 20, 2026