

Wednesday, May 5, 2010
SOUTH HAVEN PLANNING COMMISSION
MINUTES
(draft)

- 1) **Call to Order** : _ 7:03__ PM_____
- 2) **Role Call:**

<u>Getman-Dissette</u>	absent (present 7:09)
<u>Servatius</u>	excused
<u>Haines</u>	present
<u>Jessup</u>	present
<u>Kiry</u>	present
<u>Larsen</u>	present
<u>Tippman</u>	present
- 3) **Approval of the Agenda**

Motion by: _Tippman_____ Second by: _Haines
Vote: _____ 5-0 approved _____
- 4) **Approval of the Minutes**

Correction – Buckleitner’s name is misspelled.
Motion by: _Jessup_____ Second by: _Kiry, to approve as corrected
Vote: _____ to approve 5-0 _____
- 6) **Agenda amendment**

Motion by Kiry to move #8 New Business to #7, second by Tippman
Vote: to approve 6-0
- 7) **New Business**

Item A: Temporary Fruit Stand 75641 – 16th Avenue, Scott Mitchell
Zoning Administrator Hudson reviewed the site plan.
Mitchell present for questions
Discussion on procedures and questions about Parking and length of time.
Motion by Jessup to approve the use of the space beside the mobile home park office as presented for a fruit stand from May 1 to August 1, 2010.
Second by Haines.
Vote: to approve 6-0

Item B: Special Use permit – Home Occupation with Retail Sales, 71521 – 16th Avenue, David Spencer
Review of site plan by Zoning Administrator
Spencer present for questions
Discussion on ATF standards for retail sales of guns & gunsmithing
Motion by Getman-Dissette, 2nd by Tippman to go to public hearing

Public Hearing opened by the Chair
Mrs Hendrickson – question about target range on-site
Spencer – no firing of guns on-site
Tallabue – concerned about storage of weapons & possible theft
Spencer – ATF inspects the site on a regular basis

R. Lucius – Expressed concern about ATF regulations & safety
Spencer – will have not more than 2 guns for sale on site at any one time and there are to be kept in a safe.
Lucius – Not opposed to the use but what conditions can be placed on the use once it is approved?
Larsen – that is what this hearing is about.
Spencer – ATF has requirements for storage, range, explosives
Lucius – the Ordinance limits sales to no more than 25% of the business, how is this enforced
Hudson – the Township would have to work through ATF
Chair found no further comments and closed the Hearing
Discussion
Motion by Jessup to recommend approval to the Township Board
Second by Haines.
Vote: to approve 6-0

8) Public Comments On Non-Agenda Items

Chair opened the meeting to public comments on non-agenda items & set the ground rules. Requested the Zoning Administrator to give background.
ZA – P. Hudson – Explained the history of how the question of transitional housing came to the Township.
Tami Hudson (no relation) – owner of a property who had asked the question. Explained their intent and that they have made no formal application to date.
Montgomery – ask what the Planning Commission's job is.
Chair Larsen – explained the situation & the state law
J. Polk – day care owner – 1500 feet separation from her day care is not enough, many clients upset.
Tippman (P.C. member) – further clarified the state rules for planning & zoning
T. Hunterinko – Who determines need?
Larsen (Chair) – explained about exclusionary zoning issue
Gettman-Dissette (PC) – explained Demonstrated need
J. Mizzalla – What can Township do to prevent this?
K. Hudson – commented on the states parole system
G. Downing – expressed opinion that each prisoner knows release date & they should be prepared before they get out – should not need assistance.
S. Holyz – concerned about her children – stated that the state needs to change the way they parole people – we should not have to pay for this.
N. Crawford – agreed with Holyz. Not even 2 of these type of parolees should associate
S. Strickland – have a problem with living so close to this use. Transitional housing should be away from where other people live.
T. Delabue – suggested requirement to inform everyone within 5 miles when ever this type of use is proposed. There also needs to be an information pamphlet sent out to the entire township. If this is allowed in Agricultural district how do they get transportation?

D. Kelley- thanked the PC for the opportunity to speak. She is familiar with MPRI. Concerned that South Haven is not the place because we have no jobs and no transportation. They need to be in a bigger city.

M. Hendrickson – people deserve a 2nd chance but this puts people on edge, maybe ¼ of sex offenders can be rehabed. This puts South Haven in a bad light and the whole community depends on tourism. It may be a good idea to keep such use away from residential areas but who is going to monitor this?

S. Warren – worried about his parents & children. Too much crime already and there are no local jobs.

K. Poindexter – There is a lot of mis-information out there. Don't know how it got started. People tonight have many good points, the community wants you to know how we feel. However, we can't say 'no' just cause we don't like it.

Luanne (?)- What happens if they hurt one of our children?

I.Stevens – the majority does not rule. What rights do the majority have?

T. Hunterinko – What kind of mental assistance and rehab is available?

S. Montgomery – Does the owner have any responsibility?

G. Kuhn – is there a time limit? Do they have to work?

S. Gilmore – don't care about the kind of crime. Who is monitoring? Our sheriff is short-handed so who is going to pay for the monitoring?

R. Lucius – Who has the liability? Understand right now its not allowed.

S. Monticelli – Where are the areas where one of these could be.

T. Hudson – Education is needed. There are already 38 parolees in the Township right now. No application needs to be made for individuals.

T. Holyz – sex offenders are here now and they are not funded by the State. They all need to be supervised.

M. Springer – Explained that there are different types of sex offences. These include public drunkenness (urination in public).

S. Larsen – Having heard from at least each person once the Chair closed the public comment period.

9) Old Business

Item A:__ Review of sample ordinance for Transitional Housing

Hudson distributed sample texts

R. Stein – urged the Planning Commission to consider revisions to include monitoring requirements.

General discussion on the issue of expanded notice – 500 feet/1mile. Agreed that this is not advisable.

Jessup motion to continue discussion at a workshop. Second Tippman.

Discussion. Vote: failed 2-4

Commissioners agree to keep this as an agenda item.

10) Staff & Subcommittee Reports

Item A: Parks sub-committee.

Motion by Jessup to drop this item, 2nd by Haines.

Vote: 6-0

11) Communications & Public Comment

Supervisor reported on the activities towards a Joint Recreation Authority with a meeting scheduled for May 24th.

12) Commissioner Comments

Chair called for adjournment @ 9:34 PM

Signature:

Secretary of the Planning Commission

Submitted by Patrick Hudson, Zoning Administrator