

**AGENDA**  
**SOUTH HAVEN CHARTER TOWNSHIP**  
**February 12, 2025**

1. Call to Order
2. Pledge of Allegiance
3. Approval of Minutes of January 8, 2025
4. Correspondence
5. Public Comments, Audience Members are allowed 3 minutes to discuss items not on the Agenda (5 minutes for groups)
6. Approval of Agenda
  
7. UNFINISHED BUSINESS
  - A) Affordable Housing Updates
  - B) Short Term Rental Updates
  - C)
  
8. NEW BUSINESS
  - A) Resolution 25-03 Resolution supporting Local Bridge Funding
  - B) Resolution 25-04 Poverty Exemption Resolution
  - C) Public Hearing to Amend PA425 for Samaritas project
  - D) Resolution 25-05 Amendment for PA425
  - E) Public Hearing to Amend Short Term Rental Ordinance
  - F) Resolution 25-06 to Adopt Ordinance #166 Zoning Text Amendments
  - G) Resolution 25-07 to Introduce Ordinance #167 Pilot for Sunset Grove
  - H) Special Use for Stash Ventures LLC Marijuana Business
  - I) Lease Agreement update for Transfer Station
  - J) Fee Schedule Changes
  - K)
  
9. REPORTS
  - Airport
  - Building/Electrical/Mechanical
  - Building Committee
  - Fire/Ambulance
  - Library
  - Park Committee
  - Planning Commission
  - Roads
  - Senior Services
  - Water/Sewer Authority
  - Zoning Board of Appeals
  
10. TREASURER'S REPORT
  
11. BOARD COMMENTS
  
12. ADJOURNMENT

**SOUTH HAVEN CHARTER TOWNSHIP  
MINUTES OF REGULAR MEETING  
WEDNESDAY, JANUARY 8, 2025**

**Present:** Stein, Fisher, Bertorelli, Poole, Wiatrowski and Lewandowski

**Absent:** DeGrandchamp

**Meeting was called to order** by Supervisor Stein at 7:30 p.m.

**Motion by Wiatrowski**, supported by Lewandowski, to approve the Minutes of the December 11<sup>th</sup> Regular Meeting as presented. All voted in favor. Motion carried.

**Sgt. Carlotto** was in attendance to report for SHPD. He introduced the new Police Chief. Zach Kenreich reported for SHAES. Gail Gladney reported for Van Buren County Commission.

**Motion by Poole**, supported by Lewandowski, to approve the Agenda. All voted in favor. Motion carried.

**Supervisor Stein** reported that there were no new updates on Affordable Housing or Short Term Rentals.

**Motion by Bertorelli**, supported by Wiatrowski, to set a Public Hearing for February 12<sup>th</sup> to consider amending the PA425 agreement on M140 with the City of South Haven for the Samaritas project. All voted in favor. Motion carried.

**Motion by Wiatrowski**, supported by Lewandowski, to set a public Hearing for February 12<sup>th</sup> to consider amendments to the Short Term Rental Ordinance. All voted in favor. Motion carried.

**Motion by Stein**, supported by Lewandowski, to approve Jennifer Brown as an alternative to the Board of Review. All voted in favor. Motion carried.

**Motion by Poole**, supported by Lewandowski, to approve Resolution 25-01 to Introduce Ordinance #166 Zoning Text Amendments. All voted in favor by roll call vote. Motion carried.

**Motion by Fisher**, supported by Lewandowski, to approve Resolution 25-02 Budget Amendments. All voted in favor by roll call vote. Motion carried.

**Reports** from various committees and authorities were received. W.C. Askew was in attendance for the Road Commission.

**Motion by Fisher**, supported by Bertorelli, to approve payment of anticipated bills in the amount of \$63,964.89. All voted in favor by roll call vote. Motion carried.

**Meeting adjourned** at 8:22 p.m.

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Brenda Bertorelli, Clerk

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Ross Stein, Supervisor



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**Support Local Zoning: Back HBs 4027 & 4028**

1 message

**Municipal Law News** <municipalgroup@fosterswift.com>

Thu, Jan 30, 2025 at 5:03 PM

Reply-To: municipalgroup@fosterswift.com

To: Brenda Bertorelli &lt;shtwp.clerk@gmail.com&gt;

To view a web version of this email please click here.



**FOSTER SWIFT** ||  
FOSTER SWIFT COLLINS & SMITH PC || ATTORNEYS

**Municipal Law News**

## Michigan Municipalities Demand Action: Support for House Bills 4027 and 4028 to Restore Local Zoning and End State Overreach in Renewable Energy Development

*January 30, 2025*

**Lansing, Michigan** – The people of Michigan have spoken: municipalities are standing together in support of House Bills 4027 and 4028, marking a pivotal effort to restore local control over renewable energy projects and end the state’s top-down imposition of energy facilities on communities. These bills directly address the frustrations of residents and local leaders, who have long felt sidelined by state preemption laws like Public Act 233, which strip communities of their rightful authority to regulate projects that profoundly impact their residents.

House Bill 4027 amends the Michigan Zoning Enabling Act, giving local governments back the tools they need to protect their communities. It repeals provisions that prevent municipalities from revoking special land use permits, restoring critical enforcement mechanisms to hold absentee developers accountable for neglect or non-compliance.

House Bill 4028 builds on this by repealing Part 8 of the Clean and Renewable Energy and Energy Waste Reduction Act, which allows developers to bypass local zoning altogether by seeking site certification from the Michigan Public Service Commission. This change reaffirms that decisions about renewable energy projects belong in the hands of local leaders and the people they serve—not distant state agencies.

“These bills send a clear message: Michigan communities should not have to rely on appointed state bureaucrats who think they know better deciding where renewable energy facilities should be located in individual unique communities. One size does not fit all,” said Michael Homier, a shareholder with Foster Swift. “Local governments know their communities best, and these bills restore the balance of power to ensure decisions reflect local priorities and values.”

The bills also address ongoing appeals filed by municipalities over PA 233, underscoring the urgent need for legislative reform to correct the imbalance between state and local authority.



Municipal leaders are calling on lawmakers to pass House Bills 4027 and 4028 without delay. “It’s time to put the power back where it belongs—in the hands of the people,” said Grace Lesperance, Supervisor of Cascade Charter Township. “These bills represent a turning point for Michigan communities to reclaim their voices and shape their own futures.”

Please contact your legislators and make your voices heard on these two critical bills.

**For more information or media inquiries, please contact:**

**Michael Homier, Attorney**  
**Foster Swift Collins & Smith, P.C.**  
**Phone: (616) 726-2230**  
**Email: [mhomier@fosterswift.com](mailto:mhomier@fosterswift.com)**

**About Foster Swift Collins & Smith, P.C.**

Foster Swift Collins & Smith, P.C. is a Michigan-based law firm with a reputation for providing high-quality legal services to clients across a wide range of industries. With decades of experience in public law, regulatory matters, and litigation, Foster Swift is committed to advocating for its clients and advancing the principles of fairness and justice in Michigan’s legal system.

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Lansing | Southfield | Grand Rapids | Detroit | Holland

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*Advisory* speed limits are recommended safe driving speeds to alert drivers of the maximum recommended speed through a curve or for other special roadway conditions. They are posted only in combination with an appropriate warning sign. *Advisory* speeds are not enforceable in Michigan courts except under the *Basic Speed Law* provisions.

*Regulatory* speed limits are enforceable and are categorized as either statutory or modified.

*Statutory* speed limits are set either as maximum/minimum speed limits or a *prima facie* restrictions. *Prima facie* is Latin for “on the face of it” and is the speed limit under most conditions. These limits are established by the legislature and apply throughout the State. An example of maximum/minimum speed limits is freeway limits. There are also maximum speed limits set for school buses, heavy trucks and other special vehicles. *Prima facie* restrictions are primarily for residential and business districts and city and village streets and highways.

*Modified* speed limits are utilized in areas requiring speed limits between the statutory maximum speed limits on state and country roadways and the 25 mph *prima facie* speed limits in business and residential areas. These *modified* speed limits are established by administrative action based upon a traffic engineering study. They can only be set by agencies having legal authority and jurisdiction over the respective roadway. These *modified* speed limits are often referred to as absolute speed limits and are not to be exceeded regardless of conditions.

The remainder of this booklet describes how modified speed limits are established and the responsibilities we all share in their implementation.

## Authority to Establish Speed Limits

The Michigan Department of Transportation and county road commissions working with the Michigan Department of State Police, are authorized to establish modified speed limits. Representatives from these agencies comprise a traffic survey team which consists of an engineer and a state police officer. They conduct studies and recommend speed limits on state and county roadways including those within cities and villages.





# Legislative Analysis

Call 517 373 0825  
Re Jack Omalu



## DETERMINING MODIFIED SPEED LIMITS

Phone: (517) 373-8080  
http://www.house.mi.gov/hfa

House Bill 4014 (H-1) as reported from committee

Sponsor: Rep. Bradley Slagh

Committee: Transportation

Complete to 3-9-21

Analysis available at  
http://www.legislature.mi.gov

517 373 0825

Pushed

### SUMMARY:

House Bill 4014 would amend the Michigan Vehicle Code to change procedures for setting certain speed limits on Michigan highways.<sup>1</sup>

Section 627 of the Michigan Vehicle Code establishes Michigan's "Basic Speed Law," which generally requires that drivers keep to a speed that will allow their vehicle to stop safely under current road conditions. Section 627 also provides general speed limits for various types of roads and in the state—gravel roads, for example, or roads that are in a business district or mobile home park. These constitute a kind of default setting or standard for establishing the speed limit for any given stretch of road. For a driver, they are the speed limits that apply when there are no speed limit signs (as long as the Basic Speed Law is obeyed).

Section 628 of the code provides procedures under which the Michigan Department of Transportation (MDOT) and county and local road authorities can modify those general speed limits to account for local circumstances. This is the section the bill would amend.

Currently, a modified speed limit under section 628 must be determined by an engineering and safety study and by the eighty-fifth percentile speed of free-flowing traffic under ideal conditions of a section of highway rounded to the nearest multiple of five miles per hour. (The eighty-fifth percentile speed is the speed that 85% of the drivers on a given section of roadway are currently driving at or below.)

The bill would remove the reference to an engineering and safety study and require instead that the modified speed limit be determined "in accordance with traffic engineering practices that provide an objective analysis of the characteristics of the highway" as well as by the eighty-fifth percentile speed on the fastest portion of the segment for which the speed limit is being posted. The bill would also require that the speed limit be rounded to a multiple of five miles an hour that is within five miles an hour of the eighty-fifth percentile speed.

The bill would add that a speed limit could be set below the eighty-fifth percentile speed if an engineering and safety study demonstrated a situation with hazards to public safety that are not reflected by the eighty-fifth percentile speed. However—and as under current law—the speed limit could not be set below the fiftieth percentile speed (that is, the speed that half the drivers on a given section of roadway are currently driving at or below).

MCL 257.628

See [https://www.michigan.gov/documents/Establishing\\_Realistic\\_Speedlimits\\_85625\\_7.pdf](https://www.michigan.gov/documents/Establishing_Realistic_Speedlimits_85625_7.pdf)

House 517  
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**SUBSTITUTE FOR  
HOUSE BILL NO. 4014**

A bill to amend 1949 PA 300, entitled  
"Michigan vehicle code,"  
by amending section 628 (MCL 257.628), as amended by 2016 PA 447.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 628. (1) If the county road commission, the township  
2 board, and the department of state police unanimously determine  
3 upon the basis of an engineering and traffic investigation that the  
4 speed of vehicular traffic on a county highway is greater or less  
5 than is reasonable or safe under the conditions found to exist upon  
6 any part of the highway, then acting unanimously they may establish  
7 a reasonable and safe maximum or minimum speed limit on that county  
8 highway that is effective at the times determined when appropriate  
9 signs giving notice of the speed limit are erected on the highway.



1 A township board may petition the county road commission or the  
2 department of state police for a proposed change in the speed  
3 limit. A township board that does not wish to continue as part of  
4 the process provided by this subsection shall notify in writing the  
5 county road commission. A public record of a traffic control order  
6 establishing a modified speed limit authorized under this  
7 subsection ~~shall~~ **must** be filed at the office of the county clerk of  
8 the county in which the limited access freeway or state trunk line  
9 highway is located, and a certified copy of a traffic control order  
10 ~~shall be~~ **is** evidence in every court of this state of the authority  
11 for the issuance of that traffic control order. As used in this  
12 subsection, "county road commission" means the board of county road  
13 commissioners elected or appointed under section 6 of chapter IV of  
14 1909 PA 283, MCL 224.6, or, in the case of a charter county with a  
15 population of ~~2,000,000~~ **1,500,000** or more with an elected county  
16 executive that does not have a board of county road commissioners,  
17 the county executive.

18 (2) In the case of a county highway, a township board may  
19 petition the county road commission, or in counties where there is  
20 no road commission but there is a county board of commissioners,  
21 the township board may petition the county board of commissioners  
22 for any of the following:

23 (a) A proposed change in the speed limit without the necessity  
24 of a speed study consistent with the methods prescribed for  
25 establishing speed limits under section 627.

26 (b) A proposed change in the speed limit consistent with the  
27 provisions for establishing speed limits under this section.

28 (c) The posting of an advisory sign or device for the purpose  
29 of drawing the attention of vehicle operators to an unexpected

on or near the roadway that is not readily apparent to  
 ders.

(3) The state transportation department and the department of  
 state police shall jointly determine any modified maximum or  
 5 minimum speed limits on limited access freeways or trunk line  
 6 highways consistent with the requirements of this section. A public  
 7 record of a traffic control order establishing a modified speed  
 8 limit authorized under this subsection ~~shall~~**must** be filed at the  
 9 office of the county clerk of the county in which the limited  
 10 access freeway or trunk line highway is located, and a certified  
 11 copy of a traffic control order ~~shall be~~**is** evidence in every court  
 12 of this state of the authority for the issuance of that traffic  
 13 control order.

(4) A local road authority shall determine any modified speed  
 14 limits on local highways consistent with the requirements of this  
 15 section. A public record of a traffic control order establishing a  
 16 modified speed limit authorized under this subsection ~~shall~~**must** be  
 17 filed at the office of the city or village or administrative office  
 18 of the airport, college, or university in which the local highway  
 19 is located, and a certified copy of the traffic control order ~~shall~~  
 20 ~~be~~**is** evidence in every court of this state of the authority for  
 21 the issuance of that traffic control order.  
 22

(5) A speed limit established under this section ~~shall~~**must** be  
 23 determined **in accordance with traffic engineering practices that**  
 24 **provide an objective analysis of the characteristics of the highway**  
 25 **and by an engineering and safety study and by the eighty-fifth**  
 26 **percentile speed of free-flowing traffic under ideal conditions of**  
 27 **a section of on the fastest portion of the highway rounded to the**  
 28 **nearest multiple segment for which the speed limit is being posted.**  
 29

1 The speed limit must be in multiples of 5 miles per hour and  
2 rounded to a multiple that is within 5 miles per hour of the  
3 eighty-fifth percentile speed. A speed limit established under this  
4 ~~act shall not be posted at less than the fiftieth percentile speed~~  
5 ~~of free-flowing traffic under optimal conditions on the fastest~~  
6 ~~portion of the highway segment for which the speed limit is being~~  
7 ~~posted.~~ section may be set below the eighty-fifth percentile speed  
8 if an engineering and safety study demonstrates a situation with  
9 hazards to public safety that are not reflected by the eighty-fifth  
10 percentile speed, but must not be set below the fiftieth percentile  
11 speed.

12 (6) If a highway segment includes 1 or more features with a  
13 design speed that is lower than the speed limit determined under  
14 subsection (5), the road authority may post advisory signs.

15 (7) If upon investigation the state transportation department,  
16 or county road commission and the department of state police find  
17 it in the interest of public safety, they may order township, city,  
18 or village officials to erect and maintain, take down, or regulate  
19 the speed limit signs, signals, or devices as directed, and in  
20 default of an order the state transportation department or county  
21 road commission may cause the designated signs, signals, and  
22 devices to be erected and maintained, taken down, regulated, or  
23 controlled, in the manner previously directed, and pay for the  
24 erecting and maintenance, removal, regulation, or control of the  
25 sign, signal, or device out of the highway fund designated.

26 (8) Signs posted under this section ~~shall~~ **must** conform to the  
27 Michigan manual on uniform traffic control devices.

28 (9) ~~A person~~ **An individual** who violates a speed limit  
29 established under this section is responsible for a civil



SOUTH HAVEN CHARTER TOWNSHIP  
VAN BUREN COUNTY  
RESOLUTION # 25-03  
A Resolution Supporting Local Bridge Funding

WHEREAS, the South Haven Township Board has received a request from the Van Buren County Road Commission to support its application for Local Bridge Funding for preventative maintenance of the structure that carries Blue Star Highway over the Black River in 2028; and,

WHEREAS, preventative maintenance work on the structure would be in the best interest of the traveling public as it would prolong the life of the structure.

NOW, THEREFORE, BE IT RESOLVED that the South Haven Township Board concurs in the importance of the preventative maintenance of this structure and urges approval of the application for Local Bridge Funding for the structure that carries Blue Star Highway over the Black River.

Upon roll call vote, the following voted:

YEAS: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

RESOLUTION ADOPTED.

\_\_\_\_\_  
Ross Stein, Supervisor

I, Brenda Bertorelli, the duly elected Clerk of South Haven Township hereby certify that the above is a true and correct copy of a portion of the proceedings of said Board at the Regular Meeting on February 12, 2025.

\_\_\_\_\_  
Brenda Bertorelli, Clerk

# 2025 POVERTY RESOLUTION

## Resolution # 25-04

**WHEREAS**, the adoption of guidelines for poverty exemptions is within the purview of the Township Board, and

**WHEREAS**, the homestead of persons who, in the judgment of the Manager and Board of Review, by reason of poverty, are unable to contribute to the public charges is eligible for exemption in whole or part from taxation under Public Act 390, 1994 (MCL 211.7u) and as amended by PA 620 of 2002 and further amended by PA 253 of 2020; and

**WHEREAS**, pursuant to PA 390, 1994, PA 620, 2002 and PA 253 of 2020, Township of South Haven, Cass County adopts the following guidelines for the Board of Review to implement. The guidelines shall include but not be limited to the specific income and asset levels of the claimant and all persons residing in the household, including any property tax credit returns, filed in the immediately preceding year.

To be eligible, a person shall meet all the following requirements:

- 1) Be an owner of and occupy as a principal residence of the property for which an exemption is requested.
- 2) File a claim with the Supervisor, Assessor or Board of Review, accompanied by federal and state income tax returns **for all persons** residing in the homestead, including any property tax credit returns filed in the immediately preceding year UNLESS the attached affidavit is completed for each person that is not required by law to file Federal and/or State income tax return(s).
- 3) Produce a valid driver's license or other form of identification.
- 4) Produce a deed, land contract, or other evidence of ownership of the property for which an exemption is required, if requested.
- 5) Meet the federal poverty income standards as defined and determined annually by the United States Office of Management and Budget (see attached).
- 6) Have assets totaling no more than \$15,000, not including the primary residence.
- 7) The application for an exemption shall be filed after January 1, but before the day prior to the last day of Board of Review in the year that the exemption is being requested.
- 8) Any additional eligibility requirements allowed by law as determined by the Township Board of Review.

**NOW, THEREFORE BE IT HEREBY RESOLVED** that the Board of Review shall follow the above stated policy and federal guidelines in granting or denying an exemption.

The foregoing resolution offered by Board Member \_\_\_\_\_ and supported by Board Member \_\_\_\_\_.

Upon roll call vote, the following number of Board Members voted "Aye": \_\_\_\_\_.

The following number of Board Members voted "Nay": \_\_\_\_\_.

The Manager declared the resolution adopted.

### CERTIFICATE

I, Brenda Bertorelli, the duly elected and acting Clerk of Township of South Haven, hereby certify that the foregoing resolution was adopted by the Township Board of said Township at the regular meeting of said Board held on February 12, 2025 at which meeting a quorum was present by a roll call vote of said members and hereinbefore set forth; that said resolution was ordered to take immediate effect.

\_\_\_\_\_  
Brenda Bertorelli  
Township of South Haven Clerk

## **FEDERAL POVERTY INCOME STANDARDS FOR 2025 ASSESSMENTS**

The following are the federal poverty income standards as of December 31, 2024, for use in setting poverty exemption guidelines for 2025 assessments.

<b><u>Federal Poverty Income Guidelines a</u></b>	
<b>Number of Persons Residing in the Principal Residence</b>	<b>Maximum Total Income</b>
<b>1</b>	<b>\$15,060</b>
<b>2</b>	<b>\$20,440</b>
<b>3</b>	<b>\$25,820</b>
<b>4</b>	<b>\$31,200</b>
<b>5</b>	<b>\$36,580</b>
<b>6</b>	<b>\$41,960</b>
<b>7</b>	<b>\$47,340</b>
<b>8</b>	<b>\$52,720</b>
<b>Each Additional Person \$5,380</b>	

## Income Guidelines

The income guidelines used by the Board of Review have been established in accordance with P.A. 390 of 1994. In determining qualifications for the exemption, the Board of Review shall consider every variable on the application including total household income, the nature and duration of the income stream, the current taxable and state equalized values of the subject property, the quality and accuracy of the information submitted and any other such evidence as they feel appropriate in making their decision. These guidelines shall assist the Board of Review in their decisions.

### 2025 Poverty Income Guidelines Range for Township of South Haven

<u>Number of Persons Residing in the Principal Residence</u>	<u>Household Income</u>	<u>Recommended Board Action Exemption % Percentage Granted</u>
1	\$0 - \$15,060 \$17,570 \$20,080 Max \$22,590	Maximum 100% At this range point 75 % At this range point 50 % At this range point 25 %
2	\$0 - \$20,440 \$23,850 \$27,250 Max \$30,660	Maximum 100 % At this range point 75 % At this range point 50 % At this range point 25 %
3	\$0 - \$25,820 \$30,120 \$34,430 Max \$38,730	Maximum 100 % At this range point 75 % At this range point 50 % At this range point 25 %
4	\$0 - \$31,200 \$36,400 \$41,600 Max \$46,800	Maximum 100 % At this range point 75 % At this range point 50 % At this range point 25 %
5	\$0 - \$36,580 \$42,680 \$48,770 Max \$54,870	Maximum 100 % At this range point 75 % At this range point 50 % At this range point 25 %
6	\$0 - \$41,960 \$48,950 \$55,950 Max \$62,940	Maximum 100 % At this range point 75 % At this range point 50 % At this range point 25 %
7	\$0 - \$47,340 \$55,230 \$63,120 Max \$71,010	Maximum 100 % At this range point 75 % At this range point 50 % At this range point 25 %

8	\$0 - \$52,720	Maximum 100 %
	\$61,510	At this range point 75 %
	\$70,290	At this range point 50 %
	Max \$79,080	At this range point 25 %
Each Additional Person \$ 5,380		

Assets (not including the primary residence) shall not exceed \$15,000

## 2025 Poverty Exemption Application Instructions

THIS APPLICATION SHOULD BE RETURNED TO:

**Mailing Address & Building Location:**

Township of South Haven Assessing Department  
09761 Blue Star Memorial Hwy  
South Haven, MI 49090

### TOWNSHIP OF SOUTH HAVEN

www.SouthHavenTwp.com

To be considered for a hardship exemption, the following steps must be followed:

1. The Petitioners must complete this application **IN FULL** including signatures on the last page. Signatures must be notarized. Return the application and attachments to the Assessing Department after January 1, but before the day prior to the last day of Board of Review in the year that the exemption is being requested.
2. Per South Haven Township's Poverty Resolution, you must attach signed copies of the following for all persons living in the household:
  - \_\_\_ 2024 FEDERAL INCOME TAX RETURN (1040) with W 2's & 1099's.
  - \_\_\_ 2024 MICHIGAN INCOME TAX RETURN (MI-1040)
  - \_\_\_ 2024 HOMESTEAD PROPERTY TAX CREDIT FORM (MI-1040CR)
  - \_\_\_ 2024 SOCIAL SECURITY BENEFIT STATEMENT (SSA-1099)
  - \_\_\_ YEAR END STATEMENTS FOR ASSET INFORMATION

**IF YOU ARE NOT REQUIRED, BY LAW, TO FILE OR STATE INCOME TAX FORMS, YOU MUST COMPLETE THE ATTACHED POVERTY EXEMPTION AFFIDAVIT.**

Hardship Exemption as defined by the Michigan Compiled Laws is as follows:

**Section 211.7u: The homestead of persons who, in the judgment of the supervisor and Board of Review, by reason of poverty, are unable to contribute toward the public charges are eligible in whole or in part from taxation under this act.**

Please be aware that as an applicant for Hardship Exemption, you must also comply with the following sections of the Michigan Compiled Laws:

**Section 211.116 Perjury: Any person who, under any of the proceedings required or permitted by this act, shall willfully swear falsely, will be guilty of perjury and subject to its penalties.**

If received timely, your application will be presented at the next scheduled Board of Review.

**Your attendance at the appropriate meeting is strongly encouraged but is not required. The Board of Review may have questions for you regarding your application or documentation. Please be aware that the Board of Review MUST conduct their meetings according to the Open Meetings Act.**

## FIRST AMENDMENT TO DEVELOPMENT COOPERATION AGREEMENT

This First Amendment to the Development Cooperation Agreement, dated \_\_\_\_\_, 2025 (“First Amendment”), between the City of South Haven, a Michigan home rule city, the principal business address of which is 539 Phoenix Street, South Haven, MI 49090 (the “City”), and South Haven Charter Township, a Michigan charter township, the principal business address of which is 9761 Blue Star Memorial Hwy South Haven, MI 49090 (the “Township”).

### RECITALS

A. The City and Township entered into a Development Cooperation Agreement, dated November 15, 2021 (“Agreement”), in accordance with Act No. 425 of the Public Acts of 1984, as amended (“Act 425”). An executed copy of the Agreement is attached as Exhibit A and incorporated herein.

B. The Agreement provides for the conditional transfer of identified real property from the jurisdiction of the Township to the City for economic development purposes. The real property that was transferred is described and depicted on Exhibit A and B to the Agreement (“Property”).

C. The City and Township have been approached by the developer of a parcel which was included in the overall Property, requesting that the parties remove the developer’s parcel to facilitate the timely land use approval of a senior housing project. After due deliberation the parties are willing to amend the Agreement as requested.

D. Act 425 and Section 4.2 C. of the Agreement allow for the amendment of a pre-existing agreement following public hearing and upon the written execution of the amendment by the parties.

E. Pursuant to Act 425, the City Council held a public hearing on \_\_\_\_\_, 2025, at \_\_\_\_\_ p.m., and the Township Board held a public hearing on \_\_\_\_\_, 2025, at \_\_\_\_\_ p.m., regarding the proposed amendment, notice of which public hearing was given in the manner provided by the Open Meetings Act, Act 267 of the Public Acts of Michigan of 1976.

F. The City and Township desire to modify the Agreement as set forth herein.

### FIRST AMENDMENT

In exchange for good and valuable consideration, the sufficiency of which is acknowledged, the parties agree as follows:

1. Amendment of Agreement Exhibit A. That Exhibit A to the Agreement, entitled “Depiction of Property,” and all maps and descriptions associated with that exhibit, is hereby amended to remove Permanent Parcel No. 80-53-272-002-00 (with a street address of 8729 M 140 Highway; the “Removed Parcel”) as shown and described on Exhibit A-1, attached hereto, with the understanding that Exhibit A as amended by the addition of Exhibit A-1 is intended to identify collectively all the real property subject to the conditional transfer of jurisdiction from the Township to the City in accordance with terms of the Agreement, as amended.

2. Amendment of Agreement Exhibit B. That Exhibit B to the Agreement, entitled “Property Descriptions,” and all descriptions associated with that exhibit, is hereby amended and replaced by Exhibit B-1, attached hereto, with the understanding that Exhibit B-1 identifies collectively all the real property subject to the conditional transfer of jurisdiction from the Township to the City in accordance with terms of the Agreement, as amended.

3. Agreement to Remain in Effect. Except as expressly set forth herein, all other terms and conditions as set forth in the Agreement shall remain in effect and binding on the parties and all references to the Agreement shall be interpreted to mean the Agreement as amended by this First Amendment.

4. Hearings, Notice and No Referendum. By signing this First Amendment, the City and the Township certify that neither the City Council nor the Township Board adopted a resolution calling for a referendum on the First Amendment to be made to the Agreement, more than 30 days have elapsed since the public hearings of the City Council and the Township Board were held regarding this First Amendment and since the City Council and the Township Board adopted resolutions indicating their intention to enter into this First Amendment, and neither the City Clerk nor the Township Clerk has received a petition calling for a referendum on this First Amendment or the removal of the Removed Parcel from the Property pursuant to this First Amendment.

5. Filing and Effective Date.

A. Initial Filing and Effective Date. In accordance with Act 425, following the execution of this First Amendment by the City and the Township, a duplicate original of the First Amendment shall be filed with the Clerk of Van Buren County and with the Michigan Secretary of State. This Agreement, certified by such County Clerk or the Secretary of State, shall be *prima facie* evidence of the amendment of the Agreement. This First Amendment shall be effective at 12:01 a.m. on March 6, 2025, provided it has been filed with the County Clerk and the Secretary of State.

B. Additional Filing. The parties agree to sign and file any additional documents, such as notices, forms and reports that may be required or requested by county, state or other agencies, which may be needed to give full effect to and to fully implement this First Amendment.

The parties have signed this First Amendment as of the date first written above.

**CITY OF SOUTH HAVEN**

**CHARTER TOWNSHIP OF SOUTH HAVEN**

By: \_\_\_\_\_

By: \_\_\_\_\_

\_\_\_\_\_  
Annie Brown, Mayor

\_\_\_\_\_, Supervisor

By: \_\_\_\_\_

By: \_\_\_\_\_

\_\_\_\_\_  
Megan Kiker, Clerk

\_\_\_\_\_, Clerk



**EXHIBIT A**

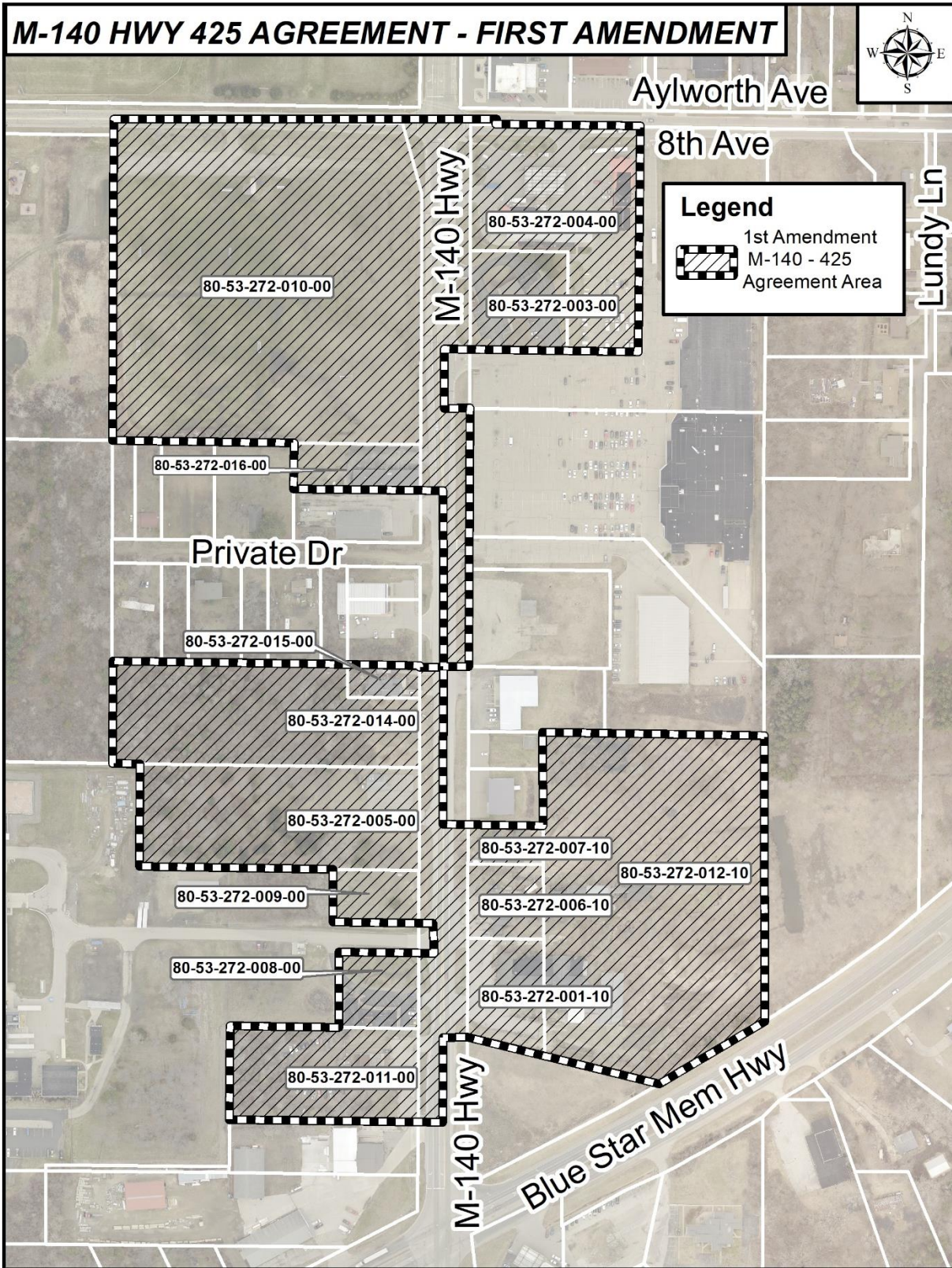
**DEVELOPMENT COOPERATION AGREEMENT, DATED November 15, 2021**

(See the Agreement on the following pages)

DRAFT

EXHIBIT A-1

CORRECTED DEPICTION OF PROPERTY



## EXHIBIT B-1

### CORRECTED PROPERTY DESCRIPTIONS

Legal Description for M-140 Hwy – 425 Agreement as of 10/7/2021

Beginning at the northwest corner of the northeast  $\frac{1}{4}$  of the northeast  $\frac{1}{4}$  of Township 01S Range 17W Section 15 in South Haven Township, Van Buren County, MI. Thence south  $89^{\circ}20'48''$  east on north section line 398.04 Feet; thence south 460 Feet; thence north  $89^{\circ}20'48''$  W 148.04 Feet; thence north  $89^{\circ}20'48''$  west 250 Feet to west line of the northeast  $\frac{1}{4}$  of northeast  $\frac{1}{4}$ ; thence south on same 121 Feet; thence east 50 feet to the east right-of-way line, thence south along said right-of-way line 528.63 feet: thence west 50 feet, thence north  $0^{\circ}00'21''$  west 360 feet; thence north  $89^{\circ}21'11''$  west 304.30 feet, thence north 94.03 feet, thence west 372.2 feet, thence north to the north Section line, thence east along said section line to Point of Beginning.

Also

Beginning at the northwest corner of the northeast  $\frac{1}{4}$  of the northeast  $\frac{1}{4}$  of Township 01S Range 17W Section 15 in South Haven Township, Van Buren County, MI. Thence west along said section line 660 feet; thence south 1,108.28 feet to Point of Beginning. thence continuing south 209.1 feet; thence east 52.40 feet, thence south 210 feet, thence east 396.69 feet; thence south 108.34 feet, thence east 225.6 feet, thence south 65.9 feet; thence west 212.6 feet; thence south 154 feet, thence west 223.0 feet, thence south 191 feet, thence east 435.6 feet, thence north 173.6 feet, thence east 50 feet; thence south  $77^{\circ}42'24''$  east to the northerly right-of-way of Blue Star Hwy, thence northeasterly along same 245'; thence north 587; thence west 474 feet; thence south 191.4 feet, thence east 202 feet, thence north 321 feet, thence west 50 feet to the west right-of-way line of M-140 Hwy; thence north 4 feet, thence west to Point of Beginning.

SOUTH HAVEN CHARTER TOWNSHIP  
VAN BUREN COUNTY, MICHIGAN

RESOLUTION NO. 25-05

A RESOLUTION TO APPROVE A FIRST AMENDMENT TO A  
DEVELOPMENT COOPERATION AGREEMENT

At a regular meeting of the Township Board of South Haven Charter Township, Van Buren County, Michigan, held at the Township Hall at 09761 Blue Star Highway, South Haven, Michigan, there were:

PRESENT: \_\_\_\_\_

ABSENT: \_\_\_\_\_

The following resolution was offered by Board Member \_\_\_\_\_ and seconded by Board Member \_\_\_\_\_:

RECITALS

A. The City of South Haven (“City”) and South Haven Charter Township (“Township”) entered into a Development Cooperation Agreement, dated November 15, 2021 (“Agreement”), in accordance with Act No. 425 of the Public Acts of 1984, as amended (“Act 425”).

B. The Agreement provides for the conditional transfer of identified real property from the jurisdiction of the Township to the City for economic development purposes. The real property that was transferred is described and depicted on Exhibits A and B to the Agreement (“Property”).

C. The City and Township have been approached by the developer of a parcel included in the Property, requesting that the parties remove the developer’s parcel to facilitate the timely land use approval of a senior housing project. After due deliberation the parties are willing to amend the Agreement as requested.

D. Act 425 and Section 4.2 C. of the Agreement allow for the amendment of the Agreement following public hearing and upon the written execution of the amendment by the parties.

E. After due consideration, the governing bodies of the City and Township are amenable to the developer’s request and have prepared a proposed First Amendment to the Development Cooperation Agreement (the “First Amendment”) to facilitate the same. A copy of the First Amendment is attached to this Resolution and marked as “Attachment A.”

E. Pursuant to the provisions of Act 425, the South Haven Charter Township Board held a properly noticed public hearing on February 12, 2025, concerning the First Amendment.

Now, Therefore, it is resolved that:

1. The Recitals set forth above are affirmed by the parties as accurate and deemed an integral part of this Resolution.

2. The First Amendment presented at the public hearing is hereby approved and the Clerk is authorized to execute duplicate originals of the First Amendment for and on behalf of the Township subject to terms of this Resolution.

3. The Township's approval of the First Amendment and the Clerk's authority to execute duplicate originals of the First Amendment for and on behalf of the Township are contingent upon: (i) neither the City nor Township's governing body adopting a resolution calling for a referendum on the transfer and (ii) at least 30 days have elapsed since the public hearings of the City Council and the Township Board and neither the City Clerk nor the Township Clerk has received a petition calling for a referendum on this First Amendment or the removal of the Removed Parcel from the Property pursuant to this First Amendment as otherwise provided for in Section 5 of Act 425 (MCL 124.25).

4. Subject to Paragraph 3, above, and following the execution of the First Amendment by the City and Township, the Township Clerk will proceed to file a duplicate original of the First Amendment with the Van Buren County Clerk and with the Michigan Secretary of State.

5. All resolutions or parts of resolutions in conflict herewith shall be and the same are repealed.

ADOPTED this 12th day of February, 2025.

YEAS: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

CERTIFICATION

I certify that the foregoing is a true and complete copy of a resolution adopted by the Township Board of the Charter Township of South Haven, Van Buren County, State of Michigan, at a meeting held on February 12, 2025, the original of which is on file in my office and available to the public. Public notice of said meeting was given pursuant to and in compliance with the Open Meetings Act, Act No. 267 of the Michigan Public Acts of 1976, including in the case of a special or rescheduled meeting, notice by posting at least 18 hours prior to the time set for said meeting.

Dated: February 12, 2025

\_\_\_\_\_  
Brenda Bertorelli  
Township Clerk

**SOUTH HAVEN CHARTER TOWNSHIP VAN BUREN COUNTY  
SHORT TERM RENTAL ORDINANCE  
ORDINANCE #157**

**AN ORDINANCE TO ADOPT SHORT TERM RENTAL REGULATIONS IN SOUTH  
HAVEN CHARTER TOWNSHIP, MICHIGAN.**

South Haven Charter Township ordains as follows:

**Sec. 01-01. Purpose.**

The Township Board finds that the Short-Term Rental of Single-Family Dwellings within South Haven Township is a matter closely connected with the public health, safety, and welfare of the community. The Township Board has enacted this Ordinance in an attempt to strike an appropriate balance between the interests of community residents, community business owners, visitors to the community, and real property owners wishing to engage in Short-Term Rental of Single-Family Dwellings.

While visitors to the community who rent Single-Family Dwellings on a short-term basis bring many benefits to the community, they can simultaneously create concerns surrounding issues of traffic, parking, congestion, litter, noise, and other similar issues. Meanwhile, issues related to fire safety and life safety codes must be considered in order to maximize the safety and well-being of all in the community. This Ordinance is intended to strike a balance between competing interests.

The Township Board finds that the areas of the Township with predominately Single-Family Dwellings are especially susceptible to the negative effects of Short-Term Rentals since these areas are the least intensively developed residential areas in the Township. Thus, this Ordinance will regulate Short-Term Rentals of only Single-Family Dwellings.

The Township Board finds that there is decreased sensitivity to the effects of Short-Term Rentals in other various areas within the Township, and the Township will regulate Short-Term Rentals accordingly.

**Sec. 01-02. Definitions.**

- (a) *Dwelling*. Shall have the same definition as in the South Haven Township Zoning Ordinance.
- (b) *Owner*. A person holding legal or equitable title to a Single-Family Dwelling. An Owner may designate an agent to perform duties or receive notice under this Ordinance.
- (c) *Rent or Rental*. The permission, provision, or offering of possession or occupancy of a Single-Family Dwelling with some type of remuneration paid to the Owner for a period of time to a person who is not the Owner, pursuant to a written or verbal agreement.
- (d) *Short-Term Rental*. The Rental or subletting of a Single-Family Dwelling for

compensation for a term of at least three but not more than 27 nights (rentals for less than three nights are not allowed as Short-Term Rentals). Only one Rental term may begin for a Single-Family Dwelling during any calendar week of Sunday through Saturday. However, the rental of the following shall not be considered Short-Term Rentals: bed and breakfast establishments, motels, resorts, campgrounds, transitional houses operated by a charitable organization, group homes such as nursing homes and adult-foster-care homes, substance-abuse rehabilitation clinics, mental-health facilities, other similar healthcare related facilities, and the Rental of Single-Family Dwellings in the Agricultural District.

(e) *Single-Family Dwelling*. Shall have the same definition as in the South Haven Township Zoning Ordinance.

**Sec. 01-03. Applicability.**

This Ordinance shall apply only to Short-Term Rentals in the Township.

**Sec. 01-04. Registration required.**

(a) *Annual Registration required*. All Short-Term Rentals must be registered with the Township. No Single-Family Dwelling may be used as or advertised for a Short-Term Rental unless registered in accordance with this Ordinance.

(b) *Application*. To register a Short-Term Rental, the Owner shall satisfy the following requirements.

(1) The Owner shall provide and certify as true the following on a form provided by the Township:

- (A) Name, address, and telephone number of the Owner of the Single-Family Dwelling to be used as a Short-Term Rental (if the Owner does not reside within 45 miles of the Single-Family Dwelling, the Owner shall name a local agent); the Owner, a local agent, or the designee of either shall be on site within one hour of being contacted by the Township or law enforcement concerning an issue regarding the Short-Term Rental;
- (B) The address of the Single-Family Dwelling to be used as a Short-Term Rental (plus additional identification as necessary if there is more than one Single-Family Dwelling at the same address);
- (C) The number of bedrooms in the Single-Family Dwelling to be used as a Short-Term Rental;
- (D) The number of off-street parking spaces provided for the Single-Family Dwelling to be used as a Short-Term Rental (this information must also be included in the rental agreement and any online or other advertising for the Single-Family Dwelling);
- (E) The maximum number of occupants for the Single-Family Dwelling to be



used as Short-Term Rental, subject to any applicable local, state, or federal laws, regulations, or ordinances (this information must also be included in the rental agreement and any online or other advertising for the Single-Family Dwelling);

- (F) The number of days at a time the Owner intends to rent the Single-Family Dwelling as a Short-Term Rental, and the months of the year during which Owner intends to do so;
  - (G) The rental agreement for the Single-Family Dwelling to be used as a Short-Term Rental;
  - (H) The Single-Family Dwelling to be used as a Short-Term Rental's compliance with all requirements of this Ordinance; and
  - (I) Such other information as the Township Board deems appropriate.
- (2) An Owner who wishes to rent or advertise a Single-Family Dwelling as a Short-Term Rental must register the Single-Family Dwelling for each calendar year during which the rental or advertisement shall occur. The Owner shall pay an annual administrative fee, the amount of which shall be established by motion or resolution of the Township Board. Any Owner who rents or advertises a Single-Family Dwelling as a Short-Term Rental after April 1, 2024 without having registered it pursuant to this Ordinance shall pay an increased fee, the amount of which is also to be set by motion or resolution of the Township Board.

#### **Sec. 01-05. Short-Term Rental Regulations.**

Single-Family Dwellings used as a Short-Term Rentals are subject to the following requirements and performance standards.

- (a) *Street address posted within the Single-Family Dwelling.* The street address of the property shall be posted in at least two prominent locations within the Single-Family Dwelling in order to assist occupants in directing emergency service personnel in the event of an emergency. The address should be posted near the kitchen and near any telephone or pool.
- (b) *Maximum occupancy.* Beginning April 1, 2024 the maximum occupancy of any Single-Family Dwelling used as a Short-Term Rental shall be as follows.
  - (1) Maximum occupancy in a Single-Family Dwelling used as a Short-Term Rental shall not exceed the lesser of: (i) 12 total occupants; or (ii) two occupants per bedroom plus two additional occupants per finished story, which meets the applicable egress requirements for occupancy in the Michigan Construction Code, subject to any other local, state, or federal requirements.
  - (2) In addition to the maximum occupancy specified in subsection (1) above, a Single-Family Dwelling used as a Short-Term Rental may have a total number of



people on site, including occupants and day-time guests (allowed to be present at most from sunrise to sunset), up to 1.5 times the maximum number of occupants allowed by subsection (1). A fractional number of people allowed shall be rounded up to the nearest whole number.

- (c) *Smoke detectors and carbon monoxide devices.* Single-Family Dwellings used as Short-Term Rentals must possess:
- (1) Operational smoke detectors in each bedroom, which must be tested at least every 90 days to ensure that they are properly functioning; and
  - (2) At least one operational and approved carbon monoxide device of the type described in MCL 125.1504 on each floor, which must be tested at least every 90 days to ensure proper functioning.
  - (3) A fire extinguisher will be installed on each floor. 5# ABC
- (d) *Zoning compliance.* Short-Term Rentals are also regulated in the South Haven Township Zoning Ordinance, and nothing in this Ordinance shall be construed as excusing compliance with zoning requirements.
- (e) *Attics and basements.* No attic or basement can be counted for the purpose of determining the maximum number of occupants in a Single-Family Dwelling used as a Short-Term Rental, unless the Owner has given the Township, in writing, consent for the Township to inspect the premises to verify whether that attic or basement meets the applicable egress requirements for occupancy in the Michigan Construction Code, the Michigan Residential Code, and the applicable fire codes.
- (f) *Inspections.* The Owner must consent to inspections of the Single-Family Dwelling used as a Short-Term Rental by South Haven Area Emergency Services upon request. In any area in which public water and public sanitary sewer are not available, the Owner must also consent to and pay for a septic inspection by the Van Buren County Health Department and must obtain a certificate indicating the Single-Family Dwelling used as a Short-Term Rental has adequate septic pumping, which shall be renewed every three years.
- (g) *SHAES Street Number.* The Single-Family Dwelling used as a Short-Term Rental must have a street number marker installed by South Haven Area Emergency Services. This dwelling marker shall be maintained and remain visible.
- (h) *Insurance.* Single-Family Dwellings used as Short-Term Rentals must be insured by a comprehensive rental dwelling insurance policy with coverage of at least \$1,000,000.00. The Owner shall provide to the Township confirmation of the existence of the insurance with a copy of proof, each time the Short-Term Rental is registered with the Township.
- (i) *Notice of Township Rules and Policies.* Renters of Single-Family Dwellings used as Short-Term Rentals must be provided copies of or information regarding the following:

- (1) This Ordinance and the South Haven Township Zoning Ordinance;
  - (2) Information regarding trash receptacle pick-up, property boundaries, on-site parking, limitations on day-time visitors per subsection (b)(2) above, and common areas which are available for the renters' use; and
  - (3) The South Haven Township Anti-Noise Ordinance, Ordinance Number 29, which shall highlight the quiet hours, which extend between the hours of 11:00 PM and 7:00 AM daily.
  - (4) Water safety information, including guidance on South Haven beach flags.
  - (5) **Golf carts are not permitted on any public roads within the Township.**
- (j) *Notice of emergency numbers and addresses.* The street address and phone number of the nearest hospital must be made available in the Short-Term Rental in an easily accessible location. The Owner must notify Renters, upon or prior to their arrival, of the location of this information.
- (k) *Adequate trash receptacles.* Single-Family Dwellings used as Short-Term Rentals must have a minimum of one large container of at least 90 gallons for every four occupants.

**Sec. 01-06. Violations; revocation of registration.**

- (a) *Violations as municipal civil infractions.* Any violation of a provision of this Ordinance shall be a municipal civil infraction. Each day that a violation continues constitutes a separate violation. Notwithstanding any other Township ordinance, violations of this Ordinance are subject to the following fines:
- (1) *Short-term rental of unregistered dwellings.* The operation of an unregistered Short-Term Rental is \$750 for a first violation and \$1,000 for each subsequent violation;
  - (2) *Maximum occupancy.* The fine for exceeding the maximum occupancy permitted for a Short-Term Rental is \$500 for a first offense and \$1,500 for each subsequent offense; and
  - (3) *Other provisions.* Fines for other violations of this Ordinance are \$100 for a first offense, \$500 for a second offense, and \$1,500 for each subsequent offense.
- (b) *Revocation of registration.*
- (1) *Offenses warranting revocation.* The Township may revoke the rental registration for any Single-Family Dwelling used as a Short-Term Rental which is the site of at least three separate incidents, occurring on three separate days, within a calendar year resulting in a plea of responsibility (with or without an explanation), a plea of guilty, a plea of no contest, or a court's determination of responsibility or guilt by the Owner or any renter for a violation of one or more of the following:

- (A) Any provision of this Ordinance;
  - (B) Any provision of any other Township ordinance, including its Anti-Noise Ordinance, Controlled Substances and Offenses Against Public Peace Ordinance, Zoning Ordinance, and any other Township ordinance, section of the Zoning Ordinance, or permit or approval process; or
  - (C) Any violation of any other local, state, or federal law or regulation.
- (2) *Revocation procedure.* Upon a determination by the Zoning Administrator that the Short-Term Rental registration is subject to revocation, the Zoning Administrator shall issue a notice to the Owner that the Township intends to revoke the rental registration. The notice shall inform the Owner of their right to a hearing to show cause as to why the registration should not be revoked, if a hearing is requested within 14 days of the service of the notice. If a hearing is timely requested, the Township shall schedule the hearing before the Township Board and notify the Owner in writing of a time and place for that hearing. At the hearing, the Owner may present evidence that the requirements for revocation provided in subsection (b)(1) are not satisfied, or that the Owner should not be held responsible for one or more of the three requisite violations due to extenuating circumstances. Extenuating circumstances may include circumstances such as: (i) the violation was committed by a non-renter and the renter(s) attempted to prevent or halt the violation; (ii) the violation resulted from an act of God; or (iii) other circumstances that the Owner could not reasonably anticipate and prevent or could not reasonably control.
- (3) *Revocation period and effect.* Upon revocation of registration, a Dwelling cannot be re-registered as a Short-Term Rental for a period of one year and cannot be used for Short-Term Rentals until re-registered.

**Sec. 01-08. Effective date.**

This Ordinance was amended and approved and adopted by the Township Board of the Township of South Haven, Van Buren County, Michigan, on \_\_\_\_\_. This Ordinance shall be effective 30 days after publication of its contents or a summary of its contents in a local newspaper of general circulation in the Township.

**Sec. 01-09. Severability.**

The provisions of this ordinance are severable. If any portion of this Ordinance is declared void or unenforceable for any reason by a court of competent jurisdiction, the remainder of the Ordinance will remain in full force and effect.

**Sec. 01-10. Repealer.**

All ordinance or parts of ordinances in conflict with this Ordinance are repealed.

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Ross Stein, Township Supervisor

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Brenda Bertorelli, Township Clerk

**SOUTH HAVEN CHARTER TOWNSHIP**

**RESOLUTION 25-06 TO ADOPT ORDINANCE NO. 166,  
ORDINANCE AMENDING THE ZONING ORDINANCE REGARDING MULTI-  
FAMILY DWELLING UNIT BUILDINGS**

A resolution made and adopted at a regular meeting of the Township Board of the Charter Township of South Haven, County of Van Buren, State of Michigan, held at the Township Hall on February 12, 2025, at 7:30 p.m.

PRESENT: \_\_\_\_\_  
\_\_\_\_\_

ABSENT: \_\_\_\_\_  
\_\_\_\_\_

The following Resolution was offered by \_\_\_\_\_ and seconded by \_\_\_\_\_.

WHEREAS, the Township Planning Commission held a public hearing on December 17, 2024, to consider amendments to the Township Zoning Ordinance regarding multi-family dwelling unit buildings; and

WHEREAS, on December 17, 2024, the Planning Commission recommended approval of the amendments to the Township Board; and

WHEREAS, following the public hearing, the Planning Commission transmitted a summary of comments received at the hearing and the proposed amendments to the Van Buren County Planning Commission; and

WHEREAS, following the public hearing, the Planning Commission transmitted a summary of comments received at the hearing and the proposed amendments to the Township Board; and

WHEREAS, the Township Board has determined that amending the Zoning Ordinance, as recommended by the Planning Commission, is in the best interests of the health, safety and welfare of Township residents.

THEREFORE, the Township Board of the Charter Township of South Haven resolves as follows:

- 1. Ordinance No. 166, Ordinance Amending the Zoning Ordinance Regarding Multi-Family Dwelling Unit Buildings (the "Ordinance"), attached as Exhibit A, is hereby adopted.
- 2. The Ordinance shall be filed with the Township Clerk.
- 3. The Township Clerk shall publish the Ordinance or a summary thereof in a newspaper of general circulation in the Township within fifteen (15) days.
- 4. Any resolutions or portions of resolutions that are inconsistent with this resolution are hereby repealed.

STATE OF MICHIGAN                    )  
   ) ss.  
COUNTY OF VAN BUREN            )

I, the undersigned, the duly qualified and acting Clerk of the Charter Township of South Haven, Van Buren County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and complete copy of certain proceedings taken by the Township Board at a regular meeting held pursuant to the Open Meetings Act on the 12th day of February, 2025.

---

Brenda Bertorelli  
Clerk, South Haven Charter Township

**EXHIBIT A**

**CHARTER TOWNSHIP OF SOUTH HAVEN**

**ORDINANCE NO. 166**

**ORDINANCE AMENDING THE ZONING ORDINANCE REGARDING MULTI-FAMILY DWELLING UNIT BUILDINGS**

**THE CHARTER TOWNSHIP OF SOUTH HAVEN ORDAINS:**

**Section 1. Purpose.**

The Township adopts the following amendments for the health, safety and welfare of the Township residents.

**Section 2. Amendment to Section 11.03 the Township Zoning Ordinance.**

Section 11.03 of the Township Zoning Ordinance is amended by the addition of “Multi-Family Dwelling Unit Buildings” as subparagraph S.

**Section 3. Amendment to Section 11.04 of the Township Zoning Ordinance.**

Section 11.04 of the Township Zoning Ordinance is amended to read in its entirety as follows:

**SECTION 11.04 DIMENSIONAL REQUIREMENTS**

Minimum Lot Area With public sewer and water Without public sewer and water	10,000 square feet 1 acre
Minimum Lot Width M-43, M-140, or Phoenix (CR388)  M-43, M-140, or Phoenix (CR 388) - frontage access road or service drive per 18.26  All other roads	330 feet  66 feet, with public water and sewer 150 feet, without public water and sewer  80 feet, with public water and sewer 150 feet, without public water and sewer
Minimum Front Yard M-43, M-140, Phoenix (CR 388)  Blue Star Hwy, Ruggles Road  all other roads	50 feet from the right-of-way line  110 feet from centerline  35 feet from the right-of-way line

Minimum Side Yards	10 feet min for one side and a total of 25 feet for both sides 15 feet each side, accessory buildings
Minimum Rear Yard	50 feet 15 feet, accessory building Corner lots do not have rear yard
Minimum Waterfront Yard	50 feet from the shore of a lake or pond, or centerline of a stream, but not within a Flood Hazard Area except as provided by law.
Minimum Dwelling Floor Area	680 square feet excluding garage & unfinished spaces with at least 500 square feet on the first floor.
Height Limit	Single family dwelling and all accessory buildings (commercial or residential) 35 feet  All other buildings, 55 feet maximum height measured from average grade to highest peak provided there is 26 foot wide setbacks on all sides with ground preparation to support 75,000 pound fire apparatus
All structures are subject to Article XIVA Airport Overlay Zone	
Maximum Lot Coverage	75%

**Section 4. Validity and Severability.**

Should any portion of this Ordinance be found invalid for any reason, such holding shall not be construed as affecting the validity of the remaining portions of the Ordinance.

**Section 5. Repealer.**

Any ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

**Section 6. Effective Date.**

This Ordinance takes effect seven (7) days after publication as provided by law.



**EXHIBIT B**

**CHARTER TOWNSHIP OF SOUTH HAVEN**

**NOTICE OF ADOPTION OF ORDINANCE NO. 166,  
ORDINANCE AMENDING THE ZONING ORDINANCE OF SOUTH HAVEN  
CHARTER TOWNSHIP REGARDING MULTI-FAMILY DWELLING UNIT  
BUILDINGS**

**PLEASE TAKE NOTICE** that at its regular meeting on February 12, 2025, the Township Board adopted Ordinance No. 166 entitled “Ordinance Amending the Zoning Ordinance Regarding Multi-Family Dwelling Unit Buildings” (the “Ordinance”). The following is a summary of the Ordinance. A true copy of the Ordinance, including any exhibits, is available for inspection at the Township Hall, 09761 Blue Star Memorial Highway, South Haven, MI 49090, and is posted on the website of the Charter Township of South Haven, <https://southhaventwp.com/>.

**SECTION 1:** Section 1 of the Ordinance states its purpose.

**SECTION 2:** Section 2 of the Ordinance amends Section 11.03 of the Township Zoning Ordinance to add “Multi-Family Dwelling Unit Buildings” as subparagraph S.

**SECTION 3:** Section 3 of the Ordinance amends Section 11.04 of the Township Zoning Ordinance to add, among other things, a maximum height requirement for Multi-Family Dwelling Unit Buildings.

**SECTION 4:** Section 4 of the Ordinance states that if any portion of the Ordinance is found invalid then the remaining provisions remain in force.

**SECTION 5:** Section 5 of the Ordinance states that any ordinances or parts thereof that conflict with the Ordinance are repealed.

**SECTION 6:** Section 6 of the Ordinance provides that it will take effect seven (7) days after publication.

Brenda Bertorelli, Clerk  
Charter Township of South Haven  
09761 Blue Star Memorial Highway  
South Haven, MI 49090  
(269) 637-3305

CHARTER TOWNSHIP OF SOUTH HAVEN  
VAN BUREN COUNTY, MICHIGAN

ORDINANCE NO. 167

AN ORDINANCE TO PROVIDE FOR  
A PAYMENT IN LIEU OF TAXES

THE CHARTER TOWNSHIP OF SOUTH HAVEN ORDAINS:

**Section 1. Purpose and Findings.**

- A. Providing affordable housing, including rent-restricted housing, is an important public necessity and a proper public purpose for local governments. South Haven Charter Township wishes to encourage developers to build affordable housing by accepting a service charge or payment in lieu of property taxes (a "PILOT"), as authorized by the State Housing Development Authority Act of 1966, 1966 PA 356, MCL 125.1401 *et seq.*, as amended. The Township may require a PILOT up to the amount of taxes that would otherwise be due in exchange for the exemption from property taxes. The Township intends to establish a PILOT so that developers can determine if a housing project with a PILOT is economically feasible.
- B. The Sponsor (as defined in Section 2) has offered to construct, own, and operate a housing project with income and rent limitations identified as "Sunset Grove at South Haven" on real property, particularly described in Exhibit A, in the Township. This offer is contingent on the Sponsor's receipt of a Mortgage Loan (as defined in Section 2).
- C. The Sponsor offers to pay a PILOT to the Charter Township of South Haven in the amount of 4% of the difference between the annual shelter rents actually collected.

**Section 2: Definitions:**

- A. Act means the State Housing Development Authority Act, Public Act 346 of 1966, as amended.
- B. Authority means the Michigan State Housing Development Authority.
- C. Annual Shelter Rent means the total collections during an agreed annual period from or paid on behalf of all occupants of a housing project representing rent or occupancy charges exclusive of utilities.
- D. Housing Development means a development which contains a significant element of housing for persons of low income and such elements of other housing, commercial, recreational, industrial, communal, and educational facilities as the Authority determines to improve the quality of the development as it relates to housing for persons of low or moderate income. For the purposes of this Ordinance, the name of this development is Sunset Grove at South Haven.

- E. LIHTC means low income housing tax credits.
- F. Mortgage Loan means either a loan that is Federally-Aided (as defined in Section 11 of the Act), or a loan made by the Authority, the USDA-Rural Development, or the US Department of Housing and Urban Development to sponsor the construction, rehabilitation, acquisition, or permanent financing of a housing development or a mortgage loan insured by HUD, as defined by the Act.
- G. Sponsor means any entity or entities that have applied to the Authority for a Mortgage Loan or applied for other government insured mortgage financing or LIHTC funds to finance a Housing Development. For the purposes of this Ordinance, the Sponsor is Samaritas Affordable Living Sunset Grove LDHA LP, and their successors and assigns.
- H. Utilities means charges for gas, electric, water, sanitary sewer and other utilities furnished to the occupants that are paid by the housing project.

### **SECTION 3: Class of Housing Development Exempt from Taxation**

The PILOT will apply to the Housing Development known as Sunset Grove at South Haven, financed or assisted under the Act for low and moderate income housing for families.

### **SECTION 4: Establishment of PILOT**

- A. The Housing Development identified as Sunset Grove at South Haven and the property on which it shall be constructed (described in Exhibit A) is exempt from all property taxes from and after the commencement of construction. The Charter Township of South Haven acknowledges that the Sponsor and the Authority have established the economic feasibility of the Housing Development in reliance upon the enactment and continuing effect of this Ordinance and the qualification of the Housing Development for exemption from property taxes and a PILOT as established in this Ordinance. The Charter Township of South Haven acknowledges that the Sponsor's performance is contingent on receipt of a Mortgage Loan from the Authority or other appropriate source, to construct, own, and operate the Housing Development, and agrees to accept payment of a PILOT. The PILOT shall be equal to four (4%) percent of the Annual Shelter Rents.
- B. The Housing Development must report to the Charter Township of South Haven its Annual Shelter Rents within 120 days of the last day of the applicable calendar year.
- C. The Township has the right to inspect the Housing Development's records and the right to audit and re-compute any amounts determined to be Annual Shelter Rents.

### **SECTION 5: Limitation on the PILOT**

Notwithstanding Section 4, the PILOT for the part of the Housing Development which is tax exempt and which is occupied by individuals or households other than low and moderate income persons or families is equal to the full amount of the taxes that would be paid on that portion of the Housing Development if the Housing Development were not tax exempt.

**SECTION 6: Contractual Effect**

To the extent permitted by law and notwithstanding the provisions of Section 15(a)(5) of the Act to the contrary, a contract between the Charter Township of South Haven and the Sponsor to provide the PILOT is effectuated by enactment of this Ordinance.

**SECTION 7: Payment Of PILOT**

The PILOT is payable in the same manner as general property taxes are payable in the Charter Township of South Haven except that the PILOT shall be paid on or before July 1 of each year for the previous calendar year. Collection procedures shall be in accordance with the provisions of the General Property tax Act (1893 PA 206, as amended; MCL 211.1, *et seq.*).

**Section 8: Duration**

This Ordinance will remain in effect so long as a Mortgage Loan remains outstanding and the Housing Development remains subject to the rent and income restrictions found in applicable law, provided that the construction of the first phase of the project commences within five (5) years from the effective date of this Ordinance.

**SECTION: Severability.**

The provisions of this ordinance are severable. If any portion of this Ordinance is declared void or unenforceable for any reason by a court of competent jurisdiction, the remainder of the Ordinance will remain in full force and effect.

**SECTION 10: Repealer.**

All ordinance or parts of ordinances in conflict with this Ordinance are repealed.

**SECTION 11: Effective Date:**

This Ordinance must be published and recorded as provided by law and takes effect on the date of publication.

**Ayes:**

**Nays:**

**Absent:**

**Abstain:**

**ORDINANCE DECLARED ADOPTED.**

Dated: March ##, 2025

\_\_\_\_\_  
Ross Stein, Supervisor

\_\_\_\_\_  
Brenda Bertorelli, Clerk

Introduced:  
Adopted:  
Published:  
Effective:

State of Michigan            )  
  )ss  
County of Van Buren        )

I, the undersigned, the duly qualified and acting Clerk of the Charter Township of South Haven, Van Buren County, Michigan, certify that the foregoing Ordinance was adopted by the Charter Township of South Haven at a regular meeting of the Board of Trustees duly held on the 12th day of March, 2025; and that the meeting was held in compliance with notice provisions and all other requirements of the laws of the State of Michigan. I hereby certify that I published the Ordinance in the \_\_\_\_\_ on the \_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_,  
Brenda Bertorelli, Clerk  
Charter Township of South Haven

**CHARTER TOWNSHIP OF SOUTH HAVEN  
RESOLUTION NO. 25-07**

**RESOLUTION TO INTRODUCE  
ORDINANCE 167, AN ORDINANCE TO PROVIDE FOR  
A PAYMENT IN LIEU OF TAXES**

At a meeting of the Board of Trustees of the Charter Township of South Haven ("Township"), Van Buren County, Michigan, held at the Township Hall in said Township on the 12<sup>th</sup> day of February, 2025 at 7:30 p.m.

PRESENT: \_\_\_\_\_  
\_\_\_\_\_

ABSENT: \_\_\_\_\_  
\_\_\_\_\_

The following Resolution was offered by \_\_\_\_\_ and seconded by \_\_\_\_\_.

WHEREAS, South Haven Charter Township wishes to encourage developers to build affordable housing by accepting a service charge or payment in lieu of property taxes (a "PILOT"), as authorized by the State Housing Development Authority Act of 1966, 1966 PA 356, MCL 125.1401 et seq., as amended; and

WHEREAS, Samaritas Affordable Living Sunset Grove LDHA LP has offered to construct, own, and operate a housing project with income and rent limitations identified as "Sunset Grove at South Haven" on real property and offers to pay a PILOT to the Charter Township of South Haven in the amount of 4% of the difference between the annual shelter rents actually collected; and

WHEREAS, the Township has caused to be prepared an Ordinance creating the PILOT for Samaritas Affordable Living Sunset Grove LDHA LP's proposed project (the "Ordinance"); and

WHEREAS, the Township desires to adopt the Ordinance for the public health, safety and welfare; and

WHEREAS, Section 20 of the Michigan Charter Township Act, Act 359 of 1947, MCL 42.1 et seq, as amended (“Act”) requires each proposed ordinance be introduced in written or printed form, identified by a number and short title and, following introduction of the proposed ordinance, requires the Clerk to publish the proposed ordinance as provided in the Act.

NOW, THEREFORE, the Township Board of the Charter Township of South Haven, resolves as follows:

1. The Township hereby introduces Ordinance No. 167, An Ordinance to Provide For A Payment In Lieu Of Taxes, attached as **Exhibit A**.
2. The Township Board will consider adopting the Ordinance at a meeting on March 12<sup>th</sup>, 2025, at 7:30 p.m.
3. Pursuant to Section 20 of the Act, the Clerk is directed to publish the Ordinance in accordance with Section 8 of the Act by posting the Ordinance in the office of the Clerk and on the Township’s web site. The Clerk is further directed to publish notice of posting in a form substantially conforming to that attached as **Exhibit B** to this resolution describing the purpose of the Ordinance and that the Ordinance is posted in the office of the Clerk, on the Township’s web site and in a newspaper of general circulation in the Township within seven (7) days of the posting.
4. A copy of the Ordinance shall be available for examination at the office of the Clerk and copies may be provided for a reasonable charge.
5. Any and all resolutions that are in conflict with this Resolution are hereby repealed to the extent necessary to give this Resolution full force and effect.

YEAS: \_\_\_\_\_

NAYS: \_\_\_\_\_

THE RESOLUTION WAS DECLARED ADOPTED.

STATE OF MICHIGAN     )  
  ) ss.  
COUNTY OF VAN BUREN )

I, Brenda Bertorelli, Township Clerk of the Charter Township of South Haven, hereby certify this to be a true and complete copy of Resolution No. 25-07, duly adopted at a meeting of the Township Board held on the 12<sup>th</sup> day of February, 2025 at 7:30p.m.

\_\_\_\_\_  
Brenda Bertorelli, Township Clerk



**EXHIBIT B**

**CHARTER TOWNSHIP OF SOUTH HAVEN**

**NOTICE OF POSTING OF PROPOSED ORDINANCE NO. 167  
AN ORDINANCE TO PROVIDE FOR  
A PAYMENT IN LIEU OF TAXES**

**PLEASE TAKE NOTICE** that at its meeting on February 12, 2025, the Township Board received a proposed ordinance entitled “An Ordinance to Provide For A Payment In Lieu Of Taxes,” which will be considered for adoption on **March 12, 2025, at 7:30 p.m.**, at a meeting of the Township Board at the Township Hall, 09761 Blue Star Memorial Hwy, South Haven, MI 49090. The proposed ordinance would, among other things, create a payment in lieu of property taxes program pursuant to the State Housing Development Authority Act of 1966, 1966 PA 356, MCL 125.1401 et seq., as amended for Samaritas Affordable Living Sunset Grove LDHA LP in conjunction with its project to construct, own, and operate a housing project with income and rent limitations identified as “Sunset Grove at South Haven” on real property in the Township.

The proposed ordinance is available in its entirety for public inspection. The proposed ordinance is posted at the office of the Township Clerk, 09761 Blue Star Memorial Hwy, South Haven, MI 49090 and on the website of the Charter Township of South Haven, <http://www.southhaventwp.com>.

Brenda Bertorelli, Clerk  
South Haven Township Hall  
09761 Blue Star Memorial Hwy  
South Haven, MI 49090  
(269) 637-3305

<b>Memo:</b> South Haven Charter Township Board
<b>From:</b> Tasha Smalley, Zoning Administrator
<b>Date:</b> February 2025
<b>RE:</b> Special Land Use – Marihuana Business Establishment

Applicant Stash Ventures LLC and owner FHB 2, LLC have petitioned for special use for Marihuana Business Establishment at 13537 M140 Hwy, 80-17-022-040-00.

PC reviewed the site plan and special use at a public hearing on February 5, 2025. The motion was to approve recommendation to the Township Board for site plan and special use, Yes 7-0 vote.

*(draft minutes not available yet)*

Memorandum: South Haven Charter Township Planning Commission

Date: January 16, 2025

From: Tasha Smalley, Zoning Administrator

RE: Special Use Review – Marihuana Business

Meeting date: February 5, 2025

Owner: FHB 2, LLC

Owner address: 10300 Kincaid Dr Suite 100, Fishers IN 46037

Applicant: Stash Ventures, LLC

Applicant Address: 212 W Pickard Suite B, Mt Pleasant 48858

Subject Property: 13537 M-140, South Have Township

Parcel #: 80-17-022-040-00

HSC – Highway Service Commercial

Minimum lot area – W/S – 10,000 sq ft; 1 acre

Minimum lot width – W/S – 80 ft; 150 ft

Front setback – 35 ft right-of-way

Side setback – 10 ft

Rear setback – 50 ft

14C Marihuana Business Overlay

SLU 15.34 Marihuana Business

#9a more than 1000ft from school etc

#9b no dwelling on any adjacent parcels

Marihuana application has been submitted and approved

Analysis

Property 80-17-022-040-00 is a legal conforming lot of record

Lot area approx. 325x720, 6.4 acres

Project:

Construct a new building, Marihuana Business

Proposed Building 55x90, 4950sqft

Front 115ft, side 32ft

Proposed spaces 10x20

TOTAL SPACES REQUIRED: 24 SPACES

TOTAL SPACES PROVIDED: 60 SPACES

*20.04A No parking proposed by any applicant shall exceed these standards by more than 25%. Exception: If an applicant presents a parking study performed by an independent engineer for the specific use that demonstrates that a lesser or greater standard is more appropriate, then the Planning Commission may allow the use of the modified standard. – Parking Assessment provided*

Reviews

PC preliminary October 2, 2024

DC – 11-10-24

FD – 10-9-24

MDOT

**South Haven Charter Township**  
09761 Blue Star Hwy South Haven MI 49090  
269-637-3305 [shtwp.zoning@gmail.com](mailto:shtwp.zoning@gmail.com)  
Zoning Department 111 Grand St Allegan MI 49010 1-800-626-5964 [mtsallagan@frontier.com](mailto:mtsallagan@frontier.com)

**APPLICATION SITE PLAN REVIEW, SPECIAL USE  
PUD, SITE CONDO, OTHER**

Property Owner

Name FHB 2, LLC

Address 10300 Kincaid Drive Ste 100 City Fishers, IN Zip 46037

Telephone 812-369-9680 Email jessica@roundroom.com

Representative (if applicable) Jessica Heffernan

Telephone 812-369-9680 Email jessica@roundroom.com

Applicant (if different from Owner)

Name Stash Ventures, LLC

Address 212 W. Pickard St Suite B City Mt Pleasant, MI Zip 48858

Telephone 989-546-4097 ext 106 Email lindy.dickerson@stashventures.com

Property Address: 13537 M-140 South Haven, MI 49090

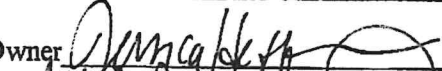
Property Number 80-17-022-040-00


Current Zoning Classification and Use Highway Service Commercial

Nature of Activity for which Review is Requested: (check which apply)

Commercial Use ; Industrial Use ; Multi-family Use ; Temporary Use ;  
Grading/Paving ; Special Use ; Site Condo ; PUD ;  
(Other) \_\_\_\_\_

Describe proposed activity/use: Proposed marihuana retailer

Signature of Property Owner  Date 5/9/24

Signature of Applicant  Date 5/9/24

(owner and applicant must sign)

Memorandum: South Haven Charter Township Planning Commission

Date: September 17, 2024

From: Tasha Smalley, Zoning Administrator

RE: Preliminary - Special Land Use Review

Meeting date: October 2, 2024

Owner: FHB 2, LLC

Owner address: 10300 Kincaid Dr Suite 100, Fishers IN 46037

Applicant: Stash Ventures, LLC

Applicant Address: 212 W Pickard Suite B, Mt Pleasant 48858

Subject Property: 13537 M-140, South Have Township

Parcel #: 80-17-022-040-00

CSC – Community Service Commercial District

Minimum lot area – W/S – 10,000 sq ft; 1 acre

Minimum lot width – W/S – 80 ft; 150 ft

Front setback – 35 ft right-of-way

Side setback – 10 ft

Rear setback – 50 ft

14C Marihuana Business Overlay

SLU 15.34 Marihuana Business

#9a more than 1000ft from school etc

#9b no dwelling on any adjacent parcels

Marihuana application has been submitted and approved

Analysis

Property 80-17-022-040-00 is a legal conforming lot of record

Lot area approx. 325x720, 6.4 acres

SECTION 22.05 PRELIMINARY SITE PLAN

- A. Mandatory- Preliminary site plan review is mandatory for all Special Uses as well as re-zone Planned Unit Developments (Type II PUD) and for Open Space Preservation developments as provided for in Section 18.46 and in compliance with P.A. 177 of 2001, as amended.

Project: This is only Preliminary, final plan will have the reviews, etc

Construct a new building, Marihuana Business

Proposed Building 55x90, 4950sqft

Front 115ft, side 32ft

Proposed spaces 10x20

TOTAL SPACES REQUIRED: 24 SPACES

TOTAL SPACES PROVIDED: 68 SPACES

20.04A No parking proposed by any applicant shall exceed these standards by more than 25%.Exception: If an applicant presents a parking study performed by an independent engineer for the specific use that demonstrates that a lesser or greater standard is more appropriate, then the Planning Commission may allow the use of the *modified* standard.

Lighting – wall mounted shielded lights.

# Parking Assessment

**To:** Tyler Cravens, PE – Mitten State Engineering

**From:** Nick LaCroix, PE PTOE – Progressive Companies

**Date:** January 9, 2025

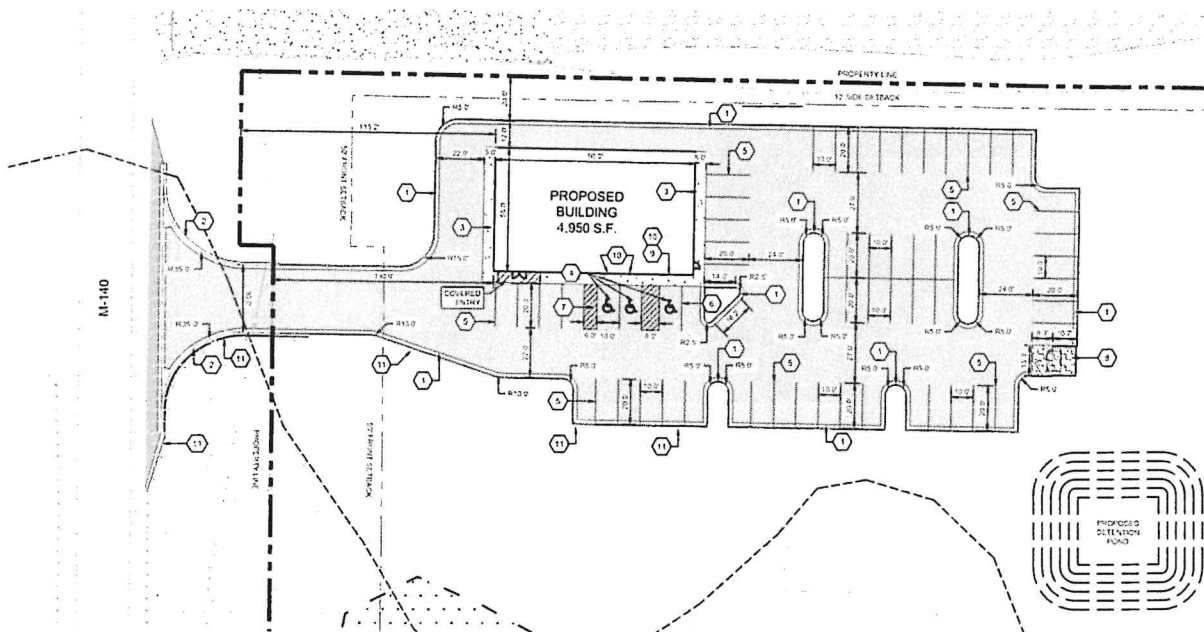
**Re:** 13537 M-140 Parking Demand Assessment

**File No:** 91650010

## INTRODUCTION

Mitten State Engineering is working on a project to develop a new marijuana provisioning center located at 13537 M-140 in South Haven, Michigan. The proposed project includes a 4,950 square foot building with 60 proposed parking spaces. Figure 1 shows the proposed site plan.

As the South Haven Charter Township (Township) Zoning Ordinance allows only 38 parking spaces for the site without requesting a variance, a variance will be needed to allow the amount of proposed parking.



**Figure 1. Proposed Site Plan**

## PARKING DEMAND ASSESSMENT

The Parking Generation Manual, Fifth Edition, by the Institute of Transportation Engineers (ITE), was used to calculate the anticipated parking demand for the proposed site. Based on the land use descriptions provided within the ITE Parking Generation Manual, the Marijuana Dispensary, Land Use Code 882, was utilized for the 4,950 square-foot dispensary. There are a limited number of studies provided within the manual suggesting a range of 4.1 to 20.6 parking spaces per 1,000 square feet. The average rate of the site's surveyed was 7.2 parking spaces per 1,000 square feet.

Table 1 shows the ITE Parking Generation Manual estimates a demand of 20 – 102 parking spaces for the proposed site.

**Table 1. ITE Parking Demand**

Use	Parking Rate	Size (Quantity)	Number of Spaces
Dispensary	Range: 4.1 – 20.6 spaces/1,000 sq. ft.  Average: 7.2 spaces/1,000 sq. ft.	4,950 square feet	Range: 20 – 102 spaces Average: 36 spaces

Source: ITE Parking Generation, 5<sup>th</sup> Edition

Given the wide range of rates and limited sample size (four studies) of the ITE Parking Generation data, information provided by the site owner was also utilized to estimate the peak parking demand for the site. The provisioning center anticipates approximately 400 customers shopping at the dispensary on a typical day with a peak demand of up to 60 customers at any given time.

In order to estimate the parking demand from hourly customer data, assumed variables were utilized, including an average time a parking space was in use, a desired proportion of the lot intended to remain unoccupied in order to ensure available spaces are visible, and a peak hour factor used to account for demand fluctuations within an hour timeframe. With an average transaction time of 30-minutes, a desired vacant proportion of 10% (ten percent), and a peak hour factor of 80% (eighty percent), it is estimated that 41 parking spaces are required to provide adequate capacity for customer parking during the peak sales hour of a typical day.

In addition to customer parking, the site will employ 15 employees during the peak time periods. This would result in a demand for an additional 15 spaces for employees. Table 2 shows a summary of the parking demand calculations with a peak demand of 56 parking spaces.

**Table 2. Total Parking Demand**

<b>Customer Parking Demand</b>	
Peak Hourly Customer Demand (Customers)	60
Average Time to Complete Transaction (Minutes)	30
Percentage of Lot Intended to Remain Unoccupied (Percent)	10%
Peak Hour Factor (Percent)	80%
Number of Vehicle Spaces Needed to Accommodate Peak Customer Demand	41
<b>Employee Parking Demand</b>	
Employee Parking Demand (1 space per employee)	15
<b>Total Parking Demand</b>	<b>56</b>

## CONCLUSIONS

The ITE Parking Generation Manual shows a peak parking demand of between 20 – 102 parking spaces for the proposed provisioning center. Data provided by the site owner indicates a peak parking demand of approximately 56 vehicles. It is recommended the proposed variance be approved to allow the 60 proposed parking spaces as this value falls within the middle of the ITE Parking Generation range and is in line with the estimates calculated using data provided by the site owner.

## Lease Agreement

This is a lease agreement, effective April 1, 2025 between Best Way Disposal Inc., a Michigan corporation, (“Lessee”) and the South Have Charter Township and Geneva Township, (“Lessor”).

Background: The Lessor currently operates a public transfer station and recycling center, located at 70,000 CR 384, South Haven, Michigan. The Lessee desires to lease said property and operate of the transfer station and recycling center and the parties have agreed to the following terms.

1. Leased Premise: The premises to be leased comprise the area that is currently being used by the South Haven Charter Township and Geneva Township to operate the transfer station and recycling center and is commonly described as a parcel of land on 70,000 CR 384, South Haven, Michigan (Leased Premises).
2. Term: The Lease shall be for three years commencing April 1, 2025 and ending on March 31, 2028. Said lease may be renewable for an additional three years upon written request from Lessee and consent of Lessor.
3. Rent: The consideration for the lease herein shall be the covenants contained herein.
4. Utilities and Service: The Lessee shall pay, on prompt and on timely basis, for all the utilities that will be required to operate the transfer station and recycling center.
5. Insurance: During the term of this Lease, the Lessee will procure and keep in effect public liability and property damage insurance for the benefit of the Lessor in the minimum amounts of Three Hundred Thousand Dollars (\$300,000.00) for damages resulting to one person; One Million Dollars (\$1,000,000.00) for damages resulting from one casualty; and Three Hundred Thousand (\$300,000.00) property damage insurance for damage resulting from any one occurrence.
6. Holding Over: In event that Lessee holds over after the expiration of this Lease without agreement between parties to renew, extend or otherwise renegotiate the lease hold, the term of this Lease shall continue in effect on a month-to-month basis.
7. Conditions of Premises at the Time of Leasing: The Lessee acknowledges that it has examined the Leased Premises prior to the making of this Lease and knows the conditions thereof, and that no representations as to the conditions or state or repairs thereof, have been made by the Lessor or its agent that are not expressed herein. The Lessee hereby accepts the Leased Premises in their present condition at the date of the execution of this Lease.



8. Delay in Obtaining Possession: If the Lessee cannot take possession of the Leased Premises at the time provided above because of any cause beyond the direct control of the Lessor, the Lessor shall not be liable to the Lessee thereof.
9. Use and Occupancy: The premises shall not be used in violation of any law, municipal ordinance, or regulation. Breach of this paragraph shall permit the Lessor to terminate the lease forthwith.
10. Care of Premises: The Lessee shall not perform any act or carry on any practices that may injure the property or be a nuisance or a menace to others in the vicinity and shall keep the Leased Premises clean and free from uncontained rubbish, garbage and debris at all times.
11. Compliance with Law: The Lessee shall, at its own expenses, and under penalty of forfeiture and damages, promptly comply with all lawful laws, orders, regulations, or ordinances of all municipal, county and state authorities affecting the premises here leased, including but not limited to the cleanliness, safety, occupation and use of the same.
12. Indemnification: Lessee agrees to indemnify Lessor and hold it harmless from any liability for damages to person or property in or on the Leased Premises from any cause but those attributable to the negligent or willful acts of the Lessor, its agents or employees.
13. Repairs and Alterations by Lessee: The Lessee will, at its own expense, keep the Leased Premises in good repair, and will, at the expiration of this Lease, deliver the premises to the Lessor in like condition to when taken, reasonable use and wear thereof and damage by the elements excepted. The Lessee shall not make any alterations, additions or improvements to the Leased Premises without the Lessor's written consent. All alterations, additions and improvements made by either party upon the premises during the term hereof shall become the property of the Lessor at the expiration of the term.
14. Access to Premises: The Lessor may enter the Leased Premises at any reasonable hour in order to inspect them. However, reasonable advance notice shall be given to the Lessee of the intention to do so. If the Lessor deems any repair for which the Lessee is responsible necessary, it may demand that the Lessee perform the repair. If Lessee is refuses or neglects to make the repair in a reasonable time, the Lessor may make the repair and charge the Lessee. Lessor shall give reasonable advance notice to Lessee of its intention to make non-emergency repairs.

15. Advertising Displays: All signs and advertising displays in and about the premises shall be such as only advertise the business carried on in said premises. The Lessor shall control the size and character thereof. No sign shall be displayed unless approved in writing by the Lessor although permission shall not be unreasonably withheld.
16. Assignment: The Lessee shall not assign or transfer this Lease or sublet the Leased Premises in whole or in part without the Lessor's prior written consent. Violation of this clause constitutes a material breach.
17. Binding Successors: This Lease is binding on the respective heirs, successors, representatives and assigns of the parties.
18. Remedies: In the event any rent required to be paid hereunder is due and unpaid or that other material breach occurs on the part of the Lessee, the Lessor shall be entitled to pursue any and all remedies authorized by law, including but not limited to, the Michigan Summary Proceeding Act, MCLA 800.5701-5759. However, in the event the premises are abandoned, it shall be lawful for the Lessor, his certain attorney, officers, representatives or assigns to re-enter and repossess the premises and to remove and put out each and every occupant.
19. Expenses and Damages for Repossession and Re-entry: In the event the Lessor shall obtain possession of the Leased Premises, pursuant to paragraph 18, the Lessee shall be liable for expenses incurred therefore; including necessary cost for re-rented the premises, lost rent, and statutory costs and reasonable attorney's fees.
20. Cumulative Remedies: Remedies, right and benefits of this Lease are cumulative and shall not be exclusive of any other remedy, right of benefit contained herein or of any remedy, right or benefit allowed by law.
21. Waiver: One or more waiver by the Lessor of any of this Lease's provisions shall not be construed as a waiver of a further breach of the same provision.
22. Bankruptcy or Insolvency: The Lessor may cancel this Lease in the event that the estate created hereby is taken in execution or by other process of law; or if the Lessee is declared bankruptcy or insolvent according to law; or if any receiver is appointed for the business and property of the Lessee; or if any assignment is made of the Lessee's property for the benefit of creditors.

23. Use of Premises: The premises will be used for purposes of A PUBLIC TRANSFER STATION AND RECYCLING center only, and for no other purposes without the prior written consent of Lessor. Lessee agrees not to use premises for any unlawful purpose.

24. Severability: If any part of this Lease is held invalid the remainder will remain in full force and effect.

25. Lessee's Obligation: The Lessee Agrees as Follows:

- A. To continue to operate the site as a public transfer station and recycling center and to maintain, at a minimum, the current level of service as said center.
- B. To undertake and maintain all costs of operation of the station and recycling center, including employees.
- C. To continue the maintenance of the site and to make improvements to the site and to keep the site conforming to other sites in the area.
- D. To keep the site's current hours of operation. Any changes in the hours of operation require prior approval by the Lessor.
- E. The Lessee is to install a compactor for the removal of rubbish as the Lessee sees fit, and in return will provide all maintenance on the compactor.
- F. To keep the posted gate rates the same for the first year.
- G. To schedule for emptying of containers as they are filled to keep the site free of all trash and recycling.
- H. To observe and comply with, at its own expense, and execute and conform with all present and future federal, state and township statutes, ordinance, rules and codes, including but not limited to all applicable, health, environmental and employment laws and regulations.
- I. It is understood that Lessee will operate a transfer and recycling station at the site. All trash and recycle materials will be removed from the site as containers are full. Lessee will not be liable for any dumping of waste at the site prior to execution to this lease.

26. Rate Increase: Expenses incurred by the Lessee due to any changes in any governmentally mandated fees, costs or changes in regards to disposal of material at landfill sites or increases in CPIU-Water, Sewer & Trash index will be reclaimed at the transfer station. This takes precedence over paragraph 25 F of Lessee's Obligation. Written notice of proposed rate increases will be submitted to the Lessor prior to implementation.
27. Recycling: South Haven Charter Township and Geneva Township shall each pay Best Way Disposal a yearly fee of \$ 14,400.00 to provide the township residents with free recycling.
28. Free Dump Passes: South Haven Charter Township and Geneva Township may have either a free spring and fall dump day or provided two free passes to each resident with a 5yd maximum per dump. Each township will be charged on the amount of material dumped.
29. Entire Agreement: This lease agreement embodies the entire agreement between the parties with respect to the subject matter hereof. This agreement may only be modified in writing executed by both parties.
30. Notice: Any notice which either party may be required to give under this Lease may be delivered personally or sent by first class mail as follows:
- a. To Lessee at: 7901 Dan Smith Road, Watervliet, MI 49098
  - b. To Lessor at: 63133 16<sup>th</sup> Avenue, Bangor, MI 49013  
To Lessor at: 09761 Blue Star Highway, South Haven, MI 49090
30. AUTHORIZATION TO EXECUTE THIS AGREEMENT:  
Each individual executing this agreement on behalf of either the corporation or the township entity warrants that he or she is duly authorized to execute this lease agreement on behalf of such corporation or township and that this lease agreement is binding upon such corporation or township.

Date:	Date:	Date:
Lessee Best Way Disposal Inc.	Lessor South Haven Charter Township	Lessor Geneva Townshp
By:_____	By:_____	By:_____
Its: Division Manager	Its: Supervisor	Its: Supervisor

## Rates Effective April 1, 2025

What: ***Recyclable Material***

\$ 5.00 per 18 gallon recycling tot  
 Newspaper & Magazines,  
 Phone Books, Catalogs,  
 Tin / Aluminum (including  
 Kitchen cans)  
 Plastics #1 & #2 only  
 Glass; Green, Brown & Clear  
 Corrugated Cardboard  
 Cereal Boxes and other related types  
 Of boxes

***Non-Recyclable***

No Liquids or Hazardous Waste  
 such as oil base paint & batteries

***Transfer Station Material: Costs***

Cubic yard of Waste	\$ 24.00
Shingles per Cubic Yard	\$ 45.00
30 Gallon plastic bag	\$ 4.00 each
55 Gallon Drum	\$ 7.00 each
96 Gallon Cart	\$ 12.00 each

Furniture & Mattress	\$ 28.00 each
White Goods: Refrigerators,	\$ 28.00 each
Stoves, Washers/Dryers	
Water Heaters	

Refrigerators not accepted  
 unless FREON is out & tagged

No tires or burning barrels will be accepted.

Different size trucks and trailers (at the discretion of the station operators) will add or  
 Subtract a load price according to over-fill of truck or trailer.

<u>Pickup Trucks &amp; Trailers</u>		<u>Level Full to Rails</u>	<u>Full to Top of Cab</u>
Small Size	6 ft bed	\$ 45.00	\$ 76.00
Full Size	8 ft bed	\$ 58.00	\$ 99.00

<b>Memo:</b> South Haven Charter Township Board
<b>From:</b> Tasha Smalley, Zoning Administrator
<b>Date:</b> January 2025
<b>RE:</b> amend/update fee schedule

I would like to propose amendment/update to the Zoning Fee Schedule.

Thank you in advance for your consideration.

**SOUTH HAVEN CHARTER TOWNSHIP**  
**FEE SCHEDULE** updated 2-9-22

Dwelling <i>single or two family</i>	\$50.00
Addition	\$50.00
Accessory building	\$50.00
Addition, deck, shed ( <i>under 200 sq ft</i> )	\$10.00
Residential fence permit	\$25.00
Residential sign permit	\$10.00
Agricultural Exempt Building permit	\$50.00
Zoning Permit -other uses not listed above	\$50.00
Land Division	\$75.00 for first division, \$10.00 each additional division
Boundary Line Adjustment	\$50.00
Lot/parcel combination	no fee
Violation of construction without permits - 1 <sup>st</sup> letter	\$50.00
2 <sup>nd</sup> letter	\$100.00
Violation of state law requiring contact of agency(ies)	\$50.00 per agency
Shoreline protection permit	\$75.00
Site Plan Review	
review not requiring a public hearing	\$500.00
review requiring a public hearing	\$750.00
Special Land Use	\$750.00
PUD - Special Use	\$1250.00
PUD - Rezone	\$1400.00
Zoning review to administratively	
approve minor change(s) to an approved site plan	\$50.00
Private road permit -when not part of a development	\$100.00
Zoning Board of Appeals (variance)	\$700.00
Rezoning	\$800.00
Over 10 parcels	\$1000.00
Commercial Signs	\$50.00
Billboard repair (existing)	\$50.00
New Billboard	\$500.00
Temporary Use (commercial)	\$150.00
Temporary Use (residential)	\$50.00
Construction Board of Appeals	\$500.00

**SOUTH HAVEN CHARTER TOWNSHIP**  
**ZONING FEE SCHEDULE**  
draft updated Jan 2025

Dwelling <i>single or two family</i>	\$50.00
Addition	\$50.00
Accessory building	\$50.00
Addition, deck, shed ( <i>under 200 sq ft</i> )	\$10.00
Residential fence permit	\$25.00
<del>Residential sign permit</del>	<del>\$10.00</del>
Agricultural Exempt Building permit	\$50.00
Other uses not listed above	\$50.00
Violation of construction without permits - 1 <sup>st</sup> letter	\$50.00
2 <sup>nd</sup> letter	\$100.00
<del>Violation of state law requiring contact of agency(ies)</del>	<del>\$50.00 per agency</del>
Land Division	\$75.00 for first division, \$10.00 each additional division
Boundary Line Adjustment	\$50.00
Lot/parcel combination	no fee
Shoreline protection permit	\$75.00
Site Plan Review	
review not requiring a public hearing	<del>\$500.00</del> \$600.00
review requiring a public hearing	\$750.00
<b>Amendment to an approved site plan</b>	
<b>Requiring Planning Commission approval</b>	<b>\$250.00</b>
<b>Requiring a public hearing</b>	<b>\$375.00</b>
Amendment to an approved site plan	
Zoning administrator approval	<del>\$50.00</del> \$100.00
Special Use Permit	\$750.00
PUD - Special Use	<del>\$1250.00</del> \$1500.00
PUD - Rezone	<del>\$1400.00</del> \$2000.00
Private road permit -when not part of a development	\$100.00
Zoning Board of Appeals (variance)	<del>\$700.00</del> \$750.00
Rezoning	<del>\$800.00</del> \$1000.00
Over 10 parcels	<del>\$1000.00</del> \$1200.00
<b>Conditional Rezone</b>	<b>\$2000.00</b>
Commercial and Residential Signs	\$50.00
Billboard repair (existing)	\$50.00
New Billboard	\$500.00



Temporary Use ( <del>commercial</del> ) requiring Planning Commission review	\$150.00
Temporary Use ( <del>residential</del> ) Requiring zoning administrator review	\$50.00
Construction Board of Appeals	\$500.00

**SOUTH HAVEN CHARTER TOWNSHIP**  
**ZONING FEE SCHEDULE**

draft updated Jan 2025

Dwelling <i>single or two family</i>	\$50.00
Addition	\$50.00
Accessory building	\$50.00
Addition, deck, shed ( <i>under 200 sq ft</i> )	\$10.00
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Boundary Line Adjustment	\$50.00
Lot/parcel combination	no fee
Shoreline protection permit	\$75.00
Site Plan Review	
review not requiring a public hearing	\$600.00
review requiring a public hearing	\$750.00
Amendment to an approved site plan	
Requiring Planning Commission approval	\$250.00
Requiring a public hearing	\$375.00
Amendment to an approved site plan	
Zoning administrator approval	\$100.00
Special Use Permit	\$750.00
PUD - Special Use	\$1500.00
PUD - Rezone	\$2000.00
Private road permit -when not part of a development	\$100.00
Zoning Board of Appeals (variance)	\$750.00
Rezoning	\$1000.00
Over 10 parcels	\$1200.00
Conditional Rezone	\$2000.00
Commercial and Residential Signs	\$50.00
Billboard repair (existing)	\$50.00
New Billboard	\$500.00
Temporary Use	
requiring Planning Commission review	\$150.00
Temporary Use	
Requiring zoning administrator review	\$50.00
Construction Board of Appeals	\$500.00

## SOUTH HAVEN AREA REGIONAL AIRPORT AUTHORITY MINUTES

JANUARY 15, 2025

Pursuant to Act 267 of 1976, as amended (Open Meetings Act), the Board Members of the South Haven Area Regional Airport Authority (SHARAA) met at the South Haven Area Regional Airport, 73020 C.R. 380, South Haven, Michigan on Wednesday, JANUARY 15 2025.

Brent Nichols Called a regular meeting of the South Haven Area Regional Airport Authority Board to order at 7:30 pm.

### BOARD MEMBERS PRESENT:

Jon Woodhams, Geneva Township, Vice Chair  
Mary Hosley, City of South Haven  
Jim Sankofski, Casco Township  
Todd Jensen, South Haven Township  
Brent Nichols-Chair  
Fred Bower, Covert Township

### BOARD MEMBERS ABSENT:

Ross Woodhams, alternate for City of South Haven

- I. **Agenda:** Jon Woodhams motioned to approve the agenda for the JANUARY 15, 2025, Airport Board Meeting. Mary Hosley seconded this motion. **All voted in favor. The motion to approve the agenda carries. YEA 6 / NA 0**

- II. **Public Comments:** NONE

Jon Woodhams motioned to approve the consent agenda, and Mary Hosley seconded this motion:

#### Consent Agenda:

- Expenses from:
- November 2024 Totaling: \$22,805.63
  - December 2024 Totaling: \$6,385.50
  
  - Manager's reports dated: DECEMBER 18, 2024 & JANUARY 15, 2025
  
  - Minutes of NOVEMBER 20, 2024

A roll call vote to approve the consent agenda was taken and **all voted in favor. The motion carries. YEA 6 / NA 0**

III. **Committee Reports:** NONE

IV. **Old Business:**

Mary Hosley moved for acceptance of the Runway 23 Tree Removal construction contract from MDOT Aeronautics. Brent Nichols seconded this motion. A roll call vote was taken. **All voted in favor. The motion carries. YEA 6 / NA 0**

Mary Hosley made a motion to accept the quote given by Integrity Tree Services of \$15,500, or the lowest available bid at the Manager's discretion, to remove roughly three acres of obstructions (trees) that need to be removed for the airport's weather system (AWOS) to be upgraded. Todd Jensen seconded this motion. A roll call vote was taken. **All voted in favor. The motion carries. YEA 6 / NA 0**

V. **New Business:**

Assistant Manager Dan Sanborn presented the airport's new Airport Layout Plan (ALP) from the consulting firm Mead & Hunt. Mary Hosley is working to add this updated ALP to the city of South Haven's files.

Airport Manager John Carlson addressed the board regarding the hangar wait-list and shed light on the fact that as the city continues to evolve into a tourist hotspot, the hangar wait-list is evolving with a growing number of pilots with primary residences in other areas of the country.

VI. **Member Comments:**

Chairman Brent Nichols commented on the runway conditions and said they were looking great. Fred Bower added that Randy Mitchell has been doing a great job with snow removal. The board unanimously agreed.

Mary Hosley moved to adjourn the meeting Brent Nichols seconded this motion. The meeting was adjourned at: 8:17pm.

**SOUTH HAVEN AREA REGIONAL AIRPORT AUTHORITY**

Brent Nichols, Chairman  
Jon Woodhams, Geneva Township, Vice Chair  
Todd Jensen, South Haven Township  
Mary Hosley, City of South Haven  
Ross Woodhams, alternate for City of South Haven

Fred Bower, Covert Township  
Julian Allen, Covert Township  
Jim Sankofski, Casco Township  
Nancy Kelley, Treasurer  
John Carlson, Secretary

# Michigan Township Services - Allegan, Inc.

111 Grand Street  
(269) 673-3239 fax: (269)673-9583

## Permits Issued For SOUTH HAVEN TOWNSHIP

### Building

Date	Permit #	Site Address	Construction Cost	Permit Cost	Owner	Type Of Construction
1/3/2025	SHB25001	75586 16th Ave	\$250,000.00	\$890.00	Scherer	Modular w/ Att Garage
1/8/2025	SHB25002	22797 M-140 Hwy	\$16,206.86	\$188.00	Golden	Install Smart Jacks
1/13/2025	SHB25003	74631 16th Ave	\$310,000.00	\$1,070.00	McDermott	New Single Family Res
<b>Building Totals</b>			<b>\$576,206.86</b>	<b>\$2,148.00</b>		

### Electrical

Date	Permit #	Site Address	Construction Cost	Permit Cost	Owner	Type Of Construction
1/6/2025	SHE25001	70164 C. R. 380		\$110.00	Oliver	
1/7/2025	SHE25002	10010 Bluestar Hwy		\$105.00	Newell	
1/9/2025	SHE25003	73020 C. R. 380 Hanger L-6		\$120.00	Jensen	
1/9/2025	SHE25004	71057 C. R. 388 unit 6B		\$110.00	Benn	
1/13/2025	SHE25005	11820 Bluestar Hwy		\$190.00	Davis Landscaping	Remodel
1/15/2025	SHE25006	77587 Sheridan Rd		\$190.00	Smagacz	Modular w/ Att Garge
1/17/2025	SHE25007	Corner of M-43 Hwy & 73rd S		\$65.00	Itron, Inc	Solar Farm
1/29/2025	SHE25008	70962 2nd Ave		\$110.00	Pressley	
1/30/2025	SHE25009	72710 12th Ave		\$110.00	Bolden	Manufactured Home
1/31/2025	SHE25010	72710 Lighthouse Blvd		\$460.00	U-Haul International	Accssy Storage Building
1/31/2025	SHE25011	72710 Lighthouse Blvd		\$1,190.00	U-Haul International	Main Office/Storage Bldg
<b>Electrical Totals</b>				<b>\$2,760.00</b>		

### Mechanical

Date	Permit #	Site Address	Construction Cost	Permit Cost	Owner	Type Of Construction
1/17/2025	SHM25001	70762 M-43 Hwy		\$130.00	Norman	
1/21/2025	SHM25002	77587 Sheridan Rd		\$145.00	Smagacz	Modular w/ Att Garge
1/22/2025	SHM25003	09844 Kassian Ct		\$115.00	Verbeek	
<b>Mechanical Totals</b>				<b>\$390.00</b>		
<b>Mechanical Totals</b>			<b>\$576,206.86</b>	<b>\$5,298.00</b>	<b>\$529.80</b>	



# Van Buren Conservation District

## January 2025 Program Update

Submitted by *Emily Hickmott, Executive Director*

Happy New Year!

Despite the cold start to the year, things are heating up at the District! We have been releasing recycling dates for 2025, our county-wide survey, our tree seedling sale, CISMA Annual Meeting (Feb. 28), and a seasonal job posting in the last few weeks. Be sure to send us any questions from this report and keep up to date on our website and social media accounts to know what's happening next. [www.VanBurenCD.org](http://www.VanBurenCD.org)

**Conservation Needs Assessment Survey:** We, at the Van Buren Conservation District (VBCD), are looking to hear from you! Take our quick survey to guide conservation in Van Buren County. Whether you live, work, or play in Van Buren County, we need your input. Your thoughts help the VBCD better serve you, our community, and our natural resources.

The VBCD brings programs, services, education, and events to our community. To address our local needs, we need your local voice. Your input helps us focus conservation funding and programming for Van Buren County. This quick survey takes about 10 minutes. All responses are anonymous. For assistance with the survey, contact us at [info@VanBurenCD.org](mailto:info@VanBurenCD.org) or call 269-633-9054. Complete the survey to be entered into a drawing for special prizes! Take the survey by May 31, 2025! <https://vanburencd.org/input/>

**Tree Seedling Sale:** The annual VBCD Tree Sale is open through March 31, 2025! Don't miss out on this preorder period - we do sell out of species before it closes! We are excited to once again provide you with quality, affordable seedlings. Your purchase reforests our community and supports local conservation! Our new and classic tree and shrub species provide a wide variety of options to meet your needs. The bonus is they are all great for our environment and wildlife!

- Flowering and ornamental species
- Nut and fruit-producing species
- Species to block wind
- Shade tree species
- High value lumber species
- Species for erosion control
- More!

Be sure to check out our accessories. Show your support of local conservation efforts and action! Whether you're new to Tree Sale or want a reminder, read more about our sale here: <https://vanburencd.org/shop/> Have questions? Contact Outreach Coordinator Jacob Diljak at [Outreach@VanBurenCD.org](mailto:Outreach@VanBurenCD.org) or call 269-633-9052.

### **Program Updates:**

- **Ag Conservation/Water Quality Projects** (*Erin Fuller, Colleen Forestieri, Carlie Southland*) - The Ag and Water Quality team is excited to kick off a new grant project: "Stacking BMPs to Mitigate Ag



## Van Buren Conservation District January 2025 Program Update

Submitted by Emily Hickmott, Executive Director

Runoff in the Paw Paw River.” BMPs are Best Management Practices. This 2-year project is funded through the Clean Water Act and is administered by Michigan’s Department of Energy, Great Lakes and Environment (EGLE). The grant will bring in nearly \$600,000 to Van Buren County and will fund cost-share for farmers, educational events, and on-farm research.

- **SWxSW Corner CISMA (Cooperative Invasive Species Management Area) Team** (*Abbie Bristol, Alex Florian, Jena Johnson*) - The CISMA Team finished out the year wrapping up field work for the Great Lakes Restoration Initiative (GLRI) grant. Our surveys of invasive species along Van Buren County roads are ongoing. We are also developing a partnership with GEI, an environmental contractor, to conduct invasive species surveys for a large municipal project at Ox Creek in Benton Harbor. Planning for the CISMA Annual Meeting has begun in preparation for the end of February 2025.
- **Michigan Agriculture Environmental Assurance Program (MAEAP)** (*Kyle Mead*) - The technician has been working on reaching out to Cass County farmers to complete Re-Assessments after the holidays. He also participated in Soil Health Fundamentals Training with the Newly created Regen-Ag Program and Understanding Ag to learn how to complete the new Regen-Ag soil assessments that are now part of the MAEAP (CTAP) Grant. The tech volunteered to help train 3 new technicians from the area and organized a Walk Through of Windswept Farms in Monterey. That is 4-system verified where the new techs could learn how the Van Buren technician pre-plans for a visit, how he sets up 3-ring binders to give to the farm at the visit, and how to look at specific things on the farm as well as ideas on how to troubleshoot alternative practices so that a farmer can choose which Best Management Practices would work best for their operation, and how they farm.
- **National Association of Conservation Districts (NRCS) Technical Assistance** (*Lucas Hartman, Gabriel Francisco*) - As with every December, this seems to be the slower month for things happening on the NRCS side, as the EQIP is still in the application period and waiting for direction from the new farm bill. Next month, things start rolling out again, and Lucas, Kami, and Gabe already have a large group of folks waiting to get going. Looking like another full year of EQIP’s coming down the pipeline for Van Buren County.
- **Outreach** (*Jacob Diljak*) - The VBCD has amazing things coming out in 2025! Conservation needs your input - take the Conservation Needs Assessment survey to guide conservation! This short survey is for all who live, work, or play in Van Buren County: [VanBurenCD.org/input](https://VanBurenCD.org/input). Our Tree Sale is open! Shop affordable seedlings and help raise funds for local conservation - shop now at [VanBurenCD.org/shop](https://VanBurenCD.org/shop)
- **Resource Recovery & Recycling** (*Kalli Marshall, Jacob Diljak*) -December is the season for celebrating. The Resource Recovery team was able to celebrate the success of the program by summarizing the results of the post collection survey. Overall, results were very good and residents seem very happy with the services we offer. Jacob and Kalli attended an accessibility event with Michigan Sustainable Business Forum and learned about considerations for all abilities to access services.