

**SOUTH HAVEN CHARTER TOWNSHIP  
PLANNING COMMISSION  
MINUTES**

Wednesday, January 3, 2024

Approved February 7, 2024

**1) Call to Order: 7:00 PM**

**2) Role Call:**

Tippman - present  
Kiry – present  
Odland - present  
Meyer – present  
Poole – present  
Dibble – present  
Nicol – present

**3) Approval of the Agenda**

Odland requested to review the applications separate (public hearing and decision one at a time). Motion by Poole to approve the agenda with change, second by Meyer, 7-0 yes, motion passed.

**4) Approval of the Minutes**

Motion by Nicol to approve the minutes of December 6, 2023, second by Meyer, 7-0, yes motion passed.

**5) Public Comment non-agenda items - none**

**6) Communications / Correspondence - none**

**7) Public Hearings –**

1. Applicant/Owner, M140 South Haven LLC of Grand Rapids MI has petitioned for a Special Use permit for Marihuana Business Establishment at 11637 M140 Hwy (80-17-015-010-10).

Smalley went over the request: applicant wishes to remodel the existing building at 11637 M140 AKA NOBO for Marihuana Business. Existing building approx 40x100, 3866 sqft. Proposed 21-10x20 parking spaces.

Applicant, Chris Doeselaar, he is the owner and leasing the space to NOBO. Cathy Pile, VP operations NOBO went over the business. They have been in business for 4 years. They also grow, process and sell. Other stores in neighboring communities.

A motion was made by Poole to open the public hearing at 7:12pm, second by Meyer. 7-0 yes, motion passed.

No correspondence received.

Mary Zimmerman, 12<sup>th</sup> Ave. against selling drugs. Questioned if there would be smell. Cathy NOBO stated there will be no smell. The State regulates and requires filters.

Andrew Newell, Deercreek, stated cannot consume on the property.

Chris Doeselaar went over some of the remodel: paint, new windows, move walls around to create retail area and other State required areas, new bathroom(s).

Dibble asked when he purchased the property; he stated about a month ago.

A motion was made by Poole to close the public hearing at 7:18pm, second by Kiry. 7-0 yes, motion passed.

2. Applicant, Andrew Newell of South Haven MI, owner Hamp LLC of South Haven MI has petitioned for a Special Use permit for Marihuana Business Establishment at 10010 Blue Star Hwy (80-17-015-102-20).

Smalley went over the request: applicant wishes to remodel the existing building at 10010 Blue Star for Marihuana Business. Existing building approx. 24x60 1485 sq ft. Proposed 10- 10x20 parking spaces.

Applicant/consultant Greg D'Agostino, Tenex Strategies went over project, will use existing sign, just a herby kerby, hours 9a-9p; minimal remodel.

A motion was made by Poole to open the public hearing at 7:35pm, second by Nicol. 7-0 yes, motion passed.

No correspondence  
No public comment

A motion was made by Poole to close the public hearing at 7:36pm, second by Meyer. 7-0 yes, motion passed.

**8) New Business –**

a. Special Use for Marihuana Business Establishment at 11637 M140, 80-17-015-010-10, M140 South Haven LLC, AKA NOBO.

Dibble went over the Special Land Use standards for making a decision 15.06. A- will be harmonious and in accordance with the general objectives, intent and purpose of this ordinance. Changing the property line is changing the intent. Many properties are available.

Poole asked about the line change. Smalley stated that the boundary of this parcel was adjacent to a property with a dwelling. The 100ft setback would not be met. The applicant applied for a 10feet boundary line adjustment so the property with the dwelling is no longer adjacent. Poole stated not happy with the adjustment but meets the requirements.

A motion was made by Nicol to recommend approval of the Special Land Use and Site Plan to the Township Board with condition: obtain all required permits local, county, state, federal. No further discussion. Second by Kiry. Roll Call vote: Poole-Yes; Dibble-No; Tippman-Yes; Odland-Yes; Nicol-Yes; Kiry-Yes; Meyer-Yes. 6-1, yes motion passed.

b. Special Use for Marihuana Establishment at 10010 Blue Star Hwy, 80-17-015-102-20, Andrew Newell, AKA Breedsville Provision.

No discussion

A motion was made by Meyer to recommend approval of the Special Land Use and Site Plan to the Township Board with condition: obtain all required permits local, county, state, federal including driveway permit from Road Commission. No further discussion.

Second by Dibble. Roll Call vote: Poole-Yes; Dibble-Yes; Tippman-Yes; Odland-Yes; Nicol-Yes; Kiry-Yes; Meyer-Yes. 7-0, yes motion passed.

c. Dark Sky Initiative presentation - Maureen Lewandowski. Earth is getting more light, 93% cannot see the Milky Way. Some states have gone Dark Sky for tourism; camping, hiking etc. Maureen presented Beverly Shores IN ordinance; short and to the point. She wishes to make small changes in the ordinance to become more Dark Sky compliant. Starting with commercial projects. Meyer stated that Meijer parking lot lighting is a good example. Maple Grove school is another good example. Smalley will work on some text in the site plan review section and look into other Dark Sky ordinances.

d. 2024 Calendar. Continue with 1<sup>st</sup> Wednesday at 7:00pm. There will not be a meeting July 3<sup>rd</sup> due to the fireworks festivities. All the other dates were approved. Motion by Poole to approve the 2024 Calendar with removal of July 3<sup>rd</sup> , second by Kiry, 7-0, yes motion passed.

**9) Unfinished Business – none**

**10) Staff & Subcommittee report**

ZBA report- Tippman – no meeting in Dec, upcoming meeting Jan 15

Board report – refer to Board minutes

Zoning report – Smalley – so far nothing for Feb

**11) Commissioner Comments and Public Comment**

**12) Adjournment**

at 8:30pm

*Respectfully Submitted by:*

*Tasha Smalley*

*Zoning Administrator/Recording Secretary*