

**SOUTH HAVEN CHARTER TOWNSHIP**  
**PLANNING COMMISSION**  
**MINUTES**

Wednesday, June 4, 2025

draft

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

**2) Role Call:**

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

Audience:

Zoning Administrator: Tasha Smalley

Applicants

Lots of audience

**3) Approval of the Agenda**

Motion by Tippman to approve the agenda with removal of Unfinished Business a. Zoning Ordinance update, second by Meyer, 7-0 yes, motion passed.

**4) Approval of the Minutes**

Motion by Nicol to approve the minutes of May 7, 2025 as presented, second by Dibble, 7-0, yes motion passed.

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

**6) Communications / Correspondence - 4 letters acknowledged at end of public hearing.**

**7) Public Hearing –**

Applicant Robert Nydza has petitioned for Preliminary PUD (Planned Unit Development) V/L 6<sup>th</sup> Ave, 80-17-012-014-00, for a residential development, 10acres, approx. 10homes.

Smalley briefly went over the application: Preliminary review for PUD Type I, special use, MDR. Property is 20 acres. PUD proposed on 10 of the 20 acres. Proposed 10 homes. Township approved private road with 33ft right-of-way (May 14, 2025).

Robert Nydza, owner of the property, also went over the project. Planning 10 short-term rental homes. Plan is to keep as much woods and trees as possible, only remove what is necessary for the project. Odland asked what the timeline of construction; Mr. Nydza stated approximately two homes a year, maybe more. The homes are proposes in a circle and in the middle there will be a grassy area for gathering; fire pit, picnic tables, maybe pavilion, not planning a “club house”.

Tippman asked what time of rental, Nydza stated a week to week rental (7days).

Nicol stated the plan was weak and did not explain/show what the project was. Asked about the house layout/design, number of bedrooms, etc. Also asked about how many trees keeping, along the road? The area in the middle? How much of the road will be paved? Mr. Nydza stated plans to keep as many trees as possible in the front for screening and will clear trees in the middle area, but keep any large mature trees. Floor plans will accommodate up to approx. 4-5 people. The pavement will be extended from the existing pavement to the property line and the rest of the drive will be upgraded to a private road and be improved to private road standards.

Rob Pirsein, Merritt Midwest Engineer, spoke on proposed septic and well; original plan was for each house to have own systems and will conversation with county health department might now be a community septic and well. Soil testing starting June 17.

Odland asked if there will an on-site manager? Mr. Nydza stated there will not be an on-site staff person. The check-in will be from on line reservation and keypad. If there is a probably, a guest would email the website.

Odland asked why only 10 homes and not the 38 max permitted; Mr. Nydza stated wants to keep rural and keep trees. Was designed to be only 10 homes.

Dibble stated this is a resort, not single family homes. Short term rental is a business, business not allowed in MDR. Need the attorney opinion regarding this topic.

Motion by Poole to Open the Public Hearing 7:31p, second by Tippman, 7-0yes motion passed

#### Public comments

Shannon Kellogg 71145 6<sup>th</sup> Ave, lived in area since 2002, concerned with new people in and out, not enough police resources.

Tammy Schnoberger 70434 6<sup>th</sup> Ave, lives across the street for 30 years, opposed to strangers coming in and out; no more than 4 dwellings allowed on 20 acres.

Jamie Cowell 70416 6<sup>th</sup> Ave, multi-generation family, will not feel safe, asked number of people in each unit, traffic concerns, well concerns; do not want this to drain wells.

Mr. Nydza responded, approx. 4-5 people per unit. Design will not allow more people.

Shannon Aldridge 70442 6<sup>th</sup> Ave, lived in the area for 13 years, lot of people walk dogs, kids, bikes, concerned with new traffic this will generate, well concerns, does not want this to drain wells. Opposed to business purpose of land. Concerns with traffic safety, hard to see in places on 6<sup>th</sup> Ave.

Vikie Olson 70700 6<sup>th</sup> Ave, opposed to this commercial venture, short term rental is a business, like a hotel; will lower property value; small road will issues already.

Richard Valkner 70450 6<sup>th</sup> Ave, 4 homes are allowed in 20 acres, wanting number of homes to be clarified, worried about potential of what could be developed.

Jan Jones 71822 6<sup>th</sup> Ave, concerned with traffic; the road issues were brought up to the Board and no resolve to fix it; the road does not have shoulder; cut through to 73<sup>rd</sup>.

Edan Valkner 70450 6<sup>th</sup> Ave, same traffic concerns as mentioned; his property is at the end of the easement and has been since 1932. Concerns with easement improvements and disrupting inground utilities; questions of legality of improving the easement to a private road; concerns with road being blocked and not being able to get in or out; concern with people trespassing; would like conditions placed on project: no fires, no fireworks, more strict noise ordinance, no drones.

Tom Campbell 71872 6<sup>th</sup> Ave, concern with the STR response, complaint, need someone on site to be responsible and quick to respond.

Brian Griffin 06213 Springhill Dr, concerns with the easement, is it public or private, referred to 16.08A#1&2

Robert Trowbridge 01250 Blue Star, asked when draft minutes would be available

Vickie Olson, owner Mr. Nydza lives in Bridgman, too far away to respond; has the DNR been contacted or a study done to protect endangered species?

Tammy Schnoberger, stated the area lose power a lot, concerns that this project will add to much to the electric service; asked if background checks were done for renters

Chairperson Odland read the letters submitted

Mildred Suhr 9311 W Nagle Ln Rathdrum ID, David Suhr 70477 6<sup>th</sup> Ave South Haven

Tom Campbell and Jan Jones 71822 6<sup>th</sup> Ave

Linda Weintraub

Dennis and Vicki Olson, 2 letters

No further questions or comments

Motion made by Poole to close the public hearing at 8:20, second by Nicol, 7-0yes, motion passed.

#### **8) New Business –**

##### **a. Discuss Preliminary review PUD**

Odland read over the Review Standard in 16.09 A-J, consensus the standards are met for the preliminary with additional reviews and studies done.

Dibble stated no business use allowed in MDR. STR is a commercial business.

Request the attorney to give an opinion on single family home vs short term rental, business.

Per Mr. Nydza, no extra lighting, just light on the homes, no street lighting proposed

Discussed the potential of wetlands, possible endangered and/or protected species. Request an environmental report to state if there is wetland area(s) and study for species.

Will need drain commission review and/or approval for final

Lots of concern about possible expansion to more than 10 proposed home. Mr. Nydza stated a few times that the way the homes are designed there is not room to build more. Idea is to keep as many trees and

keep rural woods feel. Odland asked if he would preserve the land, conservation easement. Mr. Nydza said he would be able to do a conservation easement stating the land cannot be further developed.

Discussed the traffic concerns, lot of concern stated during public comment about the state 6<sup>th</sup> Ave is in and what this additional traffic could do to the road. Request a traffic study be done.

Discussed the easement becoming a private road, would like to see the easement paperwork

Items to provide for final site plan:

1. All items required in the PUD ordinance for final site plan
2. Drain commission review / approval of storm water management
3. Road commission approval for the road end extension
4. Environmental study including wetlands and species (protected and/or endangered)
5. Traffic study
6. Copy of the existing easement language; easement for Valkner to access their property
7. Copy of draft language for conservation easement to protect the remainder of the property from being built
8. The Township will get an opinion from the attorney regarding single family home vs short term rental if considered a business use or a single family home regulated by the short term rental ordinance; resort, business

Recess meeting at 8:49p

Reconvene meeting 8:59p

**b. Site Plan Review, Matt Bakker, Landscape Design. 71355 CR 388, 80-17-012-026-05, new use: Landscape Design Services, satellite office, storage of materials and equipment.**

Smalley went over the application: site plan review to change use of the property. Last use was horse barn and tack store. Proposed use is Landscape business satellite office, main office is in Holland. There will be an office and storage of vehicles and an area for storage of mulch. No retail sales of landscape materials. Smalley asked Mr. Bakker if he closed on the property, he stated yes closed on May 16.

Mr. Bakker went over application; main office is out of Holland, been in business since 90's. Already 4 trucks servicing the South Haven area; use the property as is for now to start storing trucks; plans to update the property and will submit site plan at that time.

Dibble asked about outside storage, Mr. Bakker stated there would be an area for mulch, wood chips, but not an area to bring and store yard debris.

Chairperson Odland went over 22.06D, Criteria for Site Plan Review

1. Surface water drainage – does not apply, no work being done. The site is already established.
2. Drives, parking, circulation – does not apply, already built out. A permit from the road commission will be required for new use of the property. Parking area already existing.
3. Roads, utility service and infrastructure – does not apply, no work being done, utilities already exists
4. Signs and lighting – no sign or lighting proposed. If sign and lighting proposed a new site plan will be submitted.
5. Screening and buffering – Mr. Bakker stated he will be putting in a row of trees on the east property line to screen the adjacent resident.

Motion by Poole to approve the site plan at 71355 CR 388, 80-17-012-026-05 for change of use with

condition: driveway permit is obtained from the Road Commission, second by Meyer. 7-0yes, motion passes.

**9) Unfinished Business – none**

**10) Staff & Subcommittee report**

ZBA report- Tippman – nothing to report

Board report – Poole – Board approved the private road with 33ft of easement for Mr. Nydza 6<sup>th</sup> Ave, 80-17-012-014-00

Zoning report – Smalley – nothing to report

**11) Commissioner Comments and Public Comment**

**12) Adjournment**

at 9:30pm

*Respectfully Submitted by:*

*Tasha Smalley*

*Zoning Administrator/Recording Secretary*