

**SOUTH HAVEN CHARTER TOWNSHIP  
PLANNING COMMISSION  
MINUTES**

Wednesday, October 1, 2025

Corrected/approved November 5, 2025

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

**2) Role Call:**

Tippman - present  
Kiry – ~~present~~ arrived late, present  
Odland - present  
Meyer – present  
Poole – present  
Dibble – present  
Nicol – present

Zoning Administrator: Tasha Smalley

Audience:

Applicants

Township resident(s)

**3) Approval of the Agenda**

Odland, add public comment to Unfinished Business b. Motion by Nicol to approve the agenda with amendment, second by Tippman, 6-0 yes, motion passed. *(Kiry not in attendance)*

**4) Approval of the Minutes**

Motion by Dibble to approve the minutes as presented of September 3, 2025, second by Nicol, 7-0, yes motion passed. *(Kiry in attendance)*

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

**6) Communications / Correspondence - none**

**7) Public Hearing – none**

**8) New Business –**

- a. 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 briefly went over the project: PC approved change of use, minor changes June 4, 2025. This application is to upgrade the property for the landscape office. Renovate building to add bay doors and add office area, upgrade parking, detention basin, gravel yard, removing existing building by CR 689, storage area enclosure for materials, landscape east side to screen residential use.

Matt Bakker, Landscape Design: have 6 local members and this new space will double the team. The space is working since stated using in June.

Poole question about parking: 23 required and 19 spaces are shown on plan. Bakker added there is an area for overflow parking if needed.

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

1. Surface water drainage – project sent to drain commission for approval; calcs submitted with application
2. Drives, parking, circulation – existing driveway, spaces added on the plan;
3. Roads, utility service and infrastructure – already existing
4. Signs and lighting – sign with most likely be by road; all lighting will be downward facing
5. Screening and buffering – adding vegetation to screen neighbor to east (no fence)

Motion by Tippman to approve the upgraded site plan for Landscape office with the following condition:

1. Obtain permit approvals from required agencies. Second by Poole. No further discussion. 7-0yes, motion passed.

### **9) Unfinished Business**

- a. Continue review from postponed review/decision June 2025

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

Smalley briefly went over the project: the public hearing was in June and the PC requested an opinion from the attorney regarding STR and commercial use in MDR. The review and decision was postponed. The PC will go through the review process, Preliminary PUD.

Cody Hartzler, Hartzler Construction represented the owner Robert Nydza. Added perk test was done for septic system(s), areas that will handle septic (mound system). Each home would have own system. Water test was not done yet. Waiting for review to do any further tests or plans.

Chairperson Odland went SECTION 16.09 STANDARDS FOR REVIEW

The Planning Commission shall determine and shall provide evidence in its report to the Township Board to the effect that the application, site plan and supplementary informational materials submitted by the applicant meet the following standards:

- A. The proposed development shall conform to the Township Master Plan or any part thereof, or represents land use policy which, in the Planning Commission's opinion, is a logical and acceptable change in the adopted Township Land Use Plan. – MDR neighborhood, conforms to MP. Consensus this project meets this standard; concern about short term rental use
- B. The proposed development shall conform to the intent and all regulations and standards of a "PUD" District. – went over the basic standards of PUD, project meets the basic standards.
- C. The proposed development shall be adequately served by public facilities and services such as: highways, streets, sidewalks, street lights, police and fire protection, drainage courses, water and sanitary sewer facilities, refuse disposal; or that the persons or agencies responsible for the proposed development shall be able to properly provide such facilities and services. – there will be private septic / well systems; can add internal sidewalks (use mulch and no pave); some concern with 6<sup>th</sup> Ave handling additional traffic

- D. Common open space, other common properties and facilities, individual properties, and all other elements of a “PUD” are so planned that they will achieve a unified open space and recreation area system, with open space and all other elements in appropriate locations, suitably related to each other, the site and surrounding lands. – the homes are clustered together to expand open space and leave land untouched.
- E. The applicant shall have made provision to ensure that public and common areas will be or have been irrevocably committed for that purpose. Provisions shall have been made to provide for financing of improvements shown on the plan for open space and other common areas and facilities, and that proper maintenance of such improvements is ensured. – these documents to be provided with the final and end of project
- F. Traffic to, from, and within the site will not be hazardous or inconvenient to the project or to the surrounding area. In applying this standard the Planning Commission shall consider, among other things, convenient routes for pedestrian traffic; relationship of the proposed project to main thoroughfares and street intersections; and the general character and intensity of the existing and potential development of the surrounding area. – requested traffic study ; internal sidewalks to stay off the main driveway; was stated “this development will change the neighborhood”; request for turn around at end of private road instead of hammerhead to help “turn around” traffic; concern with Short term rental use
- G. The mix of housing unit types and densities, and the mix of residential and non-residential uses shall be acceptable in terms of convenience, privacy, compatibility, and similar measures. – the definition of dwelling is 1 family, the proposed homes are not single family dwellings; short term rental not listed as a use in MDR district.
- H. The Planning Commission shall determine, where applicable, that noise, odor, lighting, or other external effects which are connected with the proposed use, will not adversely affect adjacent and surrounding area lands and uses. – will have to follow all Twp rules and regulations.
- I. The proposed development shall create a minimum disturbance to natural features and land forms. Per applicant will only disturb area for the homes and driveway(s)
- J. Streets shall follow topography, be properly spaced, and be located and aligned in accordance with the intended function of each street. The property shall have adequate access to public streets. The plans shall provide for logical extensions of public streets and shall provide suitable street connections to adjacent parcels, where applicable. – access to public street, 6<sup>th</sup> Ave, internal drives ok; the private road was approved by the Twp Board.

Chairperson Odland opened for public comment

Edan Valkner, 6<sup>th</sup> Ave; concerns with the private road, easement; family has had the easement since 1935, built 1962, concerned was not given notice of approved private road.

Tina Schnooberger, 6<sup>th</sup> Ave; stated no more than 4 dwellings allowed; mailboxes on the curve cannot see (people not familiar with the area might not see them); concern with water supply, already have water issues.

Cowell, 6<sup>th</sup> Ave; concerns with water, poor water pressure, what will happen to water if all these houses are constructed.

Richard Valkner 6<sup>th</sup> Ave, understands they are trying to build but only 4 homes allowed per land divisions

Shannon Kellogg, 6<sup>th</sup> Ave – safety concerns, lot of walkers, noise concerns, concern with no on site staff/manager

Schnooberger 6<sup>th</sup> Ave – concerns with additional traffic already busy, concern with water hard to find water, who is responsible to snow plow the road

Olson, 6<sup>th</sup> Ave – this will disturb the neighborhood, big lots in the area

Edan Valkner 6<sup>th</sup> Ave – is this a business? Short term rental is a business

Odland asked the audience if the developer contacted them? The audience stated no.

Dibble, CR 689 – concern with the phases, if one-two homes a year that is a long time of construction in and out.

Jones, 6<sup>th</sup> Ave – concerns with traffic, cars go 55mph, people walk

Leach 6<sup>th</sup> Ave – concerns with safety, new/strange people coming and going

Campbell 6<sup>th</sup> Ave – short term rental development not a Planned unit development, commercial development

Olson 6<sup>th</sup> Ave – opposition everywhere

Valkner 6<sup>th</sup> Ave – the owner was not prepared from last meeting, did not provide what was required

Tippman asked about the easement that provides access for Valkner; easement is 33ft running full length of this parcel on the north side. The new owner is aware of the easement and has the title search paperwork. There is concern regarding a phone line that is underground in the 33 easement, if it is damaged it cannot be replaced and Valkner will be ~~with~~ without phone/other communication

Nicol asked the builder, Cody, How does this benefit the community (off 6<sup>th</sup> Ave), he did not comment

Odland went over Special Land Use 15.06 Required standards and finding for making determination

- A. Will be harmonious with and in accordance with the general objectives, intent and purposes of this Ordinance. - Per the attorney response too many unknowns in the current zoning ordinance, consensus too many unknowns
- B. Will be designed, constructed, operated, maintained and managed so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity. – single family home design, concern with no manager on site
- C. Will be served adequately by essential public facilities and services; such as, highways, roads, police and fire protection, drainage structures, refuse disposal, or that the persons or agencies responsible for the establishment of the proposed special use shall be able to provide adequately any such service. Consensus not adequately served
- D. Will not be hazardous or disturbing to existing or future neighboring uses. – not be hazardous
- E. Will not create excessive additional requirements at public cost for public facilities, utilities and services. – unclear at the time, need traffic study

Motion by Nicol to approve the Preliminary PUD site plan, special land use; to finish the plan and submit for final approval with the following conditions:

- a) Add sidewalks so pedestrians are not walking on the driveway
- b) Add lighting to the plan
- c) Add refuse/garage area to the plan
- d) Submit floor plan(s) for the units
- e) A traffic study for 6<sup>th</sup> Ave
- f) Clarification on private road / easement documentation
- g) Endangered species study
- h) Documentation that wells can be installed for the units; well drilling test holes, or similar
- i) Submit timeline for construction
- j) All other requirements required for final planned unit development submittal

Second by Kiry. No discussion. Roll call vote: Poole-Yes; Dibble-No; Tippman-No; Odland-Yes; Nicol-Yes; Kiry-Yes; Meyer-No. 4yes 3no motion passes.

#### **10) Staff & Subcommittee report**

ZBA report- Tippman – nothing to report

Board report – Poole – nothing to report

Zoning report – Smalley – nothing to report

#### **11) Commissioner Comments and Public Comment**

Edan Valkner requested a statement added to the minutes: after the meeting Cody, the builder, handed me an envelope, letter stated Edan is/was trespassing and to remove a hunting stand. Edan stated he has not been on the property and has not hunted for many years and the hunting stand is not his. There was a comment earlier in the meeting, Cody stated there has been trespassing and a hunting stand is on the property – by someone in the room.

#### **12) Adjournment**

at 10:10 pm

*Respectfully Submitted by:*

*Tasha Smalley*

*Zoning Administrator/Recording Secretary*