

January 23, 2024

VALLEY TOWNSHIP PLANNING COMMISSION MEETING

AGENDA

7:00 PM – Valley Township Hall

1. Call Meeting to Order : Erin Wright, 7:12pm (waited until this time to allow the zoning administrator more time since that was the first topic).
2. Roll Call of Commission Members: Craig, Erin, Mike, RoseAnn, Brian (later)
3. Pledge of Allegiance
4. Approve proposed Agenda for January 23, 2024
 - a. Motion: Craig
 - b. Support: Mike
5. Approve draft Minutes of December 13, 2023
 - a. Motion: RoseAnn
 - b. Support: Mike
6. Old Business
 - a. Update on Special Use Permit Request- Nienhaus-Deer Processing
 - i. Committee issued apology letter that was picked up by the Bennett family (attached below) indicating that the decision for approval belonged to the zoning official according to our attorney
 - ii. Erin: After review of our ordinances by attorney, it is an allowable use, and zoning official issued the approval
 - iii. Whitney Bennett: notes on record that Adam, for deer processing is not allowed to have any employees as part of this
 - iv. RoseAnn notes that Adam indicated that he received help from a family member only during a time his wife had a severe medical issue she was recovering from.
 - v. Craig: if it gets that big that he can't have employees he would have to move out when he gets that big
 - vi. Mike: as long as it is his business it can be there
 - vii. Whitney: People are going to be driving on our private drive
 - viii. Erin: on the road agreement, there is nothing found as enforceable
 - ix. Kim (Lawton, MI, Mother of Whitney): It is a private drive and it is all hours of the day

- x. ENTER BRIAN to the room; icy roads
- xi. Brian: Attorney let me know that it was a home occupation, Zoning can approve and the attorney said they can do it. Brian notes that he did not know that there was someone outside of the home helping (Brother and law of the home owner having the business). Next step would be to appeal to the ZBA (zoning board of appeals). After that they could engage legally.
- xii. Whitney: are there any laws about it being a private drive? It is not a public road
- xiii. Brian: no there is not, I talked to the developer and the county and basically it just says that the county does not maintain. I have to go on facts and what is written in the ordinance. Your best option is to go with the ZBA.
- xiv. Whitney: When do they meet?
- xv. Brian: They meet as they are needed
- xvi. Kim: Who is Karen in the office that told us this is not possible to do this?
- xvii. Brian: That is our administrative assistant.
- xviii. Brian clarifies that the ZBA would be appealing his decision
- xix. Whitney: Adam did 157 deer in his first season. They have no place to park those customers without using our land
- xx. Erin: can you clarify what you mean my 'our land'?
- xxi. Whitney: we own the roundabout and they park on that and on the shoulder of it
- xxii. Erin: maybe you can work with Adam to put up some flags to help keep his customers off of the shoulder.
- xxiii. Whitney: they cannot do more deer without employees; in 5 years what would this business look like
- xxiv. Craig: if he keeps growing he will obviously have to move
- xxv. Whitney: He confessed that he had employees, his brother in law.
- xxvi. Brian: ok I have taken note of that and we can discuss in my office after this meeting on what the next steps would be.

7. New Business

a. Camping Ordinance

- i. Brian: Our ordinance does not have dates in it. I have been following dates because the permit itself has dates. Do we need to revise the ordinance and add specific dates that you can/cannot reside in the camper? Who could this negatively impact? People building a house and residing while building.
- ii. Mike: Public land is by DNR
- iii. Brian: My biggest concern is installation of things like fire stoves
- iv. Erin: maybe we modify other things like prevent them from making modifications to a camper that make it a permanent structure?
- v. Mike: Do you know who brought this up at the board meeting?

- vi. Brian: Rodney DeYoung
- vii. Erin: Should be table this for next meeting and gather some neighboring ordinances to review?
- viii. Brian I can get neighboring township ordinances to review
- ix. RoseAnn wants paper copy of all ordinances and Erin wants electronic searchable
- x. Brian agrees to work on these.

8. Zoning Administrator Report/ZBA Report

- a. Brian: It has finally slowed down a bit everywhere. We have not had a lot going on with the exception of the concerned citizens on the deer processing
- b. I can start working on organizing the ordinances in electronic and paper format
- c. Brian to call the attorney because we need a copy with the changes back
- d. Craig suggests an engineering company to help us this time. Reminds that review period is every five years.
- e. Erin: When was last review?
- f. RoseAnn: 2019

9. Open Discussion on Non-Agenda Items/Public Comment

- a. N/A

10. Adjournment: Motion by RoseAnn and Support by Mike, 7:59

Addendums

1. Apology Letter



VALLEY TOWNSHIP

2054 North M-40, Allegan, MI 49010 Phone: (269) 673-5962 Fax: (269) 686-8302 Website: www.valleytwp.org

TO: Neighbors of
2138 Oakburr Lane
Allegan MI 49010

RE: The public hearing held on December 13, 2023 for special use permit application to have a home occupation for a deer processing business.

On behalf of the Planning Committee we would like to issue a sincere apology for our holding of this hearing. After consulting with our legal and zoning officials further, it was determined that this decision belongs with the Zoning Official. The Zoning official has made the decision to approve this use case. The planning committee will not be taking action or voting on this matter. We are thankful for the opportunity this provided to connect with and meet members of our community, but apologize for the confusion that this caused.

Dated: January 26, 2024

VALLEY TOWNSHIP

By: 
Erin Wright, Chair

Valley Township Planning Commission