

**Charter Township of Kalamazoo  
Minutes of a Planning Commission Meeting  
Held on July 01, 2021**

A regular meeting of the Kalamazoo Charter Township Planning Commission was conducted on July 01, 2021, commencing at 7:00 p.m., via Zoom remote teleconference pursuant to the Kalamazoo Township Remote Meeting Policy and Emergency Order of the Kalamazoo County Board of Commissioners due to the COVID-19 public health crisis.

**Present were:**

William Chapman  
Denise Hartsough  
Christopher Mihelich  
Peter Morrison  
Fred Nagler, Chairman  
Warren Cook  
Steve Leuty

**Absent was:**

No commissioners were absent.

Also present were Township Planning Advisor Danielle Bouchard, Township Zoning Administrator Katarina Kusmack, Township Manager Dexter Mitchell, Township Manager's Assistant Jalen Gibson, and Township Attorney Roxanne Seeber.

**1. Call to Order**

The Chairman called the meeting to order at 7:00 p.m.

**2. Roll Call and Recognition of Visitors**

Nagler welcomed those in attendance. The Chairman participated electronically from Leelanau County; all other members stated that they were participating electronically from Kalamazoo Township, Kalamazoo County, Michigan.

**3. Approval of the Agenda for the July 01, 2021, Planning Commission Meeting**

The first item on the agenda was the approval of the agenda for the July 01, 2021, regular Planning Commission meeting. The Commissioners received the meeting agenda in their packets. It was requested that the minutes of June 03, 2021, Planning Commission Meeting be removed so they could be refined further and resubmitted to the Planning commission for approval at the next meeting

Upon motion of Cook, supported by Hartsough, and unanimous roll call vote, the agenda was approved as amended.

**4. Public Comments**

Mihelich inquired about the road deterioration on Humphrey; Nagler advised him to contact the Road Commission and the City of Kalamazoo to get the deterioration addressed. Township Manager Mitchell stated the Township has already completed its portion of Humphrey and advised Mihelich to contact the Road Commission.

1           **5. Public Hearing**

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3           **5a. Zoning Ordinance Text Amendments**

4 Nagler reviewed the Zoning Ordinance Text Amendment process and stated a Public Hearing is to be  
5 conducted for each proposed text amendment after a presentation. After the presentation by the  
6 Zoning Administrator or Planning Consultant, each amendment is opened for public comment. Once the  
7 public comment period has closed, the Planning Commission will discuss each amendment and come to  
8 a decision regarding the recommendation of adoption to the Township Board of Trustees  
9

10           **1) Article 2.00 Section 2.03.C., Detached Accessory Buildings and Article 2.00 Section 2.03.D.,**  
11           **Accessory Structures**

12  
13 Bouchard presented the proposed changes to the amendment. The proposed changes included the  
14 addition of the word "required" in the location section of the ordinance, the addition of "and structures"  
15 in the size section of the ordinance, a change to include the term "required" and to replace the term  
16 "principal building" with "accessory building" in the side and rear yard setbacks portion of section 3b. In  
17 section 4, the following language was proposed to cap the number of accessor buildings to four:  
18 "additional acre of land area, with a maximum number of residential districts of up to four (4) accessory  
19 buildings." An amendment to the chart regarding parcel size in section 5 to remove the "but less than 2  
20 acres" language was proposed.

21  
22 The Planning Commission discussed adding the term "required front yard." It determined that the  
23 amendment was proposed to allow residents to put an accessory structure in the front yard, as long as it  
24 is not within the required twenty-five-foot setback.  
25

26 Cook moved to recommend the Township Board of Trustees adopt the amendments to the Zoning  
27 Ordinance as amended by the Planning commission, Seconded by Mihelich. Unanimously passed during  
28 roll call vote.  
29

30           **2) Article 8.00 Section 8.02. TT., Wind and Solar Energy Conversion Systems**

31  
32 Bouchard presented the proposed changes to the amendment. The proposed changes apply to exempt  
33 on-site use wind energy systems of less than sixty-five feet in height. On-site solar energy systems of  
34 fifty kilowatts or less.  
35

36 The proposed change to solar energy systems is that up to one thousand four hundred square feet of  
37 ground-mounted solar systems may be permitted as an accessory structure.  
38

39 Mihelich asked if the size limit of one thousand four hundred square feet would impede the ability of  
40 commercial properties to take advantage of solar power. Leuty mentioned that this issue had been  
41 discussed in the past. Bouchard mentioned that one possible solution would be to remove the word  
42 "residential" or move to a sliding scale based on the size of the property. Hartsough asked that larger  
43 arrays were permitted as special use in areas that are not zoned residential.  
44

45 Mihelich moved to table the amendment until the next meeting, seconded by Leuty.

1 Attorney Seeber stated that the amendment could potentially read: "Up to one thousand four hundred  
2 square feet of ground-mounted solar energy panels shall be permitted to locate on a residentially used  
3 parcel as an accessory structure." All commissioners agreed the update proposed by Attorney Seeber  
4 was satisfactory.

5  
6 The earlier motion to table the discussion of the amendment was withdrawn by Mihelich. There was no  
7 public discussion.

8  
9 Leuty moved to recommend the Township Board of Trustees adopts the amendment to the zoning  
10 ordinance, as amended by the Planning Commission, seconded by Hartsough. Unanimously passed  
11 during roll call vote.

12  
13 **3) Proposed changes to Article 8.00 Section 8.02.VV., Marijuana Grower, Marijuana Processor,**  
14 **Marijuana Provisioning Center, Marijuana Secure Transporter, and Marijuana Safety**  
15 **Compliance Facility, and Article 8.00 Section 8.02.WW., Adult Use Marijuana Retailer**  
16 **and/or Grower, Processor, Transporter, Testing Facility, and/or Microbusiness, and Article**  
17 **8.00 Section 8.02.XX., Adult Use Marijuana Special Licenses**

18  
19 Bouchard presented the proposed amendments were to add fencing and screening requirements, as the  
20 State no longer requires it of Michigan. The proposed amendment is to add the requirement for a six-  
21 foot-tall security fence on all side and rear property lines across the lot at the front of the building to  
22 restrict access to the side and rear of the building. Any outdoor grow areas, including greenhouses, will  
23 also be required to be screened from view from any adjacent property. The proposed addition will be  
24 applied to the following sections of the Zoning Ordinance: Article 8.00, Section 8.02.VV., Article 8.00  
25 Section 8.02.WW., and 8.00 Section 8.02.XX.

26  
27 Bouchard received communication from Commissioner Leuty. Regarding the proposed amendments, it  
28 was stated that requiring the six-foot security fence could create an unsightly aesthetic in the Industrial  
29 Area. The Cannamazoo site was referenced as it shows what the proposed ordinance change would look  
30 like.

31  
32 Commissioner Leuty, along with Commissioner Mihelich and Attorney Seeber, reviewed the statement  
33 regarding a Fencing requirement and evaluated its flexibility. Attorney Seeber suggested the wording  
34 could be "Fencing will be required unless the applicant can demonstrate, to the satisfaction of the  
35 Planning Commission, that one or all sides of the property will be secured from unwanted access by land  
36 contours, tree-lined landscaping, steep slopes, rocks, or other existing conditions that will be retained or  
37 other proposed improvements and security measures will be provided." The proposed wording change  
38 from Attorney Seeber would allow the planning commission to have flexibility when evaluating the  
39 fencing requirement in place of mandating a six-foot security fence for all parcels. There were no public  
40 comments.

41  
42 Hartsough moved to recommend the Township Board of Trustees approve the text amendments, as  
43 amended by the planning commission, seconded by Mihelich. Unanimously passed during roll call vote.

44  
45 **7) Article 21 Section 21.18.C., Sidewalk Construction Standards**

1 Bouchard presented the proposed revisions, stating that the amendments strengthen the need for  
2 sidewalks in Kalamazoo Township. The proposed changes include: sidewalks are to be required in front  
3 of all new development or changes of use, and sidewalks are to be constructed of concrete.

4  
5 Chapman asked if there was a minimum width for sidewalks; Nagler confirmed a minimum width of five  
6 feet for all new sidewalks. There were no public comments.

7  
8 Cook moved to recommend approval of the text amendment as discussed by the Planning Commission,  
9 supported by Mihelich. Unanimously passed during roll call vote. Nagler encouraged the Township  
10 Board to refine specifications for sidewalk construction standards.

### 11 **8) Article 21 Section 21.03.F., Planned Unit Development Project Design Standards**

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13  
14 Bouchard presented the proposed amendment, stating that the change would allow all proposed  
15 building height to be subject to review by the Fire Marshal to ensure adequate emergency access. The  
16 proposed change also provides for evaluating proposed building heights by neighboring property  
17 owners and that buildings over thirty-five feet high will be set back at least the height of the building  
18 from the property line.

19  
20 Leuty moved to recommend the Township Board of Trustees approve the text amendment, as discussed  
21 by the Planning Commission, seconded by Mihelich. Unanimously passed during roll call vote.

### 22 **6. New Business**

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24  
25 None for this meeting.

### 26 **7. Old Business**

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28  
29 None for this meeting

### 30 **8. Open Discussion**

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33 None for this meeting.

### 34 **9. Communications**

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37 Chapman inquired about the road construction on Nichols and Ravine Road. Kusmack will ask Township  
38 Supervisor Martin about the construction status and update the Planning Commission about the status.

### 39 **10. Report of the Township Board Representative**

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41  
42 Commissioner Leuty reported that the Township Board of Trustees had adopted the updated Non-  
43 Motorized Plan, updated the Planning and Zoning Fee Structure, and adopted amendment one to the  
44 Solid Waste Plan. Leuty also reported the Township had approved a new website. He also reported that  
45 the Planning Commission had required just over 7/10 of a mile of new sidewalks. He also mentioned  
46 that all members of the Planning Commission had access to the MTA's vast library of resources.

1           **11. Report of the Township ZBA Representative**

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3 Chairman Nagler reported that variance on setbacks was approved at last month's ZBA meeting for a  
4 lawn care company to build a building on Healy Street. The building will be very similar to the existing  
5 non-conforming structure.  
6

7           **12. Comments from Planning Commission Members**

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9 Hartsough would like to know when work will continue on the Master Plan. Mihelich stated that the  
10 infrastructure added to the Checker Motors property did not undergo planning commission review and  
11 did not have sidewalks mandated. Chairman Nagler stated that sidewalks were not required because the  
12 road will be abandoned after construction. Commissioner Morrison wanted to know if the Police Chief  
13 knew of any increased crime level near the marijuana operations. Manager Mitchell said there had been  
14 increased foot traffic.  
15

16           **13. Report of the Planner**

17  
18 Bouchard reported that Mckenna has been reviewing the Master Plan documents left by the former  
19 Planner. They hope to get the scope to the township Manager soon. Revised plans have been submitted  
20 from the last meeting, and several other applications are floating around and may show up at the next  
21 planning commission meeting.  
22

23           **14. Report of the Zoning Administrator**

24  
25 Zoning Administrator Kusmack reported that she had spent time with the zoning enforcement officer.  
26 She let the Planning Commission know about plans to make the Zoning Ordinance more user friendly,  
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28           **15. Report of the Township Attorney**

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30 No report for this meeting  
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32           **16. Adjournment**

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34 The Chairman adjourned the meeting at 8:30 PM  
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**SYNOPSIS OF ACTIONS**

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The Kalamazoo Township Planning Commission undertook the following actions at the July 01, 2021 regular Planning Commission meeting:

1. Recommended the township board approve the text amendments to the following sections of the Zoning Ordinance:
  - a. Article 2.00 Section 2.03.C., Detached Accessory Buildings
  - b. Article 2.00 Section 2.03.D., Accessory Structures
  - c. Article 8.00 Section 8.02.VV., Marijuana Grower, Marijuana Processor, Marijuana Provisioning Center, Marijuana Secure Transporter, and Marijuana Safety Compliance Facility
  - d. Article 8.00 Section 8.02.WW., Adult Use Marijuana Retailer and/or Grower, Processor, Transporter, Testing Facility, and/or Microbusiness
  - e. Article 8.00 Section 8.02.XX., Adult Use Marijuana Special Licenses
  - f.