

**Minutes, Paw Paw Planning Commission
Regular Meeting, July 7, 2022**

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| 1. The regular Planning Commission meeting of Thursday, July 7, 2022 convened at 7:00 p.m. at 114 N. Gremps, Paw Paw, Michigan. Chairperson Larson presiding. | Meeting Convened |
| 2. Present: Larson, Bogen, Brown, Hickmott, Nottingham, Palenick and Pioch. Also present: Village Planning Consultant, Rebecca Harvey. | Members Present |
| 3. Motion by Pioch, supported by Brown, to approve the agenda as presented. All members present voting yes. The motion carried . | Approval of Agenda |
| 4. Motion by Bogen, supported by Pioch, to approve the minutes of the regular Planning Commission meeting of June 2, 2022, as presented. All members present voting yes. The motion carried . | Approval of Minutes |
| 5. Susan Bryce encouraged the Village to explore modification of its blight ordinance to allow for mowing habits that better support bee/butterfly pollination during the Spring . . . up until Memorial Day.

No further public comment regarding non-agenda items was offered. | Public Comments |
| 6. Larson stated that the next item for consideration was the public hearing on the request of Sue Barber, representing Legacy House, for Special Land Use Permit/Site Plan Review for the proposed establishment of an ‘Emergency/Transitional Residence’ within an existing dwelling in accordance with Section 42-367 (11), Zoning Ordinance. The subject site is located at 105 Oak Street and is within the R-2 District.

Larson opened the public hearing.

Sue Barber, owner, applicant, and member of the Board of Directors of Wings of God, introduced the application team: Jeff Rebenstorf, WOG colleague; Judge Buhl; and Steve Adams, site plan preparer.

Judge Buhl provided an overview of the history of the WOG program. He referenced the transition home for women previously approved/ established on Kalamazoo Street, noting the home has thrived over the past 10 years with no history of community complaints or difficulties.

In a review of the ‘impacts on adjacent property’ to be considered, he noted the following:

- The aesthetics of the subject property have already been improved as a result of the purchase for the transition home; | Public Hearing:
SLU/SPR – 105
Oak Street |

- WOG sites have a strong history of property maintenance/upkeep;
- The proposed transition home will not modify current traffic volume/patterns in the area;
- The property abuts commercial zoning . . . and several commercial and civic buildings are in close proximity;
- Many of the residences in the neighborhood are rental units, similar in ownership status to the transition home;
- The residents of the transition home will be: screened for admittance; committed to addiction recovery; supervised; not necessarily come from the criminal law system; and, are faith-based;
- The program changes lives and creates a positive neighbor that offers a guarantee on property maintenance/aesthetic.

Jared Brewer, neighborhood resident, expressed concern with the population who will reside within the transition home. He stated that addiction relapse rates are high and that a safe place to reside is needed, not a residential neighborhood. Brewer emphasized that residential areas are places to raise a family . . . not to provide ‘services’. He stated that the home will invite drugs and hazards into the neighborhood.

Charisse (?) stated that the subject house was approved previously as a halfway house and has been a source of trouble for years. She shared that she has been a victim of domestic violence and drug abuse . . . and that she has finally begun to feel safe in the neighborhood. She feels the proposed transition home will reintroduce trouble into the area and that she has no confidence in the police given their past history of ‘no action’.

Margaret Danifeld stated that the neighborhood already experiences a lot of police activity due to trespassing at night. She questioned the wisdom of adding to the area’s existing problem, especially with limited police coverage.

Karen Macomb stated that the applicant’s proposal is essentially asking the Village to invalidate its plans for this area to function as a residential neighborhood. She too noted that safety is already a concern in the area due to current activities and limited police coverage. Macomb stated that she is not familiar with Wings of God and feels that more information is required and additional investigation is in order.

Several residents then stated that they had not received notice of the public hearing and were unaware of the application being considered within their neighborhood.

Bill Ally stated that Gremps Street is a nice residential street where houses have recently been renovated and sold. He commented that there should be more emphasis placed on the wishes of property owners when considering land use proposals.

Nadine Jarvis stated that she is a previous owner of an adult foster care facility and that it is common for neighbors not to support such a use because they do not understand it. She noted her support for WOG as a reputable operation with a positive history in the community.

Allie Ross stated that she is familiar with and appreciates the work of WOG, but does not support locating a transition home in a residential neighborhood due to safety concerns. She added that she too did not receive notice of the meeting.

Kathy Murphy advised that she received notice of the meeting by mail and is responsible for letting the neighborhood residents know about the meeting, most of whom had not received notice. She continued that the neighborhood homes are starting to be occupied by families again and that the safety of the children should be considered. She questioned the history and profiles of potential residents, concerned with the prospect of ‘violent offenders’. Though she is sympathetic to the goals of WOG, she notes the transition home should not be in a residential neighborhood.

Chris Smith stated that he recently moved to Paw Paw from California . . . leaving a town that had been destroyed by drugs. He expressed his disbelief that he is being confronted with the same problem here. He shared that he has experience with people with drug addictions . . . and noted that their problems are many and that they will pose serious safety issues for surrounding residents.

Kim Smith questioned why the Village would allow such a use in an area zoned for families . . . asking in what way that benefits the Village. She asked why they are not directed to areas less residential in nature?

Sue Barber requested the opportunity to respond to the concerns raised. She offered the following clarifications:

- The proposed use is a ‘transition home’; the term ‘emergency/transitional house’ comes from the Village Zoning Ordinance.
- The subject property (105 Oak Street) is currently occupied by a multi-family residence . . . it was recommended to WOG as a potential location for a ‘transition home’ by a Village resident.
- The ‘house’ management and supervisory structure and operational details were outlined.
- The transition home will have 24/7 supervision; residents must pay to live at the house and work in the community; and, those with a history of violent behavior or sex offenses do not qualify for residency.
- Transition home staff can be contacted directly with complaints.
- The WOG program is modeled after the ‘Building Men for Life’

program in Holland, MI.

- All program details will be uploaded to the WOG website so that residents can become informed.

Jeff Rebenstorf explained that WOG is a non-profit, volunteer organization and that they have been asked to help provide services in the Village. He stated that the Kalamazoo Street transition home for women has had a huge positive impact on the community with very few problems.

Rebenstorf noted that the vast majority of residents do not seek to live in a transition home of this nature because it is too structured . . . only interested applicants are considered. He offered to meet with neighbors to discuss the operations of the proposed home.

Kathy Murphy stated that the public comment received has been honest . . . and that she feels there is not a lack of understanding or sympathy . . . but rather a strong desire to protect the safety and integrity of this residential neighborhood. She encouraged the applicant to locate in a more appropriate location in the Village.

No further public comment was offered and the public comment portion of the public hearing was closed.

Bogen noted that the documents provided at the meeting by the applicant regarding house rules and operations require/deserve study prior to further consideration. He suggested a postponement of the matter is in order.

Paleneck questioned if the house rules regarding behavior also apply to the residents while outside of the house. Barber confirmed that residents are held to the same standards within the house, at work, and in the community.

Larson inquired as to whether the documented house rules were the same as those considered/approved for the Kalamazoo Street facility. She stated that such a comparison is in order because the Village determined to use the Kalamazoo Street facility's rules as the guideline for future transition homes.

Brown noted that he knows available housing is hard to find . . . but that he feels the subject site is not a great fit for the proposal, citing the lack of room for parking; the proximity of the house to neighboring properties; and the nature of the surrounding area.

Nottingham stated that she has growing questions about whether the Village completed the public hearing noticing as required.

Motion by Bogen, **supported** by Palenick, to postpone further consideration of the request to the August 4, 2022 Planning Commission meeting to allow for

the following to occur:

1. Planning Commission study of the documents provided by the applicant at the meeting.
2. Distribution of the Wings of God Transition Home ‘House & Program Rules’ for the Kalamazoo Street facility for comparison.
3. Confirmation that the public hearing was published/noticed in compliance with applicable noticing requirements.

All members present voting yes. The **motion carried**.

Barber stated she will upload the documents referenced to the WOG website for public viewing and extended an offer to meet with neighbors to discuss the proposal further.

7. Larson stated that the next item for consideration was the public hearing on the proposed amendment of Section 42-3 – Definitions so as to amend the definition of ‘family’.

**Public Hearing:
Text Amendment -
Def of ‘Family’**

Larson opened the public hearing.

No public comment was offered and the public comment portion of the public hearing was closed.

Larson referenced the lengthy review and discussion by the Planning Commission at the March meeting regarding the proposed amendment. She noted that the amendment is proposed to clarify and update the definition in accordance with law.

Motion was then made by Pioch, **supported** by Palenick, to recommend approval of an amendment to Section 42-3 – Definitions so as to amend the definition of ‘family’, as presented. All members present voting yes. The **motion carried**.

8. Larson stated that no New Business is scheduled for consideration.

New Business

Bogen raised the issue of the impacts that new commercial development have on roads. General discussion ensued wherein it was clarified that impacts on roadways is a legitimate consideration in the review of rezoning requests, but is limited in scope during the review of ‘permitted’ development proposals.

9. Larson stated that the next item for consideration is continued discussion of the regulation of ‘short-term rentals’ in the Village.

**Ongoing Business:
STRs**

Harvey reminded that work on this matter was paused by the Planning Commission at the November 3, 2021 meeting to monitor

movement on pending legislation by the State Senate. Then, in recognition that there is some time sensitivity to the matter given the status of current enforcement action in the Village, the Planning Commission agreed in March, 2022 to move forward with identifying the regulatory approach desired by the Village and drafting the necessary text.

Harvey referenced the draft amendments to the Zoning Ordinance and the draft STR general ordinance provided to the Planning Commission in October/November, 2021 and requested feedback on the suggested regulatory approach.

The Planning Commission agreed with the suggested approach to allow STRs as a residential accessory use through the establishment of an STR definition in the Zoning Ordinance . . . and to regulate the registration/inspection of STRs through a general ordinance.

The following ‘next steps’ were identified:

- 1 – The proposal will be presented to the Village Council . . . with an offer to develop the draft general ordinance for their consideration, if desired.
- 2 – The Planning Commission will discuss/approve the proposed STR definition . . . and schedule same for public hearing in coordination with the approval of the general ordinance for STRs by Council.
- 3 – If requested, the Planning Commission will review the draft general ordinance for STRs provided in November and revise as necessary for consideration by Council.

10. Nottingham reported that Village Council is discussing street furniture for the downtown area.

Member Comments

Larson inquired regarding the timely posting of board minutes to the Village website.

Palenick provided an update on Paw Paw Township’s proposed land purchase for a senior center.

11. No staff comments were offered.

**Village Manager/
Planning Consultant**

12. There being no further business to come before the Commission, the meeting was adjourned at 9:48 p.m.

Adjournment