

1 **PAVILION TOWNSHIP PLANNING COMMISSION**

2
3 **MINUTES OF MEETING HELD APRIL 17, 2025**

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5 A meeting of the Pavilion Township Planning Commission was held on Thursday, April 17, 2025
6 at the Pavilion Township Hall, beginning at 7:00 p.m.

7
8 Members Present: Ed Cagney, Trustee
9 Erin Dey
10 Sid Helmus
11 Abe Northup
12 Paul Roberts
13 Stan Strzalkowski
14 Cori VanDoren

15
16 Members Absent: None

17
18 Also present was Planning Consultant Jodi Stefforia and Township Attorney Rob Thall and one
19 other interested person.

20
21 **Call to Order**

22 Chair Strzalkowski called the meeting to order at 7:00 p.m.

23
24 **Approval of Agenda**

25 The Acting Chair asked if there were any additions or deletions to the agenda. There were none.
26 Motion by Roberts with support by Northup to approve the agenda; motion passed.

27
28 **Approval of Minutes**

29 The Planning Commission reviewed the minutes of the February 20, 2025 meeting. Stefforia
30 pointed out two errors regarding the date. Motion by VanDoren with support of Northup to
31 approve the minutes as corrected; motion passed.

32
33 **Correspondence**

34 There was no correspondence.

35
36 **Citizen and Board Comments**

37 None.

38
39 **Abbey Farms PUD Site Plan Review and Step One Site Condominium**

40 The Planning Commission took up the Abbey Farms PUD site plan to review changes from the
41 November 2024 conditional site plan approval and Step One of the revised site condominium.

42
43 Howie Hehrer addressed the Planning Commission. He reminded them that the original PUD was
44 approved conditioned upon setback variances being granted by the Zoning Board of Appeals.
45 The ZBA did grant 4 of the 5 setback variances with the exception being the garage-to-garage
46 setback at the townhomes which is required to be 15 feet where 10 feet was requested. With the
47 changes to the layout, 2 additional site condominium lots were established and two less
48 townhomes are proposed now. Other changes to the plans include a row of evergreens along the
49 south property lines to buffer the townhomes.

1 He met with the Fire Chief regarding secondary access. Neither the Fire Chief nor the owner of
2 the apartments wanted an access through the apartments. Instead, the secondary access will be
3 established on the parcel immediately to the east and an easement has been granted. This
4 second access will be established after 100 dwelling units are built and will be done in Phase 1.
5 It will be gravel initially for construction traffic. When the adjacent triangular parcel develops, it will
6 be improved and paved to O Avenue.

7
8 He is working with EGLE and a wetlands consultant for the retention ponds. He is working with
9 the Township Engineer and the City of Kalamazoo on utility plans as well.

10
11 Cagney asked if the new road will line up with 25th Street at O Avenue.

12
13 Hehrer said it will be temporary initially and if the Township wants it moved when the triangular
14 parcel develops, that can be done when it is built to permanent standards.

15
16 Stefforia asked about the step one approval.

17
18 Hehrer answered that with the addition of two additional site condo units, step one would be
19 required again.

20
21 Thall added that the Planning Commission recommends to the Township Board on step one and
22 can add that the variance conditions attached to the original site plan approval have been
23 addressed by the ZBA. The special exception use, being the PUD, has already been granted.

24
25 Stefforia suggested a single motion of Step One site condominium approval recommendation to
26 the Township Board and site plan approval with the conditions of the November 21, 2024 with the
27 exception of the variances that were granted in February.

28
29 Northup made a motion to grant site plan approval subject to the conditions of approval from
30 November 21, 2024 with the exception of the variances and recommend to the Township Board
31 that Step One site condominium approval be granted. Helmus supported the motion. The motion
32 passed.

33
34
35 **Public Hearing: Miscellaneous text amendments**

36 The Planning Commission considered the final draft of amendments to various sections of the
37 ordinance including setback requirements from a water body, truck terminals, parking and migrant
38 housing.

39
40 Stefforia summarized the proposed amendments that were reviewed at prior meetings.

41
42 Strzalkowski walked the Commission through the amendments as proposed. He opened the
43 public hearing. As no one was present, he closed the public hearing.

44
45 A couple minor edits to the draft text were suggested by Roberts.

46
47 Motion by Helmus with support by Van Doren to recommend to the Township Board that the text
48 amendments be adopted; motion passed.

1 **Work item: Energy Systems text amendments – draft two**

2 Stefforia asked the Planning Commission if they wanted to proceed with the discussing the
3 amendments or wait until the challenge to the MPSC rules played out and/or the moratorium
4 issues on the ordinance in the neighboring community are resolved.

5
6 Thall shared that there is pending litigation on the MPSC Rules and 72 townships have filed suit.
7 It could be 6 months before the case gets to Circuit Court; a lot of entities have joined the suit
8 such as Farm Bureau and the Sierra Club.

9
10 Roberts stated that he heard there is bill that would return power to the local units of government.

11
12 Thall stated that a bill was introduced but is unlikely to repeal PA 233 given the split legislature
13 and the Governor would veto it. Part of it is just kicking the can down the road until after the
14 election in November 2026 when a new legislature will be seated. If repealed at that time, any
15 project without a 'shovel in the ground' will not have vested rights.

16
17 He added that energy storage systems near substations or a wind or solar facility are being
18 proposed the most. Data centers and their need for a lot of power tend to locate near energy
19 systems.

20
21 Thall noted that the draft text makes these systems a permitted use versus a special exception
22 use. A special use would allow the Planning Commission to place additional conditions on an
23 approval and allow for a public hearing. He would prefer for the public to first see a project at the
24 Planning Commission versus when there's a shovel in the ground.

25
26 Stefforia said she drafted it as a permitted use as if the Township essentially has to approve it or
27 the developer will go to the MPSC, the public can get frustrated that they have been invited to a
28 hearing but have no way to prevent a project.

29
30 Thall noted that at least as a special use, the public is aware.

31
32 Strzalkowski said that he likes the idea of giving the residents a chance to comment on a proposal
33 as they may want additional screening.

34
35 Thall stated that some communities are wondering if they adopt an ordinance are they inviting a
36 developer to find a spot in the township. A developer could go straight to the MPSC if they want
37 to locate in the Township and there's no ordinance. No one has applied to MPSC yet. It may be
38 due to concern about potential changes to the law in 2026. Also could be that developers prefer
39 to follow a local ordinance versus going to the MPSC which can take years to secure approval.
40 Some communities are holding the public hearing at the Planning Commission and sending the
41 ready-to-be adopted ordinance to the Board which sets it aside waiting for a time to adopt knowing
42 it is ready to go.

43
44 Strzalkowski suggested that everyone review the draft text in detail before the next meeting. At
45 the next meeting, the public hearing could be scheduled.

46
47 **Discussion Item: Short Term Rentals**

48 Strzalkowski noted that the Township Supervisor wants the Planning Commission to discuss short
49 term rentals and determine how to regulate or prevent them.

50

1 Thall stated that short term rentals cannot be banned and have to be accommodated, but
2 limitations on the total number, spacing one from another, etc. can be established. The Township
3 could establish a Rental Registration program.
4

5 Stefforia suggested that this discussion should start at the Township Board to give the Planning
6 Commission policy direction on potential zoning ordinance language to address them.
7

8 Cagney offered to bring it up with the Township Board.
9

10 Stefforia asked that Cagney let the Planning Commission know when it is taken up by the Board
11 so that they may attend and hear the discussion.
12

13 Northup noted that there is very little benefit to the Township to allow short term rentals.
14

15 Cagney asked about other townships in the area.
16

17 Thall stated that a lot of communities do not allow short term rentals. It can come down to the
18 definition of motel and if written to include short term rentals and motels are not allowed in the
19 residential district, they could be regulated that way.
20

21 Dey said that she would like to see some regulations and limitations on the number allowed in the
22 Township noting that there are three in close proximity to each other on the lake and across the
23 street.
24

25 Strzalkowski suggested that energy systems, short term rentals if the board gives guidance and
26 the master plan be taken up at a future meeting. Thereafter, the Scotts Mixed Use district could
27 be taken up to look at rezoning properties to the district.
28

29 **Any Other Business**

30 Northup asked if we were getting ahead of future energy systems like modular nuclear energy
31 systems and energy-heavy industries including data centers to be ready to address them.
32

33 Stefforia stated that we can look into identifying where data centers should be allowed and under
34 what conditions knowing their energy needs.
35

36
37 **Adjournment**

38 The meeting was adjourned at 8:22 p.m.
39

40 Prepared by: Jodi Stefforia, Planning Consultant
41 Minutes prepared: April 24, 2025
42 Minutes approved: _____, 2025