

**VILLAGE OF PAW PAW PLANNING COMMISSION  
DRAFT MINUTES  
REGULAR MONTHLY MEETING  
THURSDAY, SEPTEMBER 7, 2023, 7:00 pm**

1 The regular monthly meeting of the Paw Paw Planning Commission was held at the Paw Paw Township  
2 Hall Chamber located at 114 N. Gremps Street, Paw Paw, Van Buren County, Michigan.

3 **I. CALL TO ORDER:**

4 The meeting was called to order by Chair Larson at 7:00 pm.

5 **II. ROLL CALL:**

6 MEMBERS PRESENT: KATHLEEN LARSON – CHAIR  
7 EMILLY HICKMOTT – SECRETARY  
8 TOM PALENICK  
9 MICHAEL PIOCH  
10 ASHLEY NOTTINGHAM – VILLAGE TRUSTEE  
11 JEFF BROWN

12 NOT PRESENT: DAVID BOGEN

13 OTHERS PRESENT: TRICIA ANDERSON, VILLAGE PLANNER, WILLIAMS & WORKS AND WILL  
14 JOSEPH, VILLAGE MANAGER

15 **III. APPROVAL OF THE AGENDA: MOTION**

16 Commissioner Pioch moved, with support from Commissioner Palenick, to approve the agenda as  
17 proposed for the September 7, 2023, regular Planning Commission Meeting.

18 Motion carried unanimously by voice vote.

19 **IV. AUGUST 6, 2023 MINUTES: MOTION**

Commissioner Palenick moved, with support from Commissioner Hickmott, to approve the meeting  
minutes from August 6, 2023, subject to changes noted.

20 Motion carried unanimously by voice vote.

21 **V. PUBLIC COMMENT**

22 There were no comments.  
23  
24

25 **VI. NEW BUSINESS**

26 **A. PUBLIC HEARING – 105 Oak St. – Special Land Use Request – Transitional home – Sue Barber**

27 Chair Larson indicated that Commissioner Brown had recused himself and asked the applicant  
28 to present his request.

29  
30 Mr. Luke Barber was present to represent the applicant and provided some background  
31 information related to the purpose of the Wings of God program. He also gave perspective on  
32 the subject property and the reasons that the site was chosen. He feels that the home will  
33 benefit the community to help get formerly incarcerated individuals back on their feet. He  
34 noted that the last application was denied about a year ago, and he feels that the concerns  
35 have been addressed in the current application.

36  
37 Chair Larson opened the public hearing:

38  
39 Lois Baldwin, of 114 Gremps asked whether the letters of concern would be read during the  
40 meeting. Chair Larson noted that they just came in and that it will be noted in the meeting  
41 minutes that they were received.

42  
43 Kathleen Murphy, of 214 N. Gremps St., noted that the special land use request had been  
44 denied a year ago, and cited the findings for denial listed in Ms. Anderson's report dated July  
45 25, 2023. She said that some of the findings for denial have been corrected, however, some  
46 have not. She feels that the location of the home is not compatible with the adjacent  
47 properties in the surrounding area. She indicated that the area to the east is zoned office,  
48 which contains nonconforming residences. She also cited a section from the Zoning Ordinance  
49 43-266.11.e. related to detriment on adjacent properties. She held up the petition that she  
50 and 63 residents of the community had signed. She added that these residents' opinions  
51 should outweigh those of the consultant and the applicant who have addresses outside of the  
52 Village. She indicated that the people who bought their homes on the surrounding lots did not  
53 anticipate having to live next to a transition home.

54  
55 Deanna Ward spoke on behalf of Karen Macomb, of 219 N. Gremps, and indicated that Ms.  
56 Ward acknowledges that the applicant has made some changes to the application, however, it  
57 still does not meet the ordinance. She noted that the taxes on the subject house are unpaid as  
58 of today. She asked whether Wings of God would need to pay the taxes on the subject  
59 property. She added that this is the third application made by Wings of God for a transitional  
60 home. She asked about an annual report, and that it is no longer required. She wondered  
61 why.

62  
63 Mr. Armstrong, of 206 N. Gremps, noted that he owned the property next door to the subject  
64 property. He indicated that the applicant described "couch surfing" and wondered how that  
65 was defined. He also was concerned with property values being decreased due to the  
66 proposed use. He introduced Paul McIntyre, who is a realtor with 5-Star Real Estate out of  
67 Portage. Mr. McIntyre noted that the impacts on property values are not all monetary. He  
68 pointed out that the facility would be working with individuals who have or have had a  
69 dependency on alcohol. He added that these people sometimes have no control when they  
70 fall off the wagon and that they don't fall off the wagon between 9 and 5. He noted that all  
71 the popular real estate search sites do not have the option to search for a home that is next to  
72 what he calls a halfway house. He went into the sellability of homes that are next to a halfway

73 house. The pool of buyers goes from 100 to 20. He said that there's not a lot of research on  
74 this topic and whether values are driven down, and said that one study he found was that  
75 depreciation is accelerated. He also noted that he would not buy a home next to a hotel. He  
76 said if that happened in his community, there would be a lawsuit. He warned the Planning  
77 Commission that they're going to cause some problems if they approve this.

78  
79 Phil Columbo, of 114 Elm, noted he's been in his home for 33 years. He added that his  
80 concerns are for the projected population that would be utilizing the transitional home to get  
81 back on their feet. He noted that the comments about the people who would bring a  
82 detriment to the neighborhood, and that there were no comments or concerns about the  
83 individuals who need support and care. He added that the mission of his drop-in center was  
84 to empower the individual. He relayed that the decisions that result in appropriate behavior  
85 that result in desirable outcomes were the focus of the empowerment of these individuals. He  
86 brought up his past as a combat veteran and being transplanted to Kalamazoo, and he felt lost.  
87 He reminded the Planning Commission that last month he spoke about the importance of  
88 guidance to help these folks become contributing members of the community. He added that  
89 he attended many churches and he was not empowered in his spirituality. He added that the  
90 bible does not help him when he's recovering from a drug addiction. He said that it doesn't  
91 help being in a program when he was used to being in a war zone and has not gained the skills  
92 to cope. He noted that the rules of engagement warrant courtesy, consideration, and respect.  
93 He found that his experiences of ill-treatment didn't have to determine his manner of conduct.  
94 He added that when he added CCR he began to have more positive experiences when  
95 interacting with people. He noted that the individuals who are recovering are being used as  
96 pawns and questioned how they can become empowered to contribute to the community and  
97 have good experiences in society. He asked the Planning Commission how the applicant would  
98 be addressing the guidance piece to help the transitional individuals gain these necessary  
99 skills. He thanked the Planning Commission for their consideration and urged them to think  
100 about how this is missing the guidance piece.

101  
102 Sue Horton, who lives in Lawton, supports Wings of God and noted that the program has done  
103 lots of good things for the women who have benefited from the program. She urged everyone  
104 to think not about their lawns and their property values and to instead think about helping  
105 other people. She noted that the men who would live in the transitional residence are not  
106 forced to live there, they want to live there and receive help. She encouraged everyone in the  
107 room to think about a time when they needed help. She added that she is a retired social  
108 worker and that in her experience, she has learned that people do not just miraculously stop  
109 being an alcoholic or drug addicts. They need support in function and learning the small steps  
110 of becoming a productive member of society. She asked people to think about the drug  
111 addicts and alcoholics that are already here in Paw Paw. And think about someday being a  
112 friend to one of these men

113  
114 Kimberly Smith of 211 N. Gremps, noted that the community wants to help people and  
115 support something that would be beneficial to individuals who are recovering. However, she  
116 noted that these individuals need help and that the subject residence is not the appropriate  
117 place. She added that zoning laws are intended to protect the community and control growth.  
118 She noted that they are here, and they care. She noted that the applicant doesn't seem to

119 care about the individuals. She also added that their communication with the applicant has  
120 not been positive. They are not for the community.

121  
122 Bill Hawley, indicated that he owns his family homestead at 115 N. Gremps. He asked if Sue  
123 Barber lives next door to a transitional residence.

124  
125 Lois Baldwin spoke to the homes in the immediate area of the subject property. She noted  
126 that many of these homes have been converted to two- and three-unit homes. And wondered  
127 if it was lawful for these conversions to happen and for rooms to be rented. She expressed her  
128 concern about the number of single-family homes that are being converted to multifamily  
129 homes. She concluded her comments by saying that the nature of the people who live in the  
130 house is different from the people in the surrounding community and would have an effect.

131  
132 Fred Jeffers 313 N. Gremps. He does not understand if Wings of God is running the operation,  
133 and wonders why they are not applying for the special land use permit, and asks why the  
134 application is not in the name of Wings of God. HE keeps hearing all these wonderful things  
135 about Wings of God but when he asks them questions, he said he always gets a different  
136 answer, particularly related to the issue of the house manager not giving any actual guidance  
137 to the residents of the home.

138  
139 Chris Smith spoke again and indicated that a year ago there were many reasons why it should  
140 be denied. He spoke about the rules of the transitional home and that they are not stringent  
141 enough to really help the people. He added that there is no licensing or professional oversight  
142 for the program, and simply the belief in Jesus is supposed to help them recover. He added the  
143 home would be a set up for disaster. He added that he is not comfortable walking his daughter  
144 to the bus stop that is right in front of the subject site. He is not comfortable with the  
145 alcoholics that are shoved in the house and the Wine and Harvest Festival beer tent is a block  
146 away. He told the Planning Commission that he offered his house for sale and the potential  
147 buyers were not interested when he disclosed the proposed 105 Oak St. transitional home. He  
148 added that there will be lawsuits. He expressed his concerns that the Planning Commission is  
149 buying into the Wings of God program being what he believes to be a bad real estate scam and  
150 that they're falling for it, though he doesn't believe they are being honest with what they're  
151 doing. He added that if the Planning Commission approves the request, there will be all kinds  
152 of lawsuits.

153  
154 Kathleen Murphy wanted to clarify for Phil that she spent a lot of time in her life caring for  
155 other people. Her biggest concern was that there was not a qualified person who would be  
156 helping these individuals. She noted that Ms. Anderson's report focused on only the  
157 standards, and not what's in their hearts. She added that being "detrimental" was ambiguous,  
158 and they wanted to hang their hat on this standard for denial.

159  
160 Mr. Armstrong asked to speak again and indicated that he painted his barn. He questioned  
161 how an LLC can lose money if they don't pay taxes. He questioned how the organization could  
162 fund itself if they are run by volunteers.

163

164 Allie Ross, of 113 Elm, expressed that she is opposed to the proposed transitional home and  
165 that this is not the right neighborhood. She added that there is clearly NO community support  
166 for this. She worried about the men who would come here to a place where there was  
167 absolutely no support. She had sympathy for those men.  
168

169 Carissa Engles, of 109 Oak, added that Mr. Barber spoke about the people who have struggled,  
170 and she said that this is her. She's a single mom and has struggled and worked hard to buy her  
171 home. She added that she has not worked this hard to buy her home and have her kids live  
172 next to drug addicts and alcoholics.  
173

174 Wings of God Board member, Jeff Revensdorf, of Mattawan, noted that supported the  
175 organization for over 10 years. He spoke to the question of whether he'd want a transition  
176 home next to his home. He said probably not. He said he's heard a lot of comments from  
177 people who want to help people. He added that there have not been any adverse events  
178 related to the Wings of God program for women in Paw Paw. He said that he hears "not in my  
179 backyard" and has not heard any questions about the operations of the home. He noted that  
180 women's home uses community resources, churches, health departments, and Narcotics  
181 Anonymous. He added that there is no intent for the organization to make a profit and that  
182 they are not government-funded. He said they run on donations. He said that the homes  
183 have been donated and updated by volunteers. He added that 105 Oak is not run down and is  
184 being improved. He noted that the struggle seems to be, what would it be like with these men  
185 in my neighborhood. He spoke about the rules related to who can be there, curfews,  
186 requirements to participate in classes and programs, employment, and community service. He  
187 added that the plan is to mirror the program of the women's, aside from the employment  
188 requirement. He said that no residents would be sex offenders or offenders of violent crimes.  
189 They are not set up to help these individuals and they recognize that. He wished to disagree  
190 with the folks who felt that the Bible would not help anyone. He noted that the goal is to help  
191 these men with transitional guidance on how to get back into society. He noted that without  
192 this kind of guidance, parolees and probationers will have a challenge assimilating back into  
193 contributing members of society. He added that the environment is controlled, and this is what  
194 they need. The criminal justice system doesn't provide any kind of guidance with the  
195 transition, and he explained that this is the purpose of the Wings of God program.  
196

197 Ms. Engles noted that they are not being supervised 24-7 since they can check out any time  
198 and can be out until 10 p.m.  
199

200 Lois Baldwin was concerned with the amount of changing information at each meeting.  
201

202 Karen Macomb, speaking on behalf of Deanna Ward, added that the owner of the property is  
203 an LLC and that she doesn't think a company can apply for a special use permit, and that it has  
204 to be a person.  
205

206 Mike Hartman, of 807 Michigan, noted that he's a long-time resident and spoke to the history  
207 of the area and the land uses in the area. He understands why the community is upset by the  
208 home being converted to a multiple-family home. He noted that the people coming out of jail

209 need support, but they are going to fall off the wagon in front of a child across the street. He  
210 urged the Planning Commission not to approve the use.

211  
212 Bill Markovich, of 417 N. Gremps, added that he liked what Mr. Revensdorf was saying in terms  
213 of what they plan to do for people. He added that he loves Wings of God and that the  
214 women's home has quite a bit of outdoor space and that there is not enough outdoor space  
215 for the men.

216  
217 Chris Smith added that the requirement for the special land use is that the property is owned  
218 by a government agency or a nonprofit organization. He added that Barber Diversified is not  
219 either so the application should not be approved based on that alone. He added that he spoke  
220 with the Department of Corrections and that, contrary to Mr. Revendorf's statement, there is a  
221 program that assists parolees after being released,

222  
223 There was some discussion about how Sue Barber was affiliated with the Wings of God  
224 organization. Mr. Luke Barber indicated that Sue Barber is the board chair of the Wings of God  
225 organization. Ms. Anderson noted that the parcel being under the ownership of an LLC is not a  
226 reason to assume the application for the Special Land Use is not being applied for by a non-  
227 profit. Luke Barber confirmed that Sue is authorized to make the application on behalf of the  
228 organization.

229  
230 Chair Larson closed the public hearing.

231  
232 Chair Larson spoke to some of the questions brought up by the public. She added that there  
233 are differences between men and women based on her research and also spoke to the  
234 concerns about the lack of supervision. She noted that when they denied the request  
235 previously, they used the rules as a standard for future applications. She said she felt  
236 confident that the other transitional home was approved because all her questions were  
237 answered. She cited some of the meeting minutes from the women's Wings of God home  
238 when it came before the Planning Commission.

239  
240 Ms. Anderson clarified that the Michigan Zoning Enabling Act contains some uses that are  
241 preempted from special land use standards and that a halfway house, as mentioned by a  
242 gentleman during the public hearing, is required by law to be treated as a residential land use,  
243 just like any other residential land use and not subject to any special land use approval. She  
244 explained that the Planning Commission must focus on the standards, limited as they may be,  
245 of the Zoning Ordinance. She added that her report lays out the standards and that if the  
246 Planning Commission can substantiate a determination of detriment, then that would be cause  
247 for denial since all the standards must be met. Ms. Anderson also explained that the Planning  
248 Commission is able to come up with reasonable conditions, such as the submission of house  
249 rules that meet the satisfaction of the Planning Commission. She also explained that special  
250 land uses cannot be appealed to the ZBA, and that an appeal could instead be filed with the  
251 circuit court. She urged the Planning Commission to keep their focus on the special land use  
252 standards as they deliberate and come to a decision.

253

254 Chair Larson asked about the many differences between the men's and women's transition  
255 homes. Mr. Revensdorf spoke about the fact that there are different requirements for  
256 working.

257  
258 Mr. Barber related that he would be happy to comply with any reasonable conditions that the  
259 Planning Commission wishes to impose if they are inclined to offer approval of the special land  
260 use.

261  
262 Commissioner Pioch noted that he appreciates the concern that everyone has, but that they  
263 are beginning to get "into the weeds" and that this is not a time for negotiation. He added  
264 that the Planning Commission needs to weigh in on the standards.

265  
266 Chair Larson asked the Planning Commission to provide their comments.

267  
268 Commissioner Palenick added that an annual review could be required as a condition for the  
269 council to review and the special land use can be revoked if the annual report contains areas  
270 that report issues.

271  
272 Commissioner Nottingham noted that she wanted to make sure that the Planning Commission  
273 goes through each of the standards, and brought up and cited the definition of special land  
274 use, which reads, "*Special Land Use means a permit for a use that would not be appropriate  
275 generally or without restriction throughout the zoning district, but which, if controlled as to  
276 the number, area, location or relation to the village, would not adversely affect the public  
277 health, safety, order, comfort, convenience, appearance, prosperity, and general welfare.  
278 Such uses shall be permitted when the review criteria provided for them in this chapter are  
279 met*".

280 Commissioner Pioch began going through the standards and started with the site plan review  
281 standards. He noted that they are all met with the exception of the items noted in Ms.  
282 Anderson's report as being not applicable. He added that the Village must determine whether  
283 this use is determined as a "rental".

284 He then went through all the special land use standards and noted that they are all met based  
285 on the materials that were submitted, with the exception of the last standard related to "in the  
286 judgment of the Village Planning Commission, the use will not be detrimental to the adjacent  
287 land uses and the immediate neighborhood". Commissioner Pioch noted that they must  
288 determine whether the use would be detrimental and referenced Commissioner Nottingham's  
289 citing of the definition of special land use and emphasized the terms "safety and comfort". He  
290 added that the occupants would be of a transient nature, which does not align with the intent  
291 of the zoning district which allows single and two-family homes. He indicated that the  
292 definition of family indicates that "*a group where the common living arrangements and/or  
293 the basis for the establishment of the functional equivalency of the domestic family is likely  
294 or contemplated to exist for a limited or temporary duration*" does not constitute a family.  
295 He added that the temporary nature of the use doesn't fit the definition, therefore he would  
296 not be able to support the approval of the request.

297 Commissioner Pioch expressed his views in terms of substance abuse and the need for support  
298 for these individuals.

299 Commissioner Pioch moved, with support from Commissioner Hickmott, to deny the special  
300 land use request for a transient residence located at 105 Oak Street, based on the following  
301 findings:

- 302 1. Location WILL be detrimental, based on the R-2 zoning district, and its permitted uses being  
303 one and two-family homes.  
304 2. The transient nature of the occupants would not be consistent with the definition of family  
305 as defined in the Zoning Ordinance.

306 Motion carried by roll call vote, 4-1:

307 Pioch: yes  
308 Palenick: no  
309 Larson: yes  
310 Hickmott: yes  
311 Nottingham: yes  
312 Brown: Recused.

313  
314 Commissioner Brown returned to the Planning Commission meeting once the 105 Oak item was  
315 finished.

316  
317 **VII. PLANNING COMMISSION MEMBER COMMENTS** – Chair Larson wanted to clarify whether an LLC  
318 can be the applicant for an SLU. Ms. Anderson and Mr. Joseph agreed that it should not be an  
319 issue.

320  
321 Chair Larson brought up a complaint that was made about a fence being in poor repair. Mr.  
322 Joseph confirmed that the fence is located on the Honor Credit Union’s property, between the  
323 Warner Vineyards and the credit union parking lots. He added that he would notify Mr. Lux to  
324 look into it further.

325  
326 **VIII. STAFF/CONSULTANT COMMENTS** - None.

327 **IX. ADJOURNMENT** – 10:45 p.m.



Tricia Anderson, AICP – Williams & Works  
Recording Secretary  
Approved 11/2/2023