

Watson Township Planning Commission
Regular Meeting
Public Hearing
July 23, 2008

1. Call Meeting to Order:

Chairperson Chuck Andrysiak, called the meeting of the Watson Township Planning Commission Regular Meeting to order at 7:01pm.

2. Pledge of Allegiance

All recited the pledge.

3. Roll Call:

Present: Chuck Andrysiak, Beverly McKinnon, Jim Baas, Rod Zeinstra David Carter, and Barbara Wroblewski. Absent was John Menzie. Mark Sisson, our Township Advisor was present. Twenty-Two persons in the audience.

4. Approval of Agenda:

Chairman Chuck asked for approval of agenda. Motion made by Jim to accept the agenda. Seconded by Beverly. All approved.

5. Approval of Minutes:

Chairman Chuck asked for approval of minutes. Motion made by Rod to amend the minutes of June 25th, on the New Business to change the address from 120th to 1688 Timber Ridge. Second by Beverly. All approved.

6. Public Comments & Communications concerning item not on the agenda:

None

7. New Business:

a. Kennel on 120th Avenue

Kirk Scharphorn, Professional Code Inspector, explained that Cathy Pardee, Supervisor, called him about barking dogs complaints. What process to do? Violations. Tennant still in the house. Dawn could not move in. Kirk recommended that all parties concerned attend the Planning Commission meeting July 23rd.

Mark added, Special Use Permit was issued if everything was done right, the spirit of occupancy was alright but at issue, what can the Planning Commission do tonight? The Special Use Permit is not in effect until all items are met that was in the motion June 25th. Mark said that the Planning Commission can not do much tonight.

Pat Kelsey 2217 23rd Street Hopkins: Questions the Planning Commission did not explain all the zoning rules.

Sunny Rae VanderSloot 1871 120th. Allegan, stated that Don Johnson took there money for rent for July and did not say anything about their moving out. He did not tell them anything until after June 25th. She does not feel that Don Johnson was honest and the Kennel Lady was not honest either. The Kennel Lady was using their address.

Heather Fuss read a letter from her Dad Doug: "On the 15th of July, I was at the house that Al and Sonny currently reside, the house that Dawn Wieck is supposed to live in before any dogs are moved in. Dawn was putting dogs in the barn, then proceeded to walk over to the house, with a dog in her hand, where Al, Sonny, and myself were standing. I (Doug) asked Dawn why she had dogs on the property and informed her that they should not be there until she is a residence in the house on the property. Dawn looked at me, hand on hip and said that she could do anything she wanted to do and nobody could stop her. Al and Sonny heard this same comment. There seems to be other things that were presented to the Planning Commission that are not right, such as the comment made that the dogs do not bark: not

true: Such as living in the house: not true. There has been an attitude shown by Dawn and others that shows they do not care about township rules or residents that live there. These dogs do not improve our township, rather it degrades it. These dogs pay no revenue to our township and are noisy. The dogs that are currently there are only a portion of the dogs that will/could be there, and those that are there now, should not even be there according to the information presented at the last meeting. This, along with numerous other things, has been disrespectful to all who live in this community. We do not need people in Watson Township with such a poor and disrespecting attitude. With everything that has happened, and the numerous complaints that have been made by residents of Watson Township, hope you will revoke this permit and keep our community just as it was, one that our residents have enjoyed until this episode. The only person to gain from these dogs being here is Don Johnson. He will gain another \$300.00 per month, just to leave us with 50 barking dogs and owners/trainers that have little to no respect for the rules our township has set.”

Bill Holden 1861, 16th Street Allegan, Thinks that the Planning Commission has been hog sawgared-She gets dogs there and she could move them out.

Dawn Wieck-She is offended. She says the dogs are not barking constantly. About moving on the property,-Alan told he they would be out June 1st. Dawn thought the renters would be moving out. Could she move the camper there until Alan moved out? She feels that she has done the things that she was supposed to, except the house. She says that she sent out a certificate of insurance after June 25th meeting.

Mark questioned Dawn, that she did not call Cathy and ask if she could move in. Dawn explained that she thought the house would be vacant by July 1st and she moved the trailer in. She or someone is on the property 24 hours a day since last Sunday.

Bob Wright 1803 120th Ave. Allegan, He feels that Don Johnson has not been honest with everyone. The renter, Dawn Wieck, or the Planning Commission.

Pat Kelsey- Stated that renters insurance covers things in the house.
Dawn- Answered that it is covered in Liability.

Sonny – Stated that she did not know anything about all this before and now it makes them look like the bad guys.

Dawn gave Chuck the contract from Don Johnson on the barn and the house. Copies were made and put in the file.

Bill Holden- He feels that the rules were not met.

Cal Gallaher 250 Sherman, Allegan- Concern- He feels that the Planning Commission should revoke Dawn’s permit.

Pat Kelsey- Comment- If she came to us for a permit and if she does not follow all the rules then she should have it revoked.

Bob Wright- Wanted to know how the camper is legal? About electric and sewer.

Kirk- He is sure there has been a violation. He feels that you have to follow due process. Thirty days is the usual.

Mark- There is a normal due process- he explained about injunctions, general zoning, violations. What can the Planning Commission do? Have they made progress? Are they monitoring dogs? Liability insurance ?

Rod made the Motion to close the review of the Special Use Permit on 120th Avenue. Seconded by Jim. All agreed.

Mark stated that the Planning Commission has no authority. We recommend. Jim suggested we make requirements of what we want- David suggested Dawn get insurance, the right kind. Dawn said that she has the insurance. She sent it by fax today. Why not before now?

Chuck felt that Dawn had everything covered but did not keep her end of the bargain. Motion made by Rod; I move that the Watson Township Planning Commission recommend the Watson Township Board ask owner/operator to remove dogs or, then enforce removal if needed, at Kennel at 1871 120th Avenue, Allegan Mi. Because the Special Use Permit for Kennel Does not exist based on following Reasons.

1. Occupancy of parcel/property of owner of kennel does not meet criteria or intent set forth in motion conditions of Special Use hearing held June 25th, 2008.
2. Liability Insurance, as required in motion, has been provided to the township.
3. Current visible conditions do not appear to be adequate to reflect a professional business operation, and good neighbor, as presented to Planning Commission on June 25th, 2008.
4. Owner/operator appears to have neglected the conditions set in the motion made last month either willfully or due unfortunate circumstances the township has reason to divest any assurances or commitments given by owner /operator at this time.
5. Hold public hearing for August 27th, 2008 to review special use permit motion for kennel at 1871 120th Avenue Allegan Mi. 49010. Motion seconded by David.

Voting-Beverly yes, Rod yes, Barbara yes, Chuck yes, David yes, and Jim yes.

Chuck called a 10 minute break.

Jim made the motion to go to the public hearing. Seconded by Rod. All Agreed.

PUBLIC HEARING on Timber Ridge

Chuck read the rules for a public hearing. Barb read the public notice in the newspaper, and the letters we received from the property owners.

Rashmi Kothari 4304 Old Colony, Kalamazoo, Mi. 48009-stated that he owns 52 acres south of Timber Ridge.

Fran Withers 4304 Old Colony Kalamazoo, Mi. 48009-stated the dogs are fourteen to eighteen inches tall. The Kennel is private. Not open to the public. The building housing the kennel is 350feet back from Timber Ridge Road. The barn is 350ft by 60ft. The dogs are Australian Shepherds. Fran shows dogs. Never have more than ten dogs. The dogs have one blue eye, and one brown eye. Fran gets \$1200.00 a puppy. There will be a dog run behind the barn. It will be fenced. Dog waste? Fran will pick it up and have a waste company pick it up. Dogs are now at St. Charles, Mi. at Fran's daughters. Fran goes to other homes to care for dogs but will not board dogs. There will be a manufactured home moved in August 5th.2008.

Cal Gallaher 250 Sherman, Allegan Mi. Commended that he would like to see the Planning Commission turn down the permit, but can see why the Planning Commission should approve the permit.

Pat Kelsey-Thanks for being a good Planning Commission.

Dirk VandeBunte 1721 16th Street, Otsego Mi.49078.If someone wanted to put something on their farm would they need a permit? Answer: as long as it's Ag.

Rashmi stated that he would be spending time at the house.

Jim made the motion to close the public hearing. Seconded by Rod. All agreed.

Mark: Maybe granting permit to part of the property? Discussion.

Dave made this motion:

1. The facility is to be used for custom breeding and training of dogs on an appointment/reservation basis.
2. The facility will not be open to the public as a boarding facility for the keeping and regular care of animals on a daily, overnight other short term basis.
3. The number of adult animals too be housed overnight at any given time shall be limited

to ten.

4. Animal feces are to be collected regularly and properly disposed of off-site.
5. Liability insurance is to be obtained to cover dog bites and other dog related incidents.
6. Review September 2009.
7. Special Use Permit expires after twelve consecutive months of inactivity.
8. Owner/operator must occupy the house.
9. House must occupy the parcel on which the kennel is located as indicated on the site plan.
10. Special Use Permit will be attached to the NE corner of the property being approximately 660feet along Timber Ridge Bay by 923.6feet south, provided that the west line may be adjusted to ensure compliance with side set back requirements.
11. Natural screening as indicated on the site plan and fencing as stated in the application.
12. Special Use Permit will not be effective until house is occupied, and certificate of insurance is submitted.

Seconded by Jim. Vote-Beverly yes, Rod no, Barb yes, Dave yes, Jim yes Chuck yes.
Rod made the motion to close the public hearing and open the regular meeting Jim seconded. All agreed

8. Old Business

1. Mining

Rod will ask Cathy to send copies of all gravel replies to Planning Commission Members.

9. Any other business/on-going business:

- a. Master Plan Review tabled.

10. Adjourn

Rod made the motion to adjourn at 10:37pm; second by Beverly All approved.

Barbara Wroblewski