

**WAYLAND TOWNSHIP PLANNING COMMISSION
MINUTES FOR OCTOBER 14, 2026 MEETING**

1. Meeting called to order at 6:30 pm by Chairman Larry Brenner.
2. **Roll Call:** Members Present: Larry Brenner, Matt Miner, Deb Nardin, Jerry Ross, Rodney Standish, Jim Stoddard, Scott Sprague & Township Planner Rebecca Harvey.
3. **Approval of minutes** from 9-9-26 meeting: Motion by Commissioner Standish to accept the minutes as written, 2nd by Commissioner Ross, All Aye, motion Passed
4. **Approval of agenda** for 10-14-26 meeting: Motion by Commissioner Nardin to accept the agenda as written, 2nd by Commissioner Standish, All Aye, motion passed.
5. **Communication:** Miner gave an update from the Township Board Meeting on 10/5/26 and let everyone know the Township Board is still looking for a candidate for the at-large position on the fire board. The Township Board adopted all recommended ordinance recommendations from the Planning Commission. The fire dept has obtained a new ISO rating of 5 which may positively affect insurance scores/ rates. There will be a noticed published in the Allegan County News listing the 128th St Township Property for sale.
6. **Public Comment #1:** Collin Kummerfeldt, representative of Apex Energy/Blazing Star Solar, stated they have started conducting on site testing for drainage and stormwater per Allegan County's request. They believe they are on track to start construction around the second week of May 2027. They are also working with Allegan County Road Commission on a road use agreement.
7. **New Business:** None.
8. **Old Business:**
 - a. **Special Use Permit Application:** Jack and Kay Herp, property owners at 3207 5th St., also known as permanent parcel 03-024-010-023-30 for a temporary dwelling subject to the provisions of Section 3.03 of the Wayland Township Zoning Ordinance
 - i. Chairman Brenner acknowledge this application was tabled from the previous meeting after a tie vote to deny the request.
 - ii. Kay Herp spoke about the work she has been doing in obtaining records/permits with Kirk at PCI . They had the septic system tested by Allegan County Road Commission, and the well sample has been sent out for testing. Her daughter (the handicap) has a doctor appointment scheduled for November 23. She said she thought about the question Miner asked her last month on how much "care" she provides for her daughter. She previously said none and that "Matty" does it all. She continued on to say in hindsight, she didn't give herself enough credit and actually provides quite a bit of care for her daughter when Matty isn't there.
 - iii. Miner asked for clarification on who would be living in the temporary dwelling and Mrs. Herp replied, "her daughter, granddaughter and her daughter's fiancé Matty." Miner asked if they plan to get married soon. Mrs. Herp said "maybe in the spring." Miner said the application on file is for only a single handicap adult. He read from section 3.03 of the Zoning Ordinance (Temporary Dwellings) specifically 3.03B (1) and highlighted the wording of "health impaired or physically handicapped immediate members of the family occupying the principal single-family dwelling" and said that his opinion is that approving this request would violate the zoning ordinance and the Planning Commission cannot vote to approve something that would be a violation of the ordinance.
 - iv. Mrs. Herp said she filled out a 2nd application and listed all 3 people who would be living in the temporary dwelling

- v. Chairman Brenner asked the planning commissioner's what they expected to see from the Doctor's report from the November 23rd appointment, and how it would affect this request.
 - vi. Mrs. Herp said her daughter works full time at McDonalds near Gun Lake and can drive herself there and back. There have been times they (McDonalds) have called her to let her know her daughter is having an anxiety/panic attack where she needs to go get her or meet her when she gets home.
 - vii. Mrs. Herp said she thinks they only need about 3 years and then her and her husband will be moving and hopefully her daughter will be okay by then.
 - viii. Rebecca Harvey- It sounds like PCI has been trying to help Mrs. Herp move through the standards of the zoning ordinance that they can, specifically those provisions in section 18.03. The planning commission is the only ones who can determine if a special use permit application is approved or denied. PCI can only help the applicant through the process. Harvey continued on to say the bigger issue may be that someone who provides care for the daughter is living with her in the temporary dwelling and it's unclear what the basis is for that handicap to live in a temporary dwelling on the same parcel as her parents.
 - ix. Commissioner Standish said his heart goes out to Mrs. Herp and her family and this is a horrible situation. He said when he was appointed to the planning commission, he had to take an oath to uphold the constitution and the zoning ordinance. In his opinion this application does not comply with the zoning ordinance for the reasons that Miner previously mentioned.
 - x. Commissioner Ross asked what the applicant would do if the request would be denied? Mrs. Herp said they would likely move the trailer to a nearby mobile home park.
 - xi. Commissioner Stoddard said he would like to see what the doctor's report says after the November 23rd appointment to help clarify how much care the daughter requires.
- Commissioner Sprague said he would also like to see that report.

1 Stoddard made a motion with support from Nardin, to table the S.U.P Application from Jack and Kay Herp for a temporary dwelling, to the December 9th meeting with the understanding there is a follow up doctor's appointment schedule for 11/23/26, that the applicant will provide all required lacking documentation required by the zoning ordinance, including an updated site plan that is to scale that demonstrates compliance with building size/height/setback standards, installation requirements, utility connections, access/parking standards and identify which dwelling is the proposed temporary dwelling.

2 Chairman Brenner asked for an all those in favor to say Aye and those opposed same sign. Aye votes (4) Nardin, Sprague, Ross and Stoddard. Nay votes-(3) Miner, Standish, Brenner.

3 Motion to table to December 9th meeting approved.

b. Site Plan Review: Application for Gun Lake Storage by Zachary Wilson at 2870 10th St, (Parcel #24-019-042-10) Tabled from 7-10-26 Meeting.

- i. The applicant had provided an updated site plan that was reviewed by Rebecca Harvey and the Township's Engineer.
- ii. Upon review of the engineer's review the applicant has asked to be removed from tonight's agenda so they can update their plan again.

iii. Miner is concerned that the proposed storage will not be used for what is allowed in that zoning district but knows violating the Special Use Permit requirements could trigger suspension or revocation of the permit.

iv. Chairman Brenner has concerns with the following items on the existing site plan that were not mentioned by the engineer or planner's report.

1 This should be designed with drainage to a Retention Pond not Detention Pond and our ordinance allows us to do that.

2 The applicant is likely going to have to remove a lot of natural vegetation and possible wetlands which provides a barrier from run off and drainage to neighboring parcels. The township does not have setback requirements from wetlands but we can limit the amount of clearing and grading of vegetation to protect wetlands.

3 Soil erosion measures should be provided by the applicant.

4 This is proposed to be completed in phases and that wont work with the proposed driveway.

5 The turn radius to back a motorhome or trailer wont work. The current plan shows small car with trailer. There is only 40' proposed between buildings and the doors are only shown to be 12' wide. This is a major concern that should be addressed.

6 Would like clarification on the engineers reports to page 3, item number 7 in regards to the setback requirement for drainage basins.

v. Brenner made a motion with support from Standish to table the Site Plan Review Application from Gun Lake Commercial Storage.

1 Chairman Brenner asked for an all in favor vote. All members voted in favor.

2 Motion to table approved.

c. **Data Center Ordinance:** Chairman Brenner let the planning commission members know that just because the Township Board approved the moratorium it is only for 1 year and that will go by quickly. Please be prepared to discuss this topic as our agenda allows.

9. **Public Comment #2:** Collin Kummerfeldt spoke again in regards to the Blazing Star Solar project. Said their project did shrink by approximately 60 acres and they anticipate applying for building permits soon.

10. **Adjournment:** Prior to asking for a motion to adjourn, Chairman Brenner thanked Township Planner Rebecca Harvey for her service to Wayland Township or the last few years, particularly thankful for her work on the biggest application ever handled by the Township in the Blazing Star Solar application as this is her last meeting as the township planner. A Motion by Standish, supported by Miner to adjourn at 8:41pm. All Aye.

Matthew Miner, Secretary, Wayland Township Planning Commission