

**Buchanan Charter Township Planning Commission  
Regular Meeting  
April 27, 2022**

---

**CALL TO ORDER**

The regular April 27, 2022, meeting of the Buchanan Township Planning Commission (PC) was called to order by Chairman Dennis Wentworth at 6:30 pm

Members Present: Dennis Wentworth (Chair), Scott Albright, Gerald (Jerry) DiPietro, Daniel Lakin, Katie Heyliger.

Members Absent: Kimberly Scarpone, Rachel Plank

Others Present: Enforcement Officer Eileen Glick, Chelsea Aller, April Binns, Dominic Clolinger, Jarod Lakin, Payton Hoffman, Spencer Hoffman, Jacob Busick, Christine Busick, Danielle Burgoyne, Douglas Burgoyne, Nick Margaritits, Laird Willard, Ken Simpson, Norman Klug, Jodi Mattner, Brad Mattner, Ken Jewell, Tim Jesswein, Karla Ferris, Thom Corpus, Wade Plank, Leslie Abdo of Foster Swift

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited by those present

**APPROVAL OF AGENDA**

Daniel Lakin motioned to accept the agenda as presented, Scott Albright seconded.

Voice vote: ALL APPROVED

**APPROVAL OF MINUTES – March 2, 2022**

Katie Heyliger moved, and Daniel Lakin seconded to accept the minutes as presented

Voice vote: ALL APPROVED

**BRIEF PUBLIC COMMENT**

None

**CORRESPONDENCE**

Letter to the Planning Commission (**ATTACHMENT A**) from member Rachel Plank explaining her concerns regarding the request for Special Land Use application. The letter is attached to the minutes and referred to during the discussion.

**UNFINISHED BUSINESS**

None

**PUBLIC HEARING**

Public Hearing – Public Hearing – Special Land Use for Serenity Woods Summit, April Binns, 15165 Main St. Buchanan, MI 49107. Parcel 11-06-0023-0039-30-8.

Katie Heyliger moved to open the Public Hearing at 6:36 PM, Scott Albright seconded, ALL agreed, no objections

Eileen Glick read the staff report regarding the Special Land use applied for and by April Binns for an event venue. Turned the floor over to April who said the use the barn to rent out for weddings, baby showers, rehearsals, Buchanan School functions, Yoga classes, floral shop and other various uses, minus the current residence.

Richard Kubsch, Building Official Buchanan Charter Township read a letter to the Planning Commission on behalf of the Township Building and Fire Departments requesting various conditions be placed on the special land use permit if approved. **(ATTACHMENT B)**

Norm Klug, State Mechanical Inspector with experience in reviewing wedding venues in the area indicated that Buchanan Charter Township is not asking for anything unusual or anything over and above what other municipalities require, such as fire suppression and graded roads. April replied her situation is different since the barn is residential. April Binns contested what Norm Klug presented. Norm pointed out that the barn is a commercial establishment even though she may live on the property.

Jerry DiPietro moved to close the Public Hearing at 6:45PM, and Daniel Lakin seconded. All approved

### **BOARD DISCUSSION**

Dennis Wentworth spoke first with his concerns and clarifications. He asked April if the house on the property is going to be part of the wedding venue. April stated she lives in the home and that the house on the property is not part of the application for the special land use. He also had a concern of the site plan showing a road going to the back parcel and suggest parcels be joined or easement rights be granted so access to back property can happen with little effort. He also asked about piping water into a French drain and current buried drain. Hours of operation (9:30 – 11:30PM), no more than 40 events in a given year.

Scott Albright asked and confirmed that outdoor performances would be completed by 9:00PM based on similarly approved uses. April confirmed that any band/DJ would be set up indoors at all times.

Re: parking capacity per April Binns 102 fixed spaces with overflow parking in two grass areas 10 spots in one area and another 40 spots on the grass. Discussion was had about the Township's parking requirements. She is requesting a capacity of 299. Need to be mindful of fire lane and not allow parking on the private road.

Dennis Wentworth addressed the ravine in the back. April indicated she had no plans on fencing off or covering it with brush, but intends to have attendees sign liability waivers. Planning Commissions noted safety concerns with the ravine because of how steep it is, regardless of any liability waivers. April acknowledged it is a steep ravine.

Food and all drinks are catered in. Nothing is provided by Serenity Woods.

Katie Heyliger asked if there will be security at events. April indicated no.

Eileen Glick and Laird Willard, Berrien Co. Health Dept. addressed water and septic as it applies to a commercial barn, only approved for the residence. Eileen indicated that the Berrien County Health Department told her that, under the current well/septic system, no water would be permitted to run to the barn because she does not have the proper well/septic system. The current well/septic system is designed for a residential structure not a commercial venue. Eileen indicated April will need to address that issue. Laird said that the original permits she pulled were for a single-family residence only. April contested Laird's statement of facts per her application on 2/18/2021, for single family residence, not commercial. Laird said what was designed was for 3-bedroom single-family residence, including the well. Indicated if she wants to proceed using the barn for this purpose, she needs to come under commercial guidelines, including the distance between the well/septic. The existing well is for single-family purposes and that was what was she put in her application.

Nick Magaritis, Berrien Co. Environmental Health Dept. explained the differences between

**Buchanan Charter Township Planning Commission  
Regular Meeting  
April 27, 2022**

---

residential and commercial septic and well systems. Current systems are approved for residential use only. He said when it receives an application for a commercial property, the Department requires stamped, engineered drawings to be done. The Department works with the engineers to determine the size of the septic systems. He said that they do not typically combine septic systems for a house and a commercial business. They are kept separate in case there is a failure, one does not affect the other.

April indicated she originally got a residential building permit. Nick explained to her when there is a change of use, you need to get an updated permit (i.e. for additions to a home). Here, there is a change of use from a residential to commercial use, so different standards and rules apply. What needs to be done to the well and septic may depend on the capacity of the barn, but the distance between the well and septic depends on the commercial vs. residential use.

Dennis Wentworth noted that the Planning Commission's focus is on the zoning issues rather than Building Code issues. He went through the standards listed in section 300-18.39 of the Zoning Ordinance regarding event venues.

Dennis Wentworth motioned that **Resolution Recommending Approval of Special Land Use Application** be approved (**ATTACHMENT C**), Scott Albright seconded:

Planning Commission discussed the Resolution and conditions included therein.

April brought up max capacity as 299, also Laird indicated if the septic system is sized properly, then number of events per year has no effect. Daniel Lakin indicated that under no circumstances can the fire lane be obstructed. Fire suppression to be determined after plan review of drawings with design professional; it can depend on capacity, Rich Kubsch. Scott Albright wanted to make sure the back parcel has access to the road. Confirmation was provided by April that the home would remain residential and no event venue guests would be allowed in it. The Planning Commission also wanted an updated site plan on file at the Township with the correct placement of buildings and other features discussed at the meeting, such as the private road and any easements.

**ROLL CALL VOTE:**

YEAS: Scott Albright, Gerald DiPietro, Katie Heyliger, Daniel Lakin, Dennis Wentworth

NAYS: None

**RESOLUTION ADOPTED**

**NEW BUSINESS**

None

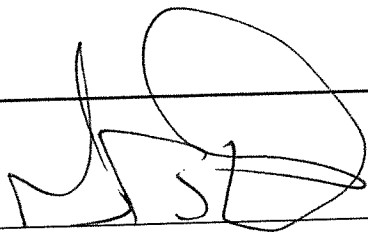
Meeting Adjourned 7:46 PM

Next Regular Meeting: To be determined

Buchanan Charter Township Planning Commission  
Regular Meeting  
April 27, 2022

---

Gerald DiPietro, Secretary

APPROVED ON: May 25, 2022 signed: 

by: D. Worthworth, D. Lakin, S. Albright, R. Lakin, K. Scarfone  
C. Heyliger