

## Minutes of the February 5, 2024, Regular Board Meeting of Sherman Township

The regular scheduled meeting of the Sherman Township Board was held on Tuesday February 5, 2024, at 7:00 pm, in the meeting room of the township hall. The meeting was called to order by Supervisor-Smalligan at 7:00 pm. After the pledge of allegiance, roll call was taken and members present were Karen Berens, Doug Berens, Stan Stroven, Ken Smalligan, and Jamie Kukal.

Motion was made by K Berens and 2nd by S Stroven to approve the agenda as presented. All approved, motion passed.

Motion was made by K Berens and 2nd by S Stroven to approve the minutes from January 2, 2023, with corrections. All approved, motion passed.

For public comment, David Harrington presented photos of the replacement bridge over Robinson Creek and his concerns with the quality. He claims it is quicker to collect ice than before, the guard rail on the north side is only 16" from the edge of the road and there is a significant bump in the road as you enter it on the south-west side. Supervisor-Smalligan told Mr. Harrington that the township was not involved in any that project, however he would relay his concerns to the County.

Treasurer-Berens presented her report of outgoing funds highlighting the county equalization bill of \$3,637.88. With no questions a motion was made by S Stroven and 2<sup>nd</sup> by D Berens to accept the Treasurer's report and authorize her to pay the bills. Roll call vote was taken. Yes; K Berens, D Berens, S Stroven, Ken Smalligan and J Kukal No; none. Motion passed.

Clerk-Kukal gave a verbal clerk's report, highlighting the fact that her full-time job was limiting her availability greatly. With no questions on her report, she went on to present the sample for the lawyer contact policy. She will have a final resolution for consideration next month. For the code of ethics, she presented a copy of the Deputy Zoning Administrator's Job Description with the code of conduct section added. Consent was given to proceed with adding that section to all job descriptions moving forward. Kukal then presented the renewal of the contract for equalization services for approval. Motion was made by K Berens and 2<sup>nd</sup> by S Stroven to accept the contract for equalization services as presented from the Newaygo County Equalization Director. Roll call vote was taken. Yes; K Berens, D Berens, S Stroven, Ken Smalligan and J Kukal No; none. Motion passed. For the subject of the clerk's pay scale, Kukal voiced her concerns to get someone to fill the position for the current rate, due to the extensive workload related to elections. She is seriously considering not running for re-election. It was decided to leave the pay as is for the year.

There was nothing from the Trustees at this time.

Supervisor- Smalligan presented the road project recommendations from the Newaygo County Road Commission for consideration. Option #1 was wedge & overlay 24<sup>th</sup> St. between old M-20 and Parsons Ave for the township share of \$132,000. Option #2 was wedge & overlay Luce Ave. between 8<sup>th</sup> St. and Baseline Rd. for the township share of \$143,400. Option #3 was wedge & overlay Luce Ave. between 8<sup>th</sup> St. and 16<sup>th</sup> St for the township share of \$143,400. Supervisor Smalligan reminded the board that Luce is a road that is shared with Dayton township for responsibility and Dayton continues to refuse to share the expenses for repairs. Motion was made to accept the proposed road project for wedge & overlay 24<sup>th</sup> St.

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between old M-20 and Parsons Ave. for the township share of \$132,000. Roll call vote was taken. Yes; K Berens, D Berens, S Stroven, Ken Smalligan and J Kukal No; none. Motion passed. For the subject of a memorial plaque at the Robinson Creek Bridge, Ken received a quote of \$400 for two plaques from the Road Commission. If donations can be raised, he will contact the road commission to order them.

Planning commission representative- Berens reported on last month's meeting and public hearing, where the proposed ordinance changes passed 4-3. The proposed changes were presented to the board for consideration. Supervisor Smalligan opened it up for public comment on the subject.

- Warren Stroven read a letter from Thomas Margol. (Appendage A)
- Warren Stroven read a letter from Rick Tanis. (Appendage B)
- Warren Stroven read a letter from Steve Kotecki (Appendage C)
- Warren Stroven read his own letter stating that he is against increasing the building size to 4000 square feet. He continues to be concerned about the potential for industrialization that these changes may lead to in the future.
- Jay Diehl spoke about his disappointment with the planning commission's deficiencies in the process. He feels the commission has taken advantage of the process creating the opportunity to make outrageous changes. He claimed that in this situation the system is broken.
- Claire Derks is not in favor of the changes and did not move to an industrial community.
- Al Smalligan commented that as a member of the planning commission, he is really sorry that it has taken this long to find a solution. The public feels that the board doesn't listen to them, and this proved it.
- Dave Chrysler agrees with the recommendation to not change the ordinance and said outsiders need to be shut down.

Supervisor Smalligan closed the public comment and brought it back to the board for discussion. He presented his revisions to the proposed changes. He approves of the two proposed deletions of sections 2.41 and 3.22. He would like 17.15, 2,A to stop after (2400) square feet, with the rest eliminated from A. He would also like 17.15,3,D to return to the original wording of one non-residents. All other proposed changes he approves of. (Appendage D) S Stroven approves of the two proposed deletions of sections 2.41 and 3.22. He would like 17.15, 2, A to stop at preexisting neighboring residence and eliminated the rest from A. All other proposed changes he approves of. (Appendage E) K Berens commented that she is not sure why it was set to increase to the 4,000 square feet and she agrees with Stan to strike out the last section of A. D Berens said he approves of the changes as originally presented and everything is getting bigger. J Kukal commented that she has listened to the debates at both public hearings along with the other meetings and she feels that the issue of size is not the going to solve the bottom line of the public concerns. She feels that those concerns will need to be addressed on an individual basis with each special use permit hearing. 4000 square feet is not a large enough building for the industrialization concerns and currently there are existing buildings that size or larger being used for unpermitted business use in our township and the public doesn't even realize it. Kukal approves of the proposed ordinance changes as originally presented. A motion was made by K Smalligan and 2<sup>nd</sup> by K Berens to approve the proposed changes with Ken's proposed revisions. S Stroven made a amendment motion to accept the proposed changes with Stan's proposed revisions it was 2<sup>nd</sup> by D Berens. Roll call vote was taken on the amendment. Yes; D Berens and S Stroven No; K Berens, Ken Smalligan and J Kukal. Motion failed 2-3.

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Roll call vote was taken on the original motion. Yes; K Berens, , Ken Smalligan and J Kukal No; D Berens and S Stroven. Motion passed 3-2.

Assessor-Story was not present, Smalligan read the provide report highlighting the March BOR Dates. Smalligan presented Resolution 2024-3, To provide for alternate Starting Dates for March, July and December 2024 Board of Review. Motion was made by J Kukal and 2<sup>nd</sup> by D Bernes to approve the resolution as presented. Motion passed 4-1.

No cemetery reports.

Building inspector-Smalligan presented his report indicating 0 permits and 4 inspections last month.

Zoning Administrator-Kukal's asked for confirmation on the Junk Drive date, it is June 8th.

For White Cloud Sherman Utilities K Koprolices reported on the afternoon's meeting. February 20, 2024, will be their budget meeting . They are working on a new vehicle use policy and new internet options for the office. The sledge pond annual check is scheduled for this spring.

For Fremont Fire District, K Berens reported billing \$285.38 and collecting \$368.48 for the month. There was no January meeting for White Cloud.

For new or unfinished business, Clerk-Kukal pointed out that the ARPA funds would need to be assigned by the reporting in April, so come with recommendations next month.

There was no board member comment at this time.

For public Comment, Al Smalligan thanked the board for the decision on the proposed ordinance changes and asked for a printout of registered home businesses in the township.

Meeting adjourned at 8:05 pm

Submitted by: Jamie Kukal-Clerk

Visitors present:	Wayne Berens	Jerry Engel	Gary Smalligan
	Chad Kukal	Butch Deur	Karen Koprolices
	Dean VanOstenberg	Mark Kukal	Bret Derks
	Todd Hanson	Dick Chenard	Al Smalligan
	Warren Stroven	David Harrington	Mike Derks
	Claire Derks	Glenn Tissue	

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Jamie Kukal, Sherman Township Clerk

**Balance Sheet**

As of January 31, 2024

	Jan 31, 24
<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Checking/Savings</b>	
<b>MASTER ACCOUNT</b>	
101-001 · General Fund cash	245,058.18
203-001 · Mayo Drive cash	21,848.89
220-002 · Robinson Lake Cash	16,085.57
221-001 · Crystal Lake Cash	43,618.86
336-001 · Fire protection millage Fr & WC	10,913.84
MASTER ACCOUNT - Other	-955.00
<b>Total MASTER ACCOUNT</b>	<u>336,570.34</u>
151-001 · Cemetery cash	2,157.12
202-001 · Road Checking	62,161.93
249-001 · Capital acquisition cash	3,626.29
<b>260-001 · Gerber FCU</b>	
261-336 · Gerber Fire Runs Savings	3,328.03
263-001 · Gerber FCU ARPA Account	13,713.18
<b>Total 260-001 · Gerber FCU</b>	<u>17,041.21</u>
401-001 · Winter Tax Account	752,106.00
402-002 · Summer Tax Account	24,214.06
<b>Total Checking/Savings</b>	<u>1,197,876.95</u>
<b>Total Current Assets</b>	<u>1,197,876.95</u>
<b>TOTAL ASSETS</b>	<u><b>1,197,876.95</b></u>
<b>LIABILITIES &amp; EQUITY</b>	<u><b>1,197,876.95</b></u>

Thomas Margol  
1308 Croswell Ave

To the members of the board,

Again I apologize that I can't be here in person, but I am at work yet again. Once more the meeting is going on concerning the home based business building size, and proximity to neighbors. This has been debated time and time again, and should be obvious by now, to even the most casual observers, that the majority of the people DO NOT want the proposed changes in regards to building size, and placement, to the neighbors. We have brought up the noise, traffic, and a myriad of other reasons that we DO NOT agree with, nor intend to just give up the challenge to OUR wishes, the people of this township. We are NOT just hecklers, as we were previously referred to, but concerned citizens.

We chose to move here many years ago because we liked what was here at the time, and wish to preserve that same peaceful tranquility that has been here for many years previously, and continue to enjoy the very same for the future. We DO NOT want the area industrialized; we want the area to stay the agricultural area we moved to. There are areas that are specifically in place to accommodate the industrial entrepreneurs that wish to start their businesses other than running something out their homes and or SMALL out buildings. Those who have started hair salons or accounting businesses, etc. have been more than welcomed, so it isn't just not wanting small businesses in our community. We don't want the increase in noise, and truck traffic! The small businesses in sheet metal, lumber/sawmills will inevitably increase in size, like those on M-82 have. That is absolutely NOT what was the intention of the planners, when the township was created.

We have been told that these numbers are completely arbitrary, and are just to prevent the need for MORE meetings and keep up with the growth of the township. These bridges should be, and need to be crossed as they are come to. WE DO NOT WANT INDUSTRIAL GROWTH IN THE TOWNSHIP!!! These proposed changes are not going to keep the peace and quiet that we want! As board members you are entrusted with the best interest of the township. Since the vast majority of the homeowners here are strongly opposed to the changes proposed, then it should be a "no brainer" to vote down the proposed changes, and restore the confidence of the people of the community that the board actually has the best interest of said people in mind.

B

Rick Tanis

3612 S Sherman Ave

Fremont Mi, 49412

First I would like to thank the board for the job they do

I would also like to go on record that I am opposed to these changes, I feel it is a bad decision to turn land zoned agriculture into industrial, no matter what the size or configuration.

Thank you for allowing me to express my views.

Rick Tanis

HELLO TO THE TOWNSHIP BOARD AND ALL ATTENDING.

MY NAME IS STEVE KOTECKI, 1889 CROSWELL AVE.

I AM SORRY THAT I AM NOT ABLE TO ATTEND THE MEETING TONIGHT. SO I HAVE ASKED WARREN STROVEN TO READ MY LETTER. AS MOST OF YOU PROBABLY KNOW I HAVE BEEN IN OPPOSITION OF THESE LIBERALIZED CHANGES IN THE ZONING PLAN CONCERNING HOME BUSINESS OCCUPATION OUTBUILDINGS. I FEEL THIS IS A RADICAL CHANGE THAT LIBERALIZES OUR ZONING AND DEGRADES WHAT THE ORDANANCE WAS DESIGNED TO DO. IT WAS TO CONTROL THE VERY THING THAT YOU ARE TALKING ABOUT EXPANDING. THIS WOULD ALSO MOVE AWAY FROM OUR AGRICULTURAL WAY OF LIFE AND PEACEFUL RESIDENTIAL LIVING IN OUR TOWNSHIP. THE 2400 SQ FT BUILDING WAS MORE THAN ENOUGH WITH THE LAST CHANGE IN 2017. THE PROPOSED 4000 SQ FT BUILDING WITH 2 NON-FAMILY MEMBERS, A 250' SETBACK, ALONG WITH NAMED TYPES OF ALLOWABLE USES IS ALL TOGETHER ANOTHER MAJOR CHANGE.

TO MANY OF THE RESIDENTS THAT HAVE ATTENDED PAST MEETINGS OF THE PLANNING/ZONING COMMISSION ALL OF THEIR CONCERNS HAVE FALLEN ON DEAF EARS.

I AM ASKING THE TOWNSHIP BOARD TO PLEASE DENY THIS NEW ZONING CHANGE AND TO HEAR THE PLEAS OF THE RESIDENTS OF SHERMAN TOWNSHIP

THANK-YOU  
STEVE KOTECKI

**Section 17.15 - Home Business Occupations:** A Home Business Occupation is an occupation or profession carried out by a member of a family residing on the premises, which is clearly incidental and secondary to the principal residential use, and does not involve the alteration of the structure or change the character thereof. A parcel is limited to one (1) Home Business Occupation. Home Business Occupations may be permitted only as a Special Use and are allowed in all Districts except Lake Residential. The above requirements as well as those listed below must be met to be considered a Home Business Occupation.

- 1) **In-Home Business:** An In-Home Business is a Home Business Occupation conducted entirely within the principal residence.
  - A) No more than twenty-five percent (25%) of the gross floor area of the dwelling unit shall be utilized for an In-Home Business.
  - B) Outdoor storage is prohibited for an In-Home Business.
- 2) **Outbuilding Business:** An Outbuilding Business is a Home Business Occupation conducted in an accessory building or part of an accessory building.
  - A) An Outbuilding Business may not to exceed twenty-four hundred (2400) square feet, except in the Agricultural District where an Outbuilding Business may not exceed four thousand (4000) square feet on parcels forty (40) acres or greater and with a minimum setback of two hundred fifty (250) feet from any preexisting neighboring residence. In the Agricultural District, operations such as metal works, sawmills, carpentry/construction, food processing, grocery/farm/feed stores or other similar uses are permitted as an Outbuilding Business. Operations such as metal works, sawmills or other similar intensive uses are only permitted in the Agricultural District on parcels forty (40) acres or greater and with a minimum setback of two hundred fifty (250) feet from any preexisting neighboring residence.
  - B) The outdoor storage of goods and/or materials of any kind is prohibited unless screened by a tightboard fence, landscaped buffer, landscaped berm, etc. from view from neighboring property and road right-of-ways. On parcels under two (2) acres, outdoor storage is limited to half (1/2) of the square footage of the Outbuilding Business. On parcels two (2) acres or larger, outdoor storage is limited to the square footage of the Outbuilding Business. All outdoor storage shall meet a fifty (50) foot setback from all property lines.
- 3) All Home Business Occupations must meet the following requirements:
  - A) The Home Business Occupation may not create any nuisance or undue hazard due to heat, glare, noise, smoke, vibration, noxious fumes, odors, vapors, gases, or any other disturbances at any time resulting from such operation. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television off the premises, or causes fluctuations in line voltage off the premises.
  - B) There shall be no change in the exterior appearance of the dwelling or premises, or other evidence of the conduct of the Home Business Occupation, other than



one non-illuminated sign not greater than sixteen (16) square feet in size relating to such occupation.

- C) Notice provisions regarding commercial property shall apply to uses under this section.
- D) All Home Business Occupation activities must be carried on only by residents of the principal residence, plus not more than ~~two~~ (2) non-residents.
- E) A Home Business Occupation must provide adequate off-street parking, in addition to that required for the principal residence.
- F) All Home Business Occupations are subject to inspection by the Sherman Township Zoning Administrator.
- G) The Planning Commission shall have the authority over all Home Business Occupations to order a limit on the hours of operation, outdoor storage screening requirements, and impose conditions of operation when issuing a Special Use Permit.

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*Amended  
measuring*

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