# THORNAPPLE TOWNSHIP
# PLANNING COMMISSION
# Meeting Agenda
# Monday, October 27, 2025
# 7:00 P.M.

1. **Call to Order** (7:00 P.M.)
2. **Approval of Agenda:**
3. **Approval of Minutes** September 22, 2025
4. **Citizen Comments:**
5. **Public Hearings:**
   a. SLU-179 Contractor Yard Sec 19.35 4904 Prairie Sunset Dr Taylor & Ali Cleary
   b. Institution of a Bubbler Ordinance
6. **New Business:**
   a.
7. **Unfinished Business:**
   a.
8. **Committee Reports:**
   a. Ordinance Committee – *[Kilgore, Finkbeiner, Rairigh, Gasper (alt)]*
   b. Site Plan Committee – *[Finkbeiner, Denton, Wandrie, Hansson (alt)]*
   c. Joint Planning Committee – *[Rairigh, Gasper, Denton, Kilgore (alt)]*
9. **Administrator's Report:**
   a. Zoning Ordinance Audit – Committee should meet for review of some ordinances
   b. Zoning Report – see attached
   c. Code Enforcement Report – Log included
10. **Commissioner Comments:**
11. **Adjournment**

# THORNAPPLE TOWNSHIP PLANNING COMMISSION

## Regular Meeting, September 22, 2025

1. Call to Order:

   A. The meeting was called to order by Tom Kilgore at 7:00 p.m. at the Thornapple Township Hall located at 200 East Main Street Middleville, Michigan 49333.

   B. Present: Tom Kilgore, Sandy Rairigh, Bryan Finkbeiner, Elaine Denton, Linda Gasper, Craig Wandrie, and Elizabeth Hansson. Absent: Elaine Denton (ill). Also Present: Jim Seymour, Dianne Seymour, Jeff Emmants, Kelly Belanger, Danell Hoskins, Susan Ridesgeld, John Wilson, Diane Hoskins, Tracy Hill, Jim Yeeneman, Bev Yeeneman, Kurt Dekock, Ross Veltema, I. Shinimell, Karen Fraley, Philip Fraley, Carol Postma, Susan Porter, Kerrie Jo Nalbach, Emma Jo Chance, Ann Cross, Lynne Marutz, Pam Doublestein, Scott Doublestein, Jessica Harris, Carson Gallaway, and Phil Gensterlum (Brenda Hess-Absent).

2. Approval of Agenda:

   **MOTION** by Gasper, **SUPPORT** by Finkbeiner to amend the agenda by adding 6b - Bubbler Ordinance and approve agenda as amended. **MOTION CARRIED** with 6 yes voice votes.

3. Approval of Minutes:

   **MOTION** by Gasper **SUPPORT** by Wandrie to approve the July 28, 2025, meeting minutes with spelling correction on page 2. **MOTION CARRIED** with 6 yes voice votes.

4. Citizen Comments: Kerrie Jo Nalbach commented on fencing by water ordinance

5. Public Hearings:

   A. Special Land Use #132/SP #129 Renewal – Top Grade Mining Operation – Kurt DeKock

      I. Applicant Presentation: Mr. DeKock reviewed his request for his ongoing special use permit. He shared that he was working on reclaiming the northeast corner of the site.

      II. Planning and Zoning Administrator: Gensterblum commented that one parcel's renewal was late due to the transfer to a new owner, but that has been rectified. Top Grade has been good to work with and has complied with all township requests and requirements.

      III. Public Hearing: No comments.

      IV. Commission Questions and Deliberation: None

   **MOTION** by Gasper, **SUPPORT** by Finkbeiner to approve renewal of special Land Use #177/SP #129 Renewal for Top Grade Mining Operation. **Roll Call Vote:** Finkbeiner-Yes, Gasper-Yes, Hansson-Yes, Kilgore-Yes, Rairigh-Yes, Wandrie-Yes. **MOTION CARRIED** with 6 yes roll call votes and 0 no votes.

   B. Special Land Use #149/SP #130 Renewal – Excel Excavating Mining Operation – Carson Galloway

      I. Applicant Presentation: Galloway reviewed his plans for the site and requested a renewal.

      II. Planning and Zoning Administrator: Gensterblum reminded Galloway that the fencing around the site needs maintaining as it has fallen down several times.

      III. Public Hearing: No comments.

      IV. Commission Questions and Deliberations: None

DRAFT

**MOTION** by Gasper **SUPPORT** by Rairigh to approve Special Use #149/SP #130 Renewal for Excel Excavating Mining Operation. **Roll Call Vote:** Finkbeiner-Yes, Gasper-Yes, Hansson-Yes, Kilgore-Yes, Rairigh-Yes, Wandrie-Yes. **MOTION CARRIED** with 6 yes roll call votes.

6. New Business:

   a. Harwood Lake Residents – Made a presentation regarding the lower levels of water in the lake and possible connection to nearby mining operations.

   b. Bubbler Ordinance – The Bubbler Ordinance will have a Public Hearing at the October Planning Meeting.

7. Unfinished Business: None

8. Committee Reports:

   A. Ordinance Committee – [Kilgore, Finkbeiner, Rairigh, Gasper (alt)] – Updating is going well.
   B. Site Plan Committee – [Finkbeiner, Denton, Wandrie, Hansson (alt)] – None.
   C. Joint Planning Committee – [Rairigh, Gasper, Denton, Kilgore (alt)] – Committee to begin meeting quarterly.
   D.

9. Administrator's Report:

   A. Zoning Ordinance Audit: None
   B. Zoning Report: Gensterblum reported issue of seven permits.
   C. Code Enforcement Report: Quad/dirt bike issues reported on Cherry Valley/Prairie Ridge.

10. Commissioner Comments: None

11. Adjournment:

    **MOTION** by Finkbeiner, **SUPPORT** by Hansson to adjourn the meeting at 7:48p.m. **MOTION CARRIED** with 6 voice votes.

DRAFT

_____
Sandra Rairigh, Secretary

_____
Brenda Hess, Recording Secretary

Approved _____

# NOTICE OF PUBLIC HEARINGS
# THORNAPPLE TOWNSHIP PLANNING COMMISSION
# MONDAY, October 27, 2025, at 7:00 P.M.

**Please be advised the Thornapple Township Planning Commission will hold a public hearing on October 27, 2025, at 7pm or as soon thereafter as possible. The public hearings will take place in the Township Hall, 200 E. Main St., Middleville.**

**The public hearing will address the following:**

1. *The adoption of an ordinance regulating the use of bubblers or similar devices for the prevention of ice formation on bodies of water within Thornapple Township.*

Any interested person may attend the public hearings to learn about the extent of the proposed ordinance. A copy of the proposed ordinance referenced above may be examined in the Township offices at the address noted above during regular business hours. Monday – Thursday 9am- 4pm

**Written comments regarding this proposed ordinance may be addressed to:**
**Secretary, Thornapple Township Planning Commission, P.O. Box 459, Middleville, MI 49333.**
**Sandy Rairigh, Commission Secretary or submitted via email to: zoning-administrator@thornapple-twp.org**

**Americans with Disabilities Notice**
Persons with special access needs should contact the Township Clerk at 269-795-7202 no less than 72 hours before the hearings.
***Kathy Medenblik, Thornapple Township Clerk***

# APPLICATION FOR APPROVAL OF SPECIAL USE

**Thornapple Township, 200 E. Main St., Middleville, MI 49333**
**Phone: 269-795-7202 Fax: 269-795-8812**
**Email: zoning-administrator@thornapple-twp.org**

**Case # SU-** 179
**Hearing Date** 10/27/2025

## PROPERTY INFORMATION

*Property Address:* 4904 Prairie Sunset Ln, Middleville, MI 49333

*Parcel ID Number:* 14-021-004-02 *Zoning District* RR *Wetlands Present?* No

*Parcel Size* *Frontage:* _____ *feet* *Depth:* _____ *feet* *Area:* 5.69 *[Acres or square feet]*

*Master Plan Future Land Use Map Designation for Parcel:* _____

*Current Use of Property [Describe]* Home

*Describe Proposed Special Land Use:* Contractor Yard

*Section of Zoning Ordinance Allowing Special Land Use:* 32.2.38

*****Provide a land survey and/or legal description of the subject property on a page attached to this petition*****

## APPLICANT INFORMATION

### 1. Applicant

*Identify the person or entity making this petition:*

*Name:* Taylor & Ali Cleary *Cell Phone* 6167065430

*Mailing Address:* 4904 Prairie Sunset Ln *Telephone* 6162995165

*City* Middleville *State* MI *Zip* 49333 *FAX* _____

*E-Mail* cleary.ali1@gmail.com

### 2. Applicant Interest

The applicant must have a legal interest in the subject property, please check one below:

☑ Property Owner ☐ Purchase by Land Contract ☐ Option to Purchase ☐ Purchase Agreement ☐ Lessee over 1 year

### 3. Property Owner

✓ **Check here if applicant is also property owner**

*Identify person or entity that owns the subject property:*

*Name:* _____ *Cell Phone* _____

*Mailing Address:* _____ *Telephone* _____

City _____ *State* _____ *Zip* _____ *Fax* _____

*E-Mail* _____

### 4. Authorized Agent

*Identify person or entity representing the property owner or applicant in this petition:*

*Name:* _____ *Cell Phone* _____

*Mailing Address:* _____ *Telephone* _____

City_____ *State*_____ *Zip*_____ *Fax* _____

*E-Mail* _____

## REQUIRED PETITION – WRITTEN ATTACHMENTS

- ✓ **Provide narrative to explain need for the proposed Special Land Use**
- ✓ **Provide narrative addressing Section 19.3(1)-(10) criteria.**
- ✓ **Site Plan, if required**

## REQUEST & AFFIDAVIT

The applicant must read the following statement carefully and sign below:

*The undersigned requests Thornapple Township review this petition and companion documents as provided in the zoning ordinance now in effect. The applicant further affirms and acknowledges the following:*

- ✓ *That the petitioner has a legal interest in the property described in this petition, and*
- ✓ *The answers and statements contained in this petition and attachment are in all respects true and correct to the best of my knowledge, and*
- ✓ *The petitioner offers the conditions set forth herein on its own volition and completely voluntary.*
- ✓ *The approval of this petition does not relieve the undersigned from compliance with all other provisions of the Zoning Ordinance or other applicable codes and ordinances and does not constitute granting of a variance, and*
- ✓ *The undersigned hereby grants Thornapple Township staff and Planning Commission member the right to access the subject property for the sole purpose of evaluating this petition.*

John Ley — 9-30-25

**Applicant Signature** **Date**

Ley — 9-30-25

**Applicant Signature** **Date**

**********

**If the petitioner is not the property owner, the property owner must sign below:**

_____ _____

**Property Owner Signature** **Date**

**********

**OFFICE USE ONLY:**

**Fee $** 250 **Fee Paid by** ☑ **Cash** ☐ **Check** **Receipt #** 25931 **Received by:** Denise

# THORNAPPLE TOWNSHIP

200 E. MAIN STREET
MIDDLEVILLE, MI 49333

(269) 795-7202
TREASURER@THORNAPPLE-TWP.ORG
WWW.THORNAPPLE-TWP.ORG

Receipt: 25931 10/01/25

Cashier: DENISE
Received Of: CLEARY, TAYLOR & ALI

The sum of: 250.00

| | | | | |
|---|---|---|---|---|
| ZONING | 14-021-004-02 SP#179 | | | 250.00 |
| | | 101-000-626.200 | 250.00 | |
| | | | Total | 250.00 |
| | | CASH | CASH | 250.00 |

Signed: _____

applicable standards elsewhere in this Ordinance.

**Section 19.35 Contractor Yard**

Each contractor yard shall conform to the following standards:

(a) The minimum lot area shall be one and one-half (1½) acres and the maximum lot area shall be 5 acres. All or part of the actual lot area may be used, so long as the area occupied does not exceed 5 acres.

(b) If the contractor yard is proposed to be located on a parcel greater than 5 acres, the site plan shall clearly depict that portion of the larger site which is to be occupied by the contractor yard. The site plan shall also depict existing and/or planned use(s) for the area not occupied by the contractor yard.

(c) All equipment, materials and parts stored outdoors shall be enclosed by a 4 foot high earthen berm topped with a 6 foot high decorative screen fence. The storage yard shall have a single gated access.

(d) No outdoor storage or use shall be permitted in the required front yard.

(e) Repair activities on-site shall take place within a building.

**Section 19.36 Drive-Through Facility**

Each business or establishment having a drive-through facility shall conform to the following standards:

(a) Vehicle queuing for a drive-through window shall be separated from other on-site traffic aisles and vehicle parking by a physical barrier such as curbing or raised landscape island.

(b) Pedestrian facilities shall be designed so that pedestrians do not cross the drive-through stacking queue.

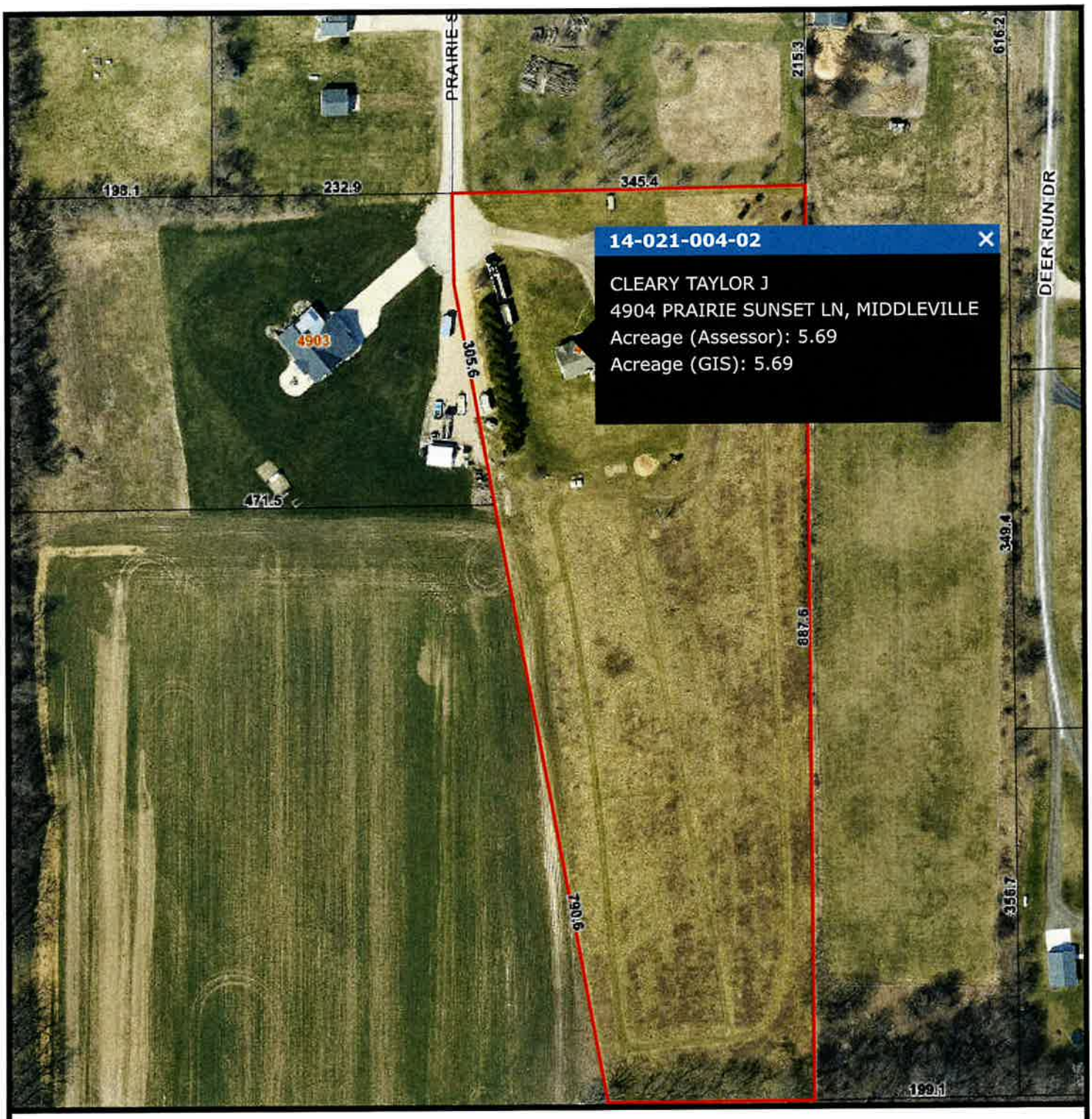
(c) The drive-through aisle shall be no less than 9 feet in width and shall have no turning radius less than 35 feet.

(d) The stacking queue for each drive-through window shall be sufficient in length to accommodate on-site, the highest vehicle volume likely to occur. In no case shall queuing traffic encroach into a moving lane of a public street, drive aisle for parking or access drive. The applicant shall provide relevant data to demonstrate sufficient capacity. If the Planning Commission is not satisfied the queuing capacity is sufficient, the special use shall be denied.

**Section 19.37 Electrical and Gas Transmission Substations**

Each electric substation or gas transmission substation shall conform to the following standards:

(a) If the site of the substation abuts property used for, zoned for or planned for residential use, there shall be no less than 50 feet between the common property line and the nearest structure and other apparatus appurtenant to the facility.




Barry County GIS

powered by FetchGIS

40m
200ft

**Map Publication:**
10/01/2025 10:09 AM

**Disclaimer:** This map does not represent a survey or legal document and is provided on an "as is" basis. Barry County expresses no warranty for the information displayed on this map document.

Dear Thornapple Township,

I, Taylor Cleary, would like to request permission from Thornapple Township for special land use for my 56' x 80' pole barn and small parking lot for my construction equipment. At this barn, I would store and maintain a few semi trucks that I own. 32.2.38 contractor yard is the permit/special land use that I am applying for. The location is appropriate because I own the land, it is a good distance from any surrounding neighbors, and it benefits my family. There will be no negative impact on emergency services or public services. I will only be storing and maintaining my equipment here. The trucks will mostly be gone from 7am–5pm Monday through Friday. Therefore, the equipment will not create disruption in the neighborhood. I will remain respectful to my township, neighbors, and land.

Section 19.3

(1) As seen in my site map, my barn and equipment will be designed, constructed, operated, and maintained in a manner harmonious with the character of adjacent property, because there are no other homes near where our barn and equipment will be. The closest property to our building is owned by Roger and Joni Masselink who have given us their permission to build our barn and park our equipment here. I will provide that.

(2) The barn and equipment will not impair the essential character of the surrounding area. This is true because to the west and south is a corn field, to the east is a horse pasture, and to the north is my home.

(3) The barn and equipment will not be a serious nuisance nor be hazardous to adjacent property. There will be no hazardous materials stored or hauled onto my property. My equipment is DOT inspected and up to the Michigan State standards. I will only store and maintain my equipment here. I will only haul aggregate materials which are not hazardous in any way. I will not be a nuisance because my equipment will be gone for most of each weekday & when I am here my equipment will usually be shut off and stored.

(4) My barn and equipment will not have substantial adverse effects on storm water drainage, street capacity, and volume of traffic. My equipment will not be hauling anything in and out of my property, they will simply come and go as anyone else goes to work during the day, leaving roughly around 7am and coming back around 5–6pm most days. My road is private, with no HOA, and the road we are located off from is Finkbeiner, which is a Class A road in which many semis travel daily. I do not believe my barn and equipment will affect storm water drainage in any way. Our barn and equipment will in no way have a negative effect on sanitary sewage disposal and water supply because there will be no bathroom or need for any sewage disposal. There will be a singular drain in the barn for snow melt from my equipment if I am working on something in the winter.

(5) My barn and equipment will not have a substantial adverse effect on the need and extent of law enforcement and fire protection services or other public safety and emergency services because I do preventative maintenance every day to keep my equipment safe and reliable to protect others and myself. I have owned equipment for four years and have never required police or fire assistance.

(6) My barn and equipment will not have a negative impact on natural resources or natural features because the property where I will place my barn and equipment is an open field, with no trees or anything other than grass.

(7) As drawn in my site map, I will provide a parking lot for my equipment that no pedestrian or vehicle that I do not allow will have access to because it is my private property.

(8) As previously stated, the equipment will leave around 7am and return around 5-6pm Monday through Friday year round.

(9) The barn and equipment will not place demands on public services and facilities in excess of current capacities.

(10) My intention for the special land use is in general agreement with the Township's Master Plan because I aim to maintain the preservation of the rural and small town feel that Thornapple Township provides. I want to continue to raise my four children here in a safe environment like I was raised in. Obtaining this special land use allows me to include my children in what I do and spend more time with them in this great township. I have resided in Thornapple Township my entire life and I will always do my best to uphold the values of this town.

Thank you for taking the time to read my reasons as to why I believe my special land use will be beneficial and safe to not only the township, but also those around me.

Taylor Cleary

October 22, 2025

TO: PLANNING COMMISSIONMEMBERS

FROM: PHIL GENSTERBLUM, ZONING ADMINISTRATOR

RE: 4904 PRAIRIE SUNSET DR SLU-179

Earlier this month I visited the property requesting this SLU and spoke with Mr./Mrs. Cleary. For many months Mr. Cleary has been beginning and ending his work at his residence. He parks his semi and trailer alongside his driveway and next to a row of trees. There is one additional truck as his co-worker is closer to their residence as well and begins and ends his shift here also. Recently a neighbor has been questioning the couple running a business out of their home which they advise they are not. The trucks are registered to a farm on 108th St. So the Cleary's are pursuing this Special Land Use to have permission so to speak to park on their property. In the GIS pic included in your packet you can actually see the truck sitting on their property. The parcel is just over 5.5 acres and at the end of a cul-da-sac.

Recently I received a Zoning Compliance request from the Cleary's to construct an accessory building on their property, (prior to even applying for this SLU). Once this building is constructed the vehicles will either park behind this structure or inside of it. Their plan is for a gravel drive to the building along with access around the building for entering from the backside and being able to pull straight out the front doors. Based on conversation with the contractor, the project, I believe, is underway already.

# NOTICE OF PUBLIC HEARING
# THORNAPPLE TOWNSHIP PLANNING COMMISSION
# MONDAY, OCTOBER 27, 2025, at 7:00 P.M.

**Please be advised the Thornapple Township Planning Commission will hold public hearing on October 27, at 7pm or as soon thereafter as possible. The public hearing will take place in the Township Hall, 200 E. Main St., Middleville.**

**The public hearings will address the following:**

1) *Special Use #179 – Applicants Taylor & Ali Cleary are applying for a Special Land Use for a Contractor Yard at 4904 Prairie Sunset Lane, Middleville, MI (parcel 08-14-021-004-02) per Thornapple Township Zoning Ordinance 19.35.*

Any interested person may attend the public hearings to learn about the extent and location of Special Use requests to offer comments to the Planning Commission. A copy of the application noted above may be examined in the Township offices at the address noted above during regular business hours. Monday – Thursday 9am- 4pm

**Written comments regarding these applications may be addressed to: Secretary Sandy Rairigh, Thornapple Township Planning Commission, P.O. Box 459, Middleville, MI 49333, or submitted via email to: zoning-administrator@thornapple-twp.org**

**Americans with Disabilities Notice**
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***Kathy Medenblik, Thornapple Township Clerk***

# THORNAPPLE TOWNSHIP

## PLANNING COMMISSION

## *ENCLOSED IS A NOTICE OF PUBLIC HEARING*

**FOR**

# October 27, 2025 at 7:00 P.M.

In the Township Hall, 200 E. Main St., Middleville, MI 49333

Pursuant with the Michigan Zoning Enabling Act, 110 PA 2006, all property owners and occupants of structures within 500 feet of the property in question shall be sent notice of a hearing by mail. You will be given opportunity to speak to the Planning Commission concerning your views on this application, or you may transmit your written comments to:

Planning Commission
Attn: Secretary
Thornapple Township
200 E. Main Street, P.O. Box 459
Middleville, MI 49333

YODER CHRISTINE TRUSTEE
10726 FINKBEINER RD
MIDDLEVILLE, MI 49333

MASSELINK ROGER & JONI
10718 GREEN LAKE RD
MIDDLEVILLE, MI 49333

BUER JAMES K & CAROLYN J
9390 KRAFT AVE SE
CALEDONIA, MI 49316

MASSELINK ROGER & JONI
10718 GREEN LAKE RD
MIDDLEVILLE, MI 49333

MEADE CJ & ASHLEY
4878 CHERRY VALLEY RD
MIDDLEVILLE, MI 49333

WILLIAMS GAIL L
10703 FINKBEINER RD
MIDDLEVILLE, MI 49333

CLEARY TAYLOR J
4904 PRAIRIE SUNSET LN
MIDDLEVILLE, MI 49333

RILEY KENNETH S
4903 PRAIRIE SUNSET LN
MIDDLEVILLE, MI 49333

JONKER ETHAN & FAITH
4985 PRAIRIE SUNSET LN
MIDDLEVILLE, MI 49333

VARTANIAN CHAD & MICHELLE
10721 FINKBEINER RD
MIDDLEVILLE, MI 49333

WALSH RONALD J & RILEY NANCEE
4890 DEER RUN
MIDDLEVILLE, MI 49333

BOOMSMA DAWN M
4879 DEER RUN
MIDDLEVILLE, MI 49333

LINEBAUGH KELLY & LINEBAUGH MARCIA
4869 DEER RUN
MIDDLEVILLE, MI 49333

DOUTHETT MARY S
10745 FINKBEINER RD
MIDDLEVILLE, MI 49333

KLOET DAVID
10837 FINKBEINER RD
MIDDLEVILLE, MI 49333

WILLIAMS GAIL L & LAURA A
10703 FINKBEINER RD
MIDDLEVILLE, MI 49333

Residents within 500' of 4904 Prairie Sunset
for SLU-179