

**Village of Pinckney**  
**Planning Commission Meeting**  
**March 2, 2009**

**Call to Order:** Chairman Gergel called the meeting to order at 7:35 pm.

**Roll Call:** Present - Michael Gergel, Robert MacDonald, Alison Austin, and Richard Helfer. Absent – Reed Starkey, and Dan Krueger. Also present were Mark Martel and Paul Siersma.

The Pledge of Allegiance was recited.

**Approval of the Agenda:**

**Moved** by Commissioner Austin, seconded by Commissioner Helfer, to approve tonight's agenda as presented. **The motion carried unanimously**

**Approval of February 2, 2009 Minutes:**

There were some minor typographical errors that needed to be changed.

**Moved** by Commissioner Helfer, seconded by Commissioner MacDonald, to approve the February 2, 2009 minutes as amended. **The motion carried unanimously.**

**Reports:**

**Chairperson:** Chairman Gergel had nothing to report this evening.

**Secretary-Correspondence:** Commissioner MacDonald had nothing to report this evening.

**Zoning Administrator:** Mr. Martel stated he has not received any updates from Pirates Cove since last month.

**Village Planner:** Mr. Siersma had nothing to report this evening.

**Public Forum**

Chairman Gergel opened the Public Forum at 7:40 pm.

Carl Berg had questions regarding the discussion last month on the Village Council acting as the ZBA.

Commissioner MacDonald stated that any ZBA requests will be added as an agenda item

for the Village Council meeting. All other aspects pertaining to the ZBA will remain the same.

Mr. Berg feels it is a good idea to have the Village Council act as the ZBA.

The Public Forum was closed at 7:49 pm.

## **Public Hearing**

### Proposed Amendments to the Zoning Ordinance

- Amendments to Purpose and Scope (Section 152.001)
- Administration and Enforcement (Section 152.022)
- Central Business District (Section 152.162)
- Zoning Board of Appeals (Sections 152.440 - 152.445)

Chairman Gergel opened the Public Hearing at 7:50 pm with no response.

## **Agenda**

### Zoning Ordinance Proposed Amendments

- Amendments to Purpose and Scope (Section 152.001)

Mr. Seirsma reviewed the proposed change to Section 152.001-Purpose and Scope. There is only one change and it is in the first paragraph. The “Michigan Zoning Enabling Act, PA 110 of 2206” will be cited as it was not included in this section previously.

**Moved** by Commissioner Austin, seconded by Commissioner MacDonald, to recommend to the Village Council approval of the proposed change to Section 152.001 of the Zoning Ordinance. **The motion carried unanimously.**

- Administration and Enforcement (Section 152.022)

Mr. Siersma reviewed the proposed changes to this section. He has streamlined the section pertaining to public notices for items that would require public notices for any Village board.

**Moved** by Commissioner Austin, seconded by Commissioner Helfer, to recommend to the Village Council approval of the proposed changes to Section 152.022 of the Zoning Ordinance. **The motion carried unanimously.**

- Central Business District (Section 152.162)

There was a brief discussion regarding tabling this item as there are other CBD items on tonight’s agenda. Tabling this item will allow all of the issues regarding the CBD to be discussed and acted on at the same time.

**Moved** by Commissioner Helfer, seconded by Commissioner Austin, to table the Zoning Ordinance Amendment to Section 152.162 - Central Business District until a further date. **The motion carried unanimously.**

- Zoning Board of Appeals (Sections 152.440 - 152.445)

Mr. Siersma stated these proposed changes dissolve the ZBA and transfer all of the powers to the Village Council. He added that the way the Village Council addresses ZBA items on their agenda will be a policy or procedure decision made by the Village Council and would not be part of the ordinance.

**Moved** by Commissioner Austin, seconded by Commissioner Helfer, to recommend to the Village Council approval of the proposed changes to Sections 152.440 - 152.445 of the Zoning Ordinance. **The motion carried unanimously.**

- Proposal for addition of group day care homes and adult foster care small group homes as a Special Land Use

As stated previously, there are other items on tonight's agenda referencing the CBD, so it was suggested to table this item.

**Moved** by Commissioner Austin, seconded by Commissioner Helfer, to table the Zoning Ordinance Amendment for the addition of group day care homes and adult foster care small group homes as a Special Land Use in the CBD until a further date. **The motion carried unanimously.**

- Bed and Breakfast in the CBD

Commissioner Helfer reiterated his feeling that Bed and Breakfasts should be a permitted use in the CBD and cited the Purpose Section (Section 152.002) of the Village Ordinance for the reason for his proposal.

He feels that keeping the old homes and allowing them to be used as Bed and Breakfasts instead of being torn down and have something more commercial rebuilt in their place would keep the old town feel in the Village. He does agree with including standards for these types of uses.

Mr. Siersma noted that the difference would be that conditions would not be able to be placed on the approval if they are a permitted use.

Commissioner Austin agrees with having the old homes maintained as they would help to keep the old town character to the Village. However, she does like that the public would be able to voice their concerns if these uses were permitted by a Special Land Use only. Commissioner MacDonald and Chairman Gergel agree.

Commissioner Helfer stated that if the Planning Commission feels that the public's input

and the Village's control are important, then there are other permitted uses in the CBD that should be changed to allowable only by a Special Land Use, such as convenience stores, liquor stores, laundromats, etc.

Commissioner Austin suggested reviewing all of the uses allowed either by right or by Special Land Use and determine which ones are best to be a permitted use and which ones should require a Special Land Use.

After a brief discussion, it was decided that the veterinary clinics and religious institutions should remain as requiring a Special Land Use and financial institutions with drive thrus can be moved to permitted uses. All of the other uses shall remain where they are currently. Also, all permitted uses will have the condition that if their hours of operation are after a certain hour of the evening (i.e. 10 pm) they would be required to obtain a Special Land Use. All commissioners agree that permitted uses shall have standards in place and these standards should be reviewed and possibly revised.

Mr. Siersma will modify the ordinance based on this evening's discussion and present the amendments to the Planning Commission at their next meeting for discussion and possible action.

**Moved** by Commissioner Austin, seconded by Commissioner Helfer, to table the discussion regarding Bed and Breakfasts in the CBD until next month's Planning Commission meeting. **The motion carried unanimously.**

### **Public Forum**

Chairman Gergel opened the public forum at 9:00 pm.

Mr. Carl Berg questioned the statement from the rules regarding the Village Council acting as the ZBA where the Council Member who is also on the Planning Commission cannot vote on a matter that he or she has already voted on as a Planning Commissioner.

Commissioner MacDonald stated that if an item went before the Planning Commission and was voted on by the Village Council Planning Commission liaison, and then a variance is requested for the same property/project, the Village Council Planning Commission liaison must abstain from discussion and voting on the variance.

The Public Forum was closed at 9:10 pm

### **Member Discussion**

Commissioner MacDonald stated that the Village Council has changed their meeting times to 7:00 pm and he asked if the Planning Commission would like to do the same. All commissioners agree that the meeting times should be the same.

**Moved** by Commissioner MacDonald, seconded by Commissioner Helfer, to change the

start time of the Planning Commission meetings to 7:00 pm, effective April 2009. **The motion carried unanimously.**

**Adjournment:** Moved by Commissioner Helfer, seconded by Commissioner Austin, to adjourn the meeting at 9:15 pm. **The motion carried unanimously.**