

**Village of Pinckney
Planning Commission Meeting
Minutes
Wednesday, August 8, 2019**

Call to Order: Chairman Pais called the meeting to order at 7 pm.

Roll Call:

Ted Kinczkowski: Absent
Richard Mayernik: Present
Christine Oliver: Present
Donald Oliver: Present
Tom Pais: Present
Don Tottingham: Present
7th Commissioner: Vacant

Also Present:

Michelle Brunner (Zoning Administrator)
Heather Menosky (Recording Secretary)
Lucie Fortin (Village Planner)

Pledge of Allegiance

Approval of the Agenda:

Motion by Commissioner Mayernik, seconded by Commissioner Tottingham, to approve the agenda, as presented.

Yeas: 5 Nays: 0 Absent: 1 Vacant: 1

The motion carried.

Approval of Minutes:

Motion by Commissioner C. Oliver, seconded by Commissioner D. Oliver, to approve the July 1, 2019 minutes.

Yeas: 5 Nays: 0 Absent: 1 Vacant: 1

The motion carried.

Reports:

Chairman: Chairman Pais: Due to the disorderly conduct at the last meeting, expectations of conduct and order were stated. A short explanation of the procedure to clarify and correct previous business from the July 1, 2019 meeting was given.

Secretary / Vice-Chairperson: Commissioner C. Oliver: No Report.

Council Report: Commissioner Kinczkowski: Absent/No Report.

Zoning Administrator Brunner: Report was included in the packet.

Public Forum:

Chairman Pais opened the Public Forum at: 7:05pm.

Responses:

1. Karl Burg 216 Marion St.:
 - Believes that putting more people on the sewer and water systems would help defray the cost to current users.
2. Shawn McGeachy 312 W. Main St.
 - The number of parking spots allotted for the project on main would be too few.
 - Concerned about the lighting and how it would fall on adjacent properties.
 - Gas supply is listed, but not the connection on the present renderings.
 - What is the maximum number of tenants per unit?
 - Will pets be allowed?
 - What are the lease terms, and what will be the consequences of breaking a lease?
 - What will the rent price be?

She also stated that she has small children and wants to know what kind of people will be allowed to rent there as well as how many.

3. John Dunlap 311 W. Main St.:
 - Wants to know the rental rates.
 - Wants to know the security factors that will be in place.
 - Has concerns about the infrastructure.
 - Is concerned about the traffic.
 - Believes (we) will have trouble from tenants.
4. John Dinkel 251 W. Main St.:
 - Concerned about the traffic of 8 families on 2 lots.
 - Could understand 4 families on 2 lots with cars, but not 8.
 - Concerned about fire safety.
 - Concerned about water runoff.
 - Wants to know who will be the tenants.
5. Lauren Reeves (the new owner of the floral shop):
 - “Eight people isn’t an army” and that she believes that it would be a great way to bring more people to down town.
6. Robert Reason 331 W. Main St.:
 - Spoke with his neighbors – 10 families, and 9 of the families are strongly opposed and will remain so.
 - He agrees with what everyone before him stated and will hire an attorney.
 - Wanted to know how we could do this again as the Board had already voted.
7. Mike Szafranski owner of State Farm @ 105 Main St.:
 - Is in favor of the construction and new projects that will bring more people to town.
 - Is interested in revamping the DDA- has already been meeting with other business owners.

Chairman Pais explained that the DDA meeting would follow the Planning Commission meeting and that Mr. Szafranski was welcome to stay after PC, for the DDA meeting and discuss it during that time as well.

Public Forum was closed by Chairman Pais at: 7:24pm

Agenda:

1. Parcels numbered: 4714-22-403-031, 4714-22-403-033 & 4714-22-400-019

Chairman Pais reviewed the Planning Commission's Actions from the July 1st, 2019 meeting, explaining what the Actions of the Board actually meant; as well as the appropriate process to take corrective Action on the previous meeting's motions, and how/why it would be possible to readdress a previously defeated motion.

- a. The previous meeting's motion, to allow for Special Use of the above stated parcels, failed due to a tied, 3/3 vote. Tie votes are automatically considered defeated by opposition. (In other words, not enough people were in favor for the vote to carry, or pass.)
- b. The second motion made during the July 1st, 2019 meeting was nullified by the failure to properly conclude the first motion.
- c. The only way to change the outcome of a failed motion, is to have a member of the Voting Body, who voted on the prevailing side, (in this case voted "no"), make a motion to revisit the issue.
- d. Once the motion is made and support has been offered, discussion and a revote can take place.
- e. The disorder of the previous meeting created confusion over what the actual vote was calling for, which was the granting of a Special Use Permit, **not** the approval of presented plan, just the consideration for Special Use.

Commissioner Oliver made the motion requesting to revisit, Chairman Tottingham offered support.

A Roll Call Vote was conducted:

Ted Kinczkowski: Absent
Richard Mayernik: Yes
Christine Oliver: Yes
Donald Oliver: Yes
Tom Pais: Yes
Don Tottingham: Yes
7th Commissioner: Vacant

Motion Carried.

Chairman Pais gave Mr. Marshall Smith, the gentleman who applied for the Special Use Permit, a few minutes to address the Commission. Mr. Smith addressed a few of the concerns voiced during Public Forum:

- The Property is T-Shaped with the homes setting at the back of the property, well back from the road.
- The lighting type that he likes to use for this sort of project aim down and would be unlikely to cast light on adjacent properties.
- The parking spots are larger to accommodate larger vehicles.
- Water will be diverted to swales at the back of the property.

Planner Fortin also addressed the Commission:

- The ROB district doesn't give a definitive answer about density, it needs to be addressed.
- The density should be in line with the R4 Density allowance, which is based on square footage.
- The Site Plan will also need to in the format of a Topographical Survey.

The following motion was offered by Commissioner Mayernik and Supported by Commissioner Tottingham:

"I move to approve the Special Use Permit Application submitted by Smith Builders, LLC for parcels 4714-22-403-031, 4714-22-403-033 & 4714-22-400-019 as depicted on plans dated May 23, 2019, finding that it meets the general approval criteria of the Village Zoning Ordinance Section 152.242. This approval does not guarantee the specific plan as submitted. This approval is conditional upon the incorporation of a high level of pedestrian and bicycle accessibility into the site design; and the proposed building and site design demonstrating attention to the existing residential character of both the Village center and edge with compatible materials, colors, and detailing. Further, the density shall not exceed the density allowed in the R4/Multiple Family Residential District." This approval is conditional upon the applicant's compliance with the Village Planner's report (dated 6-25-2019) and the ZA's report (dated 6-25-2019).

A Roll Call Vote was conducted:

Ted Kinczkowski: Absent

Richard Mayernik: Yes

Christine Oliver: Yes

Donald Oliver: Yes

Tom Pais: Yes

Don Tottingham: Yes

7th Commissioner: Vacant

Motion Carried.

2. Preliminary Site Plan Review for 111 Pearl (4714-23-302-050 and 4714-23-302-051)

Mr. John K. Costa, Licensed Architect for Mr. Nehro:

This project is a “re awakening” of the existing site and building which are nonconforming. The intent is to refurbish and re-roof the existing structure and remove the “Lean-To” portion of the building.

He also addressed the following points pertaining to Planner Fortin’s review:

1. A variance will be requested for parking space size.
2. County and State Right of Ways interfere with the sidewalk plan so adjustments will likely have to be made.
3. Parking and Loading areas will need a variance and parking bumper blocks will be added.
4. A landscaping plan will be created.
5. They would like to reuse the existing sign if possible.
6. Will be adding lighting to the rendering.
7. The property does not have waste storage and they understand that they will need to make arrangements for collection as Commercial Occupants, and annotate that information on the plans.

Commissioner Mayernik asked about the AC condensers and their location on the property and if they would be moved to a different location.

Mr. Costa stated that they were not that far along with the plans yet.

Commissioner Mayernik offered the following:

“I move to approve the Preliminary Site Plan Review for 111 Pearl 4714-23-302-050 and 4714-23-302-051 as depicted on plans dated 6-1-2019 (sheet C-1) finding that the applicant meets the requires of Sections 152.389 and 152.390 of the Zoning Ordinance. This approval is conditional upon the applicant’s compliance with comments contained in the Village Planners report dated July 29, 2019; the DPW Director’s report dated July 30, 2019, and the Zoning Administrator’s report dated July 29, 2019.”

A Roll Call Vote was conducted:

Ted Kinczkowski: Absent

Richard Mayernik: Yes

Christine Oliver: Yes

Donald Oliver: Yes
Tom Pais: Yes
Don Tottingham: Yes
7th Commissioner: Vacant

Motion carried.

Public Forum:

Chairman Pais opened Public Forum at 8:08 pm.

Karl Burg stated his concerns about the ADA Bumps at the intersections along M-36.

Chairman Pais Closed Public Forum at 8:10pm.

Member Discussion:

Commissioner D. Oliver stated that traffic at D-19 and M-36 is often backed up. Chairman Pais explained that the State owns the road and will not put in a traffic light unless there are provisions for left turns, which that area doesn't have room for.

Commissioner Tottingham apologized to Mr. Szafranski and Ms. Reeves for remarks made by the other members of the public audience, as they made their way out of the Council Chamber following the conclusion of Agenda Item 1.

The next meeting is **September 11, 2019.**

Adjournment:

Motion by Commissioner C. Oliver, seconded by Commissioner D. Oliver, to adjourn the meeting.

Yeas: 5 Nays: 0 Absent: 1 Vacant: 1

The motion carried. Meeting adjourned at 8:14 pm.