

**VILLAGE OF PINCKNEY
PLANNING COMMISSION
MONDAY, NOVEMBER 6, 2023**

CALL TO ORDER:

The meeting was called to order by Chairperson Oliver at 7:01 p.m.

Present: Savanna Gee

Deborah Grischke

Joseph Hartman

Ted Kinczkowski

Christine Oliver

Alex Smith

Absent: Trisha Wagner

Also Present: Julie Durkin, Zoning Administrator & Planner Lucie Fortin (via Teams)

Alex Smith, newly elected Planning Commissioner, was given an opportunity to introduce himself.

Chairperson Oliver led those present in the pledge of allegiance.

APPROVAL OF AGENDA:

Motion by Gee, supported by Grischke

To approve the agenda as presented

VOTE: Ayes: 6 Nays: 0 Absent: 1 MOTION CARRIED

APPROVAL OF MINUTES:

Motion by Gee, supported by Grischke

To approve the minutes of the October 2, 2023 regular meeting as presented

VOTE: Ayes: 6 Nays: 0 Absent: 1 MOTION CARRIED

REPORTS:

Council report – Kinczkowski mentioned the IT Committee met tonight to review proposals for IT support for the Village. They ranged wildly in both price and what they offered. They'll have a couple companies come back for second interviews and then make a decision based on that.

Zoning Administrator report – Durkin mentioned information was provided in the packet about the EV charging stations. She doesn't have a lot of information as far as how much we're spending yet, but you can see how much it's taking in and how much it's being used.

PUBLIC FORUM:

Chairperson Oliver opened public forum at 7:04 p.m. Hearing no public comment, public forum was closed at 7:04 p.m.

OLD BUSINESS:

1. Sign Ordinance Amendment – Recommendation to Village Council

Zoning Administrator Durkin explained that the last attempt went to Council. We learned that our temporary sign ordinance needs to be more generic. First amendment rights are being challenged. We can't put limits in it; the ordinance we had proposed was too specific. This latest attempt is very generic and deals with size, height, and zoning district. There is still a little bit of concern by the Village attorney as it relates to the differential between commercial and residential, specifically the real estate signs, because you have to read them to interpret what kind of sign they are.

Motion by Kinczkowski, supported by Gee

To present Sign Ordinance with changes to Council for their approval.

VOTE: Ayes: 6 Nays: 0 Absent: 1 MOTION CARRIED

2. Final Site Plan Review – Lakeland Knoll
Applicant: Progressive Properties – Marshall Blau
Location: Vacant land west of water tower
Proposed 123-unit single family – Residential Open Space Development
 - a. Progress Update

Zoning Administrator Durkin had hoped for the Planning Commission to have a plan to review. At this point, we still do not. There are a lot of engineering issues still outstanding.

Motion by Kinczkowski, supported by Grischke

To table the final site plan review of Lakeland Knoll until such time that they have actual drawings to review.

VOTE: Ayes: 6 Nays: 0 Absent: 1 MOTION CARRIED

NEW BUSINESS:

1. Special Land Use Request – Day Care
Applicant: Julie Amy – For Kids' Sake
Location: 125 E. Unadilla
 - a. Public Hearing

Chairperson Oliver opened the public hearing at 7:13 p.m.
Hearing no comment, the public hearing was closed at 7:14 p.m.

- b. Approve/deny Special Land Use & Site Plan

Planner Fortin reviewed her report recommending that the Planning Commission approve the special land use request for the childcare business. Information that was deficient in the submittal involved the addition of a playground, including screening, fencing and some kind of pathway to the proposed

playground. Fortin felt that this could be reviewed again in the future by herself and Zoning Administrator Durkin. Applicant Julie Amy was given the opportunity to speak. When asked when she intended to add the playground, she stated she'd like to put this off as long as necessary. Amy would not give an answer because she didn't want to commit to any time frame. Fortin suggested Amy should consider getting a variance. Durkin explained that a playground is one of the requirements of our Ordinance, so the choices would be to: 1) move ahead with the special land use requiring the playground; or 2) go before the ZBA and not get approval for the special land use without the variance. Durkin suggested delaying the playground until Spring and moving forward with the special land use. Amy wished to proceed with the special land use without requesting a variance. Discussion was then had between the Planning Commissioners, Durkin and Fortin regarding the details of the contingencies required.

Motion by Kinczkowski, supported by Smith

To approve the Special Land Use for For Kids' Sake Child Day Care, to be located at 125 E. Unadilla, and waive the requirement for further site plan review based on unchanged floor area of the existing structure, and no alteration to existing parking or features that would change compliance with the standards of the Zoning Ordinance, contingent upon the following:

- Detailed information regarding the type and height of the fence as well as the materials and finishes of the play equipment to be reviewed and approved by the Village Planner and Zoning Administrator.
- Playground, including approved fencing and landscaping, to be installed no later than July 1, 2024.

VOTE: Ayes: 6 Nays: 0 Absent: 1 MOTION CARRIED

2. Special Land Use Request – Marihuana facility (Class A Microbusiness)
Applicant: Pinckney Developments, LLC
Location: 1268 E. M36 (Parcel #4714-23-400-007)
 - a. Schedule Public Hearing for December 4, 2023

Zoning Administrator Durkin explained this is merely scheduling a public hearing. The property is located between Taco Bell and Wendys. The vacant parcel has been purchased for an adult marihuana facility. In order to apply for the microbusiness license within the proposed time frame, the applicant needs to move forward and apply for special land use.

Motion by Hartman, supported by Gee

To schedule a public hearing for December 4, 2023

VOTE: Ayes: 6 Nays: 0 Absent: 1 MOTION CARRIED

PUBLIC FORUM:

Chairperson Oliver opened public forum at 7:33 p.m. Hearing no public comment, public forum was closed at 7:33 p.m.

MEMBER DISCUSSION: None

ADJOURNMENT:

Motion by Hartman, supported by Grischke

To adjourn the regular Planning Commission meeting at 7:34 p.m.

VOTE: Ayes: 6 Nays: 0 Absent: 1 MOTION CARRIED

Respectfully submitted,

Christine Oliver, Chairperson

Jill Chapman, Recording Secretary