



VILLAGE OF SUTTONS BAY
PLANNING COMMISSION
MEETING MINUTES OF DECEMBER 13, 2023
420 N. FRONT ST.
SUTTONS BAY, MI 49682

The meeting was called to order at 5:00 p.m., by Chairperson Hetler.

Present: Feringa, Hetler, Hylwa, Pontius, Smith and Suppes

Absent: Ostrowski

Staff present: Fay

Approval of agenda

Suppes moved, Smith seconded, CARRIED, to approve the agenda as presented.

Ayes: 6, No: 0.

Approval of minutes

Suppes moved, Hylwa seconded, CARRIED, to approve the Planning Commission meeting minutes of November 8, 2023, as presented. Ayes: 6, No: 0.

Public Hearing – Amendments for Article 2-6 Environmental Protection, Article 2-21 Walls and Fences and Article 7-3 Developmental Standards

Chairperson Hetler called the public hearing to order and having no public present for comments, the public hearing was closed.

Proposed Amendments for Michigan Historic High – Water Mark

Commissioners evaluated the proposed Zoning Ordinance amendments based on the criteria for text amendments set forth in Sec. 18-3(C) and made the following findings:

- The proposed text amendment will clarify the intent of the ordinance and help with further enforcement of the Zoning Ordinance.
- The amendment will correct an oversight of the ordinance by further defining language to help with enforcement and implementation of the Zoning Ordinance.
- The proposed text amendment is not in response to any State legislation, recent case law or opinions from the Attorney General.
- The proposed amendment would not promote compliance with changes in other County, State or Federal regulations.
- The amendment does not add a use to a district.

- The amendment does not create incompatible land uses.
- There does not appear to be any conflict with any other reports, studies, or other documents.
- The amendment is only related to definitions and clarifications. There is no impact on public facilities.
- The proposed text amendments are consistent with the Village's desire to protect the public health, safety and welfare of the community.

Suppes moved, Smith seconded, CARRIED, to recommend approval of the high-water mark amendment to Village Council. Ayes: 6, No: 0.

Public Hearing - Proposed Amendment Hillside Residential – Side setback discrepancy
Chairperson Hetler called the public hearing to order and having no public present for comments, the public hearing was closed.

Commissioners evaluated the proposed Zoning Ordinance amendments based on the criteria for text amendments set forth in Sec. 18-3(C) and made the following findings:

- The proposed text amendment will clarify the intent of the ordinance and help with further enforcement of the Zoning Ordinance.
- The amendment will correct an oversight of the ordinance by further defining language to help with enforcement and implementation of the Zoning Ordinance.
- The proposed text amendment is not in response to any State legislation, recent case law or opinions from the Attorney General.
- The proposed amendment would not promote compliance with changes in other County, State or Federal regulations.
- The amendment does not add a use to a district.
- The amendment does not create incompatible land uses.
- There does not appear to be any conflict with any other reports, studies, or other documents.
- There is no impact on public facilities.
- The proposed text amendment is consistent with the Village's desire to protect the public health, safety and welfare of the community.

Feringa moved, Suppes seconded, CARRIED, to recommend approval of the Hillside Residential side setback amendment to Village Council. Ayes: 6, No: 0.

Wetland language – continued discussion

Section 2.1 Definitions of Terms under CONTIGUOUS

3. Change “ordinary high-water mark” to “historic high-water mark as determined by the Army Corp of Engineers.”

Section 4.2 Wetlands Board – Changes acceptable.

Section 5.2 Activities Not Requiring a Permit – Change the lettering following letter H. due to letter I. being eliminated. The rest of the changes are acceptable.
Section 10.1 – Changes acceptable.

It was the consensus of Commissioners to continue a thorough discussion of the Wetlands Ordinance in January when Planner Kopriva is present for the review.

Reports

Zoning Administration Report

The ZA report was submitted by Steve Patmore and can be found in this meeting packet.

Village Council updates

Suppes reported nominations and appointments to various Committees, Boards and Commissions, noting he will continue on the Planning Commission board as Village Council ex-officio and that Richard Hylwa was reappointed to the Planning Commission.

Good of the Order

Hetler stated this is her last meeting this year; she will be returning in May of next year. Hetler is willing to continue to serve as Chairperson if the Planning Commission Board chooses. Hetler voiced her appreciation for the good work everyone has done.

Announcements

The next regular meeting will be January 10, 2024.

Adjournment

Smith moved, Suppes seconded, to adjourn the meeting. The meeting adjourned at 5:25 p.m.

Meeting minutes submitted by Shar Fay, Clerk.