



VILLAGE OF SUTTONS BAY  
PLANNING COMMISSION  
MEETING MINUTES OF JANUARY 12, 2022

The meeting was called to order at 5:00 p.m. by Jared Pontius.

Present: Richard Hylwa, Steve Feringa, Pete Ostrowski, Jared Pontius and Roger Suppes  
Absent: Gail Hetler and Frank Smith  
Staff present: Shar Fay and Sara Kopriva

#### Approval of Agenda

Suppes moved, Ostrowski seconded, CARRIED, to approve the agenda as presented.  
Ayes: 5, No: 0.

#### Approval of Minutes

Suppes moved, Ostrowski seconded, CARRIED, to approve the December 8, 2021, Planning Commission meeting minutes as presented. Ayes: 5, No: 0.

#### Public Comment

Geoff Hamelin, Verterra Wineries, stated that off-premise tasting rooms would be a fantastic addition to the downtown Suttons Bay, offering financial and economical support. He stated he operates off-premise tasting rooms in other Villages in Leelanau County.

#### Public Hearing

Hylwa moved, Ostrowski seconded, CARRIED, to open the public hearing at 5:04 p.m. Having heard no public comment, Ostrowski moved, Suppes seconded, CARRIED, to close the public hearing. It was then determined that the Zoom portion of the public hearing was not available to the public, therefore the public hearing was reopened. Ostrowski moved, Suppes seconded, CARRIED to reopen the public hearing. Having heard no public comment, the public hearing was closed. Ostrowski moved, Hylwa seconded, CARRIED, to accept the Standards of Approval and findings, and approve the request from S.A.S. Lutke, LLC, for a Special Use permit to operate a small distillery, small winery, and microbrewery out of an existing building, at 650 S. West Bay Shore Drive, Suttons Bay, MI, Parcel ID # 043-828-014-20. Ayes: 5, No: 0.

#### Container Bathrooms

Pontius responded to questions regarding the container bathroom units, such as HVAC, hauling, location, permanency, aesthetics and funding. Suppes questioned why the Planning Commission is involved in bathrooms for the Village. Kopriva stated that the Planning Commission took it upon themselves to investigate new bathrooms for the Village, but that they were not asked to do so by Village Council, which typically would be protocol. Following discussion, it was the consensus of Commissioners for Pontius to submit a request to be on the February Village Council agenda for a presentation of the container bathrooms.

#### Off/On Premise Tasting Rooms Language discussion

Kopriva stated the amended language for consideration and found in the packet would include the On-Premises Tasting Room and Off-Premise Tasting Room definitions, as a use permitted by right in the Central, North and South gateways. This would be a use open to anyone who has a State of Michigan licensed facility associated with a wine maker or small wine maker license, distillery or small distillery license, or similar. Commissioners discussed concerns such as tour busses. Geoff Hamelin explained that it is a universal business policy to not allow tour busses. Ostrowski moved, Suppes seconded, CARRIED, to schedule a public hearing on the amended language for the next regular Planning Commission meeting in February. Ayes: 5, No: 0.

#### 2022 Meeting Dates and Times

Hylwa moved, Suppes seconded, CARRIED, to hold Planning Commission meetings on the second Wednesday of each month, at 5:00 p.m.

#### Election of Officers

Commissioners nominated Hetler as Chair, Smith as Vice-chair, and Pontius as Secretary. Suppes moved, Ostrowski seconded, CARRIED, to appoint Gail Hetler as Chair, Frank Smith as Vice-chair and Jared Pontius as Secretary of the Planning Commission. Ayes: 5, No: 0.

#### 2021 Planning Report

Suppes moved, Hylwa seconded, CARRIED, to accept and forward the 2021 Planning Commission Annual Report to the Village Council for acceptance at their January 18, 2022 meeting. Ayes: 5, No: 0.

#### Ex-Parte Communication/By-laws

Commissioners discussed ex-parte communication and the By-laws, specifically section 6.41. Kopriva explained it further, stating that all business should be conducted at a public meeting alleviating perceptions that ex-parte communication is taking place. Conversations outside of a public meeting should be limited to conversations on matters not pending. If a commissioner is seeking information presented at meetings, it is best to reach out to staff for assistance. Commissioners are of the opinion the section is not reasonable and is restrictive and would like to revisit that section of the bylaws at the next Planning Commission meeting, further requesting Kopriva to check with legal about the language in 6.41.

#### Public Comment

Lois Bahle commented on the ex-parte communication language assuming constituents should be able to speak with board members. She further stated difficulty in logging in to the zoom meeting. She said that there is lots of noise in the room during this zoom meeting and suggests adding soft materials. She believes Commissioners should have the Zoning Map with them during meetings. She stated that bathrooms are listed in the DDA plan as a high priority, and that the DDA has the ability to borrow money or assess businesses in the district for new bathrooms. She believes that container bathrooms are a stellar way to solve the bathroom issue.

Gail Hetler stated she can only participate during public comment when not in person. She thanked Pontius for chairing. Hetler requested Kopriva to look into the ability to participate as a

committee member during Parks and Rec meetings. Kopriva believes Hetler would only be able to speak during public comment, but will confirm with the Manager.

#### Reports

The Zoning Administration report was submitted by Couturier and can be found in this meeting packet.

#### Good of the order

Ostrowski asked if anyone participated in the webinar on the revitalization and place making program, believing the Village should look into the possibility for obtaining some of the funding available through COVID distribution, for perhaps empty buildings or obtainable housing.

#### Adjournment

Ostrowski moved, Hylwa seconded, CARRIED, to adjourn the meeting. The meeting adjourned at 6:18 p.m. Ayes: 5, No: 0.

Meeting minutes submitted by Shar Fay, Village Clerk.