



VILLAGE OF SUTTONS BAY
PLANNING COMMISSION MEETING
MINUTES OF JANUARY 11, 2023

The meeting was called to order at 5:00 by Frank Smith.

Present: Steve Feringa, Richard Hylwa, Pete Ostrowski, Frank Smith and Roger Suppes
Absent: Gail Hetler and Jared Pontius
Staff present: Shar Fay, Karrie Zeits, Attorney and Sara Kopriva, Planner
Guests: Timothy Figura, Attorney

Approval of Agenda

Smith added agenda item to 8. New Business, Election of Officers. Suppes moved, Hylwa seconded, CARRIED, to approve the agenda as amended, adding 8. New Business, Election of Officers. Ayes: 5, No: 0.

Approval of Meeting Minutes

Hylwa moved, Ostrowski seconded, CARRIED to approve the Planning Commission meeting minutes of December 7, 2022 and December 14, 2022, as presented. Ayes: 5, No: 0.

Public Hearing – Bahle et.al. Amended Conditional Rezone Request – 301 S Shore Drive
Parcel 45-03-828-031-00

Zeits referred to her report found in the packet in detail. Applicants Attorney Figura followed with an explanation of the request, and further offered a Proposal, which was not part of the current request. Applicant Rich Bahle also provided information about the request, further stating the desire to set a precedence with this application due to the fact they own a similar property with the same dilemma with even more complications.

Smith opened the public hearing at 5:45 p.m.

Public comments

Andrews said the discussion was very confusing, noting that the applicants are presenting changed information that is unclear, and appear to be engaging in negotiations. He asked for a Planners perspective.

Lois Bahle stated Patersons just sold their very large home for two million dollars. She stated the applicants would like to find a way to divide the waterfront from the area in the woods, and build two waterfront cottages on the water side.

Rich Bahle stated he is offended by letter from the Patersons and stated they are in violation of the ordinance as well as multiple other houses in the area.

Written public comments in opposition to the conditional rezoning requests were received from Patersons, Andrews, Houk, and Mozak and can be found in this meeting packet. Additional written public comments in opposition were received from Halasinski, Pattersons, and Millns.

The public hearing closed at 5:53 p.m.

Attorney Zeits stated for the record, Planning Commissioners are not negotiating conditions so the new Proposal presented by the Attorney tonight is not part of the application. The new proposal would require a new application and another public hearing. Commissioners asked if there was any validity to the Proposal presented tonight and Zeits responded by saying she would still have issues with their Proposal. Kopriva agreed with Zeits noting that it would not be feasible once you look at the Master Plan, the Future Land use map, and the Zoning Ordinance.

Based on information provided by the Attorney and discussions regarding the application, Suppes moved to recommend to Village Council to approve the request for Conditional Rezoning Request. Motion dies.

Based on information provided by the Attorney and discussions regarding the application, Suppes moved, Ostrowski seconded, CARRIED, to recommend to Village Council to deny the Conditional Rezoning Request. Ayes: 5, No: 0.

Public Hearing – Request from Peninsula Housing for Text Amendments to the following Sections in the Mixed-Use District

Kopriva briefly reviewed Peninsula Housing requests for text amendments and applicant having no additional comments, the public hearing opened at 6:22 p.m.

Written and verbal public comments in support of the requests were received from Zach Hilyer, Housing North. The public hearing closed at 6:24 p.m.

Feringa moved, Hylwa seconded, CARRIED, to recommend Peninsula Housing Zoning Amendment to section 5-2 of the Suttons Bay Zoning Ordinance to Village Council for approval adding multi-family to South Gateway, based on criteria in the staff report. Ayes: 5, No: 0.

Feringa moved, Hylwa seconded, CARRIED, to recommend Peninsula Housing Zoning Amendment to section 5-3 of the Suttons Bay Zoning Ordinance to Village Council for approval, to amend stories allowed, based on criteria in the staff report. Ayes: 5, No: 0.

Feringa moved, Hylwa seconded, CARRIED, to recommend Peninsula Housing Zoning Amendment to section 9-7 of the Suttons Bay Zoning Ordinance to Village Council for approval, to change requirements for multi-family dwellings, based on criteria in the staff report. Ayes: 5, No: 0.

Resolution 1 of 2023 Reinstatement

Hylwa moved, Ostrowski seconded, CARRIED, to approve Resolution 1 of 2023, recommending to Village Council to adopt the 5-Year Recreation Plan covering years 2022-2026, with an affirmative unanimous roll call vote. Ayes: 5, No: 0.

Planning Commission 2022 Annual Report

Suppes moved, Hylwa seconded, CARRIED, to accept and forward the 2022 Annual Planning Commission report to Village Council for acceptance at their January 17, 2023 meeting.

Election of Officers

Smith nominated Gail Hetler as Chairperson and Jared Pontius as Vice-Chairperson. Suppes nominated Frank Smith as Secretary. Feringa moved, Ostrowski seconded, CARRIED, to elect Hetler as Chairperson, Pontius as Vice-Chairperson, and Smith as Secretary. Ayes: 5, No: 0.

The meeting adjourned at 6:35 p.m.

Meeting minutes submitted by Shar Fay, Clerk.