

**Minutes, Paw Paw Planning Commission
Regular Meeting, January 8, 2009**

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| 1. The regular Planning Commission meeting of Thursday, January 8, 2009, convened at 7:04 p.m. at 129 S Kalamazoo Street, Paw Paw, Michigan. Chairperson Kathy Larson presiding. | Meeting Convened |
| 2. Present: Larson, Bogen, Thomas, Rumsey Greensly Excused: Larcinese and Roger. Also present: Village Planning Consultant, Rebecca Harvey, Village Manager, Larry Nielsen and Village Clerk, Christopher Tapper. | Members Present |
| 3. Motion by Bogen, supported by Thomas, to approve the agenda. All members present voting yes. The motion carried. | Approval of Agenda |
| 4. Motion by Rumsey, supported by Bogen, to approve the December 8, 2008 minutes of the regular meeting. All members present voting yes. The motion carried. | Approval of Minutes |
| 5. Harvey provided a draft Village of Paw Paw Planning Commission By-Laws. Members discussed the draft document with attention given to ...” A general discussion ensued regarding the draft and comments included: authority, membership, conflict of interest, officers, meetings and amendments to the by-laws. Harvey reported the key points of the by-laws and remarked several other governmental agencies use the drafted presented format. The Commission asked Harvey to address language changes and bring back to the Commission. | New Business
By-Laws
Presentation and
Discussion |
| 6. Nielsen provided several handouts regarding watershed protection material. The handouts had suggestions and comments for the Village’s consideration. The Commission asked Harvey to review the Zoning Ordinance and categorize areas needed to be addressed for watershed protection. | Watershed
protection materials |
| 7. Nielsen provided handouts regarding impervious surface standards for parking areas. A general discussion ensued. Member comments included: how these standards may be implemented, old zoning regulation verses new zoning regulations, taking extra time to review site plans with parking to execute the surface standards regulation, and working together with other governmental agencies to address concerns and standards. The Commission asked Harvey to review the Zoning Ordinance and suggest how to apply new surface standards for parking areas in the Zoning Ordinance. | Impervious surface
standards for
parking area |
| 8. Nielsen provided several examples of Biomass boiler, (outdoor free-standing furnace) ordinances. The example ordinances address: purpose, definitions, regulations and violations & penalties. Nielsen also provided a buyers guide to air quality regulations affecting Biomass Burning Units. | Outdoor Bio-mass
boiler/furnaces
regulations/ban |
| 9. A general discussion ensued regarding the outdoor boiler-furnaces and comments included: regulation of what people are burning, the need to address | |

**Minutes, Paw Paw Planning Commission
Regular Meeting, January 8, 2009**

the topic before becoming an issue, and whether the Village needs this type of ordinance. The Commission asked Harvey to review more communities' examples of ordinance and bring more information back to the Commission.

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| 10. A general discussion ensued regarding the standards for side walls in business & industrial districts comments included-should public buildings be exempt from the standards, various architectural features that may break up blank walls, safety issues, landscaping application, accountability, and a question of the size of walls that should be subject to the standards. The Commission asked Harvey to review the Zoning Ordinance and provide more information on other communities that use standards for side walls in business & industrial districts. | Standards for side walls in business/industrial districts |
| 11. Nielsen mentioned some communities provide standards for public transit stop in downtown parking areas. The Commission may want to address standards for public transit stops in parking areas in the Village. Nielsen commented the topic of public transportation continues to be discussed at Master Planning sessions. | |
| 12. A general discussion ensued regarding the standards for public transit stops in parking areas in the Village, Member comments included-possibly adding topic to the site plan review check list and whether the current Zoning Ordinance sufficiently address the question. | Standards for public transit stops in parking areas |
| 13. A general discussion ensued regarding the planning sessions for the Master Plan. Next meeting was scheduled for February. Nielsen remarked participation was extremely high throughout the Master Planning sessions. The input and support were greatly appreciated | Ongoing Business Master Planning Sessions |
| 14. The continued exploration of wind turbine regulations was discussed and a general discussion ensued, Member comments included- the need to review, other community regulations and the need for more information. Members want to address the regulation before a concern or a new development took place. Nielsen will attempt to located a speaker knowledgeable on the topic to meet with Commission | Continue Exploration of Wind Turbines Regulations |
| 15. Nielsen provided the Commission with worksheets regarding the Village Paw Paw components to the next Five Year Parks and Recreation Plan for the years 2009-2013. Nielsen asked the Commission to review the worksheets and respond with questions and comments. Nielsen provided the Commission with Michigan Citizen Planner program information and encouraged Commission members to attend. | Village Manager Comments |
| 16. Nielsen commented regarding the Commission's concern from last meeting pertaining to the removal of a house on Berrien Street and the use of the residential lot for soil storage. Nielsen responded the lot is zoned commercial | |

Minutes, Paw Paw Planning Commission
Regular Meeting, January 8, 2009

not residential. Nielsen asked Commission members to contact the Village Manager before concerns are addressed in a public meeting.

17. There being no further business to come before the Commission, the meeting was adjourned at 8:57 p.m.

Adjournment

Respectfully submitted:
Christopher Tapper, Village Clerk

**Minutes, Paw Paw Planning Commission
Special Meeting, February 17, 2009**

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| 1. | The special Planning Commission meeting of Tuesday, February 17, 2009 convened at 7:20 p.m. at 129 South Kalamazoo Street, Paw Paw, Michigan. Chairperson Larson presiding. | Meeting Convened |
| 2. | Present: Larson, Bogen, Greensly, Rumsey, and Thomas. Also present: Village Planning Consultant, Rebecca Harvey and Village Manager, Larry Nielsen. | Members Present |
| 3. | Motion by Rumsey, supported by Greensly, to approve the agenda. All members present voting yes. The motion carried. | Approval of Agenda |
| 4. | Motion by Thomas, supported by Bogen, to approve the corrected minutes of the regular Planning Commission meeting of January 8, 2009. All members present voting yes. The motion carried. | Approval of Minutes |
| 5. | Larson noted no public hearing items were before the Commission at this time. | Public Hearings |
| 6. | No public comment regarding non-agenda items was offered. | Public Comment |
| 7. | Larson noted no new business was scheduled for consideration at this time. | New Business |
| 8. | Harvey explained that the draft PC Bylaws provided to the Commission in January were reviewed for consistency with the Ordinance adopted by the Village Council establishing the Planning Commission. She noted that the Bylaws are scheduled for Commission action in March. General Board discussion ensued regarding the proposed provisions addressing conflict of interest, voting, and quorums. | Ongoing Business:
PC ByLaws |
| 9. | In response to the request by the Village Council for consideration of the incorporation of watershed protection measures into the Master Plan, the Commission proceeded with a review of the existing Plan for existing/desired water resource protection policies. The handout entitled 'Document Review for Water Resource Protection' was used to guide the discussion. Specifically, all review questions identified under [A. Plans and Policies] were addressed. The completed review will be provided to LSL Consultants for direction in the current update of the Master Plan. | Ongoing Business:
Water Resource
Protection |
| 10. | Harvey referenced the February 5, 2009 memo provided to the Commission on Outdoor Wood Burning Boilers(OWBs) or Biomass Burning Units. The elements of the Model Ordinance for Outdoor & Open Burning (<i>Michigan DEQ</i>) and the sample 'outdoor furnace' ordinances provided were | Ongoing Business:
Outdoor Wood
Boilers (OWBs) |

specifically noted. The recommendations set forth in the memo for the regulation of OWBs within the Village were reviewed. Nielsen reported that the Village Attorney has drafted an ‘open burning’ ordinance that includes the prohibition of OWBs, consistent with the direction noted by the Commission. The draft ordinance is scheduled for action by the Village Council in March. The Commission agreed that the matter has been sufficiently addressed and can be removed from the work list.

11. Larson requested an update on the previously raised ordinance questions regarding impervious surface standards for parking areas, standards for side walls in business/industrial districts, and standards for public transit stops in parking areas. It was noted that the Commission had determined that the standards for parking areas and sidewalls could be most efficiently addressed during the planned update of the zoning ordinance after the adoption of the master plan. The question raised regarding public transit stops in parking areas had been discussed as a site plan review issue that could be addressed through current site plan review standards. It was agreed that the design issue regarding public transit stops in parking areas would become a ‘checklist’ item in the Commission’s site plan review process. **Ongoing Business: Ordinance Amendments**
12. In response to Commission discussion in January regarding wind energy systems, Nielsen noted that he had identified a resource speaker to meet with the Commission and is prepared to proceed with scheduling. The Commission agreed to target the May – July meeting schedule for the requested presentation. **Ongoing Business: Wind Energy Systems**
13. Larson, Nielsen, and Harvey updated the Commission on the activity of the Master Plan Steering Committee and the results of the February 3, 2009 Steering Committee Meeting. The draft of Chapter 5, Future Land Use and the draft Future Land Use Map developed by LSL for that meeting were reviewed by the Commission. **Ongoing Business: Master Plan**
14. General discussion ensued regarding the proposed land use descriptions and designations. The elements of the required review process and the tentative public hearing schedule were also discussed. It was noted that Chapter 5 and the Future Land Use Map are currently being refined by LSL Consultants so as to incorporate Committee comments, ‘zoning plan’ language, and the identified subarea plans. The next Steering Committee meeting and the Community Review Workshop have yet to be scheduled.
15. Larson noted that the Village of Paw Paw had received a Notice of Intent from Paw Paw Township regarding the preparation of an update to the Township’s current master plan. The Commission noted their interest in the Township’s planning efforts and indicated their desire to stay informed. Nielsen will advise the Township. **Member Comments**

16. Larson expressed interest in considering a dumpster ordinance requirement for residential property. The item was placed on the Planning Commission work list for future consideration.

17. Nielsen advised the Commission of a Site Plan Review Application filed for property on West Michigan. He noted that Harvey would review the Site Plan and communicate with the applicant in preparation for Planning Commission review. The Site Plan Review is tentatively scheduled for the regular Planning Commission meeting in ~~March~~. **April.**

**Village Manager
Comments**

18. There being no further business to come before the Commission, the meeting was adjourned at 9:55 p.m.

Adjournment

**Minutes, Paw Paw Planning Commission
Regular Meeting, March 5, 2009**

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| 1. | The regular Planning Commission meeting of Thursday, March 5, 2009 convened at 7:10 p.m. at 129 South Kalamazoo Street, Paw Paw, Michigan. Chairperson Larson presiding. | Meeting Convened |
| 2. | Present: Larson, Greensly, Larcinese, Rumsey, and Thomas. Also present: Village Planning Consultant, Rebecca Harvey. | Members Present |
| 3. | Motion by Rumsey, supported by Thomas, to approve the agenda as modified. All members present voting yes. The motion carried. | Approval of Agenda |
| 4. | Motion by Thomas, supported by Greensly, to approve the corrected minutes of the special Planning Commission meeting of February 17, 2009. All members present voting yes. The motion carried. | Approval of Minutes |
| 5. | Larson noted no public hearing items were before the Commission at this time. | Public Hearings |
| 6. | No public comment regarding non-agenda items was offered. | Public Comment |
| 7. | Larson noted no new business was scheduled for consideration at this time. She added that the three (3) applications referenced had been received and would be noticed for public hearing and placed on a future agenda. | New Business |
| 8. | Larson stated that the Planning Commission Bylaws had been reviewed and were ready for adoption. No further questions on the matter were raised. Motion by Thomas, supported by Rumsey, to approve the Bylaws as proposed. | Ongoing Business:
PC Bylaws/
Meeting Dates |
| 9. | Larson also noted that, pursuant to statute, the Planning Commission meeting dates for 2009 should be established. Motion by Larcinese, supported by Greensly, that the Village of Paw Paw Planning Commission meetings be scheduled for the first Thursday of each month at 7:00 p.m., to be held at the Paw Paw Township Hall. Specifically, the following dates were established as the Planning Commission Meeting Schedule for 2009: 04.02.2009; 05.07.2009; 06.04.2009; 07.02.2009; 08.06.2009; 09.03.2009; 10.01.2009; 11.05.2009; 12.03.2009. All present voting yes. The motion carried. | |
| 10. | Larson stated that an annual report was prepared outlining the status of planning/zoning activities of the Planning Commission for 2008, pursuant to statute and the Planning Commission Bylaws. She noted the report also sets forth identified activities of the Planning Commission for | Ongoing Business:
PC Annual
Report |

2009. Following general discussion, the report was approved for presentation to the Village Council.

11. Harvey distributed Planning/Zoning Procedural Checklists for Planning Commission review and discussion. It was noted that the checklists set forth procedural requirements applicable to rezoning, text amendment, special land use, site plan review, and zoning board of appeals applications. Discussion ensued, with specific reference to scheduling considerations for rezoning requests and the administrative site plan review process. It was noted that the checklists are for administrative use and are designed to assist in ensuring compliance with noticing requirements and consistency in the application/review process. **Ongoing Business:
Procedural
Checklists**

12. Harvey requested Planning Commission input regarding a recent inquiry for the establishment of a church within the “B-2” District. It was confirmed that the Zoning Ordinance allows a church as a special land use within the “R-1”, “R-2”, “RM”, and “CBD” Districts. The purpose of not permitting ‘churches’ within the “B-1” or “B-2” Districts was unknown. Further, the history of the application of the current Ordinance to ‘churches’ was unknown. It was noted that a rezoning or an amendment to the ordinance were available options for the proposal. **Ongoing Business:
Zoning Question**

12. There being no further business to come before the Commission, the meeting was adjourned at 8:25 p.m. **Adjournment**

**Minutes, Paw Paw Planning Commission
Regular Meeting, April 2, 2009**

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| 1. | The regular Planning Commission meeting of Thursday, April 2, 2009 convened at 7:04 p.m. at 114 N. Gremps , Paw Paw, Michigan. Chairperson Larson presiding. | Meeting Convened |
| 2. | Present: Larson, Bogen, Larcinese, Rumsey, and Thomas. Also present: Village Planning Consultant, Rebecca Harvey and Village Manager, Larry Nielsen. | Members Present |
| 3. | Motion by Rumsey, supported by Bogen, to approve the agenda as presented. All members present voting yes. The motion carried. | Approval of Agenda |
| 4. | Motion by Thomas, supported by Larcinese, to approve the minutes of the regular Planning Commission meeting of March 5, 2009 as presented. All members present voting yes. The motion carried. | Approval of Minutes |
| 5. | Larson noted no public hearing items were before the Commission at this time. | Public Hearings |
| 6. | No public comment regarding non-agenda items was offered. | Public Comment |
| 7. | Larson noted that the Planning Commission ByLaws called for the election of officers at the first regular meeting in April. Motion by Thomas, supported by Larcinese, for the nomination and election of the following slate of officers: Chair – Larsen; Vice-Chair – Rumsey; and Secretary – Thomas. All members present voting yes. The motion carried. | New Business:
Election of Officers |
| 8. | Harvey referenced the Planning Commission’s March 5, 2009 discussion regarding ‘churches’ as allowable uses within the B-1 and B-2 Districts and requested further direction on the matter. She noted that ‘churches’ are currently special land uses within the R-1, R-2, R-4, RMH, and CBD Districts; but are not listed as permitted uses or special land uses within the B-1 or B-2 Districts. Harvey explained that existing churches within the B-1 and B-2 Districts may exist as legally non-conforming uses. She added that options available for the placement of a church within the B-1 or B-2 Districts are limited to a request to rezone or a request to amend the Zoning Ordinance. | New Business:
‘Churches’ Within
B-1 and/or B-2
Districts |
- Discussion ensued wherein it was determined that the original intent behind not allowing ‘churches’ within the B-1 and B-2 Districts is unknown, but suggested its omission may have been an oversight or an interest in protecting the availability of commercial zoning for commercial land uses.

Following a review of relevant provisions of the Zoning Ordinance and adopted land use objectives, the Planning Commission concluded that consideration of providing for ‘churches’ within the B-1 and B-2 Districts and removing ‘churches’ from the CBD District is supported by the following objectives: 1) improve consistency with statements of purpose for all three (3) districts; 2) retain character of the CBD District; 3) preserve the downtown commercial area; 4) provide land area necessary to meet site design requirements for ‘churches’; and 5) increase use options within the B-1 and B-2 Districts.

The Planning Commission then noted support for the consideration of a text amendment removing ‘churches’ as an allowed use within the CBD District and adding ‘churches’ as a special land use within the B-1 and B-2 Districts. It was noted that a public hearing on the proposed text amendment would be tentatively scheduled for May.

9. In consideration for an agenda item, Larson introduced the application received for the proposed rezoning of a 66 ft x 132 ft parcel located at 723 East Michigan from “R-2” Single Family and Two Family Residential District to “B-2” General Business District. In review of the existing Master Plan for the Village of Paw Paw, it was determined that the subject property is currently located within the Low/Medium Density Residential Plan Classification and will require reclassification of the subject property to the Community Service Plan Classification in conjunction with the proposed rezoning. Consistent with applicable noticing requirements, the public hearing for the requested rezoning and required amendment to the Master Plan was tentatively scheduled for the July Planning Commission meeting.

**New Business:
Consideration for an
Agenda Item -
Rezoning Request**

10. Larson introduced a request by the Village Council to review/revise the existing fencing regulations applicable within the CBD Central Business District. She noted the Council’s concerns regarding the lack of regulation of fencing within the CBD District and its request for the development of standards that address the design and placement of fences consistent with the ‘downtown’ objectives set forth in the proposed Master Plan. A general discussion of existing fencing arrangements and typical downtown lot layouts ensued.

**New Business:
Fencing Regulations**

Harvey referenced the Recommended Review Process set forth in the Planning Commission Memo on ‘Fencing Regulations’ within the CBD District. It was noted that *Step 1 (Meeting 1)* of the review process would be placed on the May Planning Commission meeting agenda. Nielsen noted he would advise DDA members of the planned review of the fencing standards.

11. Larson noted that no ‘Ongoing Business’ had been scheduled for discussion.

Ongoing Business

12. Larson provided members with information (articles/websites) gathered regarding wind energy. **Member Comments**

13. Nielsen noted that he had secured a guest speaker to meet with the Commission regarding wind energy as requested and was ready to schedule same. The Planning Commission tentatively placed the matter on its June agenda. **Village Manager Comments**

Nielsen advised the Commission that the special land use permit application for a proposed church at 510 Old Lane had been withdrawn.

14. There being no further business to come before the Commission, the meeting was adjourned at 8:40 p.m. **Adjournment**

**Minutes, Paw Paw Planning Commission
Regular Meeting, June 4, 2009**

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| 1. | The regular Planning Commission meeting of Thursday, June 4, 2009 convened at 7:01 p.m. at 114 N. Gremps , Paw Paw, Michigan. Chairperson Larson presiding. | Meeting Convened |
| 2. | Present: Larson, Bogen, Greensly, Roger, and Rumsey. Also present: Village Planning Consultant, Rebecca Harvey and Village Manager, Larry Nielsen. | Members Present |
| 3. | Motion by Rumsey, supported by Bogen, to approve the agenda as presented. All members present voting yes. The motion carried. | Approval of Agenda |
| 4. | Motion by Greensly, supported by Roger, to approve the minutes of the regular Planning Commission meeting of May 7, 2009 as presented. All members present voting yes. The motion carried. | Approval of Minutes |
| 5. | Larson noted no public hearing items were before the Commission at this time. | Public Hearings |
| 6. | No public comment regarding non-agenda items was offered. | Public Comment |
| 7. | Larson noted that further discussion of wind energy systems was scheduled to include a presentation by resource speaker, Chris Palmer of the Regional Planning Commission. She explained that Mr. Palmer was not available to attend but had provided resource material for Board consideration. | New Business:
Wind Energy
Systems |
| | <p>In reference to the information provided, general Board discussion ensued regarding the operational principles of wind turbine systems, energy/financial considerations, and identified impacts. Wind turbine styles and related tower heights were also reviewed.</p> <p>Mr. Neilsen reported additional discussion with a wind specialist from Western Michigan University who noted an anticipated boom in the production of residential and commercial wind turbine styles. Attendance at a future meeting of the Planning Commission was requested.</p> | |
| 8. | Harvey referenced the draft ordinance language provided setting forth proposed fencing regulations pursuant to Commission direction at the June meeting. She reviewed the proposed revisions to Section 42.405, as well as the review/approval process applicable to fencing through Section 42.402. | Ongoing Business:
Fencing Regulations |

Lengthy discussion ensued wherein the following concepts were noted for inclusion: chain link fencing is not acceptable as a screen; fencing standards

should also apply within the B-1, B-2, P, I-1, and I-2 Districts; the terms ‘security fencing’ and ‘decorative fencing’ require further definition; security fencing within the CBD should be limited to rear/side yards with a 6 ft height maximum; and barbed wire fencing should be prohibited within the CBD and R-O District.

It was also determined that site improvements that include fencing on nonresidential properties should be subject to the site plan amendment process and permits should be required for the establishment of fences on residential properties.

Revised draft language was requested for review at the July meeting.

9. Harvey noted that a public hearing on the proposed text amendments to remove ‘churches’ as an allowed use within the CBD and add ‘churches’ as a special land use within the B-1 and B-2 Districts was scheduled for July. General Board discussion ensued regarding the uses permitted within church buildings. **Ongoing Business: ‘Churches’ Within B-1 and/or B-2 Districts**
10. Nielsen reported that the Master Plan Steering Committee met on May 26, 2009, and provided review comments to the consultants (LSL) on the completed final draft of the Plan. It had been determined that additional time was required to provide comments so the comment period was extended to June 9, 2009. Nielsen noted that at the conclusion of the comment period, all comments will be compiled and submitted to LSL for document revision. The draft Plan is estimated to be available the first week of July for submission to the Planning Commission. **Ongoing Business: Master Plan**
11. Larson noted the inclusion of an interview with Village Manager Nielsen in the recent issue of Municipal Review. **Member Comments**
12. Nielsen informed the Board of a newly developed marketing strategy for the Village called ‘Uncork Paw Paw; A Village to Discover’. He explained the three (3) elements of the strategy and noted planned activities and improvements within the Village that will be consistent with this strategy. **Village Manager Comments**
13. There being no further business to come before the Commission, the meeting was adjourned at 9:35 p.m. **Adjournment**

**Minutes, Paw Paw Planning Commission
Regular Meeting, July 2, 2009**

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| 1. | The regular Planning Commission meeting of Thursday, July 2, 2009 convened at 7:00 p.m. at 114 North Gremps, Paw Paw, Michigan. Chairperson Larson presiding. | Meeting Convened |
| 2. | Present: Larson, Bogen, Greensly, Roger, Rumsey and Thomas. Also present: Village Planning Consultant, Rebecca Harvey. | Members Present |
| 3. | Motion by Thomas, supported by Roger, to approve the agenda. All members present voting yes. The motion carried. | Approval of Agenda |
| 4. | Motion by Greensly, supported by Bogen, to approve the minutes of the regular Planning Commission meeting of June 4, 2009. All members present voting yes. The motion carried. | Approval of Minutes |
| 5. | No public comment regarding non-agenda items was offered. | Public Comment |
| 6. | Larson stated that a public hearing was scheduled to consider the following amendments to the Village of Paw Paw Zoning Ordinance: Repeal Section 42-243 (3) – Churches as a Special Land Use within the CBD; Add Section 42-203 (4) – Churches as a Special Land Use within the B-1 District; and Add Section 42.223 (11) – Churches as a Special Land Use within the B-2 District. | Public Hearing:
Text Amendments
- Churches in CBD,
B-1, and B-2 |
| | <p>No public comment was offered on the matter. Following general discussion of the proposed amendments and reference to previous Board consideration of the matter in April, motion by Rumsey, supported by Thomas to recommend approval of the text amendments as presented based upon the following conclusions: 1) the proposed text amendments will improve the consistency of each district with its statement of purpose; 2) the character of the CBD will be retained; 3) the downtown commercial area will be preserved; 4) ‘churches’ will more effectively be directed where land area exists to meet site design requirements for churches; and 5) use options within the B-1 and B-2 Districts will increase. All members present voting yes. The motion carried.</p> | |
| 7. | Larson stated no new business was scheduled for consideration at this time. | New Business |
| 8. | Larson noted that further review/discussion of proposed revisions to the fencing regulations and review process set forth in Sections 42.405 and 42.402 was scheduled. Harvey referenced draft ordinance language revised pursuant to Commission comments in June. | Ongoing Business:
Fencing Regulations
in CBD |

9. Lengthy discussion ensued wherein the following issues were identified: clarification that decorative/ornamental fencing not exceeding six (6) feet in height is allowed within the side and rear yards; site plan amendment requirements for new fence proposals; administrative review requirements for modifications to existing fencing.

Revised draft language was requested for review at the August meeting.

10. Larson noted that final drafts of the proposed Master Plan were distributed to Board members for review and comment. She reviewed the work completed by the Master Plan Steering Committee in finalizing the document and referenced the review process necessary for the final adoption of the Plan.

**Ongoing Business:
Master Plan**

11. Consistent with the review process outlined, the Board agreed to review the document and be prepared to provide review comments for Board discussion at the August Planning Commission meeting. It was determined that, following the discussion in August, the Plan would be submitted to the Village Council for approval to distribute.

12. Larson introduced an article entitled 'Is Wind Energy a Wise Financial Choice' published through the Great Lakes Energy Co-op for Board information.

Member Comments

13. Bogen requested clarification regarding the issue of 'conflict of interest' as it is addressed by the Michigan Zoning Enabling Act and in application to Board consideration of zoning requests.

14. No comments were offered at this time.

**Village Manager/
Planning Consultant
Comments**

15. There being no further business to come before the Commission, the meeting was adjourned at 8:37 p.m.

Adjournment

**Minutes, Paw Paw Planning Commission
Regular Meeting, August 6, 2009**

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| 1. | The regular Planning Commission meeting of Thursday, August 6, 2009 convened at 7:02 p.m. at 114 N. Gremps , Paw Paw, Michigan. Chairperson Larson presiding. | Meeting Convened |
| 2. | Present: Larson, Greensly, Larcinese, Rumsey, and Thomas. Also present: Village Planning Consultant, Rebecca Harvey and Village Manager, Larry Nielsen. | Members Present |
| 3. | Motion by Thomas, supported by Rumsey, to approve the agenda as presented. All members present voting yes. The motion carried. | Approval of Agenda |
| 4. | Motion by Thomas, supported by Rumsey, to approve the minutes of the regular Planning Commission meeting of July 2, 2009 as presented. All members present voting yes. The motion carried. | Approval of Minutes |
| 5. | No public comment regarding non-agenda items was offered. | Public Comment |
| 6. | Larson stated no public hearing items were before the Commission at this time. | Public Hearings |
| 7. | Larson noted that several applications were before the Commission for scheduling. Regarding the application for rezoning of property located at 723 East Michigan from R-2 to B-2 (Carpenter), it was noted that the application had been previously received and scheduled by the Board but had not been processed accordingly. Now that completion of the application process has been confirmed, it was necessary to reschedule the public hearing. It was noted that due to the need for consideration of an amendment to the Master Plan in conjunction with the rezoning request, the matter could not be scheduled for public hearing until November. It was determined that the status of the application be discussed with the applicant to confirm a desire to proceed given the time frame involved. | New Business:
Applications |
| 8. | Larson also referenced two (2) special land use permit applications pending Planning Commission consideration. Specifically, a request by Ava Plaszczak for property located at 301 West Michigan and a request by Jeff MacDonald for property located at 117/119 West Michigan. It was determined that public hearings on the applications would be scheduled for the September Planning Commission meeting. | |
| 9. | Larson noted that final drafts of the proposed Master Plan were distributed to Board members at the July Planning Commission meeting. She stated that members had been directed to review the document and be prepared to | Ongoing Business:
Master Plan |

discuss the final draft of the Plan at the August meeting. Larson added that following the discussion, the Plan would be submitted to the Village Council for approval to distribute.

10. After lengthy discussion, it was determined that the Board generally supported the contents of the Plan, noting that all requested elements had been incorporated and that the process employed and the concepts set forth in the Plan were very satisfactory. Larson acknowledged the specific review comments and questions raised by the Board and noted that discussion of the proposed document would continue at the public hearing stage.
11. With no further discussion by the Board, motion by Thomas, supported by Rumsey, to recommend to the Village Council acceptance of the proposed Master Plan for distribution and public hearing notice. All members present voting yes. The motion carried. It was noted that the public hearing would be tentatively placed on the November meeting agenda.

Nielsen stated that comments provided by Planning Commission and Village Council members on the proposed Plan would be copied to each member for review and reference at the public hearing.

12. Larson noted that further review/discussion of proposed revisions to the fencing regulations and review process set forth in Sections 42.405 and 42.402 was scheduled. Harvey referenced draft ordinance language revised pursuant to Commission comments in July.

**Ongoing Business:
Fencing Regulations**

The Board indicated their general acceptance of the proposed text, as revised, noting that language should be added that requires front yard screening where nonresidential uses are located opposite residentially-zoned or residentially-occupied property and parking lots are located within the front yard. It was also noted that reference to the 'P' District should be removed from Section 42.405 c) (3) – barbed wire fences.

It was determined that the draft text language should be revised as discussed and the matter be scheduled for public hearing at the September meeting.

13. It was noted that receipt of meeting material the weekend prior to the Planning Commission meeting would increase the time available for members to prepare for meetings.
14. No comments were offered by Nielsen or Harvey.
15. There being no further business to come before the Commission, the meeting was adjourned at 8:32 p.m,

Member Comments

**Village Manager/
Planning Consultant
Comments**

Adjournment