



**THE CITY OF THE VILLAGE OF DOUGLAS
PLANNING COMMISSION
THURSDAY, SEPTEMBER 12, 2024 AT 7:00 PM
86 W CENTER ST., DOUGLAS MI**

MINUTES

1. CALL TO ORDER – Chair called to order at 7:00pm

2. ROLL CALL -

PRESENT

Chair Paul Buszka

Vice-Chair Louise Pattison

Secretary Kelli Heneghan Commissioner

Neal Seabert Commissioner

Matt Balmer Commissioner

Patty Hanson Commissioner

Laura Peterson Commissioner

Thomas Hickey Commissioner

ALSO PRESENT

Planning and Zoning Administrator Sean Homyen

Deputy Clerk Dawn Raza

A. Approval of Agenda - September 12, 2024 (additions/changes/deletions)

B. Approval of Minutes - August 8, 2024 *regular meeting* (additions/changes/deletions)

Motion by Hickey, seconded by Balmer to approve the agenda and regular meeting minutes. – Motion carried by unanimously

3. PUBLIC COMMUNICATION - VERBAL (LIMIT OF 3 MINUTES) - None

4. PUBLIC COMMUNICATION - WRITTEN

A. Trevor McCoy - Written Communication

5. NEW BUSINESS

A. 30 Hamilton - Site Plan Amendment - Jeff Klemm

Jeff Klemm, the applicant, presented the historical background of the building's previous approval and raised concerns about deer migration in the area. He sought clarification on the ordinance's wording regarding the continuous requirement for fencing. The Planning & Zoning Administrator responded, referencing Section 21.01, which states that solid fencing for buffering between residential areas must be continuous. Klemm continued his presentation, providing visual context of the existing conditions at the property and highlighting concerns about deer and the damage they have caused.

Tony Neuhoff (15 Ferry St), representing the owners adjacent to 30 Hamilton, stated that a letter from Trevor summarized the neighbors' concerns. He expressed sympathy for deer issues, noting similar problems in their own yards. The neighbors were worried about losing greenery in the community, believing a fence wouldn't last as long as trees. Neuhoff referenced the original site plan, mentioning they expected new trees to be planted.

Trevor McCoy, speaking via Zoom, agreed with Neuhoff's concerns about deer damaging the existing fence and the potential future impact. Neuhoff emphasized that natural elements would be more aesthetically pleasing and maintainable than a fence.

The Planning & Zoning Administrator discussed the applicant's proposed change to reduce the number of approved trees and install fencing. He clarified that, according to his report, the 80% opacity requirement begins once the trees are planted and explained the potential outcomes if the Planning Commission chose to approve or deny the request.

Chair Buszka inquired why the applicant was presenting again. Planning & Zoning Administrator Homyen explained that it was due to changes made to the original site plan.

Pattison provided historical context about the initial site plan meeting, while Seabert and Heneghan noted that the applicant had not met the original conditions. Hanson asked about specific tree requirements; Pattison clarified that the original approval only specified 20 trees without detailing which types.

Balmer reviewed the original motion and asked the Planning & Zoning Administrator whether a permit had been issued for the current fence. The Planning & Zoning Administrator confirmed that a permit was not obtained before the fence was installed, and the later application reflected the applicant's current request. Balmer remarked that this constituted a deviation from the original site plan.

Klemm discussed the challenges related to achieving opacity with the trees and apologized for not returning to the Planning Commission before installing the fence. Hickey asked if there had been input from the neighbors. Klemm replied that he shared the same information with a couple who stopped by as he did with the Planning Commission. Peterson inquired whether the fence would remain if the trees were planted, seeking clarification on the buffer setup, which was due to deer issues. Klemm explained that it wasn't feasible to adjust the buffer because of space limitations and confirmed that the setup was indeed intended to address deer concerns.

Klemm inquired about the possibility of a compromise regarding his request to plant trees between the existing fence. Chair Buszka explained the rationale behind the Planning Commission's approval with specific conditions and emphasized that it is the applicant's responsibility to address tree issues and seek solutions. Balmer reviewed the relevant procedures outlined in the ordinance, and the Planning Commissioners discussed the minutes from the original approval.

Motion by Pattison to follow the original resolution from the Planning Commission in 2021 and that trees must be planted 20 feet preferably at least 5 to 7 feet tall or some other deer resistant tree must be planted by October 31 and at the time the clock starts on the three years and the client must contact the City when there planted and the fence must be removed, seconded by Seabert.

Chair Buszka asked if the Planning Commissioners could amend the motion to replace "client" with "applicant." Henneghan questioned whether Pattison meant to say "20 trees" instead of "20 feet." The Planning & Zoning Administrator clarified that the original request included both fencing and trees, noting that if the request was denied, it would revert to the original site plan approval. Chair Buszka then asked Pattison if she wanted to retract her motion to offer a new one for approval, tabling, or denial. Balmer outlined the procedure for amending the motion, explaining that the person who made the original motion would need to propose the amendment, and the seconder would have to agree.

Motion by Pattison to deny to the site plan amendment request to modify the original condition of approval which would reduce the number of trees from 20 to 11 for 30 Hamilton to the R4 Harbor Residential District, P.P 59-650-002-20 subject to the following conditions that the fence must be removed, they must plant 20 trees preferably some deer resistant that at least 5 to 7 feet tall, they must be planted by October 31st at the time the clock starts, and that they're to contact the city when the trees are planted, all dead or diseased tree planted by the applicant shall be replaced by a timely matter, if the trees the trees not planted by 10/31/2024, the applicant shall submit a performance bond guarantee to the City in the amount to the cost to install the trees in between the fence in accordance with the quote from the applicant's landscaping contractor, seconded by Seabert. Motion carried by unanimously.

3. PUBLIC COMMUNICATION - VERBAL

A. MASTER PLAN - Future Land Use Map & Chapter 7 Future Land Use Draft Review - S. Homyen

The Planning & Zoning Administrator led the discussion on the Future Land Use Map and the draft of Chapter 7. The Planning Commissioners agreed that there wasn't enough time to thoroughly review the zoning plan, so they will submit their comments to the Planning & Zoning Administrator by Wednesday.

7. REPORTS

A. Planning and Zoning Administrator Report -

The Planning & Zoning Administrator provided an update on Swingbridge and what was potentially being proposed for Safe Harbor.

B. Planning Commissioner Remarks (limit 3 minutes each, please)

Hanson thanked Pattison for picking up the master plan documents for review.

Hickey expressed gratitude to the staff for organizing the 9/11 memorial event.

Pattison raised a question about a property that still has a "for sale" sign.

Balmer thanked the Planning & Zoning Administrator and Deputy Clerk for listening.

Seabert inquired about who would be overseeing short-term rentals, to which Balmer responded that

the Planning Commission would receive direction from the Council.

Chair Buszka shared information about Fiber Optics and Surf Internet with the Planning Commission, and the Planning & Zoning Administrator noted that this would be a significant project requiring additional review from the City Engineers and DPW.

8. PUBLIC COMMUNICATION – VERBAL (LIMIT OF 3 MINUTES) - None

9. ADJOURNMENT

Motion by Pattison, Seconded Seabert to adjourn