

**VILLAGE OF PAW PAW PLANNING COMMISSION
DRAFT MINUTES
REGULAR MONTHLY MEETING
THURSDAY, JULY 6, 2023, 7:00 pm**

1 The regular monthly meeting of the Paw Paw Planning Commission was held at the Paw Paw Township
2 Hall Chamber located at 114 N. Gremps Street, Paw Paw, Van Buren County, Michigan.

3 **I. CALL TO ORDER:**

4 The meeting was called to order by Chair Larson at 7:00 pm.

5 **II. ROLL CALL:**

6 MEMBERS PRESENT: KATHLEEN LARSON – CHAIR
7 EMILLY HICKMOTT – SECRETARY
8 DAVE BOGEN
9 TOM PALENICK
10 MICHAEL PIOCH

11 NOT PRESENT: ASHLEY NOTTINGHAM – VILLAGE TRUSTEE
12 JEFF BROWN

13 OTHERS PRESENT: TRICIA ANDERSON – VILLAGE PLANNER, WILLIAMS & WORKS

14 **III. APPROVAL OF THE AGENDA: MOTION**

15 Commissioner Pioch moved, with support from Commissioner Bogen, to approve the agenda for the
16 July 6, 2023, regular Planning Commission Meeting.

17 Motion carried unanimously.

18 **IV. JUNE 1, 2023 MINUTES: MOTION**

19 Chair Larson noted some errors in the June 1, 2023 meeting minutes and requested that Ms.
20 Anderson make those changes. Commissioner Bogen moved, with support from Commissioner
21 Palenick, to approve the meeting minutes from June 1, 2023, as amended.

22 Motion carried unanimously.

23 **V. PUBLIC COMMENT**

24 Holly Hamilton, of 148 E. Michigan Street stated that she had emailed some ideas to Ms. Anderson
25 and Mr. Joseph with regard to what may be deemed acceptable for the roof-top structure. She
26 indicated that she’s not interested in spending any more money on architectural drawings for the

27 proposed roof improvements at 148 E. Michigan Street with little to no direction from the Planning
28 Commission. She asked what needs to be done in order to move forward with the plan that was
29 approved in 2018. She added that there are areas now where water and critters are getting inside
30 and they will need to act fast in being able to execute the plan.

31 Ms. Anderson assured Ms. Hamilton that she would follow up with an e-mail to her with the process
32 for moving forward with a site plan approval that had expired.

33 VI. NEW BUSINESS

34 A. Food Truck Ordinance Discussion

35 Mr. Bogen began the discussion by indicating that the City of Kalamazoo has a really great
36 ordinance that would be easy for the Village to emulate and would save Ms. Anderson some
37 time in drafting an ordinance. He added that in Vicksburg every Wednesday, the streets are
38 closed down and food trucks are permitted on the street. He noted that the restaurants do
39 not care, and it brings hundreds of people into the town.

40 Chair Larson noted that she's heard of a group of food trucks that travel together and serve
41 food in different towns on the same dates.

42 Chair Larson spoke about the differences between the Kalamazoo ordinance and the one Ms.
43 Anderson drafted. She wondered what the need would be for a long-term food truck permit.
44 Ms. Hickmott noted that it may be better handled through an ordinance that has regulatory
45 parameters, in the seemingly rare instance it would be requested. Commissioner Bogen added
46 that this was permitted as a special land use in one instance at one of the wineries in recent
47 years. Chair Larson indicated that the Kalamazoo ordinance had specific sizes that would be
48 permitted and that there is a provision for not leaving a truck unattended and if any unit was
49 left unattended, it could be towed, thus you could not park a food truck overnight.

50 Chair Larson emphasized that the long-term permit for a food truck doesn't seem necessary.
51 Commissioner Hickmott and Commissioner Bogen agreed that there may be some scenarios
52 where a long-term permit for a food truck would be beneficial. Chair Larson added that she
53 really doesn't want the food trucks to become a detriment to the existing restaurants.

54 Chair Larson noted that in the ordinance that Ms. Anderson drafted it would be beneficial to
55 include in the application requirements the written permission from the private property
56 owner where the food truck would be stationed. Chair Larson added that limited liability
57 insurance coverage was also a good idea, as it is required in the City of Kalamazoo ordinance.
58 Commissioner Bogen indicated that inspections would occur. They discussed the permitting
59 and whether there would be a need for a permit for a new permit each time a mobile food
60 vendor sets up. The commissioners would rather see the permit for a season. Ms. Anderson
61 indicated that it can be written to only require the zoning permit for each event and that it
62 could also be the responsibility of the property owner as opposed to the food truck operator.

63 The Planning Commission discussed whether the food trucks would be permitted in residential
64 districts. They discussed graduation parties, block parties, and weddings that take place at
65 residential homes, and how a food truck serving food is not unreasonable. Some noted that
66 they attended events at a residential home where a food truck was stationed. Chair Larson
67 noted that they should avoid allowing the operation of a business in a neighborhood. Ms.
68 Anderson indicated that one way to allow food trucks in a resident district would be to only
69 allow them in association with a special event. Commissioner Hickmott indicated that the
70 ordinance would be able to specify procedures to regulate food trucks in residential districts.
71 Chair Larson asked if a food truck would be considered a home occupation, and that the
72 person operating the home occupation would need to live in the home where the home
73 occupation is being conducted. Ms. Anderson explained that she did not think that food trucks
74 would be considered a home occupation.

75 Ms. Anderson asked how the food trucks were permitted in the past. It was noted by
76 Commissioners that it was permitted by special land use as an open-air business. They
77 discussed. The Planning Commission agreed that this is why they are attempting to draft an
78 ordinance. Ms. Anderson encouraged that amending the zoning ordinance to address a land
79 use that is not expressly defined and regulated in the Zoning Ordinance is a good move, legally.

80 Commissioner Hickmott asked Ms. Anderson if there was any clarification needed on the
81 comments in the margin of the ordinance. They discussed the different licensing agencies and
82 that the Van Buren Cass District Health Department would have some role in inspections. Ms.
83 Anderson wasn't clear on exactly what they do, but she did know that the Michigan
84 Department of Agriculture and Rural Development (MDARD) licenses mobile food vendors.

85 Commissioner Bogen noted that the ordinance should be relatively similar to other ordinances
86 so that the mobile food vendors don't have to make major modifications to their setup for
87 each jurisdiction they serve in.

88
89 The Planning Commission discussed the hours of operation and that it should be from 7 am
90 until 11 pm for all districts. They added that they are ok with overnight parking for the
91 duration specified in the event.

92 Commissioner Hickmott reminded the commissioners that the Wine and Harvest Festival
93 typically have food trucks and that the food truck ordinance should reference this and indicate
94 that the rules are not applicable to food trucks associated with that event. She added that
95 there is an ordinance and board that governs the activities associated with the festival.

96 Chair Larson asked Ms. Anderson if she is clear on the changes discussed and the direction for
97 revisions for the August Meeting. Ms. Anderson asked for clarification on some areas and
98 confirmed that she would make the requested changes for the August meeting.

99 **B. Master Plan Audit**

100 Chair Larson asked if everyone had a chance to go through the audit. Chair Larson noted
101 that the sentence about the economy not recovering from the 2008 recession should not be
102 removed from the Master Plan. Commissioner Hickmott explained that there are some long-
103 term effects that are evident in the housing market today, which would indicate that it has
104 not fully recovered. The commissioners agreed that the “review of the new development
105 that has taken place in the village” will be an important update to the plan. Chair Larson
106 asked if Ms. Anderson would be compiling that data. Ms. Anderson indicated that she would
107 work with whomever issues building permits.

108 The Planning Commission asked about the different plans and reports referenced in the plan
109 and who would work on determining if they are still valid and relevant, or if new studies
110 must be referenced. Ms. Anderson indicated that she would handle this task if Williams &
111 Works is selected to perform the Master Plan update.

112 There was discussion around the public engagement format for the Master Plan update and
113 some indicated that the previous survey would be useful in doing an “apples to apples”
114 comparison. They agreed that some additional questions should supplement the previous
115 survey and that it should be done using Survey Monkey again. Commissioner Pioch
116 suggested that it could also be provided to residents who pay utility bills through the
117 website.

118 Chair Larson asked for the incorporation of the changes discussed up to the end of page 2 of
119 the audit report. Ms. Anderson indicated that Williams & Works has not yet submitted a
120 proposal for the Master Plan update and that there is more of a structure associated with
121 the update process. She informed the Planning Commission that she will prepare a timeline
122 with the sequence of specific tasks that are required as part of the update for the August
123 meeting. She stated that, in the meantime, she would contact Mr. Joseph and ask what the
124 process is for decisions to enter into contracts for professional services, and whether it must
125 be approved by the Village Council, or can be approved administratively.

126 **C. Planning Commission Work Plan**

127 **a. Short-term rentals** – Commissioner Hickmott recalled the ordinance being drafted
128 and it never had a recommendation to Council. She referenced the activity of the
129 bill that was in the state legislature and its status. She added that Mr. Joseph was
130 waiting to hear from the Planning Commission, however, it hasn’t been on their
131 agenda to make the recommendation. Ms. Anderson asked if this was something
132 that she should review prior to the August meeting and make any recommendations
133 she might have. They would like to add this to the August agenda.

134 **VII. PLANNING COMMISSION MEMBER COMMENTS** – Commissioner Hickmott wondered if anything had
135 happened with a structure that was constructed without permits. Commissioner Bogen added that he
136 will not be at the next meeting. The commission added that they would like the line numbers in the
137 margin of the meeting minutes that Mr. Kotrba used in his iteration of the May minutes.

138VIII. **STAFF/CONSULTANT COMMENTS** - None.

139 IX. **ADJOURNMENT** – 9:05 PM