

**Minutes, Paw Paw Planning Commission  
Regular Meeting, June 3, 2021**

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| 1. | The regular Planning Commission meeting of Thursday, June 3, 2021 convened at 7:00 p.m. at 114 N. Gremps, Paw Paw, Michigan. Chairperson Larson presiding.  | <b>Meeting Convened</b>                              |
| 2. | Present: Larson, Bogen, Brown, Hellwege, Nottingham, and Palenick. Also Present: Village Planning Consultant, Rebecca Harvey.   | <b>Members Present</b>                               |
| 3. | <b>Motion</b> by Palenick, <b>supported</b> by Nottingham, to approve the agenda as presented. All members present voting yes. The <b>motion carried</b> .  | <b>Approval of Agenda</b>                            |
| 4. | It was agreed to postpone approval of the May 6, 2021 and May 20, 2021 meeting minutes to the July meeting to allow additional time for review.   | <b>Approval of Minutes</b>                           |
| 5. | No public comment regarding non-agenda items was offered.   | <b>Public Comment</b>                                |
| 6. | Larson stated that the next item for consideration was the request of Robert Wiitanen for Special Land Use Permit/Site Plan Review for the proposed establishment of a ‘gasoline/fuel dispensing business with a convenience store’ on approximately 6 acres on the south side of the I-94 interchange. Subject property is specifically located at the southwest corner of M-40 and CR 665 and is within the B-2 District. | <b>Public Hearing:<br/>SLU/SPR - Gas<br/>Station</b> |

Robert Wiitanen and Tyler Cravens, project engineer, were present on behalf of the application. Wiitanen provided an overview of the request. In response to questions, he noted the following:

- the gas station will be a locally-owned Sunoco station;
- the convenience store element will include hot food and bakery items;
- currently working to secure a full liquor license for beer/wine/liquor sales
- investigating the provision of electric chargers; no decision yet
- anticipating a Spring 2022 opening

Bogen inquired if the applicant is aware of the planned reconstruction of I-94 in that area within the next 2-3 years. Wiitanen acknowledged that he has been in conversation with the appropriate road agencies and that a signal at M-40/CR 665 is currently under study.

Larson observed that the proposed gas station/convenience store is situated on the east portion of the property and questioned the plans for the west side of the site. Wiitanen stated that a specific proposal is not currently pending but that some interest has been expressed by fast-food restaurants.

In response to questions regarding storm water drainage, Cravens noted

that the existing storm water retention ponds on the site pick up some of the road drainage and that the site design will continue to facilitate that arrangement.

No public comment was offered on the matter.

The Planning Commission proceeded with a review of the site plan, noting the following:

- The proposal meets the standards applicable to a ‘gasoline filling station (w/ accessory use)’ set forth in Section 42-367 (13).
- A sidewalk does not currently extend along the abutting roadways; the sidewalk policy for the Village will apply to the subject site.
- Building elevation drawings have not been submitted so compliance with B-2 District building design requirements cannot be confirmed.
- Noting that the development area (east portion of the site) is 3.1 acres in area, the landscape plan presented meets the landscape requirements of the B-2 District.
- Additional lighting detail provided (fixture cut sheets/mounting heights) confirms that the lighting proposal meets applicable exterior lighting standards.

In review of the special land use criteria of Section 42-366, it was determined that the proposal is compatible with the character of the area, noting that the site is surrounded by commercial zoning/land use and is served by a major arterial and adequate public utilities. It was further acknowledged that the proposed use may serve to reduce current traffic volumes north of I-94.

**Motion** by Bogen, **supported** by Hellwege, to grant Special Land Use Permit and recommend Village Council approval of the Site Plan based upon a finding of compliance with the Special Use Permit Criteria set forth in Sec 42-366; the Special Use Permit Standards applicable to a ‘gasoline /fuel dispensing business (w/ accessory use)’ set forth in Sec 42-367 (13); and, the Site Plan Review Criteria set forth in Sec 42-402 (4), **subject to the following conditions:**

1. Compliance with the Sidewalk Policy of the Village of Paw Paw.
2. Submission of building elevations demonstrating compliance with Sec 42-225 – Building Design Requirements
3. Confirmation that the proposed dumpster enclosure/screening complies with Sec 42-406 (9).
4. Any proposed signage shall be subject to review/approval through the sign permit process.
5. Village Fire Department review/approval.
6. Village Department of Public Works review/approval of the grading plan, proposed method of on-site storm water disposal, and utility connections.

7. Compliance with all applicable Federal, State and Local codes/ordinances.

All members present voting yes. The **motion carried**.

7. Larson stated that no New Business is scheduled for consideration.

**New Business**

8. Larson stated that the next item for consideration is continued discussion of the fence standard set forth in Sec 42-405(c)(3) and the use of barbed wire fences in the Village.

**Ongoing Business:  
Fence Standards**

She reminded that Village Council had provided feedback on the Planning Commission's proposed amendment approach on the topic (set forth in 4.01.21 Memo) at the May Planning Commission meeting, and provided the following direction:

- Support allowing barbed wire where it will be used by a governmental agency whose primary purpose is the protection of public safety . . or where deemed necessary to ensure public safety.
- Do not want barbed wire fencing within the CBD, DOD or VRA-PUD Districts.
- Support the idea of allowing 'protective measures fencing', to provide an alternative to barbed wire.

Harvey was directed to prepare draft text per the direction of Village Council for Planning Commission review in June.

Harvey referenced the draft text prepared and highlighted the changes proposed in response to the Council's feedback. She requested discussion of the proposed 12 ft height standard for 'protective measures fencing' and the inclusion of the 'living fence' provision.

Brown observed that there is currently no definition of 'fence' in the Zoning Ordinance and suggested that one should be included. He also expressed concern that Subsection (3) serves to prohibit the use of barbed wire fencing in the commercial areas of the Village but not in the residential districts . . where they are equally as objectionable. Planning Commission members agreed with both observations.

Commission members then expressed support for the 12 ft height standard for a 'protective measures fence', acknowledging that the increased height standard may incentivize the use of such fencing in lieu of barbed wire fencing.

Lengthy discussion ensued regarding the 'living fence' provision. It was agreed that adding a definition of 'fence' would clarify that a 'living fence' is distinguished from general landscaping or a tree line/vegetative buffer . .

and is subject to applicable fence standards.

Harvey was directed to prepare a draft 'fence' definition for Planning Commission consideration in July.

9. No member comments were offered.

**Member Comments**

10. No staff comments were offered.

**Village Manager/  
Planning Consultant**

12. There being no further business to come before the Commission, the meeting was adjourned at 8:50 p.m.

**Adjournment**