

**Minutes, Paw Paw Planning Commission  
Regular Meeting, May 6, 2021**

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| 1. | The regular Planning Commission meeting of Thursday, May 6, 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, Palenick, and Pioch. Also Present: Village Manager, Sarah Moyer-Cale, Village Planning Consultant, Rebecca Harvey  | <b>Members Present</b>                                 |
| 3. | Larson requested that an awning proposal for Taphouse & Bistro be added as an agenda item under New Business. <b>Motion</b> by Pioch, <b>supported</b> by Palenick, to approve the agenda as modified. All members present voting yes. <b>The motion carried.</b>   | <b>Approval of Agenda</b>                              |
| 4. | <b>Motion</b> by Palenick, <b>supported</b> by Nottingham, to approve the minutes of the regular Planning Commission meeting of April 1, 2021, with a correction to Item 3, page 1, to note that the motion to approve the agenda was supported by Palenick, not Bogen. All members present voting yes. <b>The motion carried.</b>                                  | <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 Charles Friese (TNT Fireworks) for Special Land Use Permit/Site Plan Review for the proposed establishment of an ‘open air business’ (temporary fireworks tent sale) at the existing site of Wal-Mart. Subject site is located at 1013 South Kalamazoo Street and is within the B-2 District. | <b>Public Hearing:<br/>SLU/SPR - TNT<br/>Fireworks</b> |

Charles Friese was present on behalf of the application. He provided an overview of the request, noting that Special Land Use Permit/Site Plan Approval had been granted for the proposed operation on June 4, 2015 for a 3-week period for the years 2015, 2016 and 2017, and again on April 5, 2018 for a 3-week period for the years 2018, 2019, and 2020. Friese stated that he would like to continue the operation as originally approved for an additional 3-year period, or more as determined by the Village.

Friese reviewed the details of the site location and setup, noting that it is essentially the same request as in previous years. He stated that they have been operating on the site for the last 6 years and have not had any problems/violations to date. He requested the Planning Commission consider extending the 3-year time frame. Harvey confirmed that any change to the proposed operation or site would require a return to the Planning

Commission for review/approval. Friese confirmed that required State permits have been obtained.

**Motion** by Palenick, **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 an ‘open air business’ set forth in Sec 42-367 (23); and, the Site Plan Review Criteria set forth in Sec 42-402 (4), subject to the following:

1. The proposed temporary signage shall comply with Sec 42-437(b) and shall require a sign permit.
2. Village Fire Department review/approval.
3. Compliance with all Federal, State and Local Ordinances.
4. The Special Land Use Permit/Site Plan Approval is for a 3-week period (June 16 – July 12) each year.

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

7. Larson stated that the next item for consideration is the request by Eric Cook, Taphouse & Bistro for a conceptual review of an awning proposal.

**New Business:  
Taphouse Awning**

Cook reviewed plans for the update to the outdoor seating area for Taphouse and provided general detail on the metal awning proposed for that area. He requested Planning Commission feedback on the photos presented.

Planning Commission members indicated support for the concept but advised that more accurate/detailed graphics will be required for the Commission to act on the request. Harvey clarified that the proposed awning is generally considered to be allowed within the DOD, but that the metal material is outside the scope of the district and will require Planning Commission approval.

Cook indicated that he will use the direction provided and create the necessary graphic for Planning Commission consideration at the next meeting.

8. Larson stated that the next item for consideration is 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 the Planning Commission had presented a topic discussion memo and proposed amendment approach on the topic to the Village Council in April . . . and were now scheduled to discuss the Council’s

feedback on the suggestions.

Moyer-Cale advised that Village Council discussed the matter at length and have 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.

Planning Commission members reiterated their concern that such latitude in allowing barbed wire fencing in the Village will lead to frequent requests and claims of ‘public safety’ needs.

Harvey was then directed to prepare draft text per the discussion of Village Council for Planning Commission review and public hearing in June or July.

9. Larson stated that the next item for consideration is finalization of the 2021-2022 Planning Commission Work Plan.

**Ongoing Business:  
PC Work Plan**

Moyer-Cale provided an update to those items noted on the Work Plan as ‘pending VC action’.

- ‘waterfront overlay district’ – presented again to VC; additional questions raised regarding the vegetative buffer requirements; VC will review further and generate a list of questions/comments for PC response
- ‘missing middle housing’ related text amendments (3 new housing choices) – there is new interest in the options developed in recognition of local housing needs; would like a new introduction of each option, to be presented individually
- ‘open air business’ text amendments have been adopted
- ‘accessory building’ and ‘waterfront setbacks’ text amendments are still under discussion; there are still questions related to the ‘waterfront setback’ approach

Moyer-Cale requested a review of the parking standards be added to the Work Plan, with a focus on the number of parking spaces required and the resulting size/wasted space of parking lots in the Village.

Bogen requested a review of the building setback standards for a corner lot be added to the Work Plan, noting that current standards limit buildability and may be too restrictive.

Planning Commission members agreed to update the 2021-2022 Work Plan to reflect the updates and added work items.

10. No member comments were offered.

**Member Comments**

11. 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 9:08 p.m.

**Adjournment**