



VILLAGE OF SUTTONS BAY  
PLANNING COMMISSION  
REGULAR MEETING  
Meeting Minutes of November 13, 2024  
420 N. Front Street  
Suttons Bay, MI 49682

The meeting was called to order at 5:00 p.m. by Vice Chairperson Pontius

Present: Feringa, Pontius, D. Smith, F Smith, Hylwa & Campbell  
Absent: Hetler,  
Staff present: Petroskey, Patmore and Kopriva  
Guests: None

#### Approval of Agenda

Feringa moved, Hylwa seconded, CARRIED, to approve the agenda as amended moving Planning Commission Priorities to item D. and moving Budget to B. and Meeting Schedule to C.  
Ayes: 6, No: 0.

Conflict of Interest: None

#### Approval of Minutes

F. Smith moved, Campbell seconded, CARRIED, to approve the Planning Commission special meeting minutes of October 9<sup>th</sup>, 2024 as presented. Ayes: 6, No: 0.

#### Public Comment/Written Communications

None.

#### New Business:

Zoning Amendments Public Hearing for Section 5-3 Bayview Stories and 9-13 Wireless Communications. Planner Kopriva explained that in the BV district, the minimum stories has not been consistently enforced at 1.5 story minimum which has allowed for a few one (1) story dwellings to be constructed. It appears that this has not been detrimental to the district and it is suggested to update the language to change the minimum stories for the district to one (1).

Kopriva stated the wireless communications language in the current zoning ordinance is

Village of Suttons Bay – 420 N Front Street – P O Box 395 – Suttons Bay, MI 49682 – 231.271.3051  
[suttonsbay@suttonsbayvillage.org](mailto:suttonsbay@suttonsbayvillage.org)

not consistent with State Law and needs to be updated. The law says that if a wireless provider is co-locating equipment on an existing tower, a special use permit is not required and can be approved administratively. The language provided, updates the language to be consistent with State Law.

F. Smith moved, D. Smith seconded, CARRIED, to open the public hearing at 5:04 p.m. Ayes: 6, No: 0.

Hearing no public comments the public hearing closed at 5:04 p.m.

The commission review the criteria of Section 18-3 and provided the following findings of fact:

1. The proposed text amendment would clarify the intent of the ordinance.

*The proposed text amendments clarify the intent of the ordinance and makes the language consistent with State Law (Wireless Communications)*

2. The proposed text amendment would correct an error or oversight in the ordinance.

*The amendment will update the ordinance to be consistent with State Law and past practices.*

3. The proposed text amendment would address changes to the State legislation, recent case law or opinions from the Attorney General of the State of Michigan.

*The proposed text amendment related to wireless communications addresses changes to State Law. The building height is not a change in law or legislation.*

4. The proposed text amendment would promote compliance with changes in other County, State or Federal regulations.

*The proposed amendment regarding wireless communications will bring the Village in compliance with required language that was changed by the State. Building height is not related to compliance with law.*

5. In the event the amendment will add a use to a district, that use shall be fully consistent with the intent of the district and the character of the range of uses provided for within the district.

*This amendment does not add a use to a district.*

6. The amendment will not create incompatible land uses within a zoning district, or between adjacent districts.

*The amendment does not create incompatible land uses.*

7. The proposed text amendment is supported by the findings of reports, studies, or other documentation on functional requirements, contemporary building practices, environmental requirements and similar technical items.

*There does not to appear to be any conflict with any other reports, studies, or other documents.*

8. As applicable, the proposed change shall be consistent with the Village's ability to provide adequate public facilities and services.

*The amendment will have no impact on the Village's ability to provide adequate public facilities and services.*

9. The proposed change shall be consistent with the Village's desire to protect the public health, safety, and welfare of the community.

*The proposed text amendments are consistent with the Village's desire to protect the public health, safety and welfare of the community.*

D. Smith moved, F. Smith seconded, CARRIED, to approve and recommend that the Village Council adopt the text amendment for Article 5-3 Spatial Requirements relating to the Bayview District and bring Article 9-13 Wireless Communications into compliance as it relates to the permitting process for collation on an existing tower as stated in the above findings of fact. Ayes: 6, No: 0.

B. Proposed 2025 Planning Commission Budget.

F. Smith moved, Hylwa seconded, CARRIED to recommend the 2025 Budget to the Village Council for adoption. Ayes: 6, No: 0.

C. 2025 Meeting Schedule

The Planning Commission schedule was presented noting that the meetings will now take place on the 3<sup>rd</sup> Wednesday of the month at 5:00 p.m. and the ZBA will meet on the 2<sup>nd</sup> Wednesday of the month.

Hylwa moved, F. Smith seconded, CARRIED to recommend the 2025 Budget to the Village Council for adoption. Ayes: 6, No: 0.

D. Planning Commission Priorities

Kopriva provided the commission members with a list of the priorities in the Village Master Plan. Commission members rated each one by high, low or medium and the time frame of 1, 3 or 5 years to accomplish. The commission members were able to get through Housing, Natural Resources and Transportation. The remaining categories will be addressed at the next planning commission meeting.

Reports

Zoning Administration Report-as presented

Village Council Report: D. Smith indicated that the Village Council entered into a contract with Abonmarche for the design and construction oversight of the new Marina and public restrooms.

Good of the Order-None

Next Regular Meeting is December 11, 2024. Agenda items to include 1) Master Plan Review of Priorities

The meeting adjourned at 6:50 p.m.

Meeting minutes submitted by Dorothy Petroskey, Clerk.