

**VILLAGE OF FRANKLIN  
PLANNING COMMISSION  
Minutes of Meeting  
April 18, 2012**

**I. MEETING CALLED TO ORDER**

The regular meeting of the Village of Franklin Planning Commission was called to order by Chair Al Beke at the Franklin Village Office Building, 32325 Franklin Road, Franklin, Michigan, at 7:30 P.M.

**II. ROLL CALL**

Present: Al Beke, Karen Couf-Cohen, Calvin Cupidore, David Goldberg, Mike Heisel, Mary Hepler, Dean Moenck  
Absent: Connie Ettinger (excused)  
Also Present: Planning Consultant Christopher Doozan-McKenna and Associates, Village Administrator Amy Sullivan, Village Clerk Eileen Pulker

**III. ADOPTION OF AGENDA**

Beke requested the agenda item relative to review of the sign ordinance be moved to the last unfinished business item (agenda item E) and move everything else up.

**Motion by Moenck supported by Hepler to approve the agenda as amended.**

**Ayes: Beke, Couf-Cohen, Cupidore, Goldberg, Heisel, Hepler, Moenck**

**Nays: None**

**Absent: Ettinger**

**Motion carried.**

**IV. ADOPTION OF MINUTES**

**A. Regular Meeting of February 15, 2012**

**Motion by Heisel supported by Cupidore to approve the minutes for the regular meeting of February 15, 2012 as submitted.**

**Ayes: Beke, Couf-Cohen, Cupidore, Goldberg, Heisel, Moenck**

**Nays: None**

**Abstain: Hepler**

**Absent: Ettinger**

**Motion carried.**

**B. Regular Meeting of March 21, 2012**

**Motion by Moenck supported by Hepler to approve the minutes for the regular meeting of March 21, 2012 as submitted.**

**Ayes: Beke, Couf-Cohen, Goldberg, Hepler, Heisel, Moenck**

**Nays: None**

**Abstain: Cupidore**

**Absent: Ettinger**

**Motion carried.**

**V. COUNCIL LIAISON REPORT**

Sullivan noted that at its April 9<sup>th</sup> meeting Council entered into a new agreement with the building official that sets a new flat annual rate. The rate will cover all the duties/responsibilities assigned to the position and will hopefully level off expenses in the building department. Council also received the proposed budget and held its first budget workshop last Monday with another scheduled for April 30<sup>th</sup>. Sullivan noted the proposed budget includes a proposed increase in the monthly retainer for the Planning Consultant which more accurately reflects actual hours devoted to the Village. Discussion ensued

regarding the proposed increase relative to Commission's budget. Moenck noted a conflict in the Village's proposed budget between what was approved by the voters (millage increase was to be used for police, fire, and general fund fund balance) and where the increase is proposed to be allocated (1% to general fund).

**A. Main Street Franklin Update**

None.

**VI. BUDGET EXPENDITURE REPORT**

**A. Budget Update**

Items discussed: State Shared Revenue – Cupidore noted it may decrease; Sullivan provided an overview of the program. Planning Commission appointment – Beke noted he has contacted all who have submitted a resume and interviewed all but one and all the applicants have something solid to bring to the Commission; Sullivan advised this is likely to be on Council's May agenda. Beke noted the budget is on target for the current fiscal year.

**VII. PUBLIC COMMENTS**

No one from the public responded. Commissioners noted there were a lot of good, passionate comments expressed at last month's public hearing regarding the proposed Bed & Breakfast ordinance.

**VIII. UNFINISHED BUSINESS**

**A. Bed and Breakfast Ordinance Review**

Commissioners discussed many of the points raised at the public hearing and how the Commission could/should proceed on this matter. Whether the public hearing vetted the issue sufficiently was discussed with Pulker advising the impacted property owners were provided written notice of the public hearing and notice was transmitted to those on the Village's e-mail list and placed in the Observer. It was noted that those residents who were directly impacted by the design overlay proposal were the most vocal in their disapproval. The challenges associated with the proposed ordinance were discussed as well as Council's directive. Pursuing lodging in the commercial area was noted as a possibility with Doozan advising this would require amending the zoning ordinance. Mira Stakhiv opined the Commission has done its due diligence and a response to Council would be appropriate, but not necessarily in the form of a draft ordinance.

**Motion by Hepler supported by Heisel to respond to Council's request to investigate an ordinance regarding a Bed & Breakfast zone within the Village of Franklin by advising Council the Commission reviewed the issue, drafted an ordinance, held a public hearing, met significant resistance from the public, and at this time, the Commission is not recommending a Bed & Breakfast ordinance be pursued.**

Sullivan was requested to write the recommendation to Council with Beke to review.

**Ayes: Beke, Couf-Cohen, Cupidore, Goldberg, Hepler, Heisel, Moenck**

**Nays: None**

**Absent: Ettinger**

**Motion carried.**

**B. Review By Laws**

Beke noted the Commission has spent a lot of time on this and the draft represents changes that Doozan felt was appropriate relative to the duties of the Chair and Secretary and includes a new Subcommittee Article.

Article II - B (2): An e-mail from the Village's attorney, was discussed with it being noted the recommendation to delete the restriction on Commissioners holding any other Village office has been incorporated in the final draft.

Article II - B (5): Discussion regarding quorum and impact an absence has on reaching a quorum. Potential text amendments were discussed (Commissioners expected to attend scheduled Commission meetings, Chair may excuse a member at his/her discretion prior to a meeting date, timing of notification of absence, who to notify.) *Action:* Amend to read “If a member misses four (4) consecutive regular meetings of the Commission for any reason or two (2) unexcused Commission meetings in any twelve (12) month consecutive period, said action shall be considered non-feasant and be subject to paragraph four (4) above. A Commissioners absence shall be considered unexcused unless they: 1) notify the Village Office no later than 3 hours prior to the time of the scheduled meeting; and 2) such excuse has been approved by the Chair in the Chair’s sole discretion”.

Article III – (3) Secretary: Fine.

Article IV – A and B: Discussion relative to “budget” as used in this section (Council allocation; Commission approves line item/administrative budget - disbursement of Council’s allocation); concern with “must”; concern with inclusion for Planning Consultants; Chair submits proposed budget to Village; budget should anticipate a level of funding from Council. *Action:* Amend B to read “The Planning Commission shall utilize the Council approved allocation for the operation of the Planning Commission. It shall be the responsibility ....”.

Article IX – Amendments: *Action:* Change two-thirds to a super majority vote of the Planning Commission. Delete the balance of the section. Reference where super majority is defined.

Appendix A: Deleted.

Article VI – Subcommittees: Discussion regarding subcommittee composition. It was noted subcommittees reach consensus v. voting.

Sullivan will incorporate comments into final format for consideration at the Commissions next meeting and provide to Commissioners for review.

### **C. Medical Marihuana Report**

Nothing new.

### **D. Huda School site plan update**

Sullivan provided an update as to where things stand with Huda School noting the ad-hoc committee (Kochensparger, Rosenthal, Lamott, Administration, school representatives) met with the Chair of the Planning Commission as well as the Chair of the Historic District Commission (HDC) to bring them up to speed on suggested revisions to the site plan and she will be meeting with the engineer and school principal this Monday to advise them on how to revise the original site plan to incorporate the suggested changes. Sullivan noted as the Commission and HDC will need to review and a public hearing will also be required, scheduling a joint workshop meeting and joint public hearing might have merit. As to process, Sullivan advised that after the public hearing the Commission and HDC need to make a decision on a recommendation to Council (goal of Council’s May meeting) as to whether to approve, deny or approve with conditions the site plan. Discussion ensued regarding the benefits of scheduling a workshop meeting and timeframe. Beke noted that legal counsel has advised the improvements being proposed are not sufficient to trigger a special land use permit situation. Discussion ensued with Sullivan advising a letter was transmitted to Huda as well as the Community Church which establishes a base-line of use/activity and provides notice that if the use/activity changes a special land use permit will be pursued.

### **E. Sign Ordinance Review**

Moenc noted his concerns regarding to the composition of the Sign Review Board in this draft with Beke advising the current draft does not reflect what the Commission agreed to. Beke noted he still has concerns with how to define temporary signs. Sullivan advised as to process, noting the sunset date of June 30th will not be met and recommended the Commission request Council to extend the sunset date with the consensus of the Commission in agreement.

**IX. UPCOMING MEETING DATES**

**A. Next Regular Meeting Date: May 16, 2012, 7:30 p.m. (if needed)**

**X. ADJOURNMENT**

**Motion by Cupidore supported by Heisel to adjourn the meeting.**

**Ayes:**

**Nays:**

**Absent:**

**Motion carried.**

There being no further business, the meeting adjourned at 9:12 pm P.M.

Respectfully submitted,

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Lori D. Rich, Recording Secretary

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Eileen H. Pulker, Clerk

**Village of Franklin Planning Commission April 18, 2012 Meeting**

**To Do List**

- 1) Bed and Breakfast Ordinance:** Sullivan to write Commission recommendation to Council.
- 2) By Laws Review:** Sullivan to prepare in final format incorporating changes to Article II - B (5) clarifying unexcused absences, Article V - B regarding budget/allocation, Article IX changing to super majority vote.
- 3) Sign Ordinance Review:** Sullivan to request Council to extend the sunset date.