

A REGULAR MEETING OF THE BERKLEY CITY PLANNING COMMISSION WAS CALLED TO ORDER AT 7:30 PM, July 25, 2017 AT CITY HALL BY CHAIRPERSON BARNETT.

The minutes from this meeting are in summary form capturing the actions taken on each agenda item. To view the meeting discussions in their entirety, this meeting is broadcasted on the city's government access channel, WBRK, every day at 9AM and 9PM. The video can also be seen, on-demand, on the city's YouTube channel: <https://www.youtube.com/user/cityofberkeley>.

PRESENT: Martin Smith Mark Richardson Kristen Kapelanski
 David Barnett Dean Smith Tim Murad
 Ann Shadle Joe Tangari Michele Buckler

ABSENT: None

ALSO PRESENT: Colleen Graveline, Council Liaison
 Matthew Baumgarten, City Manager (Recording Secretary)

* * * * *

APPROVAL OF AGENDA

It was moved by Commissioner Murad to approve the agenda as presented and supported by Commissioner Tangari.

AYES: Richardson, Murad, Dean Smith, Buckler, Kapelanski, Martin Smith, Shadle, Tangari, Barnett
NAYS: None
Motion Carried.

* * * * *

APPROVAL OF MINUTES

It was moved by Commissioner D. Smith to approve the minutes of June 27, 2017 and supported by Commissioner Richardson.

AYES: Richardson, Buckler, Kapelanski, Murad, Shadle, Tangari, Dean Smith, Martin Smith, Barnett
NAYS: None
Motion Carried.

* * * * *

COMMUNICATIONS

Mr. Baumgarten noted communications included in the packet and noted a letter from the architectural firm retained by La Sallette Roman Catholic Church requesting that all related agenda items for that evening be postponed until the August Regular Meeting of the Planning Commission.

* * * * *

CITIZEN COMMENTS

Jim Cox, Resident of Oxford- Questioned the standard for a conflict of interest and asked members to recuse themselves from projects involving the La Salette Roman Catholic Church. Mr. Cox also expressed dislike for the content of a letter included in communications to the commission.

Donnie Dykes, 3750 Gardner- Also expressed dislike for content of letter included in communications to the commission. He also expressed concern for ability of sewer system to handle any new development.

* * * * *

1. **ELECTIONS:** Matter of electing a chairperson, vice chairperson, and secretary of the Planning Commission

Chairperson Barnett notified the members that he would step aside as Chair and did not intend to seek reelection to his position on the Commission. Commissioner D. Smith nominated M. Smith as a candidate for Chair after years of service as the Vice-Chair. M. Smith indicated that his work obligations would not allow him to serve in this capacity and declined nomination. D. Smith then nominated M. Buckler who accepted the nomination for Chair of the Planning Commission.

D. Smith then nominated M. Smith to continue his role as Vice-Chair. M. Smith declined the nomination and instead nominated D. Barnett as Vice-Chair who accepted the nomination.

D. Smith then nominated M. Richardson to continue his service as Secretary of the Commission. M. Richardson accepted the nomination.

It was moved by Commissioner Martin Smith to approve the slate as presented and supported by Commissioner Dean Smith.

The Chair called for discussion and Commissioners called for any additional nominations for officers. None of the Commissioners put forth additional nominations.

Kurt Hite also spoke in opposition to Mr. Barnett ability to operate as Vice-Chair and discussed his unhappiness with Mr. Barnett's recent behavior as Chair.

Wendy Zambranski also spoke against Mr. Barnett in opposition to his recent tenure as chair and express dislike of his behavior in past meetings.

AYES: Richardson, Buckler, Kapelanski, Murad, Shadle, Tangari, Dean Smith, Martin Smith, Barnett

NAYS:

Motion Carried.

* * * * *

The Chair called for a five minute recess while the seating arrangements were updated.

* * * * *

2. **APPOINTMENTS:** Matter of appointing Planning Commission liaisons to the Downtown Development Authority, the Parks and Recreation Advisory Board, the City Council, and the Chamber of Commerce.

Chairperson called for volunteers for various liaison roles.

Chamber of Commerce: Tim Murad
City Council: Michelle Buckler (as Chairperson)
Parks and Recreation: Dean Smith and Michelle Buckler
Downtown Development Authority: Joe Tangari
Environmental Advisory Committee: Mark Richardson

It was moved by Commissioner Murad to approve the slate as presented and supported by Commissioner Barnett.

AYES: Richardson, Buckler, Kapelanski, Murad, Shadle, Tangari, Dean Smith, Martin Smith, Barnett

NAYS:

Motion Carried.

3. **SITE PLAN REVIEW: SP-06-17** Archdiocese of Detroit for Our Lady of La Salette, 2599 Harvard, south side of Harvard, between Kipling and Coolidge, is requesting site plan approval for a new parking lot in the Office District.

It was moved by Commissioner Barnett to postpone SP-06-17 to the August meeting as requested by the applicant and supported by Commissioner Kapelanski.

AYES: Richardson, Buckler, Kapelanski, Murad, Shadle, Tangari, Dean Smith, Martin Smith, Barnett

NAYS:

Motion Carried.

4. **SPECIAL LAND USE: SU-02-17** Archdiocese of Detroit for Our Lady of La Salette, 2600 Harvard, north side of Harvard, between Kipling and Coolidge, Tax ID# 25-18-431-018 and 019, the west 84 feet of Lot 63 and the east 42 feet of Lot 62, excluding the north 93 feet of the Denler Acres Subdivision is requesting special use approval for a parking lot for a place of worship in the R-1D District.

It was moved by Commissioner Barnett to postpone SU-02-17 to the August meeting as requested by the applicant and supported by Commissioner Richardson.

AYES: Richardson, Buckler, Kapelanski, Murad, Shadle, Tangari, Dean Smith, Martin Smith, Barnett

NAYS: None

Motion Carried.

5. **SITE PLAN REVIEW: SP-07-17** Archdiocese of Detroit for Our Lady of La Salette, 2600 Harvard, north side of Harvard, between Kipling and Coolidge, is requesting site plan approval for a new parking lot in the R-1D District.

It was moved by Commissioner Barnett to postpone SP-07-17 to the August meeting as requested by the applicant and supported by Commissioner Kapelanski.

AYES: Richardson, Buckler, Kapelanski, Murad, Shadle, Tangari, Dean Smith, Martin Smith, Barnett

NAYS: None

Motion Carried.

* * * * *

6. **DISCUSSION:** Consideration of a zoning ordinance amendment related to generators to include:
- a. Discussion of draft ordinance

The Commission was presented with an updated draft ordinance based on their previous conversations concerning standby generators. The Chair gave a brief overview of the discussion on the topic and commissioners discussed the proper way to address the following topics:

- Adding generators to the definition of exterior appliances in Zoning Ordinance
- Sideyard setbacks
- Proximity to operable windows
- Noise from the units during outages
- The need for screening or proper fencing around units
- Enforcement practices
- Requirement of neighbor’s permission

The Chair called for public comment on this item.

Kurt Hite, Robina, discussed the quiet nature of permanent standby generators as opposed to the noise level of portable, temporary generators. Mr. Hite also questioned the administration of sideyard setback standards.

Mr. Baumgarten indicated that a draft would come back to the Commission that encapsulates the comments from the Commission and the public.

* * * * *

LIAISON REPORTS

Commissioner Murad gave overview of upcoming Chamber of Commerce events including the Pubcrawl, Holiday Lights Parade and Dream Cruise shuttles to downtown

Vice-Chair Barnett gave overview of previous City Council meeting

Commissioner Richardson gave overview of Environmental Advisory Committee plans to build upon the City’s sustainability plan and plans to pursue grants.

Dean Smith noted there were no items to report from the Zoning Board of Appeals

* * * * *

STAFF/COMMISSIONER COMMENTS

Chairperson Buckler noted items included in their packets for informational purposes.

Dean Smith thanked Dave Barnett for his service and thanked him for the continuity provided by staying on as Vice-Chair. He also noted that meetings don't provide an adequate opportunity for dialogue and corrections to information presented. He advocated for professionalism and factual information. He also mentioned a recent Free Press article that he found interesting.

Joe Tangari also thanked Dave Barnett for his service.

Ann Shadle thanked Dave Barnett and all Commissioners for their time and service.

Dave Barnett congratulated Michelle Buckler as the new Chair.

Tim Murad echoed Dean Smith's comments about constraints on Planning Commissioners ability to engage in dialogue with residents even when they would like to do so. Mr. Murad explained his feelings in regards to any conflict of interest with the projects at the La Salette Church properties.

Kristen Kapelanski also thanked the Commissioners for their time and service

Mark Richardson likewise noted concerns over his status as a parishioner with the church. He also thanked Mr. Barnett and congratulated Ms. Buckler.

Marty Smith congratulated Ms. Buckler and thanked Mr. Barnett for his service. He also joined Mr. D. Smith and Mr. Murad in noting the deficiencies in the meeting structure when it comes to dialogue with residents. He also requested that our engineers should report on regional flooding.

Chairperson Buckler thanked her fellow Commissioners for electing her Chair.

* * * * *

There being no further business, Chairperson Buckler called for a motion to adjourned the meeting. It was moved by Commissioner Murad and supported by Vice-Chair Barnett.

AYES: Richardson, Buckler, Kapelanski, Murad, Shadle, Tangari, Dean Smith, Martin Smith, Barnett

NAYS: None

Motion Carried and the meeting adjourned at 9:08 PM.