

**VILLAGE OF LEXINGTON**  
**Planning Commission Public Hearing/Regular Meeting**  
**Village Hall**  
**7227 Huron Avenue, Lexington, MI**  
**July 5, 2023 7 p.m.**

**Public Hearing called to order at 7:00 p.m. by Chairman Ziegler**

- The purpose of the public hearing is to take comments on proposed amendments to the following sections of the Village Zoning Ordinances, Article 2 Definitions, Section 2.2 Dumpster; Article 6 Environmental Protection & Design Provisions, Section 6.2.9 Screening of Trash Containers, Section 6.10.1 Containers & Dumpsters.

**Public Comment:**

- Mike McGovern (7316 Simons) – commented after touring the Village and seeing the current dumpsters in town, he agreed with the original recommendation.

**Closed Public Hearing at 7:03 p.m. by Chairman Ziegler**

**Regular Meeting called to order at 7:03 p.m. by Chairman Ziegler**

**Roll Call:** Vicki Scott, Clerk

**Present:** Ziegler, Picot, Stencil, Roehl, Morris, Fulton, Huepenbecker, Kaatz

**Absent:** Regan

**Others Present:** D. Klaas, C. Heiden, C. Townley, Doug Gielow, C. Gielow, Orin Campbell, L. Adams, S. Klaas, M. McGovern, (2) citizens

**Approval of Agenda:**

Motion by Huepenbecker, seconded by Roehl, to approve the agenda as presented.

All ayes

Motion carried

**Approval of Minutes:**

Motion by Huepenbecker, seconded by Fulton, to approve the minutes of the Regular Meeting of June 5, 2023, as presented.

All ayes

Motion carried

Motion by Morris, seconded by Roehl, to approve the minutes of the Special Meeting of June 15, 2023, as presented.

All ayes

Motion carried

**Public Comment:** None

**Zoning Administrator's Report:**

Klaas explained the zoning administrator's report and answered questions.

Motion by Morris, seconded by Fulton, to approve the zoning administrator's report as presented.

All ayes

Motion carried

**Old Business:**

**1. Update on Gielow Project –**

Klaas explained that through communicating with Mr. Gielow to see where the project was at, Mr. Gielow stated there had been some changes in the drawings for their plans due to

unforeseen obstacles.

Klaas forwarded the new drawings to Chris Townley (our engineer), Chris Heiden (Utilities Manager), and the Planning Commission. Mr. Townley provided a list of questions and concerns regarding their changes.

Orin Campbell, Gielow's architect, explained the changes to the Commission and answered some of Mr. Townley's questions. Mr. Townley stated he looks forward to Mr. Campbell's revised details so we may take it to the next level of review. A lengthy discussion followed.

Orin Campbell said he planned to submit revised plans by the following Wednesday.

**2. Consider recommending to Council changes to the ordinance regarding Screening for Trash Containers –**

Motion by Morris, seconded by Fulton, to send the recommended changes on dumpsters to Council for approval.

Discussion: Huepenbecker stated she was against the change. It would be difficult for a business like Foley's to screen their dumpster, but we could add a section to our ordinance allowing businesses to apply for waivers, as is done in several other places. Kaatz stated in order for the zoning administrator to enforce this, it must be uniform for all.

Klaas explained if you remove it from the ordinance and add it to the code of ordinances, you will need a full-time zoning administrator to become the trash police. It will become an issue where I continually go out to determine if it is now a blight violation. Ziegler suggested only investigating it if you receive a complaint.

Roll Call:

Ayes – Morris, Fulton, Picot, Kaatz, Ziegler

Nays – Huepenbecker, Roehl

Abstain – Stencil

Motion carried

**3. Discuss RRC Visit by Katie Higgs, our MEDC consultant for RRC –**

Picot reported Katie Higgs offered to come out and let us know what form of technical support we need to help move us along with RRC progress. Kaatz suggested including the new Village Manager in this to bring her up to speed.

**4. Update by Ad Hoc Committee on RRC, Capital Improvement Plan, ZBA –**

Huepenbecker included the report in the packet. We are moving along on all of them. Kaatz took action on the CIP plan and RRC at the last Council meeting. Kaatz thanked Klaas for volunteering to assist with this.

**5. Update by Ad Hoc Committee on Trash Containers, Gielow Land Use, Solar Energy Ordinance –**

Ziegler explained the first two have been covered above. We have gathered some information but have not had a chance to meet on solar energy.

**6. Monthly Budget Report –**

Huepenbecker explained that we now have the Planning financials in our monthly packets.

**New Business:**

**1. Recommend to Council a fee of \$200 for Appeals to the ZBA**

Huepenbecker explained we did not have a cost for an appeal to the ZBA in our fee schedule. We had it for variances but not for appeals. Many other communities do have a

fee for appeals. The zoning administrator and I have discussed this and feel \$200 is a reasonable fee. There is a \$400 or \$500 fee for a variance. Morris is concerned this may take away appeal rights to some citizens who may not be able to afford this. Huepenbecker explained there are costs when the board convenes. Discussion followed. Huepenbecker will research other communities and bring this back next month. Kaatz suggested reviewing all the fees now before they go to Council in November.

**Public Comment**

- Mike McGovern (7316 Simons) – commented on the \$200 fee for appeals.
- Gil Orris (5113 Birch) – commented on the public not being able to comment during the Gielow project presentation, the smoke issue during Gielow's clearing phase, identifying who is speaking during the presentation, and how difficult it is to get information from the Village on the progress of Gielows.
- Robert Dost (7356 Lester) – asked about the location of the boardwalk that is to be constructed at the harbor.
- Dave Picot – commented the first zoom meeting for the harbor committee will be June 10, 2023.

**Adjournment** - Motion by Kaatz, seconded by Fulton, to adjourn at 8:36 p.m.

Respectfully submitted,  
Vicki Scott