

**REGULAR PLANNING COMMISSION MEETING MINUTES – MAY 22, 2019 –  
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Present: Chairperson Ostrowski; Vice-Chairperson Westerlund; Members: Borowski, Copeland, Grinnan, and Wilensky

Absent: Member: Drummond, Ruprich, and Stempien

Also Present: Planning Consultant, Borden  
Council Liaison, Hrydziuszko

Chairperson Ostrowski called the regular Planning Commission meeting to order at 7:30 p.m. in the Village of Beverly Hills municipal building at 18500 W. Thirteen Mile Road.

**AMENDMENTS TO AGENDA/APPROVE AGENDA**

Motion by Westerlund, second by Borowski, to approve the agenda as published.

Motion passed.

**REVIEW AND CONSIDER APPROVAL OF REGULAR PLANNING COMMISSION  
MINUTES OF MEETING HELD APRIL 24, 2019**

Motion by Westerlund, second by Borowski, to approve minutes of a regular Planning Commission meeting held April 24, 2019.

Motion passed.

**PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA**

Robert and Karen Daykin, Buckingham, expressed their concerns related to accessory buildings.

Paula Roddy, Rutland, expressed her concerns related to allowable height of new homes.

Ostrowski explained that the Planning Commission is a recommending body and works at the direction of Council.

**PUBLIC HEARING FOR DRAFT LANGUAGE AMENDING CHAPTER 22,  
SECTIONS 22.08.280 OF THE VILLAGE MUNICIPAL CODE**

In 2017 the Village adopted an ordinance amending Chapter 22, Section 22.08.280 Nuisance Activities, to add subsection B, item 3 Fences which regulates fencing surrounding construction sites. At that time, the decision was to require a four (4) foot fence for the duration of time in which an open hole or excavation was accessible on the project site.

Since enacting the ordinance, the Village has had compliance concerns regarding the time such fencing is installed as well as the general security of the fencing. Language is printed on the building and demolition permits noting the requirement, as well as communicated verbally, to ensure contractors are aware of the regulations. Administration has reviewed other community's regulations relative to construction fencing and suggests requiring higher fencing, a longer duration, and specific details regarding gates and accessibility.

Administration has drafted a proposed update to reference Building Department rules per Council and Planning Commission discussion on this matter. The red-lined and clean copies of the proposed ordinance language were provided. Administration has drafted those Construction Site Maintenance Requirements along with detailed submittal guidelines for demolition permits. In addition to these formalized requirements, administration has reviewed its internal processes and we will be conducting a site visit to confirm installation of fencing prior to issuing the permit for demolition or construction.

Ostrowski opened the public hearing at 7:58 p.m.

Daykin verified that a copy of these requirements is given to contractors when they begin work in the Village.

Ostrowski explained that by updating the ordinance, the requirements will move to the building department requirements.

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No one else wished to be heard; therefore Ostrowski closed the public hearing at 8:06 p.m.

**REVIEW AND CONSIDER RECOMMENDATION ON LANGUAGE AMENDING  
CHAPTER 22, SECTION 22.08.280 TO MODIFY REGULATIONS FOR  
CONSTRUCTION FENCING AND CONSTRUCTION SITE MAINTENANCE**

The Commissioners all agreed that these changes were necessary, and that it would give Administration the ability to act quickly to ensure proper and safe construction site maintenance.

Motion by Westerlund, second by Wilensky, that the Planning Commission recommends Village Council adopt an ordinance amending Chapter 22, Section 22.08.280 Nuisance Activities to modify the language to reference administrative rules for construction site maintenance.

Roll Call Vote:

Motion passed (6-0)

**SUBCOMMITTEE UPDATES**

Ostrowski suggested that the subcommittee reports and feedback items be staggered to one per meeting.

Borden recommended a discussion on rezoning (B) in June, followed by PUD (A), and then principal and special land use (C). He suggested the PUD be completed as a standalone ordinance.

**A. PLANNED UNIT DEVELOPMENT (PUD) AND CLUSTER DEVELOPMENT**

The subcommittee met and discussed some sample language provided. The intention is to focus on residential PUD which would replace the current cluster development.

**B. REZONING STANDARDS AND CONDITIONAL REZONING**

Copeland presented a draft outline of what should be included in the ordinance. Borowski explained the importance of general review standards for a conditional rezoning.

Wilensky agreed that the review should be administrative driven, all of the items on the outline are important and the ordinance should require they are discussed.

Westerlund believes there has to be room for some compatibility, but there should be fundamental requirements that have to be met for recommendation to rezone.

The Commissioners agreed that the first priority for consideration of rezoning should be how it complies and aligns with the Village Master Plan.

**C. PRINCIPAL AND SPECIAL LAND USES IN O - OFFICE AND B – BUSINESS DISTRICTS**

Westerlund explained they have started with expanding and clarifying on the current lists of uses in these districts based on the sample language provided. They will bring a draft for feedback and input of the entire Commission.

**D. OFFSTREET PARKING REGULATIONS**

The subcommittee plans to make recommendations based upon updates to commercial uses; contingent on the work done related to principal uses and special land use.

**PUBLIC COMMENTS**

None.

**LIAISON COMMENTS**

Hrydziusko reported that the Village will be utilizing additional staff to aide in code enforcement activities. Administration has met with Market Fresh and several other businesses in the Plaza to address issues with alley.

**ADMINISTRATION COMMENTS**

None.

**COMMISSIONERS COMMENTS**

Westerlund reminded everyone to attend the Memorial Day Parade and Carnival.

Borowski suggested that the notice of ownership and contact information should be included in the construction site regulations.

Motion by Borowski, second by Copeland, to adjourn the meeting at 8:53 p.m.

Motion passed.

George Ostrowski  
Planning Commission  
Chairperson

Kristin Rutkowski  
Village Clerk

Elizabeth M. Lyons  
Recording Secretary