

Village of Byron
Special Council – ZBA Meeting Minutes
July 23, 2018

Meeting called to order at: 6:00 pm by President Prestonise

Pledge of Allegiance Led By: President Prestonise

Roll Call – Present: Bessenbacher, Chapman (came in at 6:20 pm), Campbell, Berecz, Orr and Prestonise.
Absent: Miller

Approval of Agenda: Berecz moved to accept the agenda as written; seconded by Orr. Voice Vote: Ayes – Bessenbacher, Chapman, Campbell, Orr, Berecz and Prestonise. Nays: None. Absent: Miller; Passed.

Approval of Minutes: None

Public Comments – Agenda Items: None

Treasurers Report – None

Approval of Bills – None

Bills Awaiting Approval – None

Police Report: None

DPW Report: None

DDA: None

Commissioner Report: None

Committee Reports: None

Old Business: None

New Business - A) Dollar General and Planning Commission Recommendations: Prestonise opened the public hearing at 6:04 pm. Public comments: Beth C. talked about fence around retaining pond and attorney C. Johnson explained that the hearing was on rezoning only. Beth C. talked about the sign being lower and she was told that the meeting was about rezoning only; no other public comments. Berecz motioned to close the hearing at 6:08 pm; seconded by Orr. Voice Vote: Ayes – Bessenbacher, Chapman, Campbell, Orr, Berecz and Prestonise. Nays: None. Absent: Miller; Passed. C. Johnson explained the resolution and that council could add, change or deny and send back to planning commission. He also talked about the split and consumers. Reed explained that Dowler was waiting on this meeting to do the split. Berecz asked questions and C. Johnson explained the change from residential to commercial. Berecz motioned to change the .37 acre from residential to commercial with the following conditions: 1) The initial 1.83 acre proposed parcel that was approved for rezoned on May 14, 2018 shall be combined into one parcel with the 0.37 acre parcel that is the subject of this rezoning application. 2) The newly

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created parcel consisting of the 1.83 acre and .37 acre parcels shall then be split from the current parent parcel which is zoned residential. 3) Approval from Consumers Energy is obtained for the construction of the storm water retention site over Consumers Energy's easement over this joint parcel that meets the approval of the Village Attorney; seconded by Chapman. Roll Call: Ayes – Bessenbacher, Chapman, Campbell, Orr, Berecz and Prestonise. Nays: None. Absent: Miller; Passed. Mary Ann (from Dollar General) and Reed talked about the accessor and a discussion about Consumers took place.

Parking Variance: Berecz asked why some Dollar Generals (DG) have more parking and others less? Mike (DG) said most have 25 to 30 spaces and the ones with more are because we couldn't get the variance. Prestonise motioned to open the public hearing for parking variance (reduction from 49 to 25 spaces) at 6:44 pm; seconded by Bessenbacher. Voice Vote: Ayes – Bessenbacher, Chapman, Campbell, Orr, Berecz and Prestonise. Nays: None. Absent: Miller; Passed. No public comments made. Bessenbacher motioned to close the public hearing at 6:47 pm; seconded by Chapman. Voice Vote: Ayes – Bessenbacher, Chapman, Campbell, Orr, Berecz and Prestonise. Nays: None. Absent: Miller; Passed. Orr motioned to accept the parking variance with the reduction of 49 spaces to 25 spaces; seconded by Berecz. Roll Call: Ayes – Bessenbacher, Chapman, Campbell, Orr, Berecz and Prestonise. Nays: None. Absent: Miller; Passed.

Water/Sewer Ordinances and Resolutions: C. Johnson went over the ordinances and Reed asked how to figure and C. Johnson said the REU schedule. Berecz motioned to adopt the Ordinance to Amend Chapter 50: Sewer; seconded by Bessenbacher. Roll Call: Ayes – Bessenbacher, Chapman, Campbell, Orr, Berecz and Prestonise. Nays: None. Absent: Miller; Passed. Berecz motioned to adopt the Ordinance to Amend Chapter 51: Water; seconded by Chapman. Roll Call: Ayes – Bessenbacher, Chapman, Campbell, Orr, Berecz and Prestonise. Nays: None. Absent: Miller; Passed. Bessenbacher motioned to adopt the Resolution Revising Sewer Tap Rates and Fees; seconded by Chapman. Roll Call: Ayes – Bessenbacher, Chapman, Campbell, Orr, Berecz and Prestonise. Nays: None. Absent: Miller; Passed. Berecz motioned to adopt the Resolution Revising Water Tap Fees and Rates; seconded by Campbell. Roll Call: Ayes – Bessenbacher, Chapman, Campbell, Orr, Berecz and Prestonise. Nays: None. Absent: Miller; Passed.

Any Other Business from Council /Comments: None

Public Comments: Beth C. asked about letter for this meeting and Reed explained when it was sent. Janet C. asked why school has a farmers market and they couldn't do theirs. Prestonise said he will check into it. Mary Ann (DG) talked about the building permit and split and C. Johnson answered. Reed said AGS told her what was needed for permit and would send it on Tuesday.

Meeting adjourned at: Motion to adjourn 7:07 pm by Bessenbacher; seconded by Chapman. Voice Vote: Ayes – Bessenbacher, Chapman, Campbell, Orr, Berecz and Prestonise. Nays: None. Absent: Miller; Passed.



Marsha Reed, Clerk



Approval Date



Tony Prestonise, President