

**MINUTES OF DIMONDALE PLANNING COMMISSION  
REGULAR MEETING**

**136 N. Bridge Street, Dimondale, MI 48821**

March 22, 2021

James P. Gallagher, Clerk

7:01 p.m. Regular meeting called to order by Chairperson Macak.  
Macak led the Pledge of Allegiance.

**Roll call** Present: Macak, Haynes, Reiffer, Roesner  
Absent: Reznick

Also present: James Gallagher, Village Manager; Mike Daly-Martin, Planning Consultant; Chad and Michelle Rogers, Dimes Brewhouse Owners; Bill Fabijancic, WCTEMS Assistant Fire Chief; Betsy Kelly, Recording Secretary.

**Approval of Agenda**

Motion by Roesner, second Reiffer, to approve the March 22, 2021 agenda as presented.  
Motion carried.

**Public Session**

Tammy Warner stated her opposition to the site plan amendment for Dimes.

**Business Session**

1. Motion by Roesner, second Haynes, to approve the minutes of the January 25, 2021 regular meeting as presented. Motion carried.
2. No unfinished business was presented.
3. No matters were brought forth during public session not already addressed in the agenda.
4. No communications were received.
5. No reports were received.
6. Macak introduced the site plan amendment from Dimes Brewhouse. Gallagher explained that the original Special Use Permit (SUP) was approved in 2018 for outdoor dining and the ordinance allows for amendments to the site plan either by administrative approval or by the Planning Commission. The proposal is for a ten-table, rear yard patio in the current parking area to increase outdoor seating capacity and keep the business viable during the COVID pandemic. Gallagher noted that the proposal removes six parking spaces which is not an issue under the ordinance as parking can be met off-site, buffering requirements between the Town Center and Residential districts will need to be addressed and lighting will need to be shielded. Gallagher also stated that no complaints have been received since the original patio was approved. Tammy Warner spoke regarding the unacceptability of the proposal citing diminished property values, loss of quiet enjoyment of property, continuous noise into evening hours and lack of notification to residents. Macak solicited feedback from the Commissioners. Haynes stated his lack of support for the plan citing the direct abutment to residential district, lighting concerns and capacity for the ten-table proposal. Reiffer expressed concerns over parking, lighting in the rear abutting residential and noise traveling. Reiffer also spoke about the ADA parking space and Rogers noted that the space is simply relocated with no size change. Roesner spoke in support of allowing the owner to use the commercial property in an acceptable manner in accordance with the ordinances and permits. Further discussion followed regarding buffering along the rear lot line to reduce noise, potential capacity of the new area, limiting hours of operation, commercial versus residential rights, reducing number of tables, and notification to residents. Mike Daly-Martin stated that conditions of the existing SUP cannot be changed without a public hearing, but the site plan amendment process does

not require public notification. Daly-Martin also noted that any motion to approve, deny or table needs to be supported by facts from the ordinance. Motion by Reiffer to table the request for more adequate information resolving sound issues and seating capacity. Haynes seconded the motion and added a public hearing. Kelly called for clarification on the motion. Daly-Martin explained that concrete direction needs to be provided to the applicant that would allow for approval after the tabling. Significant discussion ensued regarding increased capacity and impact on residential residents. Gallagher reiterated that any motion to table should be accompanied by specific direction to the applicant to define what needs to be changed. Discussion followed regarding lack of specifics to justify tabling the motion. Michelle Rogers requested specific feedback on how the ordinance requirements are not being met by the current proposal and what needs to be done to achieve that goal. Gallagher asked Fabijancic to run a rough calculation on capacity resulting in a rough estimate of 45- 60 based on the current site plan. Macak requested specific elements for the tabling motion. Haynes offered reduced hours of operation, one less table and indirect lighting. Kelly reminded the Commission of the motion on the table that doesn't meet the criteria for directing the applicant. Reiffer retracted the motion and Haynes removed his support. Motion by Haynes to table the request for more information on lighting and buffering. Michelle Rogers offered that concessions such as privacy fencing and limiting hours could be made to gain support if specifics would be offered. Macak restated the motion. Chad Rogers offered the following concessions: shielded bulbs will be used, the rear buffer will be expanded by reducing the proposed patio area (four tables removed), a privacy fence will be installed along the rear yard for buffering purposes and no outdoor music. Roesner requested no smoking signs be posted and Chad Rogers agreed. Macak reminded Commissioners of the motion on the table. Haynes repeated his motion to table the request until there is more concrete information on sound deadening fencing material and lighting. With no second the motion failed. Motion by Roesner to accept the amended site plan as presented to reflect the decreased boundary lines of the patio to 62' X 19'9"; reduce number of tables to six from ten; verbal agreement for mitigation of noise; increase area of ADA parking; shielded lighting; no outdoor music; installation of 6' privacy fencing, of wood or organic material, along rear lot line and adherence to all applicable Village ordinances. Seconded by Reiffer. Roll call vote: Yes: Macak, Reiffer, Roesner; No: Haynes; Absent: Reznick. Motion carried.

7. Macak presented the Annual Report for submission to the Village Council.

8. Macak introduced the Meetings Proceedings Resolution. Motion by Roesner, second Haynes, to approve the resolution as presented. Motion carried.

Motion by Roesner, second Haynes, to adjourn at 9:28 p.m. Motion carried.

