

Eureka Charter Township Planning Commission  
Regular Meeting Minutes – Approved  
February 16, 2011

**Agenda Items 1 & 2: Meeting Convene and Roll Call**

Chairman Lee Gilman called the February 16<sup>th</sup>, 2011 regular meeting of the Eureka Charter Township Planning Commission to order at 7:00 pm. Roll call found the following Planning Commission members in attendance: Chairman Lee Gilman, Vice Chairman Duane Putnam, Secretary Shawn Decker and Commissioners Rodney Roy and Mark Wilkin. Commissioner Joyce Sage was on an excused absence. Township Zoning Administrator Thomas Faussett, Township Supervisor Laura Shears and Township Secretary Renee Fountain were also in attendance. A handful of township residents were also in attendance.

**Agenda Item 3: Prior Meeting Minutes**

The minutes from the January Planning Commission meeting were reviewed. A couple of adjustments were requested including inserting page numbers. A motion was made by Putnam and supported by Roy to accept the minutes with suggested revisions. The motion carried 6-0 at 7:04 pm.

**Agenda Items 4 & 5: Correspondence received by Secretary and Audience Comments**

At 7:04 pm, Secretary Decker informed Chairman Gilman that no correspondence was received during the prior month. The meeting was opened to audience comments to items not on the agenda at 7:05 pm. Township Supervisor Shears pointed out that “Eureka Charter Township” is labeled on the side of the police cruisers. No other comments were brought forward by the audience. The time for public comments on items on the agenda was closed at 7:06 pm.

**Agenda Item 6: Public Hearing on Waterfront Zones Extending into Waterways**

At 7:06 pm the meeting was opened to receive public comment on the posted public hearing to revise Zoning Ordinance 79, Chapter 3, Section 3.27, number 5 to read as follows: “Accessory supplemental structures shall not extend into the waterway so as to encroach upon the neighbor’s riparian rights, view and use of the waterfront.” Norm and Wendi Davidson voiced their support of the change. No additional public comment was made and the public hearing was closed at 7:18 pm. Motion was made by Blanding and supported by Putnam to recommend to the Township Board that the Zoning Ordinance be reworded as stated above. Motion carried 6-0.

**Agenda Item 9: Special Land Use Permit for Dave Robertson**

Dave Robertson informed the Planning Commission that he had not yet purchased Mr. Barence’s property and no longer intends to do so. The issue of the special land use permit will be tabled until a future date.

**Agenda Item 7: Fee Schedule of Permits**

Wilkins motioned and Putnam supported that the Planning Commission recommend to the Township Board the following addition to the Eureka Charter Township Fee Schedule: “If construction is begun or work performed prior to obtaining a Zoning Permit, an additional \$200 will be assessed.” Motion carried 6-0 at 7:39 pm.

**Agenda Item 8: “Doggie Daycare” in General Commercial**

Faussett shared additional information on his findings on the issue of kennels in the township. After some discussion, the Planning Commission agreed to leave the definition of kennel unchanged. The issue will be reexamined at the March meeting.

**Agenda Item 10: Conditional Zoning**

Putnam shared a few details on the issue of conditional zoning. The item has been tabled to the March meeting.

**Agenda Item 11: Doggie Daycare and Julie Boni’s Special Land Use**

At 8:14 pm, Putnam motioned and Wilkin supported that the Planning Commission hold a Public Hearing in March to receive comment on allowing a Special Land Use Permit in a General Commercial District for a Doggie Day Care operation. Motion carried 6-0.

At 8:18 pm, Wilkin motioned and Putnam supported that the Planning Commission hold a Public Hearing in March to receive comment on allowing Julie Boni to have a Special Use Permit for a Doggie Day Care operation at 6507 South Greenville Road, Greenville, MI. Motion carried 6-0.

**Agenda Item 12: Limiting Amount of Animals a Household may possess**

The planning commission decided to discontinue discussion on this item.

**Committee Reports:**

**Faussett – Zoning Administrator**

Faussett held a discussion on Medical Marijuana with an attorney. The attorney explained that dispensaries can be banned and medical marijuana could be managed under the home based business ordinance. Belding banned dispensaries but allowed individual care givers up to 5 users as a home based business. Tom suggested we confirm through an official legal opinion as to whether or not Eureka Township can ban dispensaries. Mark Wilkin and Tom Faussett will continue to monitor the issue. Wilkin shared that Belding has made dispensaries allowed under the Home Based Business.

**Putnam/Faussett – Annexation**

No Report

**Roy – Township Board**

At the February 14<sup>th</sup> meeting the board covered that the dry hydrants packets are out. The street light at South Youngman road was put on the north end of the road instead of the south end of South Youngman road as intended. The north end of the road is City of Greenville property. The recommendation for the rezoning of Parcel 59-008-004-002-70 to SR was approved as well as the rezoning of Mr. Barensen property to Industrial from Suburban Residential. The front yard setback recommendation was rejected by the board. The board approved the recommendation of adding Chapter 18, Wind Energy Ordinance, to ZO 79. Banking transaction security protocols were implemented to ensure checks and balances on township officials. Zayler Plumbing and Heating Incorporated has a contract on the hall facility. A new owner has taken over the company and will continue to maintain the contract.

### **Blanding – Road Commission**

If you notice a pothole, you can call the Howard City Road Commission office and they will share the need with the County Road Commission to get it repaired.

### **Putnam – Zoning Board of Appeals**

Nothing to report.

### **Commissioner Comments:**

The March meeting conflicts with the Board of Review meeting. A motion was made by Wilkin and supported by Roy at 8:55 pm to have the March Planning Commission meeting moved to March 9<sup>th</sup>. Motion failed 3-3 (Blanding, Decker, Putnam opposed).

At 8:57 pm, a motion was made by Putnam to hold the March Planning Commission meeting on March 23<sup>rd</sup>. Motion supported by Blanding. Motion failed 3-3 (Gilman, Roy, Wilkin opposed).

A motion was made at 8:59 by Wilkin to hold the March Planning Commission meeting on March 10<sup>th</sup>. The motion was supported by Decker. Motion carried 5-1 (Putnam).

Wilkin informed the Planning Commission that the Zoning Board books need to be out at all ZBA meetings.

A motion to adjourn was made by Roy and supported by Wilkin at 9:02 pm. Motion carried 6-0.

### **Items for March Agenda:**

- Putnam's research on conditional zoning.
- Public Hearing to receive comment on allowing a Special Land Use Permit in a General Commercial District for a Doggie Day Care operation.
- Public Hearing on allowing Julie Boni to have a Special Use Permit for a Doggie Day Care operation at 6507 South Greenville Road.

Respectfully submitted,

Shawn Decker

Planning Commission Secretary