

EUREKA CHARTER TOWNSHIP PLANNING COMMISSION
REGULAR MEETING MINUTES
September 15, 2010

Chairman Duane Putnam called the September 15, 2010 regular meeting of the Eureka Charter Township Planning Commission to order at 7:00 p.m. Roll call found Putnam and Commissioners Lee Gilman, Rodney Roy, Joyce Sage and Mark Wilkin present. Commissioners Michael Blanding and Shawn Decker were absent with excused absences. Thomas Faussett, Township Planning Advisor, and Laura Shears, Township Supervisor, were also present as well as 11 audience members.

Minutes of the August 18, 2010 regular meeting were reviewed. Motion by Sage, supported by Gilman, to approve the minutes as submitted, motion carried.

There were no public comments during the time allotted for public comment on non-agenda items.

At 7:05 p.m., Putnam opened a Public Hearing to receive input on allowing gymnasiums and physical training centers as a permitted use in Rural Commercial zoning and as a use needing a special use permit in General Commercial zoning. Putnam said that a gym/physical training center has opened in the former Southern Muscle building just south of the township hall and currently this use is not permitted in RC zoning. The Planning Commission has determined that Commercial areas would be the appropriate place for this type of facility and needed to get public input on the change. Supervisor Shears asked why the special use permit would be required in GC; Putnam stated that this would allow the township to review these facilities on a case-by-case basis and Faussett and Putnam explained that larger parking lots are allowed in RC and traffic for events at this type of business would be less difficult in RC. There was no other public comment and Putnam closed the Public Hearing at 7:10 p.m. Commissioners discussed the proposed change. Wilkin asked if alcohol use could be regulated; Putnam said this would be regulated by the state and enforced by the county sheriff's department. There was general agreement that this would be an acceptable use in Commercial zoning, especially in Rural Commercial, because these areas are less residential and there is generally less traffic. Motion by Roy to recommend to the Township Board that gymnasiums and physical training centers be allowed as a permitted use in Rural Commercial and as a use requiring a special use permit in General Commercial, supported by Sage, motion carried.

At 7:15 p.m., Putnam opened a Public Hearing to receive public input on rezoning all of Section 11 to Suburban Residential. Faussett explained that the Planning Commission has been examining property usage in each section in the township to see if sections conform to the recently updated Master Plan. He showed the Zoning Map and pointed out that most parcels in Section 11 are zoned Agricultural with a few zoned SR and a few zoned Industrial. He said that some properties in the section are landlocked and that Backus Road is not a Class A road for industrial use. Most parcels in the section are taxed as

Residential. Faussett said that Agricultural zoning requires three acres and 300 feet of road frontage, where SR requires 3/4-acre and 130 feet of road frontage. He said that many lots zoned AG are non-conforming because they are less than three acres, and most would conform as SR parcels; non-conforming properties can not be improved--any desired changes would have to go to the Zoning Board of Appeals and there is a \$200 fee for these hearings. Current farming operations would still be allowed in SR but it would be more difficult to put in a large feedlot or dog kennel in SR--both are allowed in AG. The taxable value of properties would not change if they were rezoned to SR. Also, current Industrial properties could revert to SR except for Rapids Industrial on County Farm Road and the helicopter business on Backus Road. The other currently zoned industrial parcels are not viable for industrial purposes.

Brian Mason, 7025 Sanderson Trail, asked about the township's plans for the old Petersen farm on Backus Road. Faussett said that property was purchased by the City of Greenville. Mason asked if the city could also purchase the Walkington farm and add it to their industrial park and Faussett said that would be possible. Scott Luce, 7781 County Farm Road, said that the mix of SR, industrial and commercial in Section 11 didn't seem like good planning and that rezoning areas near Rapids Industrial would tie that company's hands. Michael Miller, owner of Rapids Industrial at 7701 County Farm Road, said that they own 15 additional acres and with this rezoning, they would become non-conforming and could not expand their business. Faussett explained that Miller's company could be excluded from the rezoning. Ronda Dyer, 7109 S. Backus Road, said that she moved to Backus Road to be in a country setting and she does not want more intensive housing built in this area. Tom Walkington, 7429 S. Backus Road, pointed out that his parcels are taxed as AG, zoned as AG and are being farmed. Mason asked if SR parcels are more likely to be annexed, Faussett said they would not because the city would need to provide services to more residences. Dyer asked what the next step would be if the Planning Commission recommends approval of the change to SR; Faussett said the decision would go to the Township Board for a final determination. Michelle Wickerham, speaking for her father, said that he owns two lots east of Rapids Industrial. He purchased the parcels because of their location. Although rezoning to SR would hamper the use of large trucks in the area, their lots would be non-conforming under current zoning and would be more beneficial to them as SR. John Latva, 7124 Sanderson Trail, asked if there were other restrictions in SR zoning; Faussett said certain uses are permitted in AG but not in SR such as feedlots and dog kennels. Three acres are required for keeping a horse or other large animal. Larry Dyer, 7109 S. Backus Road, asked if it is possible to enter into a contract to drive through someone else's property to reach landlocked parcels and Putnam said that could be done. The Public Hearing was closed at 7:55 p.m.

Commission members discussed the proposed rezoning. Putnam said that he is opposed to the change because the recently adopted Master Plan calls for planning for industrial use in less populated areas; he feels that Section 11 lends itself to industrial use. He also is concerned about the affect on agricultural use in that section and suggested that the issue be studied further before making any changes. Roy said that he agreed with Putnam,

but wanted to hear public comments before casting a vote. Gilman said that although SR residents look at the change as a win/win, and landlocked industrial parcels are awkward, if most residents of that area want things left as they are, he will agree. Wilkin thought the issue should undergo more study before any action is taken. Sage said that, to her, the residents have spoken but she would be open to reexamine the issue in the future. Motion by Gilman to leave Section 11 zoning as it currently exists, supported by Sage, motion carried. No recommendation will be taken to the Township Board.

The Commission discussed the definition of accessory buildings; this topic was tabled at a previous meeting. The current definition along with definitions proposed by Secretary Renee Fountain and Putnam were reviewed. There was debate about roofs on decks; Putnam felt that any cover permanently fastened down is a roof. There was general agreement that "accessory buildings" would not include doghouses, school bus shelters, etc. and that buildings under 200 square feet would be exempt from regulations. Roy felt that anything over 200 square feet needs to be some sort of building. Faussett asked that the language be made clearer so he's not forced to interpret it. Motion by Gilman, supported by Wilkin, to table this topic to the October meeting, motion carried 4-1 (Putnam).

Faussett distributed copies of a draft of Chapter 18 of the Zoning Ordinance, "Wind Energy Systems"; he had Assessor Miller's input in the latest draft. He said the Commissioners will need to decide if they want regulations for small, medium and large systems or just large and small. He said the draft only includes large and small and is less cumbersome than the previously proposed ordinance. It was noted that there may be a meeting at the county on wind energy systems on Monday (September 20) and Wilkin agreed to attend. Fountain will try to get details about the meeting. Motion by Gilman, supported by Wilkin, to table this topic until the October meeting, motion carried. Putnam asked Commissioners to review the draft prior to that meeting.

Commissioners discussed the possibility of rezoning Section 3 (North M-91, Northtown area) from GC to SR. Faussett explained that people can't get loans to purchase homes in that area because they are zoned Commercial. Sage suggested that the zoning remain as it is currently. Motion by Gilman, supported by Wilkin, to leave Section 3 zoning as it is, motion carried 4-1 (Roy). Faussett asked if Commissioners want to continue reviewing the zoning of sections, or leave things alone for now? There was general agreement to not make any changes until a rezoning request is received.

Committee reports were given as follows:

- Zoning Administrator - Faussett reported that the used car lot at Jordan Road and M-91 is open and the driveway is acceptable. He issued a temporary use permit for the martial arts facility in the Southern Muscle building; the permit stipulates no alcohol sales. Putnam reported that someone is dumping asphalt chunks on Fletcher road; Faussett will investigate.
- Annexation Committee - None.

- Township Board - Roy reported that the Board agrees that accessory building height should be increased from 18 to 24 feet, but would like taller buildings allowed on large parcels. Perhaps a chart could be developed based on size of parcels and including required setbacks. (The City of Greenville allows 35-foot tall accessory buildings.) The issue was referred back to the Planning Commission. The Board approved a millage rate of 3.4025 mills. Dry hydrants will be purchased with part of the fire millage. Clean-up Day was a success with 2.5 dumpsters filled.
- Roads Committee - No report.
- Zoning Board of Appeals - None.

Wilkin suggested that language in the Zoning Ordinance regulating satellite dishes is obsolete and could be removed.

Items for discussion at the October 20, 2010 meeting:

- Discuss definition of Accessory Buildings.
- Review draft of Wind Energy Systems chapter.
- Discuss Compassion Clubs and marijuana distribution for medical reasons.

The Chairman adjourned the meeting at 9:30 p.m.

Respectfully submitted,



Candace W. Larkin,
Acting Planning Commission Secretary



Workshop: Signal

Date: Planning Comm 9/15/10

Name	Address
Ronda Dyer	10880 Johnson Rd.
LAWRENCE DYER	7109 Backus Rd.
Dan Updike	7094 Backus Rd.
JOHN LATVA	7124 SAUNDERSON TRC
Mickelle Wickerham	7611 County Farm
Michael Miller	7701 County Farm rd.
TOM WALKINGTON	7429 S. Backus Rd.
Terr. + Scott Luce	7781 W. County Farm Rd.
Bruce Mason	7025 Saunders Trail

2010 Programs

(subject to change)

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Education Hotline: (517) 321-6467, ext. 233.

February

Board of Review Training

March

Exploring ZBA Basics
Contracts 101

April

Boundary Adjustments
How Boards Make Decisions (B-102)*
Making Meetings Work Effectively (B-105)*
Land Use: Defining Your Future (F-102)*

May

MTA On The Road (for Districts 1 - 13)

June

Administrative Policies & Procedures
Creating a Vision (B-103)*
Linking with the Community (B-106)*

July

Planning & Zoning Update

August

U.P. Summit
At Your Service (F-101)*
Managing Human Resources (F-104)*

September

Effective Fire and Emergency Management

October

MTA On The Road (for Districts 14 - 25)
Township Finances (F-103)*
Utilizing Strategic Planning (B-104)*

November

Tax Collecting

December

New Officials Training



*Course qualifies for credit in MTA's Township Governance Academy (TGA).

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