

EUREKA CHARTER TOWNSHIP PLANNING COMMISSION
REGULAR MEETING MINUTES
October 21, 2009

Chairman Duane Putnam called the October 21, 2009 regular meeting of the Eureka Charter Township Planning Commission to order at 7:00 p.m. Roll call found Putnam and Commissioners Michael Blanding, Shawn Decker, Lee Gilman, Candace Larkin, Rodney Roy and Joyce Sage present. Thomas Faussett, Township Planning Advisor, was present as well as one audience member.

Minutes of the September 16, 2009 regular meeting were reviewed. Motion by Blanding, supported by Decker, 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 rezoning the eastern 330 feet of a parcel at 6255 S. Greenville Road from Suburban Residential to General Commercial. Tim Jones, owner of Quality Collision at that address, was present. He said that he had understood from the previous Zoning Administrator that the parcel was already zoned GC to a depth of 660 feet. Putnam explained that there are conflicting township documents about that rezoning. Jones said that he wants to increase the size of his present building to the east because he will be servicing buses, fire trucks and other large vehicles. He is also in discussion with owners of parcels adjacent to his regarding purchasing more property to the north and south for expansion. The Public Hearing was closed at 7:20 p.m. Commissioners discussed the proposed rezoning. Motion by Blanding to recommend to the Township board that the eastern 330 feet of PP #59-008-003-006-01 located at 6255 S. Greenville Road be rezoned from Suburban Residential to General Commercial, supported by Decker, motion carried. Faussett said that Jones may have to come back to the Planning Commission for rezoning of any additional property he purchases.

Putnam opened a Public Hearing at 7:28 p.m. to receive comment on adding Waterfront Properties as Section 3.27 in the Zoning Ordinance and removing the Waterfront Residential Zoning District from Chapter 7 as a Residential Zoning District. There being no public comment, the Public Hearing was closed by Putnam at 7:30 p.m. Faussett said there are 446 parcels in the township that are at least partially zoned WR and he distributed a list of parcels with proposed rezonings that was prepared by him and Assessor Linda Miller. Faussett said that a Public Hearing will have to be held; those property owners as well as property owners within 300 feet of these parcels will have to be notified. He proposed sending a notice with the tax bills to all property owners in the township rather than a separate mailing to those who would be affected by the WR rezonings because of the large number of parcels involved. Motion by Decker to recommend to the Township Board that Section 3.27, Waterfront Properties, be added to

the Zoning Ordinance and that references to the Waterfront Residential Zoning District be removed from Chapter 7. Supported by Sage, motion carried. Motion by Gilman to hold a Public Hearing at the January 20, 2010 regular meeting on rezoning the 446 parcels currently designated entirely or partially as WR, supported by Blanding, motion carried.

Putnam opened a Public Hearing at 7:50 p.m. on amending Section 4.1 of the Zoning Ordinance, Uses Subject to Site Plan Review. There being no public comment, Putnam closed the Public Hearing at 7:52 p.m. Commissioners reviewed the proposed changes that came out of a recommendation from Faussett. Motion by Blanding to recommend the changes in Section 4.1 to the Township Board, supported by Gilman, motion carried. Recommended changes are as follows:

SECTION 4.1 USES SUBJECT TO SITE PLAN REVIEW

A. A Zoning and/or Building Permit for any proposed use or building requiring a site plan shall not be issued until a Final Site Plan has been reviewed and approved in accordance with the requirements of this Chapter.

1. The following uses shall be subject to Final Site Plan Review by the Planning Commission:

- a. ~~Platted subdivisions (plat) and condominium developments~~ *as required by the Michigan Land Division Act 288 of 1967 as amended*
- b. ~~Special Land Uses within any Zoning District~~ *Condominium Developments as required by the Michigan Condominium Act 59 of 1978 as amended*
- c. ~~Planned Unit Developments~~ *Special Land Uses within any Zoning District*
- d. *Planned Unit Developments*
- e. *Commercial and Industrial developments in excess of four acres.*

2. All site plans not subject to review by the Planning Commission shall be subject to site plan review and approval by the Zoning Administrator. Such review is required to ensure Zoning Ordinance compliance.

Commissioners discussed the draft of the proposed new Chapter 18, Wind Energy Systems, and made some changes to the document. Motion by Decker to hold a Public Hearing at the November 18, 2009 regular meeting to receive public comment on the proposed new chapter, supported by Blanding, motion carried.

Faussett distributed a final draft of the revised Master Plan from Mark Eidelson. Putnam asked Commissioners to review the document and bring any corrections or questions to the November 18th meeting. The Planning Commission will send the document on to the Township Board when it is deemed acceptable by the Planning Commission.

Commissioners discussed Les Lillie's intention to start a beef cattle feeder operation on 12.5 acres on Carson City Road west of Greenville. Language in the Right to Farm Act and the Generally Accepted Agricultural and Management Practices were discussed and how they would relate to Lillie's operation and surrounding parcels. Faussett suggested that the township might want to seek legal counsel on these regulations if a township resident chooses to move forward with this type of operation, and he felt that some parts of the Zoning Ordinance might need to be changed to meet State requirements.

Faussett asked Commissioners to review "required frontage" as it is addressed in the Zoning Ordinance. Faussett said Alan Blanchard, 10265 W. Baker Road, wants to place an accessory building between the road and his principal residence. According to the Required Front Yard definition in the Zoning Ordinance, Faussett would have to allow this because the building would be behind the required front yard. Faussett felt that he would need to approve this request, but that conflicts in Section 2.22 (Yards) and 3.8 A-2 (Accessory Buildings) of the Zoning Ordinance need to be resolved. He asked Commissioners to review this language before the November meeting. Putnam said that Commissioners should also consider limiting the number of accessory buildings per parcel in Residential Zoning Districts.

Committee reports were given as follows:

- Annexation Committee - None.
- Township Board - Roy reported that the Board approved the Zoning Ordinance changes recommended by the Planning Commission (Chapter 2 - definitions of Platted Subdivision, Site Condominium and Special Land Uses). The Township's revenue sharing will decrease by 4% for 2010 due to state budget cuts. A Public Hearing will be held in November to receive public comment on the 2010 Township budget. A subcommittee has drafted a new fire contract and will discuss it with City of Greenville officials. The contract requires more reporting from the City. The township has also asked the city for an estimate of cost per fire run, which they have been unable to provide. Faussett said he has estimated \$1,300 per run. The Board is also looking at contracts with surrounding townships who could provide fire services in portions of Eureka Township instead of the City.
- Roads Committee - Blanding reported that he, Supervisor Shears and Brian Zayler drove through the Township looking at potential road projects and then met with Mark Christensen of the Montcalm County Road Commission. Potential 2010 road projects include paving the north half of Johnson Road off Wise Road, concrete curb and gutter for Jenks Road, widen and gravel the corner of Stakes Road and Baldwin Road and paving Palmer Road. The MCRC is getting prices for these improvements; which projects will be done will depend on available funds. The MCRC has also asked the Township for a long-term plan for road improvements; one idea is to improve Shearer Road in stages.
- Zoning Board of Appeals - No report.

Items for discussion at the November 18, 2009 meeting:

- Public Hearing on new Chapter 18, Wind Energy Systems
- Finalizing the revised Master Plan.
- Discuss required frontage requirements
- Discuss limiting number of accessory buildings in parcel in Residential Districts

The Chairman adjourned the meeting at 10:05 p.m.

Respectfully submitted,

Candace W. Larkin

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Planning Commission Secretary