

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

The January 21, 2009 regular meeting of the Eureka Charter Township Planning Commission was called to order by Chairman Duane Putnam at 7:07 p.m. Roll call found Putnam and Commissioners Michael Blanding, Shawn Decker, Lee Gilman, Candace Larkin and Rodney Roy present with Joyce Sage absent. Thomas Faussett, Township Planning Advisor, was also present. There were three audience members in attendance. Putnam welcomed Shawn Decker as a member of the Planning Commission; his term will run until December 31, 2011.

Minutes of the December 17, 2008 regular meeting were reviewed. Motion by Gilman, supported by Roy, to approve the minutes as submitted, motion carried.

In the time set aside for public comment on non-agenda items, Supervisor Laura Shears pointed out the township flag that is currently being created and will be displayed at the annual Michigan Townships Association conference.

At 7:18 p.m., Putnam opened a Public Hearing to receive comments on proposed changes in real estate and political sign requirements in Chapter 13 of the Zoning Ordinance. Proposed changes would include increasing residential sign size limits to 8 square feet from 4 square feet, and commercial and residential development size limits to 32 square feet. Political signs would need to meet State of Michigan requirements. Putnam said that real estate signs currently in use in residential and commercial districts were scrutinized to determine reasonable size requirements. Shears complimented the Planning Commission on listening to its constituents and coming up with a realistic proposal. Receiving no other public comment, Putnam closed the Public Hearing at 7:20 p.m. Commissioners discussed the proposed changes and felt that they were reasonable. Motion by Gilman to recommend to the Township Board that the following changes be made in Chapter 13, Section 13.8 of the Zoning Ordinance: Increase real estate sign size limits in Residential Districts to 8 square feet; increase real estate sign size limits in Commercial Zoning Districts and in housing developments to 32 square feet; and to state that political signs in all Zoning Districts must meet State of Michigan requirements. Motion supported by Roy, motion carried.

Planning Commissioners reviewed and revised draft language for changes to Chapter 3, Section 3.14, Seasonal Sales, submitted by Faussett. Motion by Gilman, supported by Roy, to hold a Public Hearing at the February 18, 2009 regular meeting to receive public comment on the proposed language, motion carried.

Commissioners discussed allowing new retail merchandise sales as a Special Land Use in the Rural Commercial Zoning District. This category is currently a Permitted use in General Commercial and a Special Land Use in Office Service Commercial 1 and 2. It was pointed out that in October, the Planning Commission authorized Faussett to issue a temporary permit to Cory Velting for new merchandise retail sales in a building across from the township hall; Faussett said that temporary permit will expire in April. Putnam said that retail sales of new merchandise had been excluded from the RC district originally because RC was designed for smaller enterprises with little traffic congestion. Requiring a Special Land Use permit would give the Planning Commission an opportunity to review each application to determine whether it would be appropriate for RC. Gilman and Larkin said they would not be opposed to adding retail sales of new merchandise in RC as a Special Land Use because each application could be reviewed. Motion by Roy to hold a Public Hearing at the February 18, 2009 regular meeting to receive public comment on adding New Retail Merchandise Sales as a Special Land Use in Chapter 8, Section 8.3 of the Zoning Ordinance (#35 on the chart), supported by Larkin, motion carried.

Putnam reopened a discussion, tabled from the December meeting, on proposed amendments to Chapter 19 of the Zoning Ordinance as submitted by Faussett. Supervisor Shears said that County Commissioner Tom Lindeman is working with the county Building Department to make Certificates of Occupancy available online. Faussett will add a reference to Certificates of Occupancy to the draft of Chapter 19 in Section 19.2. Motion by Gilman to hold a Public Hearing at the February 18, 2009 regular meeting to receive public comment on the revisions to Chapter 19, supported by Blanding, motion carried.

Putnam reported that at its January meeting, the Township Board discussed whether a Special Events Ordinance for large outdoor events is necessary and determined that it is not needed at this time. No further action will be taken.

Planning Commissioners reviewed Mark Eidelson's initial drafts of Master Plan Chapters 1 and 2 and a separate letter he sent with questions and issues to be discussed. Putnam felt that Eidelson's drafts are supportive of the township's current Zoning Ordinance. He reminded Commissioners of the special meeting scheduled with Eidelson for Monday, January 26 from 7 to 10 p.m. and asked everyone to be prepared for the meeting. Shears said that the Township Board will review Chapters 1 and 2 drafts at its February meeting.

Faussett distributed copies of letters from Scott Luce of Luce Plumbing and attorney G.R. Pete Frye on behalf of Flat River Asphalt Paving. Both letters are disputing the need for Home-Based Business licenses. Commissioners agreed with one of Luce's points concerning language in Chapter 18, Section 18.7 not being clear about the need for annual permit fees for both Types I and II HBBs. Action will need to be taken to clarify the language.

Faussett believes that the Flat River Asphalt Paving issue may go to court; the township's attorney is reviewing case law on home-based businesses. Faussett received a request to rezone a parcel on Backus Road from Industrial to Suburban Residential so a new home can be built. There was general agreement among Planning Commissioners that the current zoning designation is appropriate due to the parcel's proximity to the city's industrial park.

Committee reports were given as follows:

- Annexation Committee - No report.
- Township Board - Roy said that the Township Board will issue final approval of the new Master Plan when completed. The Board approved the revised Pool Ordinance and the Planning Commission's recommendation to add places of worship as a Special Land Use in GC and RC zoning. Annual appointments to Boards and designations of attorneys and financial institutions were approved at the January Board meeting.
- Building Committee - Roy said Kent Construction issued its final bill for the township hall addition; it is being held for payment until a final inspection is completed. There are concerns about air flow issues in the addition.
- Drain Committee - No report.
- Roads Committee - Shears said the township received a letter from MDOT regarding the M-91 road project scheduled for this summer; the project could have a considerable impact on travel in the township. Putnam appointed Blanding to the Roads Committee.
- Zoning Board of Appeals - No report.

Items for discussion at the February 18, 2009 meeting:

- Public Hearings on Seasonal Sales (Chapter 3), new retail merchandise sales in RC, and revised Chapter 19.
- Discuss amending Chapter 18, Section 18.7 to clarify annual permit fees.
- Election of Chair, Vice Chair, Secretary.
- Review additional chapters of Master Plan draft from Mark Eidelson.

The meeting was adjourned by the Chairman at 10:07 p.m.

Respectfully submitted,



Candace W. Larkin,
Planning Commission Secretary