

Eureka Charter Township Planning Commission
Regular Meeting Minutes - Unapproved
March 10, 2011

Agenda Items 1 & 2: Meeting Convene and Roll Call

Chairman Lee Gilman called the March 10th, 2011 regular meeting of the Eureka Charter Township Planning Commission to order at 7:01 pm. Roll call found the following Planning Commission members in attendance: Chairman Lee Gilman, Vice Chairman Duane Putnam, Secretary Shawn Decker and Commissioners Mike Blanding, Rodney Roy and Mark Wilkin. Township Zoning Administrator Thomas Faussett, Township Supervisor Laura Shears and Township Secretary Renee Fountain were also in attendance. Approximately twelve residents were also in attendance.

Agenda Items 3, 4 & 5: February Minutes, Correspondence Received by Secretary, Audience Comments on Non-Agenda Items

A motion was made by Blanding and supported by Wilkin to approve the February Planning Commission Meeting Minutes as written. Motion carried 7-0 at 7:03 pm.

No correspondence was received by the secretary.

At 7:04 pm, Chairman Gilman opened up the meeting to audience comments for items not on the agenda. Hearing no comments, Gilman closed the item at 7:05 pm.

Agenda Item 6: PH on a Special Use Permit in General Commercial for a Doggie Daycare

At 7:05 pm, Chairman Gilman opened the Public Hearing to receive comment on allowing Doggie Daycare Operations in General Commercial as a Special Use. Rich Wenger of Montcalm Alliance voiced his support of business development in Montcalm County and Julie Boni's potential Doggie Daycare operation. Several residents voiced their support for allowing a Doggie Daycare in General Commercial, including: Tom, Teagan and Booker Boni, Brad Harrington, Genean Christiansen, Danita Greene and Shellie Somerfield. Julie Boni presented signatures of local residents voicing support for the business.

The Public Hearing was closed at 7:26 pm.

At 7:44 pm a motion was made by Putnam and supported by Wilkin to allow a Doggie Daycare operation in General Commercial as a Special Land Use Permit. The motion carried 7-0.

Agenda Item 7: PH to allow Julie Boni a Special Land Use Permit for a Doggie Daycare

At 7:44 pm, Chairman Gilman opened the Public Hearing to receive comment on allowing Julie Boni a Special Land Use Permit for a Doggie Daycare at 6507 South Greenville Road. The Planning Commission dialogued with Julie Bonnie about the nature of her business and how it would be run. Rich Wenger stated that the building is well laid out for the use of a Doggie Daycare and that Julie Boni is well informed on how to successfully operate this business. He also stated that he felt the business will be self governing as the customers would be able to vote with their dollars.

A motion was made by Putnam that Julie Boni be granted a Special Land Use Permit to operate a Doggie Daycare facility at 6507 South Greenville Road provided she abide by the following provisions:

1. Dogs must be fixed if over 6 months of age.
2. Dogs must have vaccinations as required by dog licenses.
3. Temperament test must be conducted before the dog is allowed in the daycare.
4. Waste disposal must go into a sealed container.
5. All outdoor areas where dogs are located must have a 6 foot privacy fence.
6. Dogs will be checked, and if necessary, treated for fleas before being allowed boarding.
7. The space allows for up to 50 dogs, with 60 square feet allotted per dog, which is entirely dedicated to the dog.
8. Dogs will never be allowed outside unsupervised.
9. Dog cages will be cleaned after each dog leaves and on an as-needed basis.
10. Dogs will be caged overnight.
11. An employee will always be on duty if there is a dog being boarded.
12. The dumpster area will be screened.
13. A minimum of four parking spaces will be designated for the Doggie Daycare facility.

All requirements of the zoning ordinances must also be followed. The specified conditions of the zoning ordinance permit will be reviewed one year after the Doggie Daycare opens for business. Motion supported by Sage. Motion carried 7-0 at 8:33 pm.

Old Business

Agenda Item 8 – Putnam on Conditional Zoning

Putnam stated he would send an email on conditional zoning. He said Conditional Zoning is an issue better understood through reading, rather than Putnam presenting on the subject.

Agenda Item 9 - Front Yard Set Backs

A motion was made by Sage and supported by Putnam to resubmit to the Township Board the recommendation that front yard setbacks be increased from 35' to 50' in all residentially zoned properties, with a more detailed explanation of the reasons for the proposed change, which include:

1. Increased lot sizes in residential zones allow for larger setbacks.
2. The current 35' setback is too close to the road.
3. Existing subdivisions/condominiums would not be required to comply to the setback requirement as their setbacks have already been established when their condominium site review was conducted (grandfathered).

The motion failed 3-4 (Blanding, Gilman, Roy, Wilkin opposed) at 9:05 pm.

Agenda Item 10 – Kennels in Rural Residential

A discussion on allowing kennels in Rural Residential was held. Faussett agreed to bring a proposed definition of a kennel to the April Planning Commission Meeting as a starting point in bringing clarity to the issue.

New Business

Agenda Item 11 – Agenda Disclaimer

A motion was made by Roy and supported by Decker to add a disclaimer to all future Planning Commission Agendas to read as follows:

“Eureka Charter Township will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability or political beliefs. If you need assistance with reading, writing, hearing etc. under the Americans with Disabilities Act, you may make your needs known to this Agency.”

The motion carried 7-0 at 9:20 pm.

Committee Reports

Zoning Administrator Faussett - Tom suggested the Planning Commission look at adding a definition of a buildable lot to Zoning Ordinance 79. Tom will present a proposed definition to the Planning Commission at the April Meeting.

Contracts for dry hydrants will be sent out for bids on April 1st and will be due back on April 15th.

Tom has received complaints with existing decks being close to the lot-line. Residents have decks closer than 8 feet to the lot-line and Tom has received several complaints.

Annexation Committee (Faussett and Putnam) – No Report

Township Board (Roy) – No report as they haven't met yet.

Zoning Board of Appeals (Putnam) – The ZBA will be meeting on Monday, March 14th at 6 pm. A total of four issues will be discussed at the upcoming meeting, including the Dave Robertson property.

Commissioner Comments

Wilkin – Belding passed a medical marijuana ordinance. Greenville allows cooperatives and dispensaries as Home Based Businesses.

Gilman – Please don't add agenda items the day of the Planning Commission meeting as he does not have enough time to add it to the agenda. Gilman attempts to get the meeting agenda to the Commissioners one week prior to the meeting.

A motion was made to dismiss by Decker and supported by Blanding. Motion carried 7-0. Meeting dismissed at 9:34 pm.

Items for April Agenda

- Public Hearing on a Special Land Use Permit request from Dave Robertson to allow warehousing and outside storage of equipment and vehicles at 7344 South Backus Road on parcels 59-008-420-007-00 and 59-008-011-016-70.
- Discussion on kennels and a proposed definition change.
- Review adding a definition of a "buildable lot" to Zoning Ordinance 79.

Respectfully submitted,

Shawn Decker
Planning Commission Secretary