

**Eureka Township  
Public Hearing  
May 16, 2006  
Eureka Town Hall**

Request for Text Amendment to Zoning Ordinance 3

Planning Commission members present included Mike Greco, Kevin Flaherty, Nancy Sauber, Rich Stevens, Sharon Buckley and Clerk/ Treasurer Nanett Champlain to record the minutes.

Town Board Members present included Gary Smith, Dan Rogers, Cory Behrendt, Gloria Belzer and Cheryl Monson.

Citizens present: See attached speaker list

Planning Commission Chair, Mike Greco called the public hearing to order at 7:04 pm.

Chair Mike Greco explained the procedure that would be followed for the public hearing. Comments will be taken in the order presented on the speaker list.

The applicants Ken Malecha and Clyde Thompson enquired about placing a golf course on their properties. This use is not allowed under current ordinances as a permitted or conditional use. The first step in processing this request would be to change the zoning ordinance to allow golf courses.

The applicants are asking to amend Ordinance 3, Chapter 2, Section 1B.(page 40 and 41) To add: Recreation Areas as a Conditional Use in the Agricultural District. This change to the ordinance would affect the entire township. Recreation areas are defined in Ordinance 1, Chapter 4 "A parcel of land which may include a bodies of water and incidental building maintained for public recreation including but not limited to parks, playgrounds, golf courses, hunting preserves, polo grounds, nature trails, bridle paths, beaches, camp sites, ski and snowmobile trails and canoe routes."

The applicants were asked to make a brief statement. Adam Dowd, representing Mr. Malecha and Mr. Thompson in this matter explained that this is not a request that will only affect Mr. Malecha and Mr. Thompson's property, but would apply to the entire township. It is an acceptable request because recreational areas are defined in the ordinance. They are asking them to be included in the ordinance as a conditional use.

Chair Mike Greco read a statement prepared by the planning commission of their role in the review process.

Chair Mike Greco opened the floor for public comment.

Ellen Mallery- 6484 265<sup>th</sup> St W

Asked where the property is located. She asked if the ordinance is changes, then any person with any of the listed recreation items could apply for a Conditional Use Permit. First the ordinance is changed, when do you address the environmental issues, traffic and taxes.

Mike Greco- The property is located at 280<sup>th</sup> St and Cedar Ave. When the conditional use is applied for, conditions are set- placing limitations.

Pat Mahowald- 6429 265<sup>th</sup> St W

He expressed two comments- think of recreational use, such as things listed, it does increase the property value and taxes. This area is very agricultural, it could raise property taxes that those around would not benefit. Incidental buildings- what are we really talking about.

Ken Malecha – 1805 Aldrich Ct.

Waived turn to speak at this time.

Ray Swedeen- 27025 Galaxie Ave

It makes it odd to make a positive or negative comment on the request when you are not sure where the property is.

Mark Malecha- 27266 Galaxie Ave

In the Ordinance it does say for future use Parks and Recreation are defined for a future use in the township. As a township he would like to see this move forward, granted that he is one of the owners that owns the land that would be used as a golf course. The township should embrace the idea of doing it.

Noreen Schonning- 6775 265<sup>th</sup> St W

Same concerns as Pat Mahowald.

Merlin Schonning- 26165 Galaxie Ave

A golf course is not a necessary thing, golf courses are shutting down. The next thing to come into it is the smell and odor from a dairy situation. We do the best we can to keep the odor down. With more people coming out it will be a trying situation for odor. Is it really necessary? It will be a whole lot different situation with driving range, a golf course and eating area and all the other things that go along with it. They have worked to get where they are.

Chris Nielsen- 25756 Galaxie Ave

He's been neighbors of the Malecha's for 20 years; they are good neighbors and also good stewards of the land. What they are proposing would be a good for the landscape and low impact use of the land as far as environment. He hopes it passes.

Dennis Maher- 27569 Grenada Ave

He has concerns, not only the proposed golf course, but the impact in long terms. What kinds of conditions placed on golf courses and other recreation areas, environmental studies, changes to tax basis, traffic, future applications for town homes around the area, etc. It doesn't open just this tract of land, but the entire township. It could be opening a

can of worms. Personally it is a big step- where is this ordinance change going to take us in the future as far as the rest of the township is concerned.

Colleen Riley- 27607 Granada Ave

Existing Ordinance defining recreation areas-the definition is vague. A use such as a Go cart track, some uses might be quiet commercial, such as a golf course. Some uses would have much less impact with high access to the public without high fees such as trails or hunting grounds. Is recreation clearly enough defined? Would a request be taken as a case by case basis, if someone tried to define an activity as recreation although it is not listed in the ordinance? The definition of Recreational area should be specific as possible. Things like golf courses are fairly expensive, the word "public" is dubious in her mind, when someone needs to pay money to access the grounds, rather than a trail. Do they belong in the definition or should they be separate.

Planning Commission Chair Mike Greco read the definition of recreation area as defined in the ordinances.

Mike Groves- 27640 Galaxie Ave

His main concern is the increased traffic. Taxes are also a concern, it will benefit some people. The evaluation of property will be raised- meaning higher taxes.

Planning Commission Chair Mike Greco invited any person already spoken to make additional comments.

A citizen asked if the board has ever been approached for a similar request, if so what the determination was.

A previous board was approached with a request for a golf course, this use was not permitted under the ordinance.

Lonnie Malwitz- 250<sup>th</sup> St and Dodd Blvd

He has lived in Eureka for 30 years. We are talking about something coming to Eureka Township, with low traffic. A golf course is a huge plus for the community. He is in favor of putting a golf course in the township. It would not affect the agriculture area. It will increase the tax base, we need tax base, a little bit of growth. It will not affect the neighboring land. He looks at it as an opportunity to help the community, to help the township to beautify it.

Chair Mike Greco asked for additional public comment, hearing none, the public comment portion of the hearing was closed at 7:38 pm.

### **Planning Commission Comments:**

Sharon Buckley

They need to examine the definition more closely. To look at parts of it more closely- What does it mean, what is an incidental building? Do we want to delineate golf courses and other uses. Subpart No. 5 to Golf Courses and similar uses, trails, etc- make it more specific. A golf course is defined as a recreational use. Is a golf course truly a recreational use like a hiking trail or is it a commercial use.

She questioned as putting it a definition but not including it any other place, was the intent to not allow recreational uses.

I question whether it is consistent with the Comp Plan. Comp Plan is preserving prime agricultural land- This use would be taking agricultural land out of production. The Comp Plan mentions recreation on page 42 and 48. Environmental impact on water and traffic- will be looked at in the CUP process.

Need to look at long range plans if this definition is adopted as a conditional use.

#### Kevin Flaherty

Agricultural community, but there is pressure to change all around us. We are in the process of hiring a planner to help deal with the pressure of change. What do we allow, where, how do we best grow our community. It is natural and right for everyone in the community to get the most out of their property. It needs to fit into the community at large.

If we amend ordinance for all kinds of recreations areas- it is leaving it open ended. We need to plan for it properly, before we allow changes.

When it comes specifically to a golf course, he does not know if the impact would be positive or negative impact on the community. There are four main functioning businesses that make a golf course successful- 1. Retail operation- sell golf clubs, balls, etc. 2. Food service 3. Liquor license- and or coolers with liquor 4. Housing developments.

If we are going to allow for recreational areas in the township, then we need to redefine recreational areas- that are truly recreational such a hiking trails verses recreational areas that are commercial- like US Swim and Fitness. It is a broad definition- if we are going to allow it in the community.

#### Mike Greco

He shares many of the questions and concerns that Sharon and Kevin shared.

The township is in the process of hiring a planning consultant. He firmly believes that people need to participate in the process of discussing the future of the township. Discussion of recreational areas and their place in the township, future of agriculture in the area, etc.

He was a member of the Eureka Commercial Task Force, and supported the task force recommendation that the township consider opportunities for new commercial-agriculture businesses, including golf courses. But the task force also recommended that the township engage a planner before any new commercial- industrial development is undertaken.

The planning commission has a duty to act consistently with what the stated goal of the township at the moment, which is an agricultural community.

There are serious environmental impacts with a golf course. Pesticide rates on many golf courses are higher than crops, and the impact on water quality. The location of the proposed golf course is near environmental sensitive areas.

Rich Stevens

The definition has some problems. We are in the process of hiring a planner, public input will be collected, to help plan the community. Rich would like to get the planner on board to help work on these.

Nancy Sauber

We need to go with the Comp Plan, we do have an agricultural zoned township that allows limited residential use. A golf course is a commercial use that will attract people, increasing traffic in the neighborhood. She does not feel it is compatible with agricultural zoning. This use leads to sale of food and alcohol, she does not feel that this is compatible with an agricultural zoned township. The township supports agriculture and a golf course is not an agricultural use of the land.

To expand conditional uses at this time is premature; the township is in the process of hiring a planner. The commercial task force recommended that a planner be hired before any new commercial or industrial be allowed. A golf course is a commercial use.

Although Recreational use is defined, there is no obligation to allow such a use. It defines a use, but not an allowable use. It is not compatible with the township at this time.

If the town board decides a golf course would be allowable, then do not include the definition of recreational use as part of the ordinance, but allow golf courses only as a conditional use. There is no need to include the other uses. If golf courses are allowed as a conditional use to narrowly define golf course- not to include putting greens, driving ranges, etc.

The Comprehensive Plan (*page 24*) states: "The major purposes of Eureka planning efforts are to protect agricultural lands from premature conversion to urban uses and to protect the economic viability of farming" Not limited to "prime" farmlands because it might put pressure on those that are not prime to development.

The Planning Commissions recommendation to the town board is not to adopt the text change as requested. There are too many problems with the definition. Each planning commission member will prepare finding of facts to support their decision. Discussion will continue at the June 5, 2006 Planning Commission Meeting.

A motion by Kevin Flaherty: To table discussion until the June 5, 2006 Planning Commission Meeting. Motion seconded by Nancy Sauber. Motion carried by unanimous vote.

A motion by Nancy Sauber: to adjourn. Motion seconded by Kevin Flaherty.

Meeting adjourned at 8:15 pm

