

**BUTLER TOWNSHIP PLANNING COMMISSION MEETING
SEPTEMBER 9, 2024**

MEETING CALLED TO ORDER: at 7:00pm by Co-Chairperson Chris Parker

PLEDGE OF ALLEGIANCE

ROLL CALL: Chris Parker, Derrick Bracy, Tom Waltke, Michelle Reed, Eileen VanVleet
PLANNING COMMISSION MEMBERS ABSENT: Janis Olney and Chairperson Doug Bracy
OTHERS PRESENT; Township Supervisor Gary Smith, Jeffery Haines from DTE, and Rod Olney

MOTION TO APPROVE MINUTES FROM AUGUST 1, 2024 MEETING: With Correction

"Pg 2 of the minutes from the Special use hearing on August 1, 2024: reads that Mr. Ivy said his horse was not in the Brookwood subdivision but on the Dobson farm, it should read that Mr. Ivy said his horse is on the adjacent farm."

T. Waltke/C. Parker, All in favor, motion passes.

NEW BUSINESS: ZONING PERMITS ISSUED AUGUST 2024

Zoning Administrator Matt Ashenfelter was unable to attend this meeting.
Marcus Graber, 40X50 addition to existing barn & 24X27 addition to existing barn.
\$50.00.

PLANNING COMMISSION HEARINGS: Michael and Robin Fullbright-Application for 2nd Special Use Hearing asking to allow the keeping and raising of certain farm animals in a residential (R-2) district. Hearing Date TBD. P/C meeting minutes states "fee waived" for 2nd hearing.

DTE Energy-Cold Creek Solar Project, DTE requesting Planning Commission approval for Cold Creek Solar Project (192.08 acres in Butler Twp), fee paid.

Aug 1, 2024, Michael and Robin Fullbright, Special use hearing asking to allow the keeping and raising of certain farm animals in a residential (R-2) district. Aug. 1, 2024, 7pm. Fee paid in June, Planning Commission denied request, August 1, 2024.

LAND SPLITS COMPLETED: Roy & Michelle Heminger, 10-acre split AG from 88.8-acre parent parcel. \$50.00.

ZBA HEARING: Barbara Vainner, Requesting a variance to the minimum road frontage and 4:1 depth to width ratio for a 5-acre split request with an existing dwelling, \$225.00.

VIOLATION COMPLAINTS: Anna & Damian Lopresto, Notices sent 08/01/2023, Violation of junk ordinance & unlawful mobile home (fire damage structure in 2021). Tickets to be issued for court appearance. No court action-new contract #517-825-0709

Motion to accept Zoning report. T. Waltke/Derrick Bracy. All in favor, motion passes.

OLD BUSINESS:

DISCUSS MASTER PLAN UPDATE: (If time allows) None done at this time.

Jeffery Hines from DTE handed the Planning Commission members DTE's Application for Special Use Permit for the Cold Creek Solar Project. A fee of \$225.00 has been paid.

Planning Commission members are to read the information presented from DTE report and listen to all public comments and requests and complaints from the public.

Jeff Haines also said he would set up tours for the Planning commission members to tour the site.

The following dates were set up for each Special use hearing
OCTOBER 2, 2024 WILL BE THE SPECIAL USE HEARING FOR DTE Cold Creek Solar Project
OCTOBER 3, 2024 WILL BE THE SPECIAL USE HEARING DATE FOR THE 2ND REQUEST FOR THE FULLBRIGHTS. Motion to approve both meeting dates: C. Parker/T. Waltke
All in favor motion passes.

Tom Waltke suggested the Township set up a Facebook page.

PUBLIC COMMENTS: none at this time.

NEXT PLANNING COMMISSION MEETINGS ARE SCHEDULED FOR:

October 2, 2024, DTE Special Use Hearing, Cold Creek Project @ 7:00pm-Township Hall
October 3, 2024 Fulbright's Special use hearing, @7:00pm-Township Hall

THE REGULAR SCHEDULED PLANNING COMMISSION MEETING IS SCHEDULED FOR DECEMBER 2, 2024, @ 7:00PM. (Please note -it is Dec 2, not Dec 9.)

MOTION TO ADJOURN MEETING: T. Waltke/Derrick Bracy. All in favor, motion passes.
Meeting adjourned at: 7:35pm.

RESPECTFULLY SUBMITTED,



Eileen R. VanVleet

August 1, 2024

Butler Township Planning Commission:

I write to express my objection to a special land use permit at 1049 Brookwood Drive, and I hereby request that it be vehemently denied for the following reasons:

First and foremost, in March of 1971 the creators (Elmer and Dorothy Dobson) of the Brookwood Plat also established a set of restrictions to govern the use of the lots within the plat which are to run with the land and remain in effect to this date. Item number 10 of the restrictions states as follows: **"No animal, livestock, fowl or pets of any kind shall be raised, bred, or kept on any lot, except dog's cats and other household pets may be kept, provided they are not kept, bred or maintained for commercial purposes"**. They never intended the land to be used in its current manner occupied by chickens, goats, pigs, sheep, and geese along with several animal hutches, chicken coops, and what appears to be kiddy pools.

Secondly Section 16.12 of the Butler Township Zoning Ordinance adopted October 3, 2003, states as follows:

"The keeping, raising, or breeding of animals, poultry or livestock, including farm animals and non-domestic animals and reptiles (except domesticated cats, dogs, canaries parakeets, parrots, gerbils, hamsters, guinea pigs, turtles, fish, rabbits and similar animals commonly kept as pets outside of the AG or R-1 zoning districts shall be prohibited." The Brookwood Drive subdivision is and has been zoned R-2, and livestock is prohibited.

Most important Section 1.02 of the Butler Township zoning ordinance in part reads as follows:

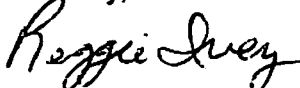
Whenever the provisions of any other law or ordinance impose more stringent requirements than are required by this Ordinance, then the provisions of such law or ordinance shall govern.

In addition, I have concerns as to what provisions have been provided to take care of the waste products which undoubtedly are present with the number of animals in such a confined space.

Lastly, as an owner of several vacant lots immediately across the road I must believe that the continuance of the current activity can only have a negative impact on the economic value of these and all properties in the Brookwood Plat.

Having reviewed the standards which an application must meet to obtain a special use permit described in item E of section 19.01, I respectfully request that the application be denied.

Sincerely,



Reggie Ivey

1035 Brookwood Drive