

**WATERVLIET CHARTER TOWNSHIP
PLANNING COMMISSION
REGULAR MEETING AND PUBLIC HEARINGS
MINUTES
SEPTEMBER 8, 2015**

Present: Kevin Schuhknecht, Richard Quinn, Duane Bodfish, Robert Spaulding, Joseph Engel.

Also Present: Beverly McKay, Cynthia Garrone, Gary Cromer, Jason Brooks

Chairman Schuhknecht called the meeting to order at 2:02 p.m.

Roll Call was taken.

The minutes of the June 2, 2015 meeting were read. R. Quinn made a motion to approve the minutes as read. D. Bodfish seconded and the motion carried unanimously.

At 2:05 p.m. Chairman Schuhknecht entertained a motion to close out of the regular meeting and enter into the first of two scheduled public hearings. D. Bodfish made a motion to close out of regular session and enter into the public hearing for the requested rezoning of 9020 Industrial Dr. (parcel no.: 11-21-0024-0001-07-9). J. Engel seconded and the motion carried unanimously.

At this time Commissioner Quinn stated that he had a conflict of interest as his son is the co-owner of the proposed business that plans to use the property and asked the remainder of the Commission to recuse him from deliberation or voting on the matter. J. Engel made a motion to recuse R. Quinn from any discussion, deliberation or vote on the issue of the requested rezoning of property no. 11-21-0024-0001-07-9 for the duration of the time the matter is before the Planning Commission. K. Schuhknecht seconded and the motion carried unanimously.

Upon opening the hearing, Chairman Schuhknecht invited J. Brooks to address the Commission on why the rezoning request was being sought. Brooks stated that he is part of Michiana Health Care which is an enterprise that sells health care and emergency rescue equipment at retail and offers lifesaving and emergency training courses for certification on site. They plan to use the current building that is extant on site for that purpose and, because they were told by the Township Zoning Department, that the use was not permitted in the industrial district, rezoning the property was the only option as that building was their preference. He added that they currently operate a facility in the strip mall across the street from the hotel on Arnt Blvd. but they have outgrown it due to the number of students utilizing the classroom space. He said the current location can accommodate approximately 10-15 students at a time but the demand for classroom time mandates that they need a location that can accommodate 30+ students which is why they are interested in occupying this location, which is a much larger building.

B. Mckay asked if the students were local people. Brooks replied that they have had students from Georgia, Florida and as far away as Canada. K. Schuhknecht asked what their proposed hours of operation would be. Brooks stated that, for classroom activities, there are no hours of operation established and that classes will be scheduled as needed as classes fill. He added that some classes will be held during the day and some will be evening courses and will run for usually a week and some will run for only 2-3 days. He went on to say that most of the class time will be used for recertifications. He noted that many health care professionals, i.e. doctors, nurses and paramedics; are periodically required to receive recertification in areas such as, for example, CPR.

At this point Chairman Schuhknecht asked if there was any further questions or comment from the audience. With there being none he asked for a motion to close out of the public hearing. R. Spaulding made a motion to close out of the public hearing. J. Engel seconded and the motion carried unanimously. The public hearing dealing with 9020 Industrial Dr. closed at 2:12 p.m.

At 2:15 p.m. Schuhknecht entertained a motion to open the second scheduled public hearing for another rezoning request for the parcel located at 6253 M-140 (property no.: 11-21-0011-0006-04-4). R. Quinn made a motion to enter into the second public hearing. K. Schuhknecht seconded and the motion carried unanimously. The public hearing opened at 2:15 p.m. Schuhknecht asked Zoning Administrator R. Lohr to explain the nature of the request. Lohr explained that the property is approximately ½ mile north of the township hall on the east side of M-140. He added that it used to be the site of Jerry's Pallet Shop, the owner retired and closed the business. His son, Gary Cromer, took ownership of the property and would like to build a dwelling on the site. As the property is currently zoned C-Commercial, a stand alone residence would be prohibited in this district without the primary use being that of a commercial business. Lohr added that, as per the application, Cromer is seeking agricultural zoning - which permits stand alone residential dwellings - plus Cromer has expressed interest in a light, small scale, agricultural operation at some point in the future. Schuhknecht asked what was the current zoning of the surrounding property. Lohr stated that it is surrounded by ag zoned land with the exception of the one parcel contiguous and to the south which is currently zoned commercial. Lohr added, however, that the Master Plan's projection of this area is a return to all agricultural zoning. J. Engel inquired, that because there was a commercial operation on the site that was essentially manufacturing in nature, are there any known environmental issues. No one on the Commission, was well as the Zoning Administrator, knew of any.

With there being no participation from the audience and no correspondence relating to the request, R. Spaulding made a motion to close out of the public hearing and return to regular session. D. Bodfish seconded and the motion carried unanimously.

The public hearing was closed at 2:18 p.m.

Back in regular session, K. Schuhknecht stated that it was his opinion that the requested change in zoning for 9020 Industrial Dr. was a logical use of the land, it was compliant with the Master Plan and, even though the zoning to the west and north was industrial, the zoning of two large contiguous parcels to the east - and fronting on Red Arrow Hwy. - was currently C-Commercial and made a motion to recommend the rezoning of parcel 11-21-0024-0001-07-9 from M2 - Industrial General to C-Commercial. D. Bodfish seconded

and the motion carried unanimously.

The Commission also agreed that the requested change for the parcel at 6253 M-140 was also logical and in keeping with the Township's Master Plan. R. Quinn made a motion to recommend rezoning parcel 11-21-0011-0006-04-4 from C-Commercial to AG-Agricultural. J. Engel seconded and the motion carried unanimously.

With there being no further business to come before the Commission, J. Engel made a motion to adjourn. R. Spaulding seconded and the motion carried unanimously.

The meeting was adjourned at 2:28 p.m.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Robert Lohr", written over a horizontal line.

Robert Lohr
Zoning Administrator