

TOWN OF MILLIKEN  
PLANNING COMMISSION  
MEETING HOUSE, 1201 BROAD STREET

WEDNESDAY, MAY 2, 2012 7:00 P.M.

The Planning Commission of Milliken convened into regular session on the 2nd day of May, 2012 at 7:00 p.m. Those present were: Chairman Linda Measner, Vice-Chairman Tim Woodcock, Commissioners; James Anthony, Dave Bernhardt, Janet Carter and David Watson. Also present: Community & Economic Development Director Steve House, Building Official Ken Kidd and Management Associate Philip Waggoner.

Chairman Measner called the meeting to order and led the audience in the pledge of allegiance.

**Agenda Approval**

Agenda approved as presented.

**Citizens Comments**

There were none.

**Minutes of Previous Meeting**

April 4, 2012 minutes approved as distributed.

**CONSENT AGENDA**

No Items

**ACTION AGENDA**

**1. Public Hearing for Consideration of a Variance to Allow a Factory Built Home at 2053 Village Dr.**

The variance application was withdrawn at the request of the applicant.

**2. Public Hearing and Consideration of Amendments to the Land Use Code Regarding Foster Care Homes and Group Homes**

Development Director Steve House gave the opening remarks on this item. He highlighted and noted the differences between and potential inconsistencies in USR and Use by Right.

Chairman Measner asked about state statute and regulation, if any, in the realm of group homes in municipalities. Director House noted that there was no prohibition or guidance in state statute of how group homes should be treated, to his knowledge.

This sparked ongoing discussion on group homes among the Commissioners and Chairman Measner eventually raised the point that she was weary of potential legal issues and lawsuits in regard to going against state statute in any way. All commissioners agreed with her.

Director House offered to ask the Town Attorney Bruce Fickel for legal guidance on group homes before action was taken. As a result, Chairman Measner suggested that this issue of group homes be tabled until the next meeting on June 6, 2012, in order to give the Attorney and Development Director ample time to sort through the legal issues of group homes.

This continuation of the group homes issue was moved by Commissioner Watson and seconded by Commissioner Anthony.

Commissioner Carter then moved that the Use by Right of foster homes only be adopted and passed on to the board, minus the group homes portion that was continued. She proposed that the Action item be modified to just include foster family homes in Use by Right.

This sparked more discussion amongst the Commissioners and ultimately Commissioner Carter withdrew her motion and moved to continue foster family homes until the next meeting on June 6, 2012 in order to pursue legal guidance from the Town Attorney also.

The public hearing was closed.

## **DISCUSSION AGENDA**

**No items**

## **END OF DISCUSSION AGENDA**

### **Other Business**

Director House went over the items on the agenda under the other business section for the Commissioners. He noted that there were no items presently scheduled for the May 16, 2012 meeting agenda. Chairman Measner noted that the Planning Commission typically has an election of officers at this point during the year, but suggested the election be postponed until the Board of trustees has appointed a new commissioner to the vacant position.

**Unfinished Business**

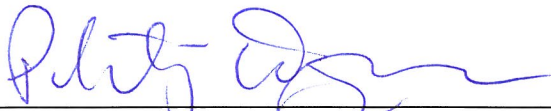
Commissioner inquired about the status of the dog park. Director House gave a brief update.

**Adjournment**

There being no further business, the meeting adjourned at 8:00 p.m.

Prepared by:

Approved by:

  
Philip Waggoner, Management Associate

  
Chairman, Linda Measner

