

Holly Township
Planning Commission – Regular Meeting
Minutes of May 02, 2017

Call to Order: Commissioner Alrey called the regular meeting of the Holly Township Planning Commission to order at 6:30 p.m. At the Karl Richter Campus, 920 Baird St., Holly Michigan.

Roll Call:

Members Present:

Shane Mooney, Commissioner
Tony Engelberg, Commissioner
Lloyd Kernen, Commissioner
Stacey Steckley, Commissioner
Pat Feeney, Commissioner
AC Alrey, Commissioner

Others Present:

Karin Winchester, Zoning Administrator
Mike Deem, Township Planner

Members Absent:

Ted Gurski, Chairman

- **Commissioner Engelberg made a motion to excuse the absence of Chairman Ted Gurski, due to a medical issue. Commissioner Steckley supported the motion. A voice vote was taken, all those present voted yes; the motion carried by a 6/0 vote.**

Agenda Approval:

- **Commissioner Engelberg made a motion to include the Pledge of Allegiance into the By-laws. Commissioner Mooney supported the motion. A voice vote was taken, all those present voted yes; the motion carried by a 6/0 vote.**

Pledge of Allegiance

Public Comment – Agenda Items Only: N.A.

Public Hearings:

- Proposed Code of Ordinance Amendment to Chapter 32 Zoning, Article IV Supplementary Regulations, Section 32-164 Medical Marijuana.
- Proposed Code of Ordinance Amendment to Chapter 32 Zoning, Article III Zoning District Regulations, Section 32-104 Schedule Regulations.
- **Commissioner Engelberg made a motion to open the first Public Hearing; Proposed Code of Ordinance Amendment to Chapter 32 Zoning, Article IV Supplementary Regulations, Section 32-164 Medical Marijuana.**

Commissioner Kernen supported the motion. A voice vote was taken, all those present voted yes; the motion carried by a 6/0 vote.

On September 21, 2016, Governor Snyder signed three bills legalizing and regulating medical Marijuana edibles and regulating the growth, processing, transport, and provisioning of medical Marijuana.

Public Act 281 creates the Medical Marijuana Facilities Licensing Act to license and regulate the growth, processing, transport, and provisioning of medical marijuana. The State will issue licenses for five types of uses:

- i. A Grower: A commercial entity located in this state that cultivates, dries, trims, or cures and packages marijuana for sale to a processor or provisioning center.
- ii. A Processor: A commercial entity located in this state that purchases marijuana from a grower and that extracts resin from the marijuana or creates a marijuana-infused product for sale and transfer in packaged form to a provisioning center.
- iii. A Secure Transporter: A commercial entity located in this state that stores marijuana and transports marijuana between marijuana facilities for a fee.
- iv. A Provisioning Center (“Dispensary”): A commercial entity located in this state that purchases marijuana from a grower or processor and sells, supplies, or provides marijuana to registered qualifying patients, directly or through the patients’ registered primary caregivers.
- v. A Safety Compliance Facility: A safety compliance facility license authorizes the facility to receive marijuana from, test marijuana for, and return marijuana to only a marijuana facility.

Mike Deem stated that the new law does not affect the existing Medical Marijuana Act in relation to caregivers, and if voting no, will not in any way restrict use for a patient. Adding the proposed language would prohibit medical Marijuana facilities from operating in the Township. The Township prohibits the following state-licensed medical marijuana facilities from operating within the Municipality:

- i. Growers
- ii. Processors
- iii. Secure Transporter
- iv. Provisioning Center
- v. Safety Compliance Facilities

The Commission discussed current practices, regulations and laws regarding medical Marijuana.

- **Commissioner Engelberg made a motion to close the first Public Hearing; Proposed Code of Ordinance Amendment to Chapter 32 Zoning, Article IV Supplementary Regulations, Section 32-164 Medical Marijuana. Commissioner Steckley supported the motion. A voice vote was taken, all those present voted yes; the motion carried by a 6/0 vote.**

- **Commissioner Engelberg made a motion to open the second Public Hearing; Proposed Code of Ordinance Amendment to Chapter 32 Zoning, Article III Zoning District Regulations, Section 32-104 Schedule Regulations.**

Commissioner Kernen supported the motion. A voice vote was taken, all those present voted yes; the motion carried by a 6/0 vote.

The ERBP setback shall be equal to the average of the front setbacks of the immediately adjacent dwellings on each side of the subject parcel on the same side of the road and in the same zoning district as the subject parcel, subject to the following requirements:

- In the event that one of the adjacent parcels is vacant, then the minimum setback specified in section 32-104 shall be used for that parcel in calculating the ERBP.
 - In the event that the subject parcel is on a corner, then the minimum setback specified in section 32-104 shall be used in the ERBP calculations as the adjacent setback figure for the side of the parcel that adjoins a street.
 - The front setback of each adjacent structure shall be measured at the shortest distance between the structure's exterior surface and the front lot line.
- **Commissioner Engelberg made a motion to close the second Public Hearing; Proposed Code of Ordinance Amendment to Chapter 32 Zoning, Article III Zoning District Regulations, Section 32-104 Schedule Regulations. Commissioner Steckley supported the motion. A voice vote was taken, all those present voted yes; the motion carried by a 6/0 vote.**

Approval of Minutes – April 04, 2017.

Commissioner Alrey stated they did not receive the minutes. The Recording Secretary stated re-forwarded them to Clerk Winchester during the meeting.

- **Commissioner Engelberg moved to postpone the approval of the minutes for April 04, 2017. Commissioner Steckley supported the motion. A voice vote was taken; all those present voted yes; the motion carried by a 6/0 vote.**

Communications: None.

Old Business:

1. By-Laws – Proposed Resolution PC 2017-02.

Article 3 section 1.0, regarding the Appointments – change to say: the commission shall consist of 7 members.

Article 3 section 3.0, regarding Delinquency/Absences – change to say the following: Any commission member who is unable to attend a regular or special meeting must notify the Township Supervisor, Chair, and Vice Chair of an absence.

Article XII, regarding the Agenda – Add Pledge of Allegiance after Call to Order.

Article XII, regarding the Agenda – Get rid of the word “non” from #3. Public Comment (for non-agenda items).

- **Commissioner Engelberg made a motion to submit proposed changes to the PC By-laws to the Township Board for approval. Commissioner Steckley supported the motion. Motion rescinded.**

Have a revised copy of the By-laws sent to the Planning Commission for review and approval, before sending it to the Township Board.

2. Wellhead Protection.

- **Commissioner Feeney made a motion to set a public hearing for the next Planning Commission meeting on June 6, 2017, located at the Karl Richter campus, for Wellhead Protection. Commissioner Steckley supported the motion. A voice vote was taken; all those present voted yes; the motion carried by a 6/0 vote.**

3. Proposed Code of Ordinance Amendment to Chapter 32 Zoning, Article IV Supplementary Regulations, Section 32-164 Medical Marijuana.

- **Commissioner Feeney made a motion to send this onto the Township Board for approval. Commissioner Engelberg supported the motion. A voice vote was taken; all those present voted yes; the motion carried by a 6/0 vote.**

4. Proposed Code of Ordinance Amendment to Chapter 32 Zoning, Article III Zoning District Regulations, Section 32-104 Schedule Regulations.

- **Commissioner Steckley made a motion to send this onto the Township Board for approval. Commissioner Engelberg supported the motion. A voice vote was taken; all those present voted yes; the motion carried by a 6/0 vote.**

New Business: None.

Reports:

Commissioner Feeney reported that the Farmstead is going ahead with the community garden and is now taking applications. He’s looking forward to this season.

Commissioner Engelberg reported a reminder that May 7 at 2pm, located at Cyclone Park, there will be a community kickball game for \$2 each. The Moose will be providing food and drinks, and the money will go toward the clean-up of Cyclone park. This is to gain interest

Commissioner Steckley reported that May 13, Rose Hill will be doing their annual fundraiser by selling plants and having face painting for the kids; all are welcome to this family event. It’s a

great event and she encourages you to support it.

Commissioner Mooney reported that Shannon Distribution looks to be getting close to finishing up and has made a lot of progress in cleaning up these last few weeks.

Commissioner Alrey reported that there was an email from Ted Gurski asking what the role is of the Trustee Liason, a discussion ensued. If interested in learning about the many facets of water, and it's importance to the economy and the environment, there is a 2 day water school on essential resources for local officials on May 22-23. This is at no cost to the public and is put on by MSU Extension. He The Planner confirmed the Master Plan is done.

Reminder: July and September holidays could conflict with meeting schedules. Check for other possible date options for the meeting without conflicting with the Village meetings.

Public Comment:

George Kullis, Township Supervisor, addressed the Board.

Adjournment

Commissioner Alrey, hearing no other business; adjourned the meeting at 8:13 pm.

Courtney Bird
Recording Secretary