

**Montrose Township Planning Commission
Meeting Minutes
June 6, 2011**

The Meeting was called to order by Chairman Morrie Fikes at 7:00 PM.

The pledge of allegiance was recited.

Roll Call:

Present: Gary Keeler, Morrie Fikes, Janet Trueblood, and Harry Powell

Absent: Don Pollard, (D. Pollard had sent an emailed and was out of town), Chris Sajdak (C. Sajdak call before the meeting with sump pump problems at home) and Bob Doyle (B. Doyle has resigned from the Board)

Staff Present: Dennis Miller - Building Official

Meeting Minutes – 5/02/2011:

A motion was made by G. Keeler supported by J. Trueblood, to accept the Meeting Minutes from the May 2, 2011 regular meeting as presented. **Motion Carried 4 – 0.**

New Business: Public Hearings

Medical Marihuana Clubs, Dispensaries, and Growing Facilities – Text Amendments

Chairman M. Fikes explained that the Planning Commission has been discussing this issued now for over a year. The ordinance that we have before us was drafted by the Township's Attorney after a workshop that was held by the Planning Commission. The workshop was held to get some direction and answers on what was allowed to be legally regulated.

Chairman M. Fikes opened the Public Hearing at 7:04 PM.

Richard Hines, was present and addressed his concerns with the Ordinance. He mentioned that he wanted to help the community to come to terms with the legal use of medical marihuana. He also felt that there were many items in the Township's Ordinance that goes beyond the requirements of the State Law. He questioned who the Township's Attorney was.

Chairman M. Fikes stated that the Planning Commission is not against the use of medical marihuana, we are just trying to put in place proper procedures to protect the Township and its residents from the commercial aspects of medical marihuana use.

Jane Garrett living in Riverside Mobil Home Park addressed the Board with her concerns. She mentioned that she used to be on a lot of prescription medicine, but now with the help of using her medical marihuana she has gotten off all her prescription medicine and has lost 60 lbs. She is now able to play with her kids again. She is very thankful for the opportunity to use medical marihuana. She was concern with the language regulating caregivers, but she was thankful that the Planning Commission has taken the time to research the law prior to drafting a Ordinance.

Bob Smart, new business owner of Your Choice Meds, a safe transfer center for medical marihuana now located in the City on E. State St. was also present and talked about his concerns with some of the language in the Ordinance.

Eric Gunnels, who lives in Clio and also operates a medical marihuana facility in the Clio area, known as CRI spoke reference that he has worked with other communities on similar ordinances and he believes that the ordinance proposed by the Township is workable, but there were a few sections that needed to be discussed as they might go beyond State Law.

There was much discussion on the proposed ordinance.

Concerns centered around changing or revising four areas of the proposed ordinance which included the definition of a medical marihuana growing facility, as there was a concern with the "one primary caregiver" part of the definition; changing or removing the word, "fully" from Item 3 operation limitations; changing the spelling of "marijuana" to "marihuana"; and to provide language or define "a medical marihuana collective facility".

G. Keeler mentioned that these types of new uses will require additional security. He was also concern with the number of plants a person could have in their possession.

H. Powell mentioned that we were not treating this use any different than any other uses that we regulate. This is new and there needs to be rules in place. He was also concern with what was the procedure on removing medical marihuana overage.

Chairman M. Fikes closed the Public Hearing for public comments at 9:01 PM.

A motion was made by G. Keeler supported by J. Trueblood to postpone any action on the proposed text amendments for medical marihuana until the changes mentioned above are reviewed with the Township Attorney. **Motion Carried 4-0.**

This would be placed back on the Planning Commission agenda for July.

Other Business:

1. Temporary Use – Renewal – Storage of Commercial Equipment Charles Bruton, 12220 Dodge Rd., Parcel #-13-30-400-002

C. Bruton, arrived after being contacted by Board member H. Powell.

Chairman M. Fikes, asked about the new home and was there a new timetable to construct the new home.

C. Bruton talked about the economy still being down and he did not want to go broke trying to build a new home when business has declined.

Chairman M. Fikes mentioned that the Township had received two unsigned, but written complaints about the use of the property commercially.

There was some discussion on the procedure for receiving unsigned complaints.

D. Miller read the language from the Zoning Ordinance which requires a review of a renewal of a temporary use by the Planning Commission if a complaint in writing has been received by the Township. There was no requirement for the complaint needed to be signed.

A motion was made by H. Powell supported by J. Trueblood to approve a renewal of the temporary use permit for commercial storage for parcel 13-30-400-002, for a two year period subject to the Building Departments recommendations, with it being noted that the \$5,000 dollar cash bond is to remain on file with the Township until the new home has been started. **Motion Carried 4-0.**

Zoning Ordinance Review:

D. Miller mentioned that he would like the Planning Commission to review the requirements for ponds. He mentioned that he has talked to a few property owners that would like to put in smaller ponds. He also mentioned that our zoning ordinance does not allow ponds under 9,000 sq. ft.

He asked what the opinion was of the Planning Commission on garden ponds and if we should regulate someone putting in a garden pond, drainage swale or a holding pond for temporary storm water.

Chairman Fikes directed D. Miller to place this item on the next agenda and to notify all members to review the ordinance reference to excavation and ponds.

Citizens Comments: None

Adjournment:

A motion was made by G. Keeler supported by J. Trueblood, to adjourn the meeting at 9:22 PM.

Motion Carried 4 - 0.

The next regular Planning Commission meeting is scheduled for July 11, 2011 at 7:00 PM

Respectfully,
Dennis Miller
Acting Board Secretary