

MINUTES
WILLIAMSTOWN TOWNSHIP PLANNING COMMISSION MEETING
July 20, 2010

CALL TO ORDER

The Williamstown Township Planning Commission convened at 7:30 pm at the Williamstown Township Hall located at 4990 Zimmer Road, Williamston, Michigan. Chairman Mike Fielek called the meeting to order and reviewed the agenda.

PRESENT BY ROLL CALL:

Chairman, Mike Fielek, Commissioners Gerald Eidt, Dali Giese, Rod Imhoff, Ger Schultink, Wanda Bloomquist, Rex LaMore and Board Representative Martin Wright

ABSENT: Ron Cook

ALSO PRESENT:

Planning Consultants: Chris Doozan and Zeb Acuff of McKenna Associates, Inc.

MINUTES APPROVAL

Motion by Commissioner LaMore to approve the minutes of June 15, 2010, as amended
Seconded by Commissioner Eidt. **Motion approved.**

CITIZEN COMMENT

Carl McIntosh 1145 Wild Cherry—Problem with burning in Wild Cherry Subdivision. Having trouble getting a permit. He is not aware of any complaints. No burning permits are allowed for July and August. Wondering what to do with brush, spring trimmings, or haul downtown to put out at office. What should people do when township does not allow burning? No burn permits until Sept. Reconsider this.

Closed public comment 7:35

Public Hearing

Opened Public Hearing at 7:40 p.m.

Amendment to the Zoning Ordinance Article 2: Medical Marihuana as a Home Occupation

Planning Consultant, Chris Doozan, provided an overview of recommended amendments. Law took effect Dec 4, 2008. Dept of Community Health put in place language April 4, 2009; hence the reason for the township amendment. Explained:

- *Qualifying Patient- eligible to use for debilitating condition, can only have one caregiver*
- *Primary Care Giver—Person who dispenses medical marihuana*
- *Primary concern for the township is the disbursement of this activity—recommended creating two classes of home occupation*
 - *Home Occupation—Class A—Medical Marihuana Facilities*
 - *Home Occupation-Class B—all others*

With respect to Class A there are a set of standards that apply. Also compliance mandates in place. Staying in conformance with ordinance will be policed.

LaMore-Clarification on inspection of residence on page, 3, item B. reviewed by twp inspector, township board, sheriff—questioning need for sheriff—Doozan will remove Sheriff.

In Favor of Amendment
None

Opposed to Amendment

John Kennedy 4787 Martin Rd.- picked up copy of proposed ordinance—

- *Way described, this is a commercial enterprise,*
- *Missed best of alternatives in managing this situation*
- *Disburse and regulate is sadly mistaken, limited law enforcement and inspection situation you cannot track this*
- *You cannot prove*
- *You cannot document*
- *Difficult to track, evidence, attorneys, costly*
- *If you do anything then put in a commercial district this will allow better track of people*
- *No resources,*
- *Bad proposal and reconsider, hold another public hearing when it is more known in township*

Carl McIntosh, 1145 Wild Cherry—

- *Home Occupation and Marihuana should not go in same sentence*
- *Need to deal with law, dig deep, work hard to accommodate*
- *Several things in ordinance that have concern as written, should be a commercial zoning not residential*
- *What about home schooling? Drug Free Zone? Barrier Free facilities?*
- *He is victim, 530 W. Grand River, he has a problem with people coming to his business for marihuana*
- *Grand River addresses are conflictive on Grand River*
- *Signs—this should be controlled in sign ordinance not marihuana ordinance*
- *Lot of inconsistencies in the way it is written*
- *Keep out of residential zones, you cannot control or regulate*

Carolyn Grabarchyck 4015 Burkley Rd,- by church and playground illegal operation

- *Don't let flaws in this open up*
- *No one was aware of this*
- *Own sheriff shares this is a joke*
- *Easy opportunities for children to make poor choices*
- *Board can influence this illegal operation and sneak in and out*
- *This is illegal, she is a cancer patient,*
- *Please consider long term ramifications, little big and in between that it will impact.*

Thurman Payton, 1817 Maple Shade Dr.

- *Limited interest based on experience with topic*
- *Organization – Green Leaf Ministry--Christian*
- *Per Fielek this Christian Ministry just showed up; hence the reason for the ordinance*
- *The PC is working on drafting an ordinance for the township board to approve per Fielek*

Bonnie Clark, 4717 Barton Road

- *How many occupations in one home*
- *Can anyone apply and dispense this*
- *Who will monitor*
- *How many allowed*
- *Police to keep track, who will keep to two patience*
- *Keep out of residential area—recommendation*

Fielek, shared this is regulated by the State, caregiver and patients have to get this from STATE. There can only be one caregiver, caring for up to 5 patients. State of Michigan grants application to caregivers and qualified patients. Township addresses where best these places can be located.

Mickey Martin, 1561 Germany Road—Concerns with written version.

- *Standards that apply, size of dwelling—consider basements area in usable space*
- *Look at hours of operation—times now shown disturbing a residential district—restrict*
- *Concern of break-in. This will only increase criminal activity*
- *Consumptions on Premises—Written confusing—caregiver and someone else unless caregiver is a qualified patient.*
- *Size of the house ½ usable residential floor space—Home Based Business*
- *Concerns with allowing this in residential areas*

Kennedy

- *Agrees with what everyone said*
- *Difficulty with enforcement in residential district.*
- *If going to pass an ordinance, issue permits, violations, investigations*
- *Be cautious*
- *Hold off, let track record develop and see what happens*

Mickey

- *PC move forward on something*
- *If black and white in ordinance you can issue cease and desist order*

Per Fielek--Right now, there is nothing that can stop anyone from doing this type of business. Nuisance abatement, you cannot avoid this.

Judy McCoy, Burkley Road Gospel Hall- Works with many young people, concerned, put in a hospital or clinic, why out in country. Keep It away from children, parks and residents.

The Public Hearing will be left open until Friday at 5pm for additional written comments.

*Motion by Commissioner Schultink to close Public Hearing 8:18 pm. Open to written comment until Friday July 23rd at 5:00 pm. Seconded by Commissioner Eidt
Ayes: 7 Nays: 0*

Amendments to the Wetland Ordinance

Fielek opens public hearing on amendments to Wetland Ordinance at 8:20pm

- *Last discussed recommendations on April 20th.*
- *Five major changes to wetland protection ordinance*
 - *Section 2.2 added several definitions and amending definition of wetland*
 - *Article 3, wetland verification process, deleted as it duplicated wetland delineation process*
 - *Technical amendments added 5 and 6 section 4.5*
 - *Section 6.2 Item 3 deals with compensatory wetland mitigation*
 - *Changed to Michigan Department of Natural Resources and Environment*

Questions from Commissioners—None

Carl McIntosh

- *Some items are redundant*
- *How many bodies, who has jurisdiction? Cumbersome, keep simple and effective*
- *Page 1.2 paragraph 2, reduce financial burdens of proper uses on community (need*

clarification)

- Paragraph 3, natural resources – make sure natural resources are not man made
- Protection of farmers, drain land, maintain drains? This needs to be a vital function for agriculture
- Page 3, Land - metes and bounds need to be added and appropriate
- Definition of restoration? Need clarification
- Wetlands consultant—need to identify who this person is?
- Page 2-4, statement of inventory map—difficult map to get a hold of—where is this found
- Page 3.1 Wetlands Inventory, item 3—how often is map updated? There needs to be a way to amend this, pay \$25 for a map then a year later it is obsolete.
- Wetland Use Permit—Swimming and Boating—never saw anyone swimming and boating in wetlands
- Page 4.4—Criteria for evaluating permit applications—Paragraph 2, sub sentence very arbitrary—as board changes, conditions change, need to quantify, very arbitrary,
- Next page, sentence G, 6A Economic Value—Who determines this class, arbitrary thing
- Top of page 4.6—why deny permit that is not complete, non action would be appropriate why deny or approve if not complete.
- Page 5.2, item C, extradited review process, paragraph C—completed application is talked about, if app not completed then language conflicts
- Page 5.3 Procedures item B—Why go through process of transmission if you don't have the word completed application (completed application key term)
- Page 5.4 Paragraph 4, written notice of decision.... Written statements for reason of approval should be added (don't just focus on reason for denial).
- Paragraph I, person agreed...if I am opposed to something I will file and won't be settled for years...no timeline
- Notice of time and place...sent to all parties who contributed to previous evaluation—anyone on record.
- Article 7—Enforcement-Investigations—Required identification and statement of authorization...why I am here...what authority....
- Last page---ordinance becomes effective immediately...need to add waiting time... 10 days or 30 days...

Carl McIntosh will give comments to Wanda later this week.

Ger Schultink—Previous conversation on Buffer Zone—Has this been eliminated from the ordinance? Buffer regulations are in Article 2 of the Zoning Ordinance per Zeb Acuff. This was removed from the Wetland Ordinance.

Per Carl McIntosh: Case of Inaction—Stand of Trees (dead) lack of enforcement Ingham County or city. North side of Linn road, state of Michigan asking us to maintain wetland, normal natural state and you have a water table with incumbent seepage happening and no one seems to care someone killed acres and acres of trees. City, Township and Drain Commissioner are responsible.

MOTION by Rod Imhoff closed public hearing with amendment to allow comments until end of week Friday at 5:00 pm. Seconded. Time: 8:50 p.m.

Ayes: 7 Nays; 0

It was recommended that Medical Marihuana return for further discussion due to public comments at the August meeting.

The PC will deliberate the Wetlands Ordinance at the August meeting.

UNFINISHED BUSINESS

EECBG Grant

Trails & Greenways—Wanda shared she met with Mickey and Terry Croad and reviewed sub committee's work to date. Reviewed township map then took tour of township. He will work up some preliminary information and begin with focus group first part of August.

From June 2010 meeting: Commissioner Bloomquist shared a timeline beginning June 2010 through December 2010. The Sub Committee recognized to begin work on this grant application is Commissioners' Cook, Eidt, and Bloomquist. Commissioner Bloomquist will work on setting up meetings for the sub committee to begin to produce outlines for next steps in the process. McKenna Associates, Inc was rewarded the RFP.

Grand River Green Zone— Wanda shared this is ready to go out. Need to send out, flyer for website, committee meet sometime in August.

From June 2010 meeting: Commissioner Bloomquist shared a timeline beginning June 2010 through January 2011. The Sub Committee recognized to begin work on this grant application is Vice Chair LaMore and Commissioners' Bloomquist and Giese. Commissioner Bloomquist will work on setting up meetings for the sub committee to begin to produce outlines for next steps in the process. McKenna Associates, Inc was awarded the RFP.

Bus Stop—Park & Ride—will be on west side of park. Road improvements will be included with grant. Township will maintain parking lot, CATA will maintain Bus Stop. Drop off on south side of Grand River.

Schultink would like to see more information placed in the Enterprise as "Letter to the Editor." Try "Around the Township" column with Ms. Thornburn.

Commission would like more direction from the Township as to how they see the planning commission move forward with the Medical Marihuanna ordinance.

Ger Schultink—Limited burn area due to closeness of properties. No burns July and August due to it being a nuisance. PC feels the ordinance is working well. If everyone in subdivision wants to change then the township would consider changing the burning restrictions per Wanda.

Wanda Bloomquist—will address the concerns discussed regarding internet access, website and equipment.

Ordinance Review Article 8—Chairman Fielek

Article M—N0 2. Minimum size 10 acres, anyone can farm on 1 acre—remove minimum size per Imhoff

Wanda-issues with farms—lots of phone calls—acreage and size remove some restrictions

- Article 1.03 Definition of Farms—Review definition
- Farms for Commercial Production
- Farms for Residential Production
- Look at animal density? Community Ag Ordinance?
- Add Auxiliary Use in residential area to include subdivisions
- 1 horse every two acres; then in other area 1 horse 5 acres (remove this statement)
- Establish minimum lot size, then establish density per LaMore

Research Urban setting and think about placement in zoning districts. Chris Doozan will bring back language at next meeting. Concerns with GAMPS

Cemetery--None

Golf Courses and Country Clubs—

- Add Driving ranges
- Brookshire is grandfathered in
- Water conservation measures...would this be appropriate to add to zoning ordinance...add as part of their study—Look at chemical and fertilizer language
- Item7 -turf management maintenance plans

Hospitals—None

Kennels—None: Recently updated

PLANNING AND BOARD REPORTS AND REVIEW

Township Board— Board Representative Martin Wright: Beeman Road is being done this year. Took major hit when Williamston Road done last year. ICRC suggested this. Spend this year's allotment then next year's too. Work has begun on Grand River. (6 week project)

Planning Staff—Commissioner Bloomquist provided an update on the Wallace Site Plan. Owner is back in hospital and out of the area. Hoping to have something in August.

Planning Commission Chair—None

Review

Chairman Fielek provided the Planning Commission with a review of tonight's meeting.

ADJOURNMENT

Motion by Commissioner Imhoff to adjourn the meeting at 9:35 p.m.

Supported by Commissioner Bloomquist. **Motion approved.**

Gerald A. Eidt, Secretary

Debbie Schultz, Recording Secretary