

**WILLIAMSTOWN TOWNSHIP
PLANNING COMMISSION MEETING
May 21, 2014
Minutes**

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. Chair Giese called the meeting to order and reviewed the agenda.

PRESENT: Chair Giese, Secretary Eidt, Commissioners Davis, DeShon, Brown-Timm and Schultink, and Trustee Eyster

ABSENT: Commissioner Korson and Vice Chair LaMore

ALSO PRESENT: Planning Consultant Chris Doozan of McKenna Associates and Planning Assistant Wanda Bloomquist

Commissioner Schultink requested an addition to the Agenda for discussion of target practice with firearms. Commissioners were in consensus.

MINUTES APPROVAL

Secretary Eidt moved to approve the minutes of March 18, 2014.

Seconded by Commissioner Davis

Motion approved

PUBLIC COMMENT

None- Closed at 7:33 pm

PUBLIC HEARING

Zoning Ordinance changes

Municipal code

Consultant, Chris Doozan, reviewed the proposed changes to the Zoning Ordinance, Land Division Ordinance and Subdivision Control Ordinance. This would allow the Township to write a Civil Infraction ticket and impose a fine. This does not mean the Township is giving up its right to go to court.

Discussion:

- Concern over strength of Ordinance with changes.
- This is better at addressing minor issues.
- Letter would be sent stating violation and would give violator an opportunity to clean up before receiving a citation.
- A resident does not have to have an attorney.
- This should result in a cost savings to the Township on compliance issues.
- Incentive to come into compliance to avoid paying the fine.
- The Township can still follow up with misdemeanor charge.
- Unlikely a violation that would come up in the subdivision control ordinance or land division ordinance. Likely zoning issues and blight issues would be addressed.
- Example of Zoning issues could be a Home based business.
- A good tool to bring issues into compliance sooner.
- Other communities have this type of ordinance.
- Reduces neighbor on neighbor conflict with nuisance issues.
- Subdivision association, bylaws, etc. are only enforceable by the private association.

Chair Giese opened the public hearing at 7:48.

No public comment.

Commissioner Schultink moved to close the Public Hearing.

Seconded by Commissioner Brown-Timm.

Motion carries.

Discussion:

- Concern of compliance with cost of fine.
- East Lansing has a similar ordinance that has proven effective.
- Chris reviewed the process that would take place for infraction.
- The \$100 is statutory for a misdemeanor.

Commissioner DeShon moved that the Planning Commission recommend Board approval of the proposed changes to the Zoning Ordinance, Ordinance to Regulate Division of Land and the Subdivision Control Ordinance to add regulation concerning municipal civil infractions to the penalties and enforcement sections of the ordinances.

Seconded by Commissioner Schultink.

Motion carries.

NEW BUSINESS

Medical Marijuana

Consultant, Chris Doozan, recapped the PC (Planning Commission) review of this issue in 2011. The Board adopted language as a prohibited use contrary to federal law. This year the Supreme Court ruled, in the case of Ter Beek vs City of Wyoming, that the Federal Controlled Substances Act does not preempt state law and that the State Law does preempt local ordinance. However this does not limit municipalities the right to regulate.

The proposed amendments would strike the reference to federal law, adopt definitions, address allowable and prohibited uses, create a subsection of Section 8.02, subsection OO for Medical Marijuana Facilities and address uses within zoning districts.

Principal permitted use in the B-1, B-2, and I-1 for caregivers. One caregiver could serve up to 5 patients.

Residential districts and Ag-C, a primary caregiver would require a SUP. Necessary to acknowledge the use of marijuana by qualified patient.

Discussion:

- Clarification needed on the number of patients per caregiver.
- Identify local authorities for uniformity of inspecting party for containment verification. Building inspector or local police. May want to include the Supervisor.
- Qualified patient/caregiver could smoke in the B-1, B-2 and I-1 districts.

Secretary Eidt moved the PC schedule a Public Hearing for June 18th to address the proposed amendments regarding Medical Marijuana.

Seconded by Commissioner Brown-Timm.

Motion carries.

Brewpubs and Microbreweries

Consultant, Chris Doozan, reviewed the proposed amendments given the increase of interest in brewpubs and microbreweries and the definition of each. The state licenses according to these definitions. Chris reviewed the site development standards recommended to be added to Section 8.02. Brewpubs would be a permitted use in B-1, B-2, Green Zone and the Mixed Use Overlay districts. Microbreweries would require a SUP in the B-1, B-2 and the Mixed Use Overlay districts.

Discussion:

- Consensus over the hours of operation similar to restaurant regulations and/or state regulations.
- Specific liquor licenses that go with each definition.
- Microbreweries can sell to other restaurants.

Secretary Eidt moved that the PC hold a Public Hearing on June 18th to consider the proposed amendments to the Zoning Ordinance to adopt regulations for Brewpubs and Microbreweries. Seconded by Commissioner Schultink.

Motion carries

Agricultural Tourism

Consultant, Chris Doozan, reviewed the definition of agritourism as found in the GAAMPS. Recommending that agritourism be allowed as a special use in the RE, AG-SF and AG-C districts. Site Development Standards would be addressed in Section 8.02.

Secretary Eidt called for a PH to be held at the June 18th meeting of the Planning Commission.

Seconded by Commissioner Brown-Timm

Discussion: none

Motion carries

Annual Report

Planning Assistant Bloomquist reviewed the Annual Report of the Planning Commission.

Commissioner Davis moved to approve the annual report with the correction of the year in the Master Plan and Election of Officers.

Seconded by Commissioner DeShon.

Motion carries

Target Practice with Firearms

Commissioner Schultink brought to the attention of Commissioners concerns from residents regarding the use of firearms on private property and the use of appropriate precautions near residential properties. Other communities have regulated the use and presented possible language that the Board could consider regarding regulating use of firearms on private property. Guidelines could be developed to protect the rights of property owners and outline safety precautions to be taken to protect neighboring residents.

Discussion included:

- State law requires 150 yards from a residence for shooting firearms.
- Parcel size could be addressed.
- Townships can regulate.
- Concern of no target or backstop for target practice.
- Could allow for hunting area control committee to address where or how a resident could discharge firearms.
- Backstop and distance are important safety precautions.
- The Board would determine whether the township should consider this.
- These state acts could have been amended since adopted.
- Target practice has a specific definition.
- Need guidelines or standards for safety of other residents.
- Option to join gun clubs for target practice.
- Takes into consideration respect of hunter and property owners rights.
- There are some state regulations in place.
- Suggest to compile the state regulations for review.
- Concern of updates since passage of material provided.

Commissioner DeShon recommends the Board review the request of the Planning Commission to review or have the Planning Commission review possible regulations regarding the discharge of firearms on private property.

Seconded by Secretary Eidt.

Motion carries

Commissioner Schultink will provide information for the Board packet to aid Board members with consideration of the request.

UNFINISHED BUSINESS

Joint Meeting Dates

Planning Assistant Bloomquist reviewed the proposed meeting dates provided by the City of Williamston Planning Commission.

Consensus of the commissioners for the date of October 7th.

Wanda will confirm the date at the next meeting.

Parks and Recreation Master Plan

30 day comment period is over and there were no suggestions or comments submitted.

Next step is adoption by the Planning Commission and the Parks and Rec Committee by resolution.

Chris reviewed the process for adoption of the Plan by the Board. The Resolution for consideration of the planning commission was distributed.

Commissioner Schultink moved that the Planning Commission adopt the resolution.

Seconded by Commissioner DeShon

Motion approved unanimously

Planning Assistant Bloomquist will take to the Parks and Rec committee for approval.

Planning and Board Reports and Review

Township Board

- Trustee Eyster reported on the success of the annual cleanup with over 330 cars through the day. Reasonable load of scrap metal and electronics were collected.
- The Township Board has been discussing the possibility of asking for a millage for road maintenance. Trustee Eyster reviewed the current policy, cost of road maintenance, county funding and the lack of funds to cover the needed road maintenance within the Township. Municipalities throughout the state are looking at possible millages to provide funding for roads. By placing on the ballot, the residents have a say in road maintenance.

Planning Staff

Practicum students completed the project of a trail plan along the Red Cedar River along with mapping. The next step, as part of the HUD sustainability grant, will be to have Landscape Architect students do a site specific plan.

Planning Chair

Suggested a representative from Farm Bureau may be available to discuss watersheds and liability issues associated with waterways in the future.

PUBLIC COMMENT

None

Review

- Held the PH on Zoning Ordinance Revisions for the Municipal Code. Proposed amendments are being sent to the Board with a recommendation of approval.
- Called for a PH to be held on June 18th for proposed amendments to the Zoning Ordinance regarding Medical Marijuana, Agribusiness, and Brewpubs and Microbreweries.
- Planning Assistant Bloomquist presented the Annual report of the Planning Commission
- Discussion and recommendation to the Board to review the possibility of regulations on the discharge of firearms on private property.
- Adopted the Parks and Rec Master Plan by resolution.
- Trustee Eyster reported on the actions of the Board.
- Planning Assistant Bloomquist reported the MSU Practicum Team and a new Special Use Permit application.

Commissioner Schultink moved to Adjourn

Seconded by Commissioner Davis

Meeting adjourned at 9:37 pm.

Wanda Bloomquist,
Recording Secretary

Secretary Eidt