

**WATERVLIET CHARTER TOWNSHIP
PLANNING COMMISSION
SPECIAL MEETING MINUTES
MARCH 26, 2019**

Present: Glen Giannetti, Deana Heminger, Scott McKee, Joseph Stepich, Colleen Curtis, Kevin Schuhknecht.

Also Present: Jessica Fette, Cindy LaGrow, Joseph Arnt, Brad Burkett, Rick Taylor, Mark Smith, Brian Hall, Diana Householder, Mike Gray

Township Board: Dan Hutchins, Patt Bambrick, Joseph Matthews, Joseph Stepich

Chairman Schuhknecht called the Planning Commission to order 2:04 p.m.

Roll Call was taken.

At 2:15 p.m. J. Stepich made a motion to close the regular session and enter into the public hearing. G. Giannetti seconded and the motion carried unanimously. M. Gray was the first to address the joint boards by noting that he was developing a grow facility in the city of Bangor and owned property for such a use in the City's industrial park. He said that Bangor already has a provisioning center and that the facility has already demonstrated a positive impact on the community and local businesses. He said that once his grow facility is operational he will employ from 8 to 12 individuals and added that any grow facility would need to employ a minimum of 8 people.

M. Smith stated that he owned the current grow facility and provisioning center in Bangor. B. Hall inquired as to how many customers currently use the provisioning facility. Neither Smith or R. Taylor would comment on the number of customers publicly. After discussion it was noted, by Smith, that the fee for each license was \$6,000 paid to the State of Michigan and \$5,000 to the Township for each license applied for for each type of facility.

With no further discussion from the audience C. Curtis made a motion to close the public hearing. D. Heminger seconded and the motion carried unanimously. The public hearing was closed at 2:29 p.m. and regular session was resumed.

J. Fette presented the Commission and Board with a briefing of what changes were made to the latest draft medical marihuana facilities ordinance. She said that each type of facility permitted would have to be limited to a specific zoning district and as a use requiring a special land use permit and that those uses would have to be added to the zoning ordinance through an amendment. She pointed out that, as a starting point, a required set back distance of 1,000 feet was set for provisioning centers from: schools, playgrounds and parks, licensed child care centers, churches, residential zoning or an actual current residence or another provisioning center. She mentioned that this was quite a number of uses cited but the Planning Commission did not have to adopt them all.

D. Heminger, addressing Fette, said that in the March 5, 2019 meeting minutes only 100

feet was discussed. Fette said that she may have erred but, since no decision has been made yet and nothing is in stone, that can easily be changed.

J. Stepich said, that for the audience's benefit, he would like a re-cap of the proposed uses and their permitted numbers. Fette, reading from the proposed ordinance draft, stated that 6 grow facilities and 3 processing centers, restricted to the Industrial Zone would be permitted; 4 provisioning centers, unlimited secure transport and unlimited safety compliance facilities would be permitted only in the C-Commercial Zones.

J. Stepich, returning to the issue of required distances from residential uses said that initially it was discussed that no provisioning centers would be constructed or placed next to any residential. He gave 2 examples where, if this restriction were employed, it would prohibit a provisioning center that would otherwise have had no, or negligible, impact on the contiguous residence. He requested a fair and equitable method for determining a satisfactory distance between provisioning centers and residential zoning. D. Hutchins noted that if conditions warranted a more restrictive setback it could always be added as a condition with the issuance of the special land use permit. J Stepich stated that appropriate fencing could be a required condition.

D. Heminger suggested that the distances not be measured from where the lines meet but between the structures themselves. J. Fette requested a consensus of how and from where the measurement is to be taken. J. Stepich asked Fette if the distances could be different for each application. Fette stated they could be. D. Hutchins suggested that the Commission recommend a minimum of 100 feet and adjust accordingly, if need be, during deliberation in the special land use permit issuance process. Upon further discussion, it was agreed that the distance be measured from the nearest side of the facilities structure to the residential property line.

K. Schuhknecht inquired if the bullet pointed uses requiring separation from provisioning centers should be discussed. D. Hutchins suggested leaving all of them in the ordinance and adjust on a case by case basis during SLUP issuance. D. Heminger stated that she was not comfortable with a 100 foot setback from a school. She suggested that a 500 foot setback should be the minimum for such an application. Through discussion, it was agreed that schools, playgrounds / parks, day care centers and religious institutions should have a minimum of at least 500 feet and leave residential and other provisioning centers at 100 feet. D. Hutchins asked why should there be a mandate for distances between provisioning centers and, polling those in the audience involved in the business, asked if they would build next to another provisioning center? Two stated they would not - one replied he would have no issue with building next to another provisioning facility. After further discussion it was decided to remove a distance requirement between provisioning centers from the proposed ordinance. J. Fette stated that she will diagram a standard for measuring distances for compliance and add that to the proposed ordinance.

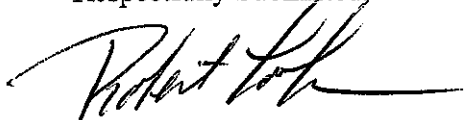
With no further discussion from any of the boards or audience members, J. Stepich made a motion to recommend adoption of the proposed ordinance with the noted changes made at this meeting. D. Heminger seconded and a roll call vote was as follows: C. Curtis, yea; G. Giannetti, yea; S. McKee, yea; D. Heminger, yea; K. Schuhknecht, yea; J. Stepich, yea. The motion carried unanimously.

The Township Planning Commission agreed to be at the regular Township Board meeting on April 15, 2019 where, prior to the Board's meeting, they would conduct the public hearing at 6:00 p.m. for the necessary Zoning Ordinance Amendments to accommodate the Medical Marihuana Facilities Ordinance.

With there being no further business to come before the Commission C. Curtis made a motion to adjourn. G. Giannetti seconded and the motion carried.

The Planning Commission meeting was adjourned at 3:16 p.m.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Robert Lohr", with a long horizontal flourish extending to the right.

Robert Lohr
Zoning Administrator