

**WATERVLIET CHARTER TOWNSHIP  
PLANNING COMMISSION  
REGULAR MEETING AND PUBLIC HEARING  
MINUTES  
MAY 4, 2021**

Present: Joseph Stepich, Colleen Curtis, Scott McKee, Deanna Heminger, Kevin Schuhknecht.

Also Present: Jessica Fette

Chairman Schuhknecht called the meeting to order at 2:00 p.m.

Roll Call was taken.

The minutes of the April 6, 2021 meeting were read. C. Curtis made a motion to approve the minutes as read. K. Schuhknecht seconded and the motion carried unanimously.

At 2:05 p.m. C. Curtis made a motion to close out of regular session and enter into the scheduled public hearing for the proposed amendment of Zoning Ordinance No. 77, Article V - Schedule of District Regulations; Section 5.06 - C-Commercial District - Uses Requiring A Township Board Special Land Use Permit by adding as Item 16: Bars, Taverns, Brew Pubs and Micro-Breweries. D. Heminger seconded and the motion carried.

With there being no one in attendance regarding the scheduled public hearing, J. Stepich made a motion to close out of the public hearing and reenter regular session. C. Curtis seconded and the motion carried.

The public hearing closed at 2:07 p.m.

Back in regular session, J. Stepich made a motion to recommend to the Watervliet Charter Township Board the amendment of Zoning Ordinance No. 77, Article V - Schedule of District Regulations; Section 5.06 - C-Commercial District - Uses Requiring A Township Board Special Land Use Permit by adding as Item 16: Bars, Taverns, Brew Pubs and Micro-Breweries. C. Curtis seconded and a roll call vote is as follows: D. Heminger, yea; S. McKee, yea; C. Curtis, yea; J. Stepich, yea; K. Schuhknecht, yea. The motion carried unanimously.

**Recreational Marihuana**

J. Stepich began discussion by briefing the Commission of what led to the Township's reconsideration of Recreational Marihuana. He said that in February the Township Board members received correspondence from Kristen Bearup, Executive Vice-President of

Compassionate Care by Design, a medical marijuana dispensary that operates a facility in the Township's Arnt Blvd. strip mall. In the correspondence she requested that the Board reconsider its stance of not permitting recreational establishments. The Township Board, subsequently, formally appointed the Planning Commission to conduct a study and make a report on the pros and cons of permitting such business in the township. Stepich requested that the Commission undertake the study and establish if the Township feels these establishments would constitute viable facilities in the township and, if so, what facilities would be permitted and what would the Planning Commission recommend in the way of an ordinance.

Township legal counsel J. Fette, in attendance, noted that many medical facilities have been established with the anticipation of moving into recreational at some point in the future. She added that even though the State is permitting recreational facilities under different statutes than those permitting medical marijuana, she said that the vetting process and other procedures, such as background checks, are every bit as thorough and exhaustive as those used for the procurement of medical marijuana licenses. She did note that the establishment of recreational facilities has proven to be more complex than medical simply for the fact that recreational laws permit more types of facilities and mixed uses of those facilities. She stated that the statute permits a grow facility, processing and dispensing all in the same building, something not allowed with medical uses.

Fette was asked if the Township had the authority to limit or choose what types of facilities could be permitted and how many. She said that the law is "very unclear" on those points but stated that many municipalities are doing that despite the ambiguity in the law and, to her knowledge, are not facing legal challenges for doing so.

J. Stepich, addressing Fette, asked if medical and recreational could co-locate in the same building? Fette replied they could as long as the two uses are isolated from each other and have separate entrances.

Fette suggested, however, that instead of the Township doling out permits on a first come, first serve basis, as was done with the issuance of medical facility permits, the Township should consider establishing criteria and standards for the review of applications so licenses and permits can be issued to business owners with the highest qualifications.

Stepich suggested that the first thing that should be established is "Do we even want it in the Township and figure out how everyone in the Township can voice their opinions and be heard." He added; "I will not support anything that will not give people every opportunity to make their opinion heard."

S. McKee stated that the first step should be for the Planning officials and the Township as a whole, to completely educate themselves on the topic, citing the efforts put forth by Township officials during the consideration of the medical aspects.

J. Stepich stated that he would like to see a two pronged approach in making a decision. One, thorough research and education on the subject including visiting established facilities in neighboring communities and; two, scheduling public hearings and devising other methods to garner the greatest public input possible.

**Purchase of Park System Property**

With regard to the potential inclusion of a 35 acre parcel of land northeast of the airport, Stepich stated that he met with Berrien County Parks officials to discuss the topic. He noted that the parks officials stated that the owners of the property offered to sell the land to the County for \$100,000 and that approximately 50% of the purchase price has been accumulated already through pledges from private donors. Stepich asked J. Fette if the Township could contribute financially toward the property's acquisition. Fette stated that the only way the township could contribute is, in so doing, acquire partial ownership of the property. During discussion amongst the Planning membership it was established that there was unanimous support by the attending Commissioners. At the conclusion of discussion D. Heminger made a motion to pledge \$25,000 toward the purchase of the property with the stipulation that Watervliet Charter Township have a share of the ownership. C. Curtis seconded and the motion carried unanimously.

**Survey of Elected and Appointed Township Officials**

At the April 6<sup>th</sup> meeting, J. Stepich asked the Planning Commission to develop a process and procedure for evaluating the salaries of elected township officials. The Planning Commissioners stated that they have been in contact with several local municipalities regarding their approach in determining pay increases for elected and appointed officials.

With no further business before the Commission, C. Curtis made a motion to adjourn. K. Schuhknecht seconded and the motion carried.

The meeting was adjourned at 3:40 p.m.

Respectfully Submitted,



Robert Lohr  
Zoning Administrator