

# Almont Township

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## ALMONT TOWNSHIP PLANNING COMMISSION REGULAR MEETING

OCTOBER 13, 2010

The regular meeting of the Almont Township Planning Commission was called to order at 7:01 P.M. by Chairman Francis, at the Almont Township Hall, 819 N. Main Street, Almont, Michigan. Pledge of Allegiance was recited. Roll was taken.

**MEMBERS PRESENT:** Steve Francis, Jean Gross, Fred Hunter, Mark Lauwers, Kim Streeter, Dennis Sweers and Bryan Zender. Also present: Brian Wilson of Community Planning & Management, PC.

**MEMBERS ABSENT:** None

**ALSO PRESENT:** 7 guests

**CORRESPONDENCE:** Correspondence was presented.

**MINUTES:** MOVED BY GROSS AND SUPPORTED BY STREETER TO ACCEPT THE SEPTEMBER 8, 2010 MINUTES AS PRESENTED. MOTION CARRIED.

**PUBLIC COMMENTS:** N/A.

**LATE AGENDA ITEMS:** N/A

**INTRODUCTIONS:** N/A

**PUBLIC HEARING:** #1. Proposed Medical Marihuana Ordinance

Chairman Francis asked Mr. Wilson to briefly explain the proposed draft ordinance. Mr. Wilson noted that comments had reached him as to some concerns regarding the proposed draft. Mr. Wilson passed out the draft ordinance that Bruce Township is working on and explained the differences. Mr. Wilson also noted that after conversation with legal counsel, a person's name could not be registered but the address where the grow site was could.

Chairman Francis opened the meeting to the public at 7:09 PM.

Mr. Kargula noted that he found the proposed draft to be illegal and it would not be in the best interest of the Township to adopt it as is. Chief Nael of the Almont Police Department noted that Villages and Townships have adopted ordinances that vary from the State Law, but the courts will have to decide as to the extent they can be enforced. Mr. Bowman noted that one of his concerns was the requirement to register caregivers. Mr. Smith noted that he did not agree that the Township can

#1. Proposed Medical Marihuana Ordinance Continued:

regulate this issue to commercial buildings; instead the Township may want to adopt it simply as local/State and Federal law must be abided by.

Lengthy discussion followed on the proposed draft that included concern over the enforceability of the ordinance and what the penalty would be if someone were found to be in non-compliance. Also discussed was the privacy of the caregiver versus having the caregiver register the address of the grow site. Such information would be accessible under the Freedom of Information Act. Possible light pollution and the prohibiting of any kind of advertising (signage) was also considered

Chairman Francis after noting that no new comments were offered closed the public hearing at 7:26 PM.

Planning Commissioners also expressed their concerns based on the information and discussion held. Commissioners agreed that more study and discussion were needed prior to making any final decisions.

Mr. Wilson reminded the Commissioners that the original idea was to follow the MMMA and not to create an unenforceable ordinance but to adopt an ordinance that would enable State licensed/registered caregivers and qualified patients to obtain, grow and use marihuana as directed by the MMMA. The ordinance could have guidelines that would help monitor the presence of marijuana in order to avoid creating a dangerous environment or a public nuisance.

Consensus of the Planning Commissioners agreed to table further discussion on the matter until the November 10<sup>th</sup> meeting so that they would have time to consider the Bruce Township's draft ordinance and the comments made by the audience.

Public Hearing #2: Proposed Adult Entertainment Ordinance (amend sections 2.32, 16.02 & 17.01)

Chairman Francis opened the hearing to the public at 8:21PM and asked if there were any comments or questions. Hearing none Chairman Francis closed the public hearing at 8:23 PM

Mr. Wilson explained the changes to the draft noting that all corrections/changes had been made based on the discussions of the past 4 months.

Consensus of the Commissioner agreed to include recommendation for approval of the amendments relating to sexually-oriented businesses along with the proposed definition amendments.

Public Hearing #3: Section 21 - Definition Amendments

Chairman Francis opened the public comment portion of the hearing at 8:26PM. Hearing no comments, Chairman Francis closed the public comment portion of hearing at 8:27PM.

Consensus of Commissioners agreed when polled that they had no new comments to offer and that they were satisfied with the proposed amendments.

MOVED BY ZENDER AND SUPPORTED BY GROSS TO RECOMMEND TO THE TOWNSHIP BOARD THAT THE PROPOSED AMENDMENTS TO SECTIONS 2.32, 16.06, 17.01 AND SECTION 21, AS IT RELATES TO SEXUALLY-ORIENTED BUSINESSES, BE APPROVED. ROLL CALL VOTE: ZENDER - YES, GROSS - YES, HUNTER - YES, SWEERS - YES, STREETER - YES, LAUWERS - YES, FRANCIS - YES. MOTION CARRIED.

OLD BUSINESS: N/A

NEW BUSINESS: N/A.

REPORTS:

Planner: N/A

Engineer: N/A

Zoning Board of Appeals: Two applications have been received by the Zoning Administrator and a meeting has been scheduled for November 3, 2010.

Zoning & Building: September Building & Zoning Report was submitted.

General Comments: Chairman Francis thanked the PC members for their professionalism during the public hearings.

Proposed Agenda November 11, 2010

Old Business: #1: Medical Marihuana Ordinance  
#2. Review Letter from LCCPC (Signs)

MOVED BY SWEERS AND SUPPORTED BY LAUWERS TO ADJOURN THE MEETING AT 8:40 P.M. MOTION CARRIED.

Respectfully submitted by,



Ida L. Lloyd, Recording Secretary