

Roscommon Township Planning Commission

Regular Meeting

December 11, 2017

Meeting called to order by Chairperson Akin at 6:00 pm

Roll Call Vote of Members: Brotebeck *present*, Milburn *present*, Akin *present*, Terrian *present*

Zoning Administrator: DuPuis present.

Also in attendance: Mike & Linda Kopischka, Joel Noerr, Ben Lowe, Jamie Briggs, Josh Bremester, Christina Rubino, Bryan Thompson,

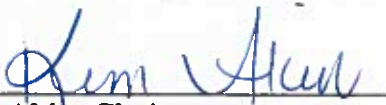
- **Agenda:** Motion: by Brotebeck, second by Terrian to approve the Agenda as presented. Roll call vote. All yes, Motion carried.
- **Minutes:** Akin asked the commissioners if they all had a chance to look over the previous meeting minutes. Motion: by Brotebeck, second by Milburn to approve the Nov. 13, 2017 minutes as presented. All yes, Motion carried.
- Chairman Akin opened the meeting by stating the purpose of the meeting was to continue working on the Medical Marihuana Ordinances. Akin then stated that DuPuis had emailed the a draft of the "Police Power Ordinance" for Commercial Medical Marihuana Facilities as well as a copy of email to the MTA attorney with questions that we would like answered by the attorney to all Commission members. DuPuis stated that Diane has forwarded the questions to the attorney and is waiting a reply. Akin then asked if the applicants for a medical marihuana facility would come to the Planning Commission or the Township Board for approval. DuPuis stated that the Ordinance requires the applicant to obtain a special use permit from the Planning Commission, therefore the Planning Commission would be the approving body. Milburn suggested we go through the draft of the Police Ordinance to correct or clarify points and also to make important decisions that are left to be made in the draft ordinance. Discussion then ensued on whether if we as a board wanted to go through the ordinance line by line, as well as the difference between the "Police Power Ordinance" and the "Zoning Ordinance." DuPuis and Milburn explained that simply put, the "Police Power Ordinance" would allow commercial medical marihuana facilities in the township and establish operational guidelines and the "Zoning Ordinance" would establish where the facilities may operate. Akin then asked if the board if was in agreement with Section A, page 8, that we are only going to allow class A and B growers and exclude class C growers? Discussion then ensued among the board and the decision was made to allow only class A growers in our Township but to review the need annually. Akin the asked if the board was still in agreement with allowing 2 each of the other types of commercial medical marihuana facilities in the township as the board had previously recommended. All board members were in agreement. Milburn raised a question as to what fees should we charge. "Can we charge for annual fees as well as an application fee?" Board decided that this needs clarification. Milburn asked the sheriff department's representative attend the meeting if they were going to enforce the medical marihuana ordinances or has the state directed the police departments to enforce? The response was, "not at this time." The board agreed to explore hiring an enforcement officer or add hours to Zoning Ordinance Officer to accomplish enforcement. Next, the board discussed the distance to allow a medical marihuana facility to be located from a residence or an area zoned residential. The board agreed that we should first consider 1000 feet.

- Akin then opened the meeting to the floor for comments. Ben Will, Roscommon County Undersheriff, reminded everyone that marihuana is not legal per the Federal Government. In addition, Michigan's Law enforcement community has not yet caught up with the 2008 Medical Marihuana Law. Will then invited everyone in attendance to attend a meeting, sponsored by the Roscommon Townships Assoc., on Medical Marihuana. The speaker will be the prosecuting attorney from the city of Kalamazoo, Kenneth Steck. Date to be determined. Bryan Thompson, Roscommon Twp resident, commented that he has done research on the MMFLA and suggested we wait before we make a decision. "Wait until the legal quagmire gets resolved." Christina Rubino, Roscommon Twp Resident, commented that we should wait until the laws are clearer. We could find ourselves against the State of Michigan under the Right to Farm Act. Joel Neorr, asked everyone to keep an open mind about medical marijuana. Twenty-nine states have legalized medical marihuana as there is great medical benefits for patients.
- Akin requested that Terry look at a Township map to see if we have any location in our zoned commercial districts where we have at least 500 to 1000 feet distance from residences or a residential zoned district for review at the next meeting.
- Akin then asked the board for a motion to recommend to the Twp Board Alan Terrian as the PC's representative on the Zoning Board of Appeals. Motion made by Brotebeck, second by Milburn. All yes, motion carried. Milburn then asked Terrian where his residence is located. Terrian confirmed his homestead in in Roscommon Township.

ACTION ITEMS FOR NEXT MEETING: DuPuis to present Zoning Map of Commercial/Mixed Use Zone on Old 27 with Residences Identified for review

- Adjourning Meeting: Terrian made motion to adjourn, second by Brotebeck at 7:29 p.m. All yes, motion carried.

- Next Regularly Scheduled Meeting Date: Jan 8, 2018.



Kim Akin, Chairperson



Bob Brotebeck, Secretary

Prepared and submitted by Terry A. DuPuis