

# TYRONE TOWNSHIP PLANNING COMMISSION

## MEETING MINUTES

February 12, 2013

**PRESENT:** Mark Meisel, Deb Lee, Mike Wood, Cam Gonzalez, Ron Puckett, Brenda Wehrli, and Dave Wardin

**ABSENT:** None

**OTHERS PRESENT:** Tyrone Township Planner Substitute Sarah Traxler and Planning/Zoning Administrator Vanessa Bader

**CALL TO ORDER:** 7:00 p.m. by Chairman Meisel

**PLEDGE OF ALLEGIANCE:**

**CALL TO THE PUBLIC:**

**APPROVAL OF THE AGENDA:**

Lee moved to approve the meeting agenda as amended (Gonzalez seconded).  
The motion carried by unanimous voice vote.

**APPROVAL OF THE MINUTES:**

Lee moved to approve the meeting minutes from January 8, 2013 as presented (Gonzalez seconded).  
The motion carried by unanimous voice vote.

**CORESSPONDENCE:** Chairman Meisel reviewed the attorney's comments regarding a fireworks ordinance.

**NEW BUSINESS #1:** Regulations To Address Michigan Medical Marijuana Act  
Chairman Meisel updated the new members on the history of the medical marijuana law and court cases and what the Planning Commission has done so far.

Discussion on dispensaries considered the following:

- Should it be based on the tenant, could we prohibit owners who are convicted felons. It was stated that was not legal due to the State issuing the medical cards.
- The recent Supreme Court ruling on the dispensary in Mt. Pleasant stating patient to patient sales was illegal under the Act and that the owners could not profit from the sales.
- Caregiver to patient was the only legitimate sale or transfer of medical marijuana.
- The two dispensary owners in Flint have said the Supreme Court ruling will not shut them down.

Chairman Meisel stated the Township Board would like some regulations ready in case they are needed and if the Township decides to regulate dispensaries. Also, if we are going to regulate caregivers, should it be added to the home occupation section and in which districts.

Planner Traxler advised not to develop an ordinance on dispensaries yet. She questioned why someone would open a dispensary if they cannot profit from it. It could also facilitate caregivers or patients access to someone else's product. She suggested focusing on home occupations and caregivers.

February 12, 2013 - Draft Tyrone Township Planning Commission Meeting Minutes

Further discussion on whether or not we can regulate the transfer of the marijuana or segregate it from other uses if it is not addressed in the Act. The Act does not permit marijuana use, but states you will not be prosecuted if you follow certain standards.

Future action: Review the McKenna suggestions and discussion materials. Next meeting we will attempt to develop the standards for a proposed regulations pertaining to the MMMA.

**NEW BUSINESS #2:** Regulations To Further Address the Telecommunication Act of 1996  
Chairman Meisel reviewed Planner Sally Hodges' memo and the proposed changes to section 21.17 of the Zoning Ordinance.

The Commission agreed to the proposed changes which referenced the Telecommunications Act instead of spelling out certain regulations in the Ordinance. A public hearing will be scheduled in the near future.

**NEW BUSINESS #3:** Regulations For The Expansion of Nonconforming Buildings  
Planner Traxler said she reviewed the Ordinance with Planner Hodges and they recommended adding graphics to the section and the Commission agreed.

Chairman Meisel updated the newer members on the Zoning Board of Appeals' variance history and how the proposed amendment came about. The goal of amending this section was to provide the ZBA with further direction and clarification on the intent of the ordinance, and to confirm the current regulations are consistent with our intent.

The proposed changes were reviewed. Zoning Administrator Bader questioned Section 26.03.A.1. and said it did not make sense and felt the example was really describing something else. The Commission agreed it was a bad example and the language could be changed.

Wardin commented on 26.03.A.2.a. and that there appeared to be some contradictions. Planner Traxler agreed that language should be adjusted also.

Commissioner Lee was excused.

Discussion on other changes. Wardin commented on a past ZBA case where a nonconforming home was extended and there was a height issue. It could have resulted in a very high structure on a small lot, thus creating the appearance of a wall. He felt those types of cases may still need to be reviewed by the ZBA.

Traxler suggested allowing only single story extension through a Land Use Permit. Wardin questioned the definition of a story. Zoning Administrator Bader stated there were definitions and graphics in the ordinance that addressed the stories of buildings.

Chairman Meisel suggested everyone review the section so we can provide more modern, understandable, language and suggestions for revisions.

**NEW BUSINESS #4:** Schedule Public Hearing For Recently Proposed Amendments  
It was decided to wait until next month and try to finish the nonconforming expansion amendments.

#### **MISCELLANEOUS BUSINESS:**

**1) Other Business:** Zoning Administrator Bader gave an update on the TC Wireless towers proposal. She said they did not receive the grant they were hoping for so they may be back at a later date. There is also one potential land division coming.

**2) Township Board Actions:** A joint meeting is scheduled for next Tuesday at the Township Board meeting to review the Master Plan draft.

**ADJOURNMENT:** The meeting adjourned at 9:45 pm

**NEXT MEETING:**

March 12, 2013 - Regular Meeting

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Vanessa Bader, Recording Secretary  
Tyrone Township Planning Commission