

# TYRONE TOWNSHIP PLANNING COMMISSION

## MEETING MINUTES

April 9, 2013

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

**ABSENT:** Ron Puckett

**OTHERS PRESENT:** Tyrone Township Planner Sally Hodges and Planning/Zoning Administrator Vanessa Bader

**CALL TO ORDER:** 7:03 p.m. by Chairman Meisel

**PLEDGE OF ALLEGIANCE:**

**CALL TO THE PUBLIC:**

**APPROVAL OF THE AGENDA:**

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

**APPROVAL OF THE MINUTES:**

Gonzalez moved to approve the meeting minutes from March 12, 2013 as presented (Wardin seconded). The motion carried by unanimous voice vote.

**CORRESPONDENCE:**

**OLD BUSINESS #1:** Regulations to Address Michigan Medical Marijuana Act

Chairman Meisel began where the Commission left off last month. Decided to keep caregiver operations in the FR, M-1, and PIRO districts and remove them from RE. Further discussion on separating or dispersing caregivers.

Wardin - Suggested one caregiver per lot.

Wood – Potential for Increase in crime if someone knows there are 700 plants inside one location.

It was decided to change the requirement to one caregiver per structure and location. Additional discussion on separation from uses – change from 500' to 1000' from church, school, public park.

Zoning Administrator Bader noted d (3) that allows caregivers in the FR district, but continues to say they should be separate from a Residential District. FR would be considered Residential. For further clarification it was decided to change the ordinance to say a Residential District other than FR.

Planner Hodges noted that since all operations are considered a Special Use, we can add language that the Commission can require more separation if they deem necessary.

Discussion on digital recording and keeping for security purposes. Length of time, who has access, etc.

Wood – Questioned if someone already has a home occupation in FR, would #6 in this ordinance prohibit additional businesses. He wanted to clarify that a person could only have one business. The Commission agreed. That requirement would allow a single use building, except for single- family and/or accessory structures, in that you could have a primary residence and a home occupation in the same building. The operation can be inside the home and does not require a separate building.

It was decided to eliminate the prohibition section. In the Security section it was decided to delete the requirement of keeping 14 days of video in #6 and keeping the current security section. A sentence pertaining to making video accessible to law enforcement, the ZA, etc was moved to the current security section.

It was decided to remove #9 as the requirement was repeated in letter J in Building Approvals.

Planner Hodges suggesting removing “growing operations” from new Special Use section as there is no Act definition for that. Hodges will add FR to the Special Use table and new sections in the Zoning Ordinance for the new Special Use.

The entire document was reviewed again.

Lee - Questioned the requirement of carrying an ID card or application. She read the definition and asked if it included people from other states.

Discussion on definition of co-op and dispensary and whether we should have them since they are not defined in the Act. Chairman Meisel said he was suggesting we use the language the courts have stated.

Discussion on allowing dispensaries. Chairman Meisel said he added the definition and requirements so that it would be in the ordinance if they became legal, per the Township Board’s recommendation. It was mentioned that since we have now changed this ordinance to only allow 1 caregiver per location, it has effectively eliminated dispensaries. The recent Supreme Court decision also prohibits dispensaries. As a result, the text was changed to prohibit dispensaries.

Wood – Asked if someone is currently acting as a caregiver, are they in violation of this ordinance once it goes into effect. Chairman Meisel stated if they are growing and selling, then yes. They need a home occupation permit.

Planner Hodges pointed out the section regarding “prior use” that says any activity before this ordinance “shall be deemed not to have been a legally established use under the provisions of the Zoning Ordinance.”

Discussion on signs. Chairman Meisel asked if we could prohibit Medical Marijuana related signs. Zoning Administrator Bader believed sign regulation had to be content neutral so we could not regulate what they say. It was mentioned we do not allow home occupation signs in residential districts. After discussion Wardin suggested adding to the Signs section of the ordinance that caregiver home occupation operations could not have signage, using the language from Berrian Township.

Chairman Meisel said he would make the appropriate changes and forward it to the Township Board and their next meeting to get their feedback.

**OLD BUSINESS #2:** Development of Regulations for Expanding Non-Conforming Buildings  
Decided to wait until next meeting.

**NEW BUSINESS #1:** Schedule Public Hearing for Recently Proposed Amendments.  
Decided to wait and try to finish nonconformities.

**MISCELLANEOUS BUSINESS:**

- 1) **Other Business:** Zoning Administrator Bader informed the Commission of an upcoming site plan for the Enbridge pump station. They want to build a new building and upgrade their facilities. There is a sub-committee meeting this week with them.

Bader reminded the Commission of her upcoming maternity leave and this would be her last meeting. She said they could tape the meetings and she could record the minutes at home. At this time Chairman Meisel asked Wood if he still wanted to keep his position as Secretary or offer to someone else as he mentioned before. Wood requested approval to resign from his position. (Gonzales seconded). Wood moved to recommend Wardin as Secretary. (Wehrli seconded). The motion carried by unanimous voice vote.

- 2) **ZBA:** Chairman Meisel updated the Commission on the recent Lake Shannon case. Zoning Administrator Bader said the applicant has called to say they will not pursue the variance.

**ADJOURNMENT:** The meeting adjourned at 9:39 pm

**NEXT MEETING:**

May 14, 2013 - Regular Meeting

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Vanessa Bader, Recording Secretary  
Tyrone Township Planning Commission