

1 **TYRON TOWNSHIP PLANNING COMMISSION**
2 **REGULAR MEETING MINUTES**
3 **August 14, 2018 7:00 p.m.**

4
5
6 **Present:** Mark Meisel, Kurt Schulze, Dave Wardin, and Al Pool.

7
8 **Absent:** Cam Gonzalez, Ron Puckett, and Bill Wood.

9
10 **CALL TO ORDER (7:08 pm):** By Chairman Meisel

11
12 **CALL TO THE PUBLIC (7:18 pm):**

13
14 *Note: The call to the public was in two parts as a result of a late arrival, who had questions
15 about a pending application, thus the time discrepancy. The Planning Commission elected to
16 undertake a brief review of the Hager application to assist the applicant with requirements
17 which needed to be met during their formal review.

18
19 Dave Wardin asked those in attendance which agenda items they were present for in order to
20 determine the order in which the Planning Commission should proceed with agenda items.
21 Several people were present to discuss the previously tabled Hager Land Division
22 application. A brief discussion followed. It was determined that the Planning Commission
23 would need to wait until additional information is submitted pertaining to the application.
24 Chairman Meisel suggested submitting the requested information as soon as possible and, if
25 received with adequate time, attend the next available Planning Commission meeting to
26 continue review of the application.

27
28 **APPROVAL OF THE AGENDA (7:09 pm):**

29
30 It was suggested that the Declaration of Intent to Amend the Master Plan be added to the
31 agenda as New Business #3. Kurt Schulze made a motion to approve the 08/14/18 Agenda
32 as amended. Dave Wardin supported the motion. The motion carried by unanimous voice
33 vote.

34
35 **APPROVAL OF THE MINUTES (7:11 pm):**

36
37 **1) April 10, 2018 Regular Meeting (07:11 pm):**

38 Minor revisions were suggested (spelling, grammar, and clarification). Kurt Schulze made a
39 motion to approve the 04/10/18 minutes as amended. Dave Wardin supported the motion.
40 The motion was carried by unanimous voice vote.

41
42 **2) May 15, 2018 Regular Meeting and Public Hearing (7:16 pm):**

43 Minor revisions were suggested (spelling, grammar, and clarification). Dave Wardin made a
44 motion to approve the 04/10/18 minutes as amended. Al Pool supported the motion.
45 The motion was carried by unanimous voice vote.

47 Dave Wardin made a motion to suspend the order of business to move all new business items
48 above all old business items. Kurt Schulze supported the motion. The motion was carried by
49 unanimous voice vote.
50

51 **NEW BUSINESS (8:04 pm):**
52

53 **1) Rex Land Division (8:04 pm):**
54

55 Chairman Meisel introduced the topic and summarized the application. Brian Keesey
56 explained that all suggested revisions listed in his review memo had been addressed prior to
57 the meeting. He read through the review memo dated 08/07/2018, titled “Rex Germany &
58 Hartland Land Division Application received on 7-2-18, and survey drawings dated 6-28-
59 18”. He verified that all requirements for the application had been fulfilled and
60 recommended that the Planning Commission recommend approval to the Township Board.
61

62 Dave Wardin noted that there are 13 instances on the survey drawings and legal descriptions
63 where “Tyrone” is misspelled as “Tyron”. Wayne Perry of Desine Inc. (Authorized Agent
64 for the application) indicated that he would correct the spelling errors in all instances and
65 resubmit the drawings the following day. Chairman Meisel indicated that, following the
66 receipt of the corrected documents, the applicant will have addressed all of the requirements
67 and would be compliant with the Land Division Act and the Township Ordinances.

68 Dave Wardin made a motion to recommend Township Board approval of the Rex (Hartland
69 & Germany) Land Division based on the revised drawings dated 08/09/2018, subject to
70 minor spelling revisions (changing “Tyron” to “Tyrone” in 13 instances), noting that the land
71 division complies with the Tyrone Township Zoning Ordinance #36, the Tyrone Township
72 Land Division Ordinance #25, and the Michigan Land Division Act (as amended), also
73 noting that the Township does not guarantee the resulting parcels will be buildable. Al Pool
74 supported the motion. The motion carried by unanimous voice vote.

75 **2) MMMA Michigan Court of Appeals Ruling Review (8:20 pm):**
76

77 Brian Keesey opened the discussion. He indicated that there was a recent court case (July,
78 2018) pertaining to whether or not local municipalities can regulate the locations of state-
79 compliant medical marijuana caregiver operations. He stated the outcome of the case was a
80 decision by the court that local municipalities cannot regulate state-compliant medical
81 marijuana caregiver operations based on location. Chairman Meisel added that this decision
82 was the second of 2 recent cases in which the municipalities involved both regulated the
83 caregiver operations as home occupations.
84

85 Brian Keesey explained that the Township has several options:

- 86 -Keep the Medical Marijuana Ordinance as it is currently drafted.
- 87 -Begin revising the current Ordinance to exclude all unenforceable aspects.
- 88 -Start from scratch and draft a fully-compliant and enforceable Ordinance.

89 A brief discussion amongst the Planning Commission followed. Several options were
90 discussed. The general consensus was that it would not be advisable to draft or keep an

91 ordinance that cannot be supported or legally enforced. It was determined that additional
92 discussion would need to be had to determine the correct procedure for addressing caregiver
93 operations.

94
95 **3) Declare intent to Plan for 5 Year Master Plan Amendment (9:08 pm):**

96
97 Chairman Meisel explained that the Township is required to revisit their Master Plan every 5
98 years to ensure it is as up-to-date as possible. He stated that the first step in the process is to
99 declare the intent to plan an amendment and communicate the intent to surrounding
100 communities.

101
102 Dave Wardin Made a motion to declare intent to plan for the 5-year Master Plan Amendment
103 and communicate it to surrounding communities as required by PA 33 of 2008. Al Pool
104 supported the Motion. The motion was carried by unanimous voice vote.

105
106 **OLD BUSINESS (9:13 pm):**

107
108 **1) Solar Farm Regulations (9:13 pm):**

109
110 Chairman Meisel introduced the topic. He explained that Brian Keesey had revised the
111 review memo to include revisions previously proposed during the last discussion on the
112 topic. Brian Keesey read through the recent revisions to the review memo. The Planning
113 Commission discussed the previous revisions. An extensive review of the proposed
114 ordinance text by the Planning Commission followed. They discussed certain aspects of the
115 draft ordinance text and recommended additional revisions to the proposed regulations. Brian
116 Keesey indicated that he would revise the text to include the proposed revisions prior to the
117 next discussion on the topic.

118
119 No action was taken.

120
121 **2) Article 27: Signs - Review for compliance with SCOTUS decision – Content neutral**
122 **requirement (10:15 PM):**

123
124 *The item was deferred due to lack of time.*

125
126 **MISCELLANEOUS BUSINESS (10:15 pm):**

127 **1) Future Items:**

128
129 The agenda was established for the 8/22/18 workshop meeting and will include the Hagar
130 land division application.

131
132 **ADJOURNMENT:** The meeting adjourned at 10:17 P.M.