**GREEN LAKE TOWNSHIP PLANNING COMMISSION**

**9394 10th Street, Interlochen, MI**

**SEPTEMBER 25, 2017**

**MINUTES**

1. **CALL TO ORDER**: By Chair Kopriva at 6:30 pm.
2. **PLEDGE OF ALLEGIANCE**: Was recited.
3. **ROLL CALL:** Board members present were: McDonald, Schuster, Schworm, Marshall, Jackowski, Mouser and Kopriva. Also present was Ronda Robinson, Recording Secretary.
4. **APPROVAL OF AGENDA:** Moved by McDonald and supported by Kopriva to approve the amended agenda; New Business will be placed before Old Business and SUP #17-001, CLUP #17-001 and CLUP #17-002 will be added to Old Business. Carried.
5. **APPROVAL OF MINUTES:** Moved by Mouser and supported by McDonald to approve the minutes of the meeting held on August 28, 2017. Carried.
6. **PUBLIC HEARING:** None.
7. **CORRESPONDENCE:**
8. Application packet for a Special Use permit from Kevin Miner.
9. Letter from Courtney Leavitt.
10. **NEW BUSINESS:** Discussion regarding amendments to the Green Lake Township Zoning Ordinance regarding Medical Marihuana.

Kopriva recommended looking at the six zoning districts and deciding which of the five types of facilities would fit in each district. Some facilities being allowed in some districts have already been eliminated by the Township Board.

McDonald said that a new list of conditions could be inserted in 4.33 and 4.34 of the Ordinance and would then apply to permitted uses, conditional uses and special uses. The list of conditions could also be listed in 10p to apply to conditional uses. One of the conditions could state that the applicant must apply with all State Laws.

Jackowski said they may be putting the cart before the horse because the State hasn’t made all their decisions and adjustments to the Law.

Kopriva said she doesn’t want to spend time making decisions when she doesn’t know what the State is going to regulate.

Schworm said the State will be licensing the facilities.

McDonald said the Special Use Ordinance needs to have one of the standards amended. 9.4e now says that the use will be a substantial improvement to the property in the immediate area and to the community. McDonald thinks it should be amended to say the use should not be a substantial determent to the property in the immediate area and to the community. He believes it is a super high standard.

Mouser thinks they are setting a tone with their decisions here and an idea of the direction they are going in. He prefers to see them start out stringent and then backing off then starting out too loose and then needing to fix things that shouldn’t have been allowed to happen in the first place.

Schworm agrees with Special Use permits because of the required public comment.

By straw votes the Planning Commission decided:

Growers would be allowed in the Industrial District with a Special Use permit.

Processors would be allowed in the Industrial District with a Conditional Use permit.

Processors would not be allowed in the Commercial District but if they were they would need a Special Use permit.

Provisioning Centers would not be allowed in any district but if they were they would need a Special Use permit in the Commercial, Planned Commercial, Village and Gateway Districts and a Conditional Use permit in the Office District.

Labs would be allowed in the Industrial District as a Permitted Use.

Labs would be allowed in the Commercial District as a Conditional Use.

Labs would be allowed in the Planned Commercial District as a Permitted Use.

Labs would be allowed in the Gateway District as a Special Use.

Labs would not be permitted in the Village District but if they were they would need a Special Use permit.

Transporters would be allowed in the Industrial District as a Permitted Use.

Transporters would be allowed in the Planned Commercial District as a Permitted Use.

Transporters would not be allowed in the Commercial District but if they were it would be a Conditional Use.

Kopriva said she would like to get feedback from the Township Board on the Planning Commission’s progress on this issue. McDonald will take it to the next Board Meeting.

1. **OLD BUSINESS:**

Kopriva recused herself from the next three cases because she wasn’t at the last meeting when the issues were discussed. Vice Chair Schworm took over for Kopriva.

1. CU #17-001

McDonald said according to the information they received from Denny the only requirements are that the building is less than 5000 square feet and that the business is a health service. Theoretically the Board could issue a moratorium until the Ordinance is approved.

Mouser asked for clarification. He said that caregivers can have five patients. When December 15th rolls around the caregiver/patient situations do not go away. They would have to go thru the new process to become a provisioning center. The two are totally separate. So, the PC only needs to dwell on; do they meet the criteria to occupy this building.

Schworm said they are not applying for a provision center.

Mouser has a concern about a retail business subletting to numerous caregivers.

McDonald said there can be sales of associated equipment.

Schworm said caregivers can only transfer marihuana to their own qualifying patients according to the Michigan Supreme Court.

Mouser said the Board can only act on the Laws that are on the books right now.

Schworm made a motion to approve CLUP #17-001 with the conditions that they act in accordance to current State Laws and don’t exceed the building size of 5000 square feet. Support by Jackowski. Carried.

1. CLUP #17-002

Schworm made a motion to approve CLUP #17-002 with the conditions that they act in accordance to current State Laws and don’t exceed the building size of 5000 square feet. Support by Jackowski. Carried.

1. SUP #17-001

Schworm said they are asking for two businesses to be in one place. It is a retail outlet and a caregiver.

Tim Johnson and Ewa Einhorn, 4141 Linden Lane, said they came because there was an invitation to attend and comment by the Township and the decisions have been made before the public comment.

Schworm said this one is a Special Use because of the zoning district.

Kopriva asked if this has been noticed for the Special Use.

McDonald made a motion to approve SUP #17-002 as presented for a Caregiver Center with the conditions that they act in accordance to current State Laws and don’t exceed building size of 5000 square feet. Supported by Schworm. 4 to 2 vote. Motion carried.

1. **ACTION OF SITE PLAN REVIEWS:** None.
2. **PUBLIC INPUT**:

Kopriva said that the newsletter wasn’t specific to the meeting tonight and just said come and tell the Planning Commission your thoughts on Medical Marijuana.

Sherry West, 3725 River Road, said look at your tally sheet and see that you have no place to sell marijuana. So that will shut down what we have in town now.

Anonymous said the new laws don’t affect the caregiver law.

Pat Kelly, said the Board has made a lot of decisions about marihuana and there has already been an incident of a daughter killing her mother because of this crap and it will happen again.

1. **DISCUSSION:**

Jackowski said it is a two-sided coin and they need to look at both sides and hopefully the State will take a good look too.

Mouser said we don’t legislate and we try to interpret as best we can.

1. **ADJOURNMENT:** Kopriva adjourned the meeting at 8:12 pm.

GERRY JACKOWSKI, SECRETARY

GREEN LAKE PLANNING COMMISSION

RONDA ROBINSON, RECORDING SECRETARY

GREEN LAKE PLANNING COMMISSION

NOTE: THESE MINUTES ARE SUBJECT TO AMENDMENT AND /OR CORRECTION PRIOR TO THEIR ADOPTION.