

**ROSS TOWNSHIP
PLANNING COMMISSION
MINUTES
October 25, 2021**

DRAFT

CALL TO ORDER/PLEDGE

Chairperson Lauderdale called the regular meeting of the Ross Township Planning Commission to order at 6:00 p.m. at the Ross Township Hall.

ROLL CALL

Present: Chairperson Lauderdale
Michael Bekes
Mark Markillie
Steve Maslen
Michael Moore
Pam Sager

Absent: Sherri Snyder

Also Present: Bert Gale, AGS – Township Zoning Administrator
Rob Thall – Township Attorney

APPROVAL OF AGENDA

Chairperson Lauderdale requested the agenda be approved. The agenda was approved.

APPROVAL OF PRIOR MEETING MINUTES

The Commission proceeded with consideration of the **September 27, 2021** regular Planning Commission meeting minutes. Bekes moved to approve the minutes as presented. Sager seconded the motion. The motion carried unanimously. The Commission proceeded with consideration of the **September 17, 2021** special Planning Commission meeting minutes. Bekes moved to approve the minutes as presented. Sager seconded the motion. The motion carried unanimously.

NEW BUSINESS

No new business was on the Agenda.

UNFINISHED BUSINESS

Master Plan (MP) Public Hearing (PH)

Attorney Thall requested the Planning Commission (PC) establish the date for the PH for the MP. General discussion identified all aspects related to timing for a PH of the MP had been achieved and the Joint meeting between Board and PC members, held on October 19, 2021, allowed discussion by Board members concerning the MP.

Moore moved to set the date for the PH for the MP to be the next regularly scheduled meeting of the PC, which is November 22, 2021. Bekes seconded the motion. The motion carried unanimously. This date allows the Board, in their November meeting, to be able to have further discussion regarding the MP and be prepared for Board input at the November 22, 2021 PC PH.

Work Plan for Master Plan Goals & Objectives (Section VI)

Chairperson Lauderdale reminded the Planning Commission that, at the September 27, 2021 meeting, the top three work priorities for 2021-2022 would be: #1. Medical Marijuana Caregivers/Patients; #2. Condominium Site Plan; #3. Development Agreement.

#1. Medical Marijuana.

Attorney Thall provided an extensive review of the Legislative decisions and pending proposed laws regarding medical marijuana growing, transporting, processing, sale, caregivers, and patients, especially related to the number of plants allowed *per* caregiver and patient. Salient were: a) medical marijuana regulations are voter driven; b) MI State guidelines exist for patient and caregiver licensing; c) any person, as a patient, may grow up to 12 plants; d) any caregiver may have up to five patients, thus grow up to 72 plants when including themselves; e) new State regulation required communities to "Opt in" and Ross Twp did not "opt in"; f) recreation marijuana facilities are established by the State but Ross Twp "Opted out"; g) Ross twp has no commercial opportunity but cannot prevent patients and caregivers; h) State is addressing if multiple caregivers can use a single facility to grow; i) Ross Twp can zone for caregivers but not patients; j) Ross Twp must move forward with zoning independent of the State at this time; k) State law allows Ross Twp to use zoning to regulate within State guidelines.

Extensive general discussion among Commission members, Rob Thall, and Bert Gale led to the following perspectives that Rob Thall and Becky Harvey will use to draft ZO text for caregivers:

- 1) one caregiver per site
- 2) Home occupation, licensed (State requirement), person must live within the home, fee must be paid to Ross Twp for inspections
- 3) caregivers may be located only in the Rural-Residential or Industrial Districts (consistent with State guidelines)

- 4) no pickup of marijuana products by patients (allows "control" of traffic during each 24 hour interval)
- 5) regular inspections of premises by Ross Twp authorized personnel
- 6) control the potential negative impact of growing through "nuisance" variables

#2. Condominium standards

Rob Thall and Becky Harvey provided samples of condominium standards for Oshtemo (35 pages), Canton (32 pages), and Sylvan (3 pages) Townships for reference. PC members expressed support for developing condominium standards that are not as detailed as those for either Oshtemo or Canton Twp but more simple like Sylvan's, but with applicability to apartment and more extensive complexes.

Rob Thall and Becky Harvey will draft ZO text.

#3. Development Agreement.

Discussion led to the decision for Rob Thall and Becky Harvey to draft ZO text addressing this in context of the Condominium Standards (#2), including the mechanism for the Twp to complete a project if the principal contractor fails to complete the project.

REPORT FROM TOWNSHIP BOARD

Bekes reported that the joint meeting of the Township Board and Planning Commission meeting minutes, when issued, would be his report to the Board. He stated the meeting was an opportunity for effective communication between Board, PC and ZBA members in attendance.

REPORT FROM ZONING BOARD OF APPEALS

Chairperson Lauderdale reported that the ZBA did not meet in October 2021.

PUBLIC COMMENT

Connie Lavender stated her support that Ross Township prevents negative effects on property due to the influx of undesirable persons as has happened in another (did not get the name) referenced community in MI. She asked about control of residents in the future apartment complex and was informed only single families, as defined in the ZO, will be allowed. The Township cannot determine who specifically may live there. She expressed appreciation to the PC members for their work and true transparency of communication.

No further public comment was offered.

MEMBERS, CONSULTANTS, ADVISORS

No member or advisor comments were offered.

ADJOURN

There being no further business to come before the Commission, the meeting was adjourned at 7:35 p.m on motion by Bekes, support by Moore, and the motion carried unanimously.

Respectfully Submitted,
JW Lauderdale
Chair, Planning Commission

DRAFT