

NORTHFIELD TOWNSHIP PLANNING COMMISSION

Minutes of Regular Meeting

February 9, 2011

1. CALL TO ORDER

The meeting was called to order by Chair Marlene Chockley at 7:00 P.M. at 8350 Main Street. She noted that this meeting had been delayed from the regularly scheduled February 2nd date due to bad weather.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL AND DETERMINATION OF QUORUM

Roll call:

Janet Chick	Present
Marlene Chockley	Present
Glen Ewald	Present
Sam Iaquinto	Present
John Mayleben	Present
Larry Roman	Present
Tracy Thomas	Absent with notice

Also present:
Planning Consultant Douglas Lewan,
Carlisle/Wortman Associates
Members of the Community - None

4. APPROVAL OF AGENDA

- **Motion:** Iaquinto moved, Roman supported, that the agenda be adopted as presented.
Motion carried 6—0 on a voice vote.

5. FIRST CALL TO THE PUBLIC

None present.

6. CORRESPONDENCE

Chockley provided registration materials for a March 9th training session that the Michigan Association of Planners is offering and encouraged any interested commissioners to participate.

7. REPORTS

7A. Board of Trustees

Iaquinto reported: The Board of Trustees, at the January 25th meeting, has elected to extend the Medical Marijuana moratorium another 6 months to allow for a thorough review.

Iaquinto also reported on the board's interest in seeing a review of the non-conformities articles and the impact that the current ordinance has on property owners.

In addition the township board approved the community sewer system request before it.

Lastly, the township board held off any action on the home occupation designation until the planning commission provides input on the changes to property uses that might be impacted by a decision on medical marijuana zoning.

There may be changes in the future in the AV systems in an attempt to improve the ways that members of the community can view meetings.

7B. ZBA

No meeting has been held since the last Planning Commission meeting.

7C. Staff Report

Chockley indicated that we will be seeing a conditional use permit coming before us at the March 16th meeting.

7D. Planning Consultant

Lewan indicated that the planning commission will probably see a conditional use permit request at the March 16 meeting for consideration. The business is a landscaping business located on Earhart Rd.

Lewan also spoke about the township board looking for options to consider for language on the Marihuana ordinances.

Lewan also indicated that we might want to consider changing the newspaper of record. There was brief discussion about the use of Ann Arbor.com, the Courant, or the newspaper of record that the school district uses. He suggested that the township board review it.

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Lewan provided two copies of the finished survey reports for review. Additional copies will be produced and shared with all interested parties and be digitized for the Northfield Township web site.

8. PUBLIC HEARINGS

Chockley announced that the meeting on February 16th meeting will be cancelled and the Master Plan sub committee meeting will be moved to 7pm on February 16th.

Chockley announced the streamlining subcommittee would be March 2nd at 6pm. The March 2nd Planning commission meeting will include the public hearing for the non-conformities ordinance change.

Chochley also announced the joint township board and planning commission joint meeting on March 22nd.

9. OLD BUSINESS

Discussion of Medical Marihuana Ordinance Options.

Doug Lewan spoke about the discussion from the recent township meeting extending the moratorium. He provided a summary of the options available to the Planning Commission and, ultimately, the Township Board.

Option 1 - Do nothing. This places the burden of deciding on Medical Marijuana issues with the Zoning Administrator and the ZBA. When silent, the Zoning Administrator decides whether it is approved or declined. It is likely that this decision would be appealed which ultimately takes this control out of local hands.

Option 2 - Change various parts of the zoning ordinance to manage this issue. While outright prohibition is an option under this choice, it would likely result in legal action. Another choice is to craft a disbursement option, this would force like-minded businesses not grouped together. The opposite of this is a concentration regulatory grouping of like businesses. Some cities are only allowing this activity as a home based business.

Option 3 - Stand-alone ordinances controlling the medical marijuana business operations. These licensing requirements might include concentration or disbursement requirement and would require a license that would involve the police department.

Ewald asked about the difference between a caregiver and a patient (cardholder). Lewan indicated that neither a caregiver nor a patient needs to inform local government that they active in this activity.

Iaquinto asked about options to limit it but require licensing.

Chockley compared the limitations to the home occupation designation.

Chick referenced the licensing option and how this might be easier to administer then treating it as a home occupation.

Roman spoke about licensing generating a legal challenge.

Licensing in a concentration model in the enterprise zone. The general consensus of the planning commissioners was to start consideration of a requiring licensing with a concentration within the Enterprise Zone.

10. NEW BUSINESS

10A. Revision of Article 65.0 Non-Conformities.

Lewan reviewed the draft language for Article 65.0 Non-conformities. The purposed draft language is modeled from Scio Township with the exception of the Extraction section, which is the same as our current language.

Each of the sections were reviewed and discussed.

This draft would limit, in some cases, the need to appear before the ZBA. The draft allows for a non-conforming structure to be rebuilt within the current non-conforming footprint.

The draft also allows for repairs and maintenance of non-conforming structures as long as you are not increasing the non-conformity. This would be allowed without going before the ZBA.

Lewan also reviewed each of the sections highlighting the changes to current regulations.

The consensus of the Planning Commission was to move forward with the public hearing on March 2nd, 2011.

10B. Revision of Definition for Building in Article 2.0.

Chockley asked Lewan to share the variations available to us for defining a "building" and a "structure" for review by the Planning Commission. There may be future discussions about these definitions.

11. MINUTES

January 19, 2011, Regular Meeting

The only change noted was by Mayleben, he has been a resident of the community for 20 years, not 15.

- ▶ **Motion:** Iaquinto moved, Roman supported, that the minutes of the January 19, 2011, regular meeting be approved as corrected, and to dispense with the reading.
Motion carried 6—0 on a voice vote.

12. POLICY REVIEW & DISCUSSION

None.

13. COMMENTS FROM THE COMMISSIONERS

Roman. Thanked the Planning Commission for their efforts on Article 65 and the positive impact on the residents of the community.

Chick. Asked about the status of discussions with the designated developer to invite him to our streamlining meeting.

Chockley. Referenced that the Planning Commission will need to consider changes to the Overlay District (Village Center) in the near future.

14. SECOND CALL TO THE PUBLIC

None present.

15. ANNOUNCEMENT OF NEXT MEETING

March 2, 2011, at 7:00 P.M. at the Public Safety Building was announced as the next regular Commission meeting time and location.

16. ADJOURNMENT

- ▶ **Motion:** Roman moved, Iaquinto supported, that the meeting be adjourned.
Motion carried 6—0 on a voice vote.

The meeting was adjourned at 9:05 P.M.

Prepared by Planning Commission Secretary John Mayleben.
Corrections to the originally issued minutes are indicated as follows:
Wording removed is ~~stricken through~~;
Wording added is underlined.

Adopted on _____, 2011.

Marlene Chockley, Chair

John Mayleben, Secretary

Official minutes of all meetings are available on the Township's website at http://twp-northfield.org/boards/planning_commission/minutes.