

**PLANNING COMMISSION
REGULAR MEETING**

January 10, 2012

4884 W. Curtis St.

MEMBERS PRESENT

Arthur Brood, Secretary
Gerda Frimberger, Vice Chair
Dan Mitchell, Chairman
Brenda Case, Trustee
Linda Hofbauer

MEMBERS ABSENT

Also, present Judy Wright, & Treasurer Munro. Attendance 5.

Chairman Mitchell called the meeting to order at 6:30PM and led the Pledge of Allegiance.

#1 MOVED: by Arthur Brood, second by Brenda Case, to approve the agenda as presented.
Motion carried.

#2 MOVED: by Gerda Frimberger, second by Arthur Brood, to approve the minutes of December 12, 201, with the addition of Trustee Case's question of "*Was this meeting advertised in accordance with the Open Meetings Act?*". Motion carried.

PUBLIC COMMENT

NONE

NEW BUSINESS

Outdoor wood-fired boiler regulation will be the primary focus of next month's meeting.

PUBLIC HEARING OPENED 7:00 PM

Second draft copies of a Medical Marihuana Control Ordinance were distributed to those in attendance. Comments received were as follows:

- Our Zoning Ordinance will need to be amended to reflect that all Home Occupation Businesses must be legal in accordance with State and Federal statutes.
- This is a waste of time until the State decides what it's going to do.
- Out moratorium isn't worth the paper it's written on.
- Wouldn't a caregiver be considered a business?
- Why would you rather have each patient growing in their own home and have so many regulations on caregivers?

- The purpose of the ordinance is to serve health and safety of the population as a whole while providing the opportunity for patients and caregivers to assert an affirmative defense as long as they comply with the Act.
- Patients who live on trust property cannot grow in their homes because its Federal land. This ordinance would make it harder for patients to find a caregiver.
- Would caregivers be allowed to operate a growing facility on forest/recreational land?
- I don't want someone growing marihuana on the other side of my duplex.
- Could someone rent a building from the Township and operate a growing facility?
- The owner of the property should be able to refuse to let a renter grow marihuana.
- There is nothing in the Act that says that a caregiver can grow his patients' plants in his (the caregiver's) home.
- One of the original goals of a Township ordinance was to eliminate the possibility of a group of caregivers going together, buy or rent a duplex and operate multiple growing facilities within the residential area.
- To say that a patient won't be able to get their medicine if the Township regulates where growing facilities can operate is a moot point.
- Legislation currently in the House allows local governments to zone for growing facilities.

In an item by item review of the proposed ordinance the following changes were made to section 5 by the Commissioners:

1. Remove item #1
2. Add churches, childcare facilities and residential areas to the 1000' separation list in item 2
3. Remove item #3
4. Remove item #4
5. Remove item #5
6. Remove item #6
7. Remove item #7
8. Delete "including a dispensary" and add "that violate state or federal statutes." To item 8
9. Remove item #9
10. Remove item #10

PUBLIC HEARING CLOSED 8:00 PM

Meeting adjourned 8:00 PM

Next meeting will be Monday, February 13, 2012, at 6:30 PM.

Arthur Brood, Secretary

Minutes prepared by Judy Wright