

**PLANNING COMMISSION
REGULAR MEETING**

September 13, 2021

4884 W. Curtis St.

MEMBERS PRESENT:

Kathy Noel
Arthur Brood
Judy Wright

MEMBERS ABSENT:

John Kane
Barb Hampton
Nate Beery

Also present: Katie Murray, Trevor Medema, Richard Hogg, Amy Gillespie, Chad Bottomley, Magan Zambron, and Joan Reed.

Chairman Brood called the meeting to order at 6:30 PM.

With only three members of the commission present, there was no quorum. Since no action could be taken in any official capacity, the meeting continued as a discussion with members of the community present.

CHAIRMAN'S COMMENTS: Arthur Brood reviewed the rules and procedures for members of the public who wish to have their voices heard at the meeting.

NEW BUSINESS:

Care By Design: Richard Hogg apologized for Care By Design failing to appear at a prior meeting, as they had not realized they were on the agenda.

Care By Design would like to expand their business by growing, but not selling, marihuana according to legal guidelines. While aware of the current ordinances, they wanted to inquire after the possibility of getting some kind of variance with the approval of adjacent property owners.

Arthur Brood raised concerns about Care By Design failing to act in good faith during prior interactions, citing prior minutes. The planning commission was under the impression that Care By Design would not be appearing before them again regarding the topic of marihuana. Any variance that could be issued to allow this activity would constitute spot zoning, which is frowned upon by the state of Michigan.

Magan Zambron expressed dissatisfaction with current ordinances impeding local businesses, particularly when individuals are free to grow marihuana privately without generating additional tax revenue. She was concerned that the planning commission was allowing personal feelings regarding this business to impact their decision-making.

Trevor Medema asserted that prior minutes should not be relevant to the current discussion, however, Arthur Brood felt that they established a relevant precedent for interactions.

Amy Gillespie inquired as to why the township had chosen to opt out of recreational marihuana facilities. Arthur Brood explained that due to issues with drugs in the community, they felt it was in the best interests of the community not to allow such facilities. It was agreed by both that

future discussions on this issue were unlikely to be fruitful.

Arthur Brood further clarified that the issue at hand was primarily one of spot zoning. While local ordinances do not prohibit medical marihuana growth by caregivers, because they cannot supersede state law, the ordinance regarding recreational marihuana facilities still stands. A 'variance' that would allow a single business to operate in defiance of that ordinance would fall under the category of spot zoning, even if it is not an issue of how the location is zoned.

Joan Reed: She came to bring information regarding a former training center in Kincheloe that the new owner plans to turn into an in-house storage facility. The property is commercially zoned, and so no issues are foreseen based on current information.

Meeting adjourned at 7:00 PM.

John Kane, Secretary

Minutes taken and typed by Katie Murray