

RAY TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
TUESDAY, JANUARY 10, 2017 AT 7:30 P.M.
Page 1 of 4

Approved

Location: Ray Township Hall
64255 Wolcott. Ray, MI 48096

Present: Tom Hancock, Chairman
Tom Penzien, Vice-Chairman
Justin Lease, Secretary
Members: Randy Forro
Doug Stier

Absent: Cynthia Banach -Excused
John Zoccola -Excused.

Also Present: Lisa Hall, Planning and Zoning Administrator, Jack Dailey and Jerry Schmeiser, Township Planners.

1. CALL TO ORDER – PLEDGE OF ALLEGIANCE AND ROLL CALL.
Chairman Hancock called the meeting to order at 7:30 p.m. The Pledge of Allegiance was recited. Banach and Zoccola were absent and excused, all other members were present.

Chairman Hancock welcomed back old Planning Commission member Doug Stier, the Township liaison and welcomed new member Randy Forro to the Planning Commission.

2. APPROVAL OF MINUTES - December 15, 2016
MOTION by Penzien supported by Lease to approve the minutes from December 15, 2016 as presented.
MOTION carried.

3. APPROVAL OF AGENDA
MOTION by Stier supported by Penzien to approve the agenda as presented.
MOTION carried.

4. NEW BUSINESS
a. Election of Officers
Chairman Hancock asked for nominations for the Elections of officers.
MOTION by Lease supported by Forro to re-appoint Tom Hancock as Chairperson.
MOTION carried.

Chairman Hancock asked for nominations for Vice-Chairperson.
MOTION by Lease supported by Stier to re-appoint Tom Penzien as Vice-Chair.
MOTION carried.

Chairman Hancock asked for nominations for Secretary.
MOTION by Penzien supported by Forro to appoint Justin Lease as Secretary.
MOTION carried.

- b. Planning Commission Bylaw Amendment
Chairman Hancock stated the Planning Commission Bylaw Amendment is to amend Section 2) A) Regular Meetings – The Planning Commission shall hold not less than one regular meeting each month and by resolution shall determine the time and place of such meeting. He stated the Planning Commission only meets when there is an item for consideration.

It was suggested that the bylaws be amended as follows: “2) A) Regular Meetings – The Planning Commission is required to meet at least once every three months and additional times as necessary (per Michigan Township Association, MTA) and shall determine the time and place of such meetings.

MOTION by Stier supported by Forro to Amend the Planning Commission Bylaws 2) A) Regular Meetings – The Planning Commission is required to meet at least once every three months and additional times as necessary (per Michigan Township Association, MTA) and shall determine the time and place of such meetings.

FOR THIS MOTION: Yes: Stier, Forro, Lease, Penzien, Hancock.

No: None.

Absent: Banach, Zoccola.

MOTION carried.

5. Old Business

a. Parking Abeyance – Unique Clips, located at 23075 27 Mile Road, located at 27 Mile Road/North Avenue; Section 25. Permanent Parcel No. 05-25-3510-011. Jim Sape, Petitioner.

Mr. Dailey stated the Planning Commission approved the site plan in July of 2016 and the site is under construction. He reviewed the Planners report of January 9, 2017, as follows:

“The undersigned would recommend that the paving should be held in abeyance for one-year subject to the follow:

If the use as approved by the Planning Commission changes in any way that the matter should be re-evaluated to be determined if the abeyance relief should be withdrawn prior to the one-year or If Mr. Sape applies for a change of use to include retail, then the understanding would be that the abeyance relief would be withdrawn as a condition of any approval for retail activity. At the end of one-year period the Township Planning Commission based on recommendations from Township Engineer as to the condition of the surface as to whether the extension should be granted if requested.”

Commission discussed holding the parking in abeyance and for the Township to continue holding the bond. Lisa Hall stated with the BS&A software it can be set to review the abeyance in one year.

MOTION by Penzien supported by Lease that the Planning Commission grant a one-year paving abeyance for Unique Clips at 23075 27 Mile Road, located at 27 Mile Road/North Avenue for Permanent Parcel No. 05-25-351-011 subject to the follow: If the use as approved by the Planning Commission changes in any way that the matter should be re-evaluated to be determined if the abeyance relief should be withdrawn prior to the one-year or If Mr. Sape applies for a change of use to include retail, then the understanding would be that the abeyance relief would be withdrawn as a condition of any approval for retail activity. At the end of one-year period the Township Planning Commission based on recommendations from Township Engineer as to the condition of the surface as to whether the extension should be granted if requested. The paving abeyance starts on January 10, 2017 for a twelve-month abeyance and to be reviewed in one year.

For this Motion: Yes: Penzien, Lease, Stier, Forro, Hancock.

No: None.

Absent: Banach, Zoccola.

MOTION carried.

b. Medical Marijuana Ordinance

Mr. Dailey stated the Townships current ordinance requires medical marijuana to be grown in a primary residence. He stated in their report dated January 10, 2017, they recommend amending the zoning ordinance to allow growing of medical marijuana only in the I-1 (Industrial District). The growing of medical marijuana by either the patients or registered caregivers would be prohibited in all residential districts. The Michigan Medical Marihuana Act, Initiated Law 1 of 2008, MCL 333.26421, et seq.; allows qualified patients and registered caregivers identified with those patients to use marijuana for specific medical conditions. Only a patient-caregiver relationship conducted in compliance with the Michigan Medical Marihuana Act is legal today. The law was amended in September of 2016, which deals with licensing facilities but it does not take effect until December 15, 2107 which allows the State to write the regulations and establish the formal licensing system required by the act. The new licenses that were created are Class A, B or C Grower, Processor, Provisioning Center, secure transporter and safety compliance facility. Further stated the proposed medical marijuana ordinance language that is before the Commission has been approved and in affect in the City of New Baltimore and they have one grown house in the industrial zone and have had no problems.

Chairman Hancock asked if the Township Attorney has reviewed the proposed ordinance.

Discussion was held on growing houses being in residential areas and the safety concerns for the community.

Mr. Dailey stated the Supervisor asked him to look at the current ordinance since there is an interest in the community. He stated they have meet with several residents showing an interest in becoming growers.

Mr. Dailey stated he will be attending a MSU Extension Medical Marihuana Workshop regarding Regulating Medical Marijuana Facilities for local government which is being held at Richmond Township.

Stier, Hancock, Forro and Lisa Hall stated they would also like to attend the MSU Extension Medical Marihuana Workshop regarding Regulating Medical Marijuana Facilities for local government at Richmond Township.

MOTION by Penzien supported by Stier to forward the Proposed Regulation of Medical Marijuana Zoning Ordinance amendment to the Township Supervisor and directed him to forward the amendment to the Township Attorney for review.

MOTION carried.

6. Scheduled Public Hearings: None.
7. Presentation – None.
8. Report of the Township Board Representative – Stier stated the IR (Industrial- Residential) parcels fronting on the east side of North Avenue between 26 and 27 Mile Road were rezoned by the Township Board to R-1 as recommended by the Planning Commission. The north parcel abutting the immediate corner zoned B-2 was excluded from the rezoning and remain IR at the property owners' request.

Discussion was held on rezoning property to comply with the newly adopted Master Plan.

9. Report of the Zoning Board of Appeals Representative – Nothing to report at this time.
10. Correspondence – None.

11. Report from Planning Consultants-The Commission received the Planners report dated January 10, 2017. Mr. Schmeiser stated he is working on the yearly report for 2016.

**MOTION by Stier supported by Lease to receive and file the Planners report dated January 10, 2017.
MOTION carried.**

12. Public Comments: None.

13. Adjournment.

**MOTION by Stier supported by Forro to adjourn the meeting at 8:22 p.m.
MOTION carried.**

Tom Hancock, Chairman

Justin Lease, Secretary

Date

Respectfully submitted,
Lori R. Lascoe, Recording Secretary
Township Clerk