



SAUGATUCK TOWNSHIP

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3461 BLUE STAR HIGHWAY
SAUGATUCK, MI 49453

PHONE (269) 857-7721
FAX (269) 857-4542

Approved MINUTES 11/25/2019

The Saugatuck Township Planning Commission met on November 25, 2019 at the Township Hall on Blue Star Highway Saugatuck, Michigan

1) Call to Order at 7:00 p.m. by chairperson Prietz.

2) Roll call and Pledge of Allegiance

Present: A. Prietz, J. Helmrich, D. Ihle, R. Israels, C. Lozano, B. Rowe, E. Welk.

Also present: L. Wells, Zoning Adm.

3) Approval of Agenda-

Motion by Rowe to accept the agenda, seconded by Israels. Motion passed by unanimous voice vote.

4) Approval of Minutes: October 28, 2019

- **Planning Commission Housing presentation minutes**

Motion by Rowe to approve draft housing presentation minutes of 10/28/19, seconded by Ihle. Motion passed by unanimous voice vote.

- **Planning Commission meeting minutes corrections:**

page 2, 7th paragraph, change 'There' to 'It'

page 2, item #3, sp error, 'completed'

page 3, paragraph 3, change HiWay to highway

page 3, center page, change 'comments' to 'hearing'

page 3, bottom area, change SUA to SAU and

page 3, last sentence, change 'Stop' to 'stop'

page 4, to motion of b., add Motion passed by unanimous vote

page 6, under board update, change 'We' to 'The Township'.

Page 8, #5, add 'marijuana' to 'grow facility' verbage.

Motion by Rowe to approve draft Planning Commission minutes of October 28, as amended, seconded by Welk. Motion passed by unanimous voice vote.

5) Public Comment:

Aaron Smith reports "he had a State visit today at his facilities in Ottawa and Muskegon Co., and they reviewed things he had to do for recreational licensing". He offered his expertise if we have any questions regarding recreational marijuana.

Stacey Aldrich spoke in favor of recreational marijuana, citing voting statistics from the 2018 election favoring recreational marijuana. She also spoke for Brenda Marcy, in the absence of Brenda, citing favorable voting stats and an Obama quote.



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Tony Ragona spoke about his concern for recreational cannabis and access to potent cannabis extracts. He cited that while potent THC is available and has an important use medically, he does not believe that it should be used at a recreational level. It is too potent. He expressed concerns with general access of THC for recreational use and has concerns with the commercial profit margins of the drug. He suggests we do not approve recreational facilities at this time, follow the lead of Douglas and Saugatuck in opting out, and limit our approval to medical use.

Don Schipper spoke in support of the comments ~~make~~ made by Stacey Aldrich.

6) New business:

a. Recreational marijuana Laws and Updates:

Nick Curcio, ppl, our Township attorney presented information regarding the latest laws for recreational marijuana sales and use. The new terminology is 'Adult-use' vs 'Recreational use' when referring to non-medical marijuana.

Please refer to the CLF 19 slide presentation distributed by Curcio.

Part one reviewed the 'Townships' Medical Marijuana Program'.

Part two reviewed the 'Introduction to Adult-use Marijuana'.

Part three was a preview of 'considerations for opting in'.

A complete presentation is also available as an audio podcast in the 2019 November Township News.

-Questions from the Board

Welk questioned revenue sharing. Curcio explained that the fees were split by a small percentage with all municipalities, noting the sum of fees collected are not disbursed by the State, but only a fraction. Then the split is again divided by the number of facilities in the designated City or Township. Israels asked if we could opt in, but exclude 'microbusiness' and 'temporary events'. Curcio stated that yes, we could opt in to some of the Adult-use, and not include all items. Israels asked about delegating the inspections. She asked if the State or County enforces the inspections. The Township enforces their requirements, but probably the State does their own inspections. It was noted that inspections are done at all levels, including Local enforcement. Israels also questioned delegation of revenue funds, and was told that we would receive revenue sharing with no restriction for use. She also questioned if we could initiate a community wide ballot initiative assessing Adult-use community desire, and Curcio explained it is not an action the Commission should take. It requires voter initiation and, if passed, could become State regulated, not Township regulated. Prietz recognized that Adult-use has passed in the State of Michigan, but there are many communities continuing to opt out, with South Haven voters turning it down at the polls last week. Helmrich questioned if other communities are imposing limiting factors with flower based vs extracts in marijuana businesses. Curcio explained that he was not aware of any, and cautions to follow State law. Rowe reiterated that we lose the ability to regulate what we have if the community allows the Adult-use to go to a vote. Ihle asked for more explanation about annual fees. Israels reiterated that we somehow have to learn



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more about what our community wants, either by vote, or through a Cobalt type survey, community forum or other mechanism. Prietz noted the tri-community area has opted out, and Helmrich responded that, to him, it is an economic issue as well as the fact that 61% of voters in the last election did vote to legalize recreational marijuana. Curcio again emphasized that if we pass it, we have the ability to self regulate. Prietz noted that a gentleman spoke several months ago and expressed concern that we are creating a culture of unemployable persons. There are many jobs that require drug testing. Curcio explained that alcohol is synthesized in the body and leaves ones' system relatively quickly. Marijuana takes much longer to leave the body system and can show up in testing for a longer period. Israels noted professions that require drug testing including commercial transportation, civil service, health care workers, senior care providers, machine workers, and others. Israels also questioned if there were any insurance issues/liabilities to consider. Curcio recommended that we ask our insurance providers. He has not heard of any insurance issues.

b. Discuss and review potential options for amending Medical Marijuana Ordinances (General Law and Zoning)

Potential options: The Planning Commission can regulate and recommend zoning and the Board can consider, approve and adopt the ordinance. There has to be a public hearing no matter what route you choose to take. The Board has asked the commission to treat the Adult-use as we would the medical use.

Rowe moved to have a public hearing for Adult-use marijuana at the Planning Commission meeting on December 16, 2019. Seconded by Helmrich.

Motion carried 6-1, with Prietz voting no.

Wells will have the notice in the Sentinel and Commercial Record. There is a 15 day calendar notice requirement.

7. Old Business:

a. Special Approval Use Public Hearing and Site Plan Review application for parcel #20-003-001-00 (aka. 3577 64th Street) for a medical marijuana provisioning center.

Aaron Smith submitted new design plans with additional windows compliant with State law, landscaping and exterior design, interior design, updated fans and air filtering controls per requirements of the Township. He provided clarity on access, hours of operations, outside lighting, interior and exterior security features, and closure of windows and doors. He may re-evaluate hours after 6 months of operations depending on business, and yet remain within State requirements. He provided diagram updates for the waste, packaging area and vault as requested by the commission. Smith explained how waste product is destroyed, conforming to state regulation. The architectural design was improved to meet the conditions of the Township. He further explained exterior lighting and the multiple security cameras stating he "has never had an attempted break in".



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Motion to approve by Rowe, the Special Approval Use and Site Plan for 3577 64th Street, with the following 11 conditions as noted by the zoning administrator memo dated 11/20/19. Seconded by Welk. Motion passed by unanimous vote.

RECOMMENDATION:

1. Windows and doors shall remain closed except for ingress and egress.
2. Negative interior air pressure shall be maintained at all times.
3. Buffer yards shall remain, only removal of dead brush shall be permitted. Existing trees within the buffer yards shall remain to satisfy the minimum size requirements and specifications of section 40-878.
4. The landscaping shall conform to section 40-880 and any new plant materials shall be installed and maintained per 40-880 (i) 1-6. A landscape plan showing do not disturb areas for the entire site shall be submitted to the Township Planner.
5. All exterior lighting fixtures shall be downward facing and dark sky compliant. Any exterior lighting will require submission of cut sheets to the Township Planner.
6. The applicant shall adhere to all requirements and standards of applicable local, state and federal laws, including Ordinance 40-746 at all times.
7. The exterior building façade shall meet the transparency requirements with windows per the Township Zoning Ordinance. An updated façade with dimensions shall be provided to the Township Planner for review.
8. All conditions as set forth by the Fire District shall be met prior to issuance of building permit.
9. All conditions as set forth by the Township's Engineer shall be met prior to issuance of building permit.
10. All conditions of the utility district, Allegan County Road Commission, and other applicable reviewing agencies shall be met.
11. The applicant shall remain in good standing and maintain all required licenses through the State of Michigan and the Township.

8. Public Comments: None

9. Board Discussion Helmrich

a. Township Board update: The Township Board met on Weds., Nov 6, 2019.

-The bulk of the meeting focused on the Blue Star bike trail, with 8 community members speaking about the trail. The Township voted to table the current agreement for the trail and appoint a trail committee with two representatives from each of the three municipalities, along with the current Managers, to work on a future plan. Bigford and - Marcy will participate from the Township. Manager Graham will lead the committee.

-Zoning amendments recommended by the PC were passed.

-Lead testing for the Kalamazoo water supply was completed. No results were noted.

-There is a 'Township goals and strategizing session' on December 14. This is the first session of this type and will be lead by a strategizing professional, Al Vandenberg, from



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Ottawa County. It is open to the public. Begins at 8:00 a.m. at the Old School House. Helmrich emphasized that all board members and public are encouraged to attend. -Erosion on Lakeshore Drive is a problem. The Township is involved in meetings and strategizing about potential re-routing, emergency access, and the number of homes immediately affected. There are areas affected by road washout concerns. Rowe emphasized a 2.5 mile stretch currently affected. Helmrich stated there is a move in Lansing to declare the Lakeshore a disaster area in order to get State and Federal assistance.

-There is a suggestion to move the monthly Board meeting from the first Wednesday to the second Wednesday of the month.

-Helmrich and Graham attended an annual economic event held by Allegan Co. with representation from Saugatuck. Many things were addressed including housing concerns, solar opportunities and there were other great speakers.

b. 2020 Meetings Schedule: Wells

Future meeting dates for the planning commission were distributed. Meetings continue on the 4th Monday of each month, noting exceptions of May (3rd Monday), and December (2nd Monday). The following will be posted on the WEB site and noticed as required:

The Township Planning Commission shall meet on the 4th Monday of each month at 7pm at Saugatuck Township Hall, 3461 Blue Star Highway, Saugatuck, MI 49453. In the event that the Planning Commission has no business, the meeting will be cancelled.

Meeting Dates

January 27, 2020
February 24, 2020
March 23, 2020
April 27, 2020
May 18, 2020 (3rd Monday)
June 22, 2020
July 27, 2020
August 24, 2020
September 28, 2020
October 26, 2020
November 23, 2020
December 14, 2020 (2nd Monday)

Submission Deadline

December 23, 2019
January 27, 2020
February 24, 2020
March 30, 2020
April 13, 2020
May 25, 2020
June 22, 2020
July 27, 2020
August 31, 2020
September 21, 2020
October 26, 2020
November 9, 2020

Motion to approve the 2020 PC meeting dates by Helmrich, seconded by Rowe. Motion passed by unanimous voice vote.



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10. Adjourn

Motion to adjourn by Welk, seconded by Helmrich at 8:48 pm. Motion passed by unanimous voice vote.

Next meeting: December 16, 7:00p.m

Respectfully,
R. Israels, P.C. Sec.

Motions: 11/25/2019

Motion by Rowe to accept the agenda as amended, seconded by Israels. Motion passed by unanimous voice vote.

Motion by Rowe to approve draft housing presentation minutes of 10/28/19, seconded by Ihle. Motion passed by unanimous voice vote.

Motion by Rowe to approve draft Planning Commission minutes of October 28, as amended, seconded by Welk. Motion passed by unanimous voice vote.

Motion by Rowe to have a public hearing for Adult-use marijuana at the next Planning Commission meeting on December 16, 2019. Seconded by Helmrich. Motion carried 6-1, with Prietz voting no.

Motion by Rowe to approve the Special Approval Use application and Site Plan for Aaron Smith at 3577 64th Street, with 11 conditions as noted by the zoning administrator memo dated 11/20/19. Seconded by Welk. Motion passed by unanimous vote.

Motion to approve the 2020 PC meeting dates by Helmrich, seconded by Rowe. Motion passed by unanimous voice vote.

Motion to adjourn by Welk, seconded by Helmrich at 08:48 p.m. Motion passed by unanimous voice vote.