

Rutland Charter Township Planning Commission Meeting

Wednesday August 4, 2021 at 7pm

Members Present:

Stacey Graham, Brenda Bellmore, Larry Haywood, Jim Blake

Members Not Present:

Dan King (excused absence)

Others Present:

Jean Gallup, Larry Watson, Gene Hall, Rebecca Harvey, Carl Algera, Les Raymond, Nickie Haight

Approval of Agenda:

Raymond adds the word "sketch" to the Preliminary Site Plan Review for Carl Algera. He explains this is a step before the actual preliminary review. Motion by Blake, seconded by Bellmore to approve the agenda for August 4, 2021 with the one addition. All Ayes. Motion passes. One Absent

Meeting Minutes:

Motion by Blake to accept the July 7, 2021 Meeting Minutes, second by Graham.
Roll Call Vote: Graham - Yes, Bellmore - Yes, Haywood - Yes, Blake - Yes, King-Absent
Motion passes.

General Public Comment:

None

Guests:

None

Zoning Administrator's Report

1. Marihuana Ordinance: Raymond says that PC members have copies and have 3 items to discuss and decide on tonight so that Harvey can move ahead on the ordinance.
 - o Parcel size requirements
 - o Buffer Zones
 - o Facility Hours

2. Raymond shares that he, Gene Hall, and Jim Blake visited a marijuana business in Pinconning Township. They visited a grow facility and a dispensary. Hall comments that he noticed the State of Michigan is making rules as they go and seems to look at each company on an individual basis. Blake says he asked if they allowed an unlimited amount of licenses and they have limited. Blake says they have been running for 2 years and have not had legal issues or needed to change their ordinance. Raymond says they are class C growers and there are very few A or B growers. Blake says they are about the same size as RCT. Raymond says he asked them if there were odor issues and they said that it does smell at times

New Business:

None

Old Business:

Preliminary Sketch Site Plan Review for Carl Algera

Bellmore asked if it is condominiums. Algera answers that they are houses but the development is called condominiums because there will be private roads, annual association fees for snow removal, and an association president. He says it will be like a Home Owners Association with guidelines for maintenance. He also does not want to see a bunch of smaller sheds so he is making each house have 3 stall garages. There will be stone or brick on every home and he will professionally landscape each yard. He is hoping to install sprinkler units in each yard. Some of the homes might be ADA. Ranch homes will be 1300-1600 square feet and the 2 story will be 1900-2200 square feet. There will be a website for customers to see the options once his plans are approved.

Raymond agrees that the term condominium is confusing. It is easier to establish than a typical plat. Bellmore asks if the roads will be paved, Algera answers yes. Bellmore asks if the barns have been demolished yet and they have not. Algera would like to start the sewer and road this fall. He will plant large trees for privacy and his family business will install all of the drain fields. He will work with the Health Department on drains fields, trees, etc. And he will be the General Contractor. The neighborhood name will be something like "Journey's Way" in honor of his late father-in-law. Algera will continue to live in unit 1 for now. There are 37 homes including his but his unit will be a totally separate entity.

Raymond says there will be a public hearing next month.

Rebecca Harvey says there are two ways for a landowner to develop or split land. Either using the Condominium Act or the Land Act. Both are still subject to zoning requirements. She explains some more of the differences and asks if she can answer any additional questions from the PC.

Graham says private roads worry her. She says that seems small for that many homes if you consider guest parking and emergency vehicles. Harvey says the RCT ordinance will tell them how big the road has to be. Algera says it will be 22 ft just like the state roads, along with the same 60 ft right of way. He also says the association will regulate street parking, etc. He is hopeful to build 10 homes per year so it may take a few years for all the homes to be finished. Especially right now due to the market and cost.

Marihuana Ordinance Discussion

Harvey mentions the 3 items that need to be decided on:

1. Does the PC want to set any size limitations
2. The state says there must be a 1000 ft buffer zone from schools. Harvey says some communities have chosen to decrease that. RCT could also add parks, churches, etc to that as well.
3. Does the PC want to add to the facility hours that the state already regulates?

Haywood asks about Light Industrial zones. Raymond thinks there is very little LI left and suggests maybe allowing marijuana in only MU and AG.

Raymond says some townships have included churches and parks to the buffer list. Graham asks about daycares. Harvey says those change so much that it would be hard to keep up.

Graham says she likes the 9am-9pm hours and would like to keep the 1000 ft buffer. Raymond says employees can work any hours inside the facility but they can only be open to the public from 9-9.

Raymond also mentions that a micro business cannot sell or grow outside of their own dispensary.

Haywood wants to clarify that each marihuana business will need a SLU permit. Harvey says that is what the RCT Board decided on. She says it gives the township an extra level of comfort because they get to see and review the plans in a public hearing. She says that usually a SLU has a characteristic that makes it different from other businesses in that district. She explains that regular land use has to be approved if they meet the standards. Whereas with a SLU, the PC can potentially deny based on the characteristics they set like odor, noise, water usage, etc. There may also be security risks with the commodity. Haywood worries what will happen if they deny a SLU permit, if they have already approved others. Raymond says there are other criteria that the PC could consider such as: traffic, public health, safety, etc.

Haywood asks Raymond if he thinks a processor would need city sewer. Raymond's opinion is no because most recycle their water. Haywood asks if that could be a requirement and Harvey says no.

Raymond says an SLU shows good faith by having the public involved. He asks who would control waste. Harvey says most waste is controlled by the state but that the township can ask what the plan is and if they have concerns that could make the SLU be denied. Harvey makes it clear that the township cannot tell them what to do with their waste.

Raymond says many use reverse osmosis of river water but some also buy water.

Harvey asks if the PC wants to eliminate LI from the marijuana ordinance. She says if they leave it in, that could be a good time to rezone and expand the LI areas. She says it might be a good idea to add that to the Master Plan.

Harvey concludes that the PC is happy with the existing parcel sizing, the 1000 ft buffer zone adding churches and parks to the school, and the 9am-9pm hours are acceptable. The PC agrees.

Open Comments:

None

Adjournment:

Motion by Blake to adjourn, second by Bellmore. All ayes.

Meeting Adjourned 8:27pm. Submitted by Nickie Haight, Recording Secretary