

**Planning Commission
Minutes
July 13, 2017**

Meeting called to order by Chairman Stalmack at 7:00 pm. Showing present: Bardell, Belinski, Borden, Cichewicz, Clark, Oddy, Pokerwinski, Stalmack, Sherwood. Also showing present: Planner Atkin, Attorney Young, Deputy Clerk J. Hoffman and approximately 30 residents.

4. Minutes: Motion by Bardell, supported by Oddy to approve the Regular Planning Commission Minutes of June 8, 2017. Motion carried unanimously.

5. Old Business:

A. Consider the Special Exception Use for Abraham Filming Company and Family Entertainment.

Planner Atkin began the meeting discussing his finding that he looked into that. Questions that were asked at the previous meeting in June 2017 were pertaining to access roads for emergency vehicles and how they needed to be engineered, clarification for the wetland area and driveway alignments according to the ordinance. Planner Atkin put together a memo and also reached out to a few gentlemen. One was Ryan Kern of Hennessey Engineering who is contracted by the Township. Planner Atkin described to Mr. Kern the area and showed him the map that came up with in the original requirement. Mr. Kern replied that it does appear that the property is within a flood plain and a flood way and development can take place within these areas of property designated as such: suggests that the petitioner contact MDEQ office in Warren and speak with them in regards of what can be done on their property without disturbing the wetland and flood plain areas. Planner Atkin reached out the Fire Chief Januszyk and asked what requirements were for any large fire apparatus to access the site and he informed Planner Atkin that the fire truck is 22,000 lbs and would require a road width of at least 16 to 18 feet wide and at least 15 feet clearance. Planner Atkin researched in the International Fire Code 2012 their requirements are 20 ft wide and vertical clearance of 13 ft. 6 ins., additionally this would have to be engineered roads to support the weight of those vehicles at any time of the year. As far as the driveway access goes the main drive would be off of Carleton West Road. There has to be a minimum spacing between driveways Planner Atkin stated 275 feet minimum spacing which is based upon the speed limit of the road which is 55 mph. Any new driveway must be aligned with the driveway on opposite side of the road, the only conflict seen it the driveway to the north depending what the distance is there. Additionally they all have to be designed according to the Wayne County Department of Public Services. This is a single access site that will also have to be a minimum of 24 ft. wide. These are the standards that have to be in place on the Site Plan. A map was included in the memo produced by Planner Atkin that shows the approximate locations of the property boundaries from the 2012 Flood Districts that FEMA did, the majority of the flood zone is AE which based flood has been determined as .2% chance of annual flooding, 1% annual chance of flood with average rain. It shows that there is some potential for flooding based on a hundred year flood plan. Member Oddy asked about calculations for parking spaces, Planner Atkins replied that he had not done any calculations on them other than the rough calculations he did at last meeting. He stated he could calculate that information pretty quick if need be. Chairman Stalmack stated that there are still a lot of unanswered questions and felt that a decision cannot be made without more clarification. Member Clark stated that it seems like they still have more work to do on this and suggests tabling this for further information. Planner Atkin addressed William Abraham telling him that he will send him an email showing everything that needs to be shown on a sight plan and who he will need to contact (not specifically) but what type of professionals need to be contacted. Abraham invited any of the board to come out to his daughter's wedding that will be taken place on the property for them to get an idea of what it would be like. Motion by Clark, supported by Belinski to Table for further information. Motion carried unanimously.

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The Planning Commission expressed the concerns of the audience informing them that the Planning Commission is only a recommending board and that the final decision is made by the Township Board. Philip Rossman of Haggerty Road asked why only approximately 25 families were notified of this project, when this will affect the whole community. Chairman Stalmack explained the 300' footage requirement that resident's property within 300 feet must be notified. Member Oddy expressed that he appreciates the large number of residents that have been showing up to the meetings, he knows their concerns but stated that Mr. Abraham deserves a fair shake, he has spent a lot of money for this and all residents deserve for all information to be given and looked over before making a recommendation to the Township Board.

6. New Business:

A. Set Public Hearing to repeal Section 6.55 of the Sumpter Township Zoning Ordinance referencing the regulation, Location, and Operation of a Medical Marijuana Provisionary Center within Sumpter Township.

Attorney Young addressed the Planning Commission Board telling them that the MTA recommended to review the Township Ordinance and if there was any reference at all that could be misconstrued one way or the other to repeal that ordinance. Attorney Young is asking Planning Commission to consider setting a Public Hearing to repeal Section 6.55 of the Sumpter Township Zoning Ordinance. Member Bardell asked does this have anything to do with the property on Willis Road. Attorney Young stated that it does not deal with anyone in particular what it deals with is the ordinance has no enacting law for provisionary centers. The state did not go with provisionary centers and decided to go a different way which is actual dispensaries and actual grows it has nothing to do with caregivers. Attorney Young wants to get the Ordinance in line and doesn't want someone thinking they can do something when it actually doesn't exist.

Motion by Borden, supported by Clark to set a Public Hearing for August 10, 2017 at 7:05 pm to repeal Section 6.55 of the Sumpter Township Zoning Ordinance referencing the regulation, location and operation of a Medical Marijuana Provisionary Centers . Motion carried unanimously.

Motion by Oddy, supported by Borden to Amend the Agenda to set Public Hearing to consider to amend the current zoning ordinances of the Township of Sumpter regarding the Use and Operation of a Michigan Medical Marijuana facility un MCLA 333.26421. Motion carried unanimously.

Motion by Oddy, supported by Belinski to set Public Hearing for August 10, 2017 at 7:10 pm on proposed amendments to the Township Zoning Ordinance amending the current zoning ordinance regarding the use and operation of a medical marijuana facility. Motion carried unanimously.

7. Open Floor:

Chairman Stalmack handed out to the board a draft for comments during open floor for anyone that would like to speak at a Planning Commission Meeting. Rosemary Otzman of the Independent stated that she hopes that the board doesn't limit the resident's time in speaking. Member Cichewicz stated that it would just keep everything organized. Member Oddy stated that they should take a look at the draft and consider it.

8. Adjournment: Motion by Belinski, supported by Bardell to adjourn at 8:00 pm. Motion carried unanimously.

Respectfully submitted,
Janet Hoffman
Deputy Clerk
Sumpter Township

