
Case #2017-001PC – Special Use Permit
Donald Walker
#72-003-019-006-0020

Re-Hearing - Case #2015-007PC – Site Plan Review
William Johnstone
#72-003-321-558-0000 & 72-003-321-471-0000

Public Hearing - Medical Marihuana

A legally advertised meeting of the Denton Township Planning Commission was called to order in the Denton Township Hall by Chairman Fred Chidester at 10:00 a.m.

Commissioner Members Present: Chairman Fred Chidester, Jim Braid, Carol Asher, Joyce Golden and Morry McLain.

Commissioner Members Absent: Jim Debo & Paul Tiepel (Paul left meeting for fire @10:02am).

Others Present: Bruce Sandera, Donald Walker, JoJean Thompson, Mike & Linda Kopischka, Lloyd Bonzo, Paula Fuller, Susan Seaford, Dennis Mitchell, Joel Noerr, Kim Akin, Zoning Administrator Rachael Barnes and Secretary Theresa Wagner.

Motion by Braid supported by Golden to approve the minutes of the Regular Planning Commission meeting held December 13, 2016 as presented.

Ayes 5 Nays 0 Absent 2 Motion Carried.

Chairman Fred Chidester read the following guidelines to be followed:

The Zoning Administrator will give the staff presentation.

The applicant or their agent will state their case fully and furnish the Planning Commission with pertinent information concerning this request.

Following the presentation by the applicant, comments from the audience will be accepted under the following guidelines:

1. All statements or questions from the floor must be directed through the Chairperson.
2. Presentations from the floor will be limited to 5 minutes or less.
3. Each person making a statement will be asked to state their name and address.
4. The Board reserves the right to question any speaker.
5. Be as brief and factual as possible.
6. Please refrain from repeating what has been said before and please do not involve personalities.
7. Those in favor of the request will be heard first.
8. Those opposing the request will be heard last.

At the conclusion of the floor presentations, the chairperson will close the meeting to the public, and the Planning Commission will deliberate the matter and arrive at a decision at today's meeting.

Waiver of Full Site Plan Review.

Bruce Sandera requested permission to enclose an existing 32'x 26' carport pavilion located at the Houghton Lake Kart Speedway on Emery Road (#72-003-021-014-0080) to utilize the space for an office for his mail order business. Zoning Administrator Barnes read from the Zoning Ordinance, Section 310-87; Major and minor development projects:

A. A minor project, for the purposes of this article, is defined as follows:

- (1) The remodeling, alterations, or additions to commercial and industrial buildings of less than 25% of the square footage of the existing structure.
- (2) Improvements to, erection of, or reconstruction of accessory buildings and structures, parking areas, and similar facilities.
- (3) Site changes that do not exceed 25% of the existing developed site area.

Barnes stated that a waiver of Full Site Plan was applicable, and she would write him a land use permit to do the structural changes requested.

Motion by Asher supported by Braid to waive a Full Site Plan Review for this case, and allow Zoning Administrator Barnes to write permit to Bruce Sandera to enclose an existing 32'x 26' carport pavilion located at the Houghton Lake Kart Speedway on Emery Road (#72-003-021-014-0080).

Ayes 5 Nays 0 Absent 2 Motion Carried.

Case #2017-001PC.

Donald Walker requested a Special Use Permit to build a 40'x 60' detached garage on his property located at 3015 S. Townline Rd. (#72-03-019-006-0020). Mr. Walker stated he needs the building for storage of farming equipment/trucks/etc. The 5 acre parcel is zoned Forest Rural.

Braid asked about the location of the drain field, and Mr. Walker stated it is not in the vicinity of the new construction.

Chairman Chidester asked for comments from the floor for or against the request. There were none. The meeting closed to the floor at 10:10 a.m.

After discussion, the Commissioners concurred they had no objection to the request.

Motion by Braid supported by McLain to approve the special use permit to Donald Walker to build a 40'x 60' detached garage on his property located at 3015 S. Townline Rd. (#72-03-019-006-0020) as requested.

Ayes 5 Nays 0 Absent 2 Motion Carried.

Re-Hearing - Case #2015-007PC.

Zoning Administrator Barnes stated Mr. Johnstone of On-Site Sales and Brokerage, 104 Burrill Dr., Prudenville, was sent a notice of violation on June 30, 2017 due to several stipulations that had yet to be completed for Case #2015-007PC, as follows:

1. Removal of temporary/vehicle signage
2. Permanently join all lots (lots with office property)
3. Vehicles, etc. maintain a 25 ft. setback from the road right of ways (lot lines)

Since the date of violation, Barnes stated the signage has been removed, the restrictive covenant has been filed to join the lots, and the vehicles have been moved back away from the roads.

The Board discussed Mr. Johnstone putting up some kind of marker to indicate the 25 ft. setback from the front lot line.

Chairman Chidester asked for comments from the floor for or against the request. There were none. The meeting closed to the floor at 10:20 a.m.

Motion by Braid supported by Golden to request the Roscommon County Road Commission determine where the road right of ways are on M-55, Kimberly Dr. and Burrill Dr., and request Mr. Johnstone visibly mark the 25 ft. setbacks from the front lot line (road right of way) so as to easily see that the vehicles are maintaining the correct setback.

Ayes 5 Nays 0 Absent 2 Motion Carried.

**Public Hearing
Denton Township Planning Commission
Re: Medical Marihuana**

A Public Meeting of the Denton Township Planning Commission was called to order at 10:22 a.m. to discuss allowing commercial medical marihuana facilities in Denton Township. The State of Michigan Bill HB 4209, Section 205(1) of the Medical Marihuana Facilities Licensing Act ("MMFLA"), prohibits the operation of any of any facilities within the Township unless the Township Board allows them in an authorizing ordinance, stated as follows: "A marihuana facility shall not operate in a municipality unless the municipality has adopted an ordinance that authorizes that type of facility. A municipality may adopt an ordinance to authorize one or more types of marihuana facilities within its boundaries and to limit the number of each type of marihuana facility." Types are: Growers (including classes A, B and C), Processors, Secure Transporters, Provisioning Centers and Safety Compliance Facilities.

Joel Noerr presented a slide show on the positive aspects of medical marihuana, statistics of many patients that are helped by this medicinal plant, and the reasons he feels we need this in our area. Another patient spoke about the positive effects medical marihuana has had on his illnesses. Discussion followed.

JoJean Thompson presented on behalf of Up North Prevention, quoting Ken Steckler, spokesperson from Michigan Prosecuting Attorneys Association (M.P.A.A.). Discussion followed.

Roscommon County Undersheriff Ben Lowe stated it can be very complicated because under Federal law medical marihuana is illegal, whereas State Law under the Michigan Medical Marihuana Act is legal. In his opinion, he feels the Township should not rush into it. It is much harder to work backwards, than to work going forward. His suggestion would be to wait and see what laws are passed and then make the decision. Discussion followed.

The meeting was closed to the floor at 11:17 a.m.

Chairman Chidester asked for comments from the Board.

Asher stated there is a lot to learn on this subject. There are classes coming up to further inform the Township Board members as well as the Planning Commission. Asher stated she would like to attend classes and revisit this. The Board concurred.

The Public Hearing was closed at 11:21 a.m.

There being no further business,
The meeting adjourned at 11:23 a.m.

Respectfully submitted,

Theresa M. Wagner, Secretary