

HOWELL TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
Howell Township Hall
February 26, 2019
6:30 p.m.

MEMBERS PRESENT:

Andrew Sloan Chairman
Mark Freude Vice Chairman
Wayne Williams Secretary
Matthew Counts Board Rep
Martha Haglund Commissioner
Carolyn Henry Commissioner
Peter Manwiller Commissioner

MEMBERS ABSENT:

Also in attendance: Zoning Administrator Joe Daus
Township Planner Paul Montagno

Chairman Sloan called the meeting to order at 6:32 p.m. The roll was called.

All rose for the Pledge of Allegiance.

ELECTION OF OFFICERS:

MOTION by Freude, seconded by Henry, **“TO RE-APPOINT EVERYONE AS EXISTING FOR THE 2019 TERM.”** All positions agreed. Motion carried. The 2019 Planning Commission officers: Andrew Sloan – Chairman, Mark Freude – Vice Chairman, Wayne Williams – Secretary.

APPROVAL OF THE AGENDA:

MOTION by Freude, seconded by Williams, **“TO APPROVE THE FEBRUARY 26, 2019 AGENDA AS PRESENTED.”** Motion carried.

APPROVAL OF MINUTES:

MOTION by Haglund, seconded by Manwiller, **“TO APPROVE THE JANUARY 22, 2019 MINUTES AS PRESENTED.”** Motion carried.

CORRESPONDENCE:

No additional correspondence.

TOWNSHIP BOARD REPORT:

(Commissioner Counts reported on the following items)

- Public Hearing for an IFT for HATCH Stamping.
- Annex Group discussed affordable housing on Township owned property.
- Discussed offers on Township owned properties.
- Discussion on 2019 road projects; Fisher, Henderson, Allen and Owosso Roads.
- Closed session on pending law suits.

ZONING BOARD OF APPEALS REPORT:

(Chairman Sloan reported on the following items)

- There was no February Meeting.

ZONING REPORT:

(Zoning Administrator Daus reported on the following items)

- The Sign Ordinance was sent to the County Planning Commission and was approved. This will now go to the Township Board.

HOWELL TOWNSHIP PARK'S REPORT:

(Commissioner Haglund reported on the following items)

- Pathway Oak Grove Corridor timeline. It is proposed to apply for grant by April 2020.
- Discussion followed.

PUBLIC HEARINGS:

A. PUBLIC INPUT-RECREATIONAL MARIJUANA

Chairman Sloan gave clarification and directions so that all in attendance will have their chance to speak. This Public Hearing is for seeking public input regarding whether Howell Township should permit Commercial Marijuana Businesses within the Township.

- **MOTION** by Henry, seconded by Freude, **"TO OPEN THE PUBLIC HEARING FOR PUBLIC INPUT REGARDING RECREATIONAL MARIJUANA."** Motion carried.
- At the November 2018 Election, Proposal 1 to legalizing aspects of recreational marijuana, Howell Township residents voted: 1,978 YES, 1,554 NO.
- The following is only a synopsis of the statements from the public.
- Pat McGreggar founder of RTI Laboratory: believes there are business opportunities and community opportunities. Stated it is being used successfully for several medical reasons. You want to make sure it tested correctly. Wants to come in and set up a laboratory for testing.
- Lorri White from Pinckney: Owns and operates a laboratory in Pinckney for 19 years and will be converting the laboratory into a Marijuana testing facility. Would like it to be in Livingston County.
- Tom Tong from Warren MI: Runs the Cannabis Aid State Conference. Would like the community to know there is a lot of programs out there.
- Regina Momgudas from Bloomfield Hills: The State has made Marijuana legal and she would like the Township to legalize as well so that residents do not have to drive 50 miles or more to get medicine.
- Glen Miller of Amberwood Trail: Believes there is an opportunity for the Township to make money. It is the will of the voters.
- Duley Thomas from Genoa Township: Don't override the will of the people. People need a safe place to get medicine. Help take it off the Black Market. Works with a Medical Marijuana attorney.
- Kathy Markovich of Fisher Road: A cannabis patient who has a head injury and suffers from seizures. Has been on many different very expensive medications that do not work. Medical Marijuana has lowered the amount of seizures tremendously. Because she is not allowed to drive, she needs a closer place to get her medicine.
- Debra Newberry a Township property owner from Howell City: Thanked the Commissioners for having this open meeting and listening to the people.
- Alex Hansen of Amber Oaks Drive: Wanted to voice support for allowing Commercial Marijuana Businesses in Howell Township. The people voted for it. This is an alternate for opioids. The businesses will add jobs and tax reference for the Township.
- Commissioner Freude: Explained to the audience that there is no direction from the State yet as to where the laws are going, what their guidelines are going to be. There is still too much gray area on this issue.
- Melissa Wilson of Marr Road: Came to observe. Believes that the majority of the County has opted out because of the gray areas. Believes Medical Marijuana is helpful and would like the Township to be the first to opt-in.
- Tom Knight, former Planning Commissioner of Truhn Road: stated he thought the agenda stated this meeting was for Recreational Marijuana and Medical Marijuana. He is opposed to Recreational Marijuana and believes it is a gate-way drug.
- Dustin Robinson from Howell: Believes if you do not opt-in the Township doesn't get any of the money.
- Eric from Genoa Township: Thanked the Township for having the open meeting. He is pro-recreational. Be responsible on handling this.
- David McDade from Clio: Is an architect who has designed several facilities for growing, dispensary and processing. The requirements are strict. You can design these facilities as low of impact as necessary.
- John from Handy Township: Is in favor of everything. Not having is like being a Dry County, let's be progressive. Does not want in the downtown Howell area.
- Coleen Binder from Brighton: Is part of team of micro-biology. It is important to have and keep quality standards.

- Brandon Casady from Oceola Township: Studied out West. Bernie's Dispensary says educate before you medicate. Important to test. Would like to bring a Bernie's Dispensary to the Township.
- Fred Bender from Bancroft: There are workshops to help get manipulates educated.
- Chris McDougal: More residents voted for this than not. Let's have a safer way to grow this and know how it is grown and without pesticides.
- Thomas Tong from Warren MI: Runs Cannabis Aid, a State program for education. Asking the Township to make a decision in full awareness.
- Pat McGreggar a form Genesee County Deputy Sheriff: Cannabis is being grown all over, legally and illegally. The only way to have control over the environment and get the bad elements out is for the Township to have control over it.
- Lorri White from Pinckney: Recreational Marijuana laws not in place for a couple of years but there is a framework to start with. It is most likely the Recreational and the Medical Marijuana will be combined.
- Duley Thomas from Geona Township: There has been a lot of research done in other countries. Pharmaceutical companies are running the Country but they do not want to look into this because they will not benefit from it.
- Chairman Sloan the Planning Commission will make their recommendation to the Board. If anyone has further comment they can do so at the Call to the Public.
- It was recommended that there be a show of hands of how many Howell Township residents that are still in attendance, in favor of a "grow operations" in the Township. 7 residents rose their hands.
- **MOTION** by Freude, seconded by Henry, **"TO CLOSE THE PUBLIC HEARING FOR PUBLIC INPUT REGARDING RECREATIONAL MARIJUANA AT 7:35 P.M."** Motion carried.

B. GRAND RIVER PARTY STORE, PARCEL #4706-27-400-002 & 003, SPECIAL USE PERMIT.

- **MOTION** by Counts, seconded by Henry, **"TO OPEN THE PUBLIC HEARING FOR GRAND RIVER PARTY STORE, PARCEL #4706-27-400-002 & 003 FOR SPECIAL USE PERMIT."** Motion carried.
- They currently reside in the building across the street that is owned by Grand River Mini Storage which has plans to increase their facility. This means that the Party Store and Auto One have to move out and look for another location.
- Township Planner Montagno presented the project. The applicant, Grand River Party Store, has proposed a 7,464.30 square foot building to be erected on the south side of W. Grand River. This building includes a 2,683 square foot convenience store and a 2,400 square foot auto detailing shop, Auto One. It will have 3 bays with a small sales area. The auto detailing shop is what is requiring the Special Use Permit. There is currently a single family house that is scheduled to be removed. The proposed use is compatible with surrounding area. The Special Use will go to the Township Board for final approval.
- Applicant from Auto One describes his business as mostly auto glass repair and replacement. We are not a repair shop. We do not repair engines or transmissions and do not plan on going into that business. We are strictly auto detailing. We would like to keep this shop here in the Township.
- There was no response from the public.
- **MOTION** by Manwiller, seconded by Haglund, **"TO CLOSE THE PUBLIC HEARING FOR GRAND RIVER PARTY STORE, PARCEL #4706-27-400-002 & 003 FOR SPECIAL USE PERMIT."** Motion carried.
- Township Planner Montagno read the Findings for Special Use. (See Site Plan/Special Land Use Review from Carlisle/Wortman, dated: Revised February 20, 2019.)
- Questions from the Commissioners.
- **MOTION** by Freude, seconded by Williams followed by a **FRIENDLY MOTION** by Counts and Manwiller, **"TO RECOMMEND APPROVAL FOR THE SPECIAL USE PERMIT WITH CONDITIONS."** Discussion followed. A roll-call vote was taken: Henry – no, Freude – no, Manwiller- no, Counts – no, Sloan – no, Haglund – no, Williams – no. Motion failed 7 to 0.
- **MOTION** by Manwiller, seconded by Haglund, **"TO RECOMMEND TO THE BOARD, APPROVAL OF THE SPECIAL LAND USE PERMIT BASED ON THE FINDINGS IN THE PLANNER'S REPORT DATED FEBRUARY 20, 2019 WITH THE CONDITIONS THAT IF ADDITIONAL SERVICES ARE PROVIDED THEY WILL COME IN FOR ADMINISTRATIVE APPROVAL AND THAT NO OUTDOOR WORK IS PERMITTED AND NO VECHICLES IN ANY STATE OF DISREPAIR MAY BE STORED OUT OF DOORS. THE OWNER MUST MAINTAIN**

COMPLIANCE WITH THE EXISTING SITE PLAN.” Discussion followed. A roll-call vote was taken: Counts – yes, Haglund – yes, Henry – yes, Williams – yes, Manwiller- yes, Sloan – yes, Freude – yes. Motion carries 7 to 0.

UNFINISHED BUSINESS:

A. GRAND RIVER PARTY STORE – PRELIMINARY SITE PLAN REVIEW, PARCEL #4706-27-400-002 & 003

- There was a question from a Commissioner about how the legal description is provided. Township Planner Montagno explained that it is reviewed by the Township Engineer. It was stated that another civil engineer is reviewing the description.
- Architect McDade went over the modifications to the plans discussing retention ponds, landscaping, shrubs, trees and sidewalks.
- Questions were taken from the Commissioners.
- Suggestions were made by Commissioner Sloan, who is a tree expert, about the type of trees that he believes will do better for that area.
- **MOTION** by Henry, seconded by Counts, **“TO APPROVE THE PRELIMINARY STIE PLAN FOR PARCEL #4706-27-400-002 & 003, CONDITIONAL UPON THE PLANNER’S REVIEW AS WELL AS CONSISTENT WITH THE RECOMMENDATIONS OF THE SPICER GROUP REPORT AND ANY OTHER GOVERNMENTAL AGENCIES.”** Discussion followed. A roll-call vote was taken: Freude – yes, Williams – yes, Manwiller – yes, Henry – yes, Counts – yes, Haglund – yes, Sloan – yes. Motion carries 7 to 0.

NEW BUSINESS:

None.

OTHER BUSINESS:

RECREATIONAL MARIJUANA DISCUSSION

- Chairman Sloan stated that the Board asked the Planning Commission to make a recommendation on Recreational Marijuana Commercial Businesses within the Township. Most of what was heard at this meeting tonight from the public had to do with Medical Marijuana.
- Planner Montagno laid out possible uses: 1) Allow a GROWER to locate a facility in the Township either indoors, outdoors or both. 2) Allow a PROCESSOR facility in the Township to extract resin from the marijuana. 3) Allow a SECURE TRANSPORTER facility in the Township to store marijuana and then transport it between other facilities. 4) Allow a SAFETY COMPLIANCE facility in the Township to receive from a grower and then test for contaminants and other substances. 5) Allow a DISPENSARY facility in the Township to sell marijuana.
- Discussion on the following: 1) whether to recommend to the Board to opt out. 2) To have an ordinance to allow any or all of the possible uses. 3) The amount of income it would bring into the Township. 4) The pros and cons of Recreational Marijuana use. 5) Medical Marijuana. 6) How the residents voted. 7) Community safety. 8) Opioids. 9) What some of the other communities are doing? 9) Tax benefits. 10) Commercial standpoint. 11) Time period to make a decision. 12) Having the Township have some control over it. 13) Taking personal opinion out of it and take the feedback from the residents to draft an ordinance. 14) Look at some sample ordinances. 15) To opt out until an appropriate ordinance can be created. 16) To opt out completely or temporally. 17) Get more guidance for an ordinance.
- Commissioner Counts, Board Representative, stated that the Board would like to have a clear direction from the Planning Commission.
- Planner Montagno suggested 3 options: 1) to opt in and craft an ordinance. 2) To opt out completely and that it is the end of it. 3) To opt out temporally while an ordinance is being created.
- **MOTION** by Counts, seconded by Manwiller, **“TO RECOMMEND TO THE BOARD TO OPT OUT FOR THE TIME BEING WHILE WE UNDERSTAND OUR OPTIONS AND REVIEW ORDINANCES FROM LOCAL MUNICIPALITIES.”** Discussion followed. A roll-call vote was taken: Haglund – yes, Freude – no, Sloan – no, Manwiller – yes, Henry – no, Williams – no, Counts – yes. Motion failed 4 to 3.
- **MOTION** by Henry, seconded by Freude, **“TO TABLE THIS MATTER UNTIL THE NEXT MEETING SO THAT WE CAN CONSIDER SOME PROPOSED ORDINANCES AND DISCUSS FURTHER.”** Discussion followed. A

roll-call vote was taken: Williams – yes, Sloan – yes, Haglund – no, Manwiller – no, Freude – yes, Counts – yes, Henry – yes. Motion carries 5 to 2.

CALL TO THE PUBLIC:

- Tom Knight of Truhn Road: Thanked Commissioner Manwiller for his earlier comment about the small amount of money that would be brought in from allowing marijuana business in the Township. He would rather see a new car dealership or similar business come into the Township. He commended the Commission Board’s appropriate decision to table the issue. He doesn’t feel that there was that big of margin between the voters yes and no votes.
- Glen Miller of Amberwood Trail: Agrees to table the decision to get a knowledgeable understanding for an ordinance. Do not act like it doesn’t exist. Thanked the Township listening to the public.
- Dustin Robinson from Howell: Compared tobacco industry to marijuana industry.
- Courtney from Pinckney: Wants the Commissioners to consider all the establishments in the area where people leave under the influence of alcohol.
- Tim Smith of Hickory Acres Drive: Agreed with Tom Knight with his concerns. Was disappointed when the proposal passed. Has looked at studies that show recreational use does have developmental effects on young people. Would like it not to come in. Is in favor of Medical Marijuana.
- One public member stated it is coming, have some control over it.
- A public member compared the cost of accidents while under the influence of alcohol to the cost of marijuana issues.
- Another public member talked about THC. Also talked about many things can be a gateway drug.

ADJOURNMENT:

MOTION by Manwiller, seconded by Henry, **“TO ADJOURN.”** Motion carried and meeting adjourned at 9:35 P.M.

Approved: _____ X _____

Andrew Sloan, Chairman

As Presented: _____ X _____

As Amended: _____

Wayne Williams, Secretary

As Corrected: _____

Dated: _____ 03.26.2019 _____

Debby Johnson, Recording Secretary