

Crockery Township

Regular Planning Commission Meeting

June 22, 2021

Approved Minutes

Chairman Bill Sanders called the meeting to order at 7:30 P.M. Roll call was taken with Commissioners, Dave Meekhof, Jon Overway, Bill Sanders, Ryan Arends, Rich Suchecki, Mike Munch, and Roy Holmes, present. Z.A. Hillary Taylor and Mr. Ronald M. Redick (Attorney for the Township), were also present for this meeting.

There were three persons seated in the public gallery, including Township Supervisor Erik Erhorn.

Agenda Item 2. Approval of the Agenda

Added to the agenda, 7.d. CH Zoning Amendment

Agenda Item 3. Approval of Minutes

The Commission reviewed the minutes from the May 18, 2021, Regular Planning Commission Meeting. **A motion** was made to approve the minutes, as written, by Commissioner Rich Suchecki. A 2nd was offered by Commissioner Ryan Arends. The motion was unanimously approved by the Commission.

Agenda Item 4. Announcements

Commissioner Rich Suchecki and Supervisor Erik Erhorn indicated progress has been made in having the Hathaway Lakes Subdivision join the Grand Haven – Spring Lake Sewer Authority for service. The Township is also engaged in maintenance projects such as roof repair to the office and tree/stump removal at the cemetery.

Agenda Item 5. Communications

None.

Agenda Item 6. Public Comment

Supervisor asked the Commission to address the CH Zoning District amendment language.

Agenda Item 7. Action Items

A. Klamer Grow Operation – Marijuana Business – Site Plan Review.

Documents provided to the Commission for this review include; (1) a site plan by Milanowski & Englert Engineering & Surveying, 403 Oak Street, Spring Lake, Michigan, 49456, (616) 847-4070, dated April 30, 2021, by TV/DRB, Job #16410, amended June 2, 2021, with abutting property attachment, (2) Site Lighting Photometric Analysis by Black Raven Architects, 137 N. Main Street, Adrian, Michigan, 49221, 517 577-6992, Job #21.16, by BLR, undated, (3) a proposed building footprint, elevation, and floorplan by Black Raven Architects, 137 N. Main Street, Adrian, Michigan, 49221, 517 577-6992, Job #21.16, by MR/BLR, dated May 14, 2021, amended June 3, 2021, (4) a Planning Review Memorandum by Z/A Hillary Taylor, dated June 15, 2021, discussing this proposal, and (5) a Review by Dave Hudson, Fire Inspector, SLFD, dated June 7, 2021, discussion this proposal, and (6) a review by Kevin S. Kieft, P. E., of Prein & Newhof, Engineers for the Township, dated June 9, 2021, discussing this proposal.

Mr. Eric Klamer of Legendary Leaf was present for this review.

Ms. Taylor provided a lead-in to the discussion by covering items in her Planning Review Memorandum (including permit/licensing issues yet to be addressed), Fire Inspector Review, and referenced the Prein & Newhof review.

Chairman Sanders asked for public comment. None was offered.

The Commission, Ms. Taylor, Mr. Klamer, and Mr. Redick discussed the present site plan at length. Mr. Klamer indicated there was no need to run a natural gas line to the proposed structure as no gas would be utilized in the grow facility. Mr. Klamer further stated his facility would use an activated charcoal air filtration system that would change out between twenty and forty time an hour, depending on the need. Mr. Klamer advised the structure would be post/frame construction with exterior steel siding. It was also noted that no residential dwelling places appeared to be within 500' for the proposed grow operation facility.

After considering the site plan in detail, the Commission found it to be acceptable. Mr. Klamer was reminded that signage was a separate application, the proposed future expansion would require a separate approval if undertaken, and there are still a number of permit/licensing issues to be addressed, completed, and provided to the Township prior to occupancy and operation of the grow facility.

After all discussing was complete, Commissioner Roy Holmes made **a motion** to approve this site plan, contingent on the applicant successfully addressing the nine (9) proposed conditions listed in Z.A Taylor's review, dated June 15, 2021, and a tenth clarification is declared by the Township that site plan approval is **not** approval to operate the marijuana grow facility, and that no marijuana grow operations may commence on the site until the applicant has obtained a growers permit under MRTMA and the Township Adult Use Marijuana Establishment

Ordinance. A 2nd was offered by Commissioner Mike Munch. The motion was unanimously approved by the Commission.

B. Public Hearing – Zoning Amendment – Outdoor Storage.

Z. A. Taylor provided the commission with a draft of the amended language affecting the I-1 Heavy Industrial Landscaping and Screening Requirements and Article 3 General Provisions, Sections 11A.08 Landscaping and Screening, and Section 3.31 Outdoor Storage.

Commissioner Dave Meekhof asked to be excused from this discussion and subsequent vote due to a conflict of interest. Chairman Sanders granted the request.

Chairman Sanders opened the public hearing.

The Commission reviewed and discussed the proposed amended language and found it to be acceptable.

Chairman Sanders asked for public comment. None was offered.

Commissioner Ryan Arends made **a motion, via resolution**, to recommend to the Township Board the proposed amendments be approved. A 2nd was offered by Commissioner Rich Suchecki. The motion was unanimously approved by the (six sitting members of the) Commission.

Commissioner Dave Meekhof rejoined the Commission panel after this motion was completed.

C. Public Hearing – Zoning Amendment – Outdoor Ponds.

Z. A. Taylor provided the commission with a draft of the amended language affecting 2.02 Definition of Outdoor Ponds, and Section 3.30 Outdoor Ponds.

Chairman Sanders opened the public hearing.

The Commission reviewed and discussed the proposed amended language. The Commission felt further language should be developed addressing excavated materials remaining on-sight, and the number of ponds permitted per parcel. There was also substantial discussion regarding pond engineering and permitting that may be required by other agencies external to the Township.

Chairman Sanders asked for public comment. None was offered.

Commissioner Ryan Arends made **a motion**, to table this proposed ordinance amendment for further consideration until the July 20, 2021, Regular Planning Commission Meeting. A 2nd was offered by Commissioner Dave Meekhof. The motion was unanimously approved by the Commission.

D. Public Hearing (continued) – Zoning amendment - CH Zoning District.

The Commission again discussed draft language of Article 10, CH Commercial Horticultural District. Supervisor Erhorn asked the Commission to reconsider certain aspects of the language, including 10.02 Use Regulations; 3. Ancillary office and retail facilities used in connection with the retail or wholesale trade in plants, trees, or shrubs, and 4. Facilities used in connection with the retail or wholesale trade in plants, trees, shrubs; facilities used in the storage, assembly and fabrication of ancillary products used in connection with the retail or wholesale trade in plants, trees, or shrubs. The Commission felt moving points 3. & 4. To 18.02 may resolve the issue.

Mr. Redick will provide the language requested by the Commission.

Chairman Sanders asked for public comment. None was offered.

Commissioner Ryan Arends made a **motion** to recommend to the Township Board to approve the proposed zoning amendments to the CH Zoning District. A 2nd was offered by Commissioner Roy Holmes. This motion was unanimously approved by the commission.

Agenda Item 8, Presentations

None.

Agenda Item 9. Discussion Items

A. 136th Avenue Dual Zoning.

It has been previously pointed out that there are several parcels along the westside of 136th Avenue, between Leonard Road and Cleveland Street, that still are dually zoned, something the Township has sought to eliminate through planning over the years. This circumstance came to light by way of a parcel split request, which becomes complicated by the dual zoning status.

Ms. Taylor provided a list of twenty-four parcels with split zoning to the Commission. The Commission requested further information specific to parcel size and current use, which Ms. Taylor will provide for future discussion. There was some discussion regarding current use of these parcels, including agricultural operation, and what might be the proposed zoning to resolve the issue. Mr. Redick reminded the Commission the Right to Farm Act give property owners considerable latitude to engage in agricultural activities in a wide range of zoning districts.

The Commission will continue to discuss this issue at future meetings.

B. Zoning Amendment – Adult Use Marijuana Establishment - 500 Feet.

Recent applications for businesses engaging in adult use marijuana have brought to light a potential problem with the 500-foot separation between marijuana facilities in the I-1 Light Industrial District and residential dwelling places. There appears to be one dwelling place, which received a variance to exist as such, within 500 feet of the Township’s I-1 Zoning District. This may potentially limit the existence of marijuana facilities in the (I-1) zoning district the Township has authorized for their use.

Mr. Redick will develop language in a zoning amendment to address this issue for future discussion.

Agenda Item 10. Adjournment

A **motion** to adjourn was made by Commissioner Roy Holmes at 8:57 P.M. A 2nd was offered by Commissioner Mike Munch. The motion was unanimously approved.

Respectfully Submitted,

Jon C. Overway, Secretary
Crockery Township Planning Commission

Next Regular Meeting - July 20, 2021
Next Special Meeting - TBD