

GREEN LAKE TOWNSHIP PLANNING COMMISSION
GOLDEN FELLOWSHIP HALL
9700 RILEY ROAD
INTERLOCHEN, MI
December 7, 2022

SPECIAL MEETING MINUTES

1. CALL TO ORDER: By Chairman Schworm at 6:00 pm.
2. PLEDGE OF ALLEGIANCE: Was recited by all.
3. ROLL CALL: Board members present were: Schworm, Schuster, Barck, Wilson and Klabunde (6:21 arrival), Dean and McDonald. Also, present were Alycia Reiten, Planning and Zoning Director, Bryan Graham, Township Attorney and Mary Jo Barck, Recording Secretary.
4. APPROVAL OF AGENDA: Motion by Barck, supported by McDonald to approve the agenda as presented. Motion Carried.
5. APPROVAL OF MINUTES: Motion by Schworm, supported by Schuster to accept the minutes of the November 28, 2022 meeting. Motion Carried
6. FIRST PUBLIC COMMENT: None
7. CONFLICT OF INTEREST: None
8. CORRESPONDENCE: None
9. OLD BUSINESS: None
10. NEW BUSINESS:

ZOA 22-004 – A public hearing to receive and discuss an amendment to the Green Lake Township Zoning Ordinance concerning recreational marihuana establishments.

Barck asked that a typo in definitions, retailer be changed from “of” to “or”.

Chairman Schworm opened the Public Hearing at 6:09 p.m.

Bryan Graham, of Young, Graham & Wendling PC

Add definition for Michigan Regulation and Taxation of Marijuana Act (MRTMA), State Statute licensing – all definitions relate to that statute – specifically to recreational marijuana.

The Michigan Regulation and Taxation of Marihuana Act (MRTMA), Initiated Law 1 of 2018, being MCL 333.27951, *et seq.*

Dave Petrove, Riley Road Interlochen

Mr. Petrove expressed concern regarding the number of parking spaces required per square foot noting a lot of room is not used for selling, including bathrooms. Other places don't require as much parking and they are busier, grocery stores and garages.

Steve Ezell 2074 J. Maddy Parkway Interlochen

Mr. Ezell is the petitioner, determining the number of provisioning centers in township, used existing language and changed to two Retail Marijuana Facilities. The act says how many and where. To achieve goal of two retail shops, distance between businesses now set at 2640' he would like seven miles – voters not in favor of more than 2. To put 5, 6, 7 or 8 would be ridiculous – everyone would fail. Voters approved this twice, in a sensible way.

Richard Rischer 9900 Diamond Park Interlochen

Small government type of person, distance between each business should be a foot – let the market shake it out not distance and regulations. Litigating two retail shops will be cheaper.

Public Hearing closed at 6:16 p.m.

Discussion:

Dean referenced the Michigan Liquor Control License. Parameters are set so every other building is not a bar or liquor sales. Can't get a license just because you want one. It is awesome that the voters passed this service, but governing agencies have set parameters to be licensed. If too many, they will fail. This includes parking, which he is also obliged to follow.

Schuster stated this committee will not be setting the number of allowed retailers, they are here tonight to amend terminology not currently in the ordinance. Schworm agreed, adding the proposed definitions will be forwarded to the Township Board for

their approval – as with any ordinance change. Schworm also commented on parking stating what is proposed tonight is congruent with other standards in the ordinance. Staff stated the proposed parking language mimics other retailers, growers are same category as greenhouse and micro business is the same as other businesses.

McDonald asked if the commission would recommend retail sales at Interlochen Corners (J. Maddy Parkway/US31/S. South Long Lake Road intersection). Counsel reminded the members of the Planning Commission that they will recommend the zoning districts in which the retail marijuana businesses may be located. Schworm wishes to maintain the commercial and industrial areas, same as medical marijuana businesses. Schuster does not want to add a commercial overlay district.

Barck stated most of what is presented for review and approval dovetails the existing medical marijuana language and the committee is only expanding the new service through definitions and districts. Counsel reminded members the two statutes have entirely different language.

Schworm suggested visiting each section and polled the members if they have questions. Section 2 is congruent with what we have and members have no conflicts on that. Counsel added that Note 2 in Section 2 may allow for a reduced number of required spaces if colocation of similar businesses is present.

Section 4, 8.5 Table of Uses – Schuster said it appears everything is covered and the members agreed. Schworm commented the businesses are located in Commercial and Industrial districts.

Section 1, Amendment of Section 3.1 – definitions. Counsel stated the amendments amend pre-existing definitions.

Motion by Schworm, supported by Barck to recommend to the Green Lake Township Board of Trustees ZOA: 22-004 as presented to this commission, with the addition of definition for Michigan Regulation and Taxation of Marijuana Act, State Statute licensing – all definitions relate to that statute – specifically to recreational marijuana. Motion carried unanimously.

11. OTHER BUSINESS: None

12. LIAISON REPORT FROM THE ZONING BOARD OF APPEALS:

Mr. Wilson reported there was not meeting in November, the next meeting of the Zoning Board of Appeals is scheduled for December 14, 2022.

13. SECOND PUBLIC COMMENT:

Steve Ezell 2074 J. Maddy Parkway Interlochen

Mr. Ezell said the committee claims it is not responsible for how many businesses, but they do set the distance between, which could limit the number of businesses. The petition was written for two. Without an increase in the distance between each it will be the wild west with all the new businesses. He asked that Pat (Mr. McDonald) speak to that.

14. DISCUSSION:

Schworm said the commission voted strictly on what was presented before them. The sections approved tonight and by the Board at their meeting, will be included in the Police Power Ordinance. He feels the members acted in good faith.

15. ADJOURNMENT: Schworm made a motion to adjourn the meeting at 6:39 p.m., supported by McDonald. Motion Carried.

BRAD DEAN, SECRETARY
GREEN LAKE TOWNSHIP PLANNING COMMISSION

MARY JO BARCK, RECORDING SECRETARY
GREEN LAKE TOWNSHIP PLANNING COMMISSION

NOTE: THESE MINUTES ARE SUBJECT TO AMENDMENT AND/OR CORRECTION
PRIOR TO THEIR ACCEPTANCE.