

Vassar Township Planning Commission Minutes (final)

Vassar Township Hall

October 13, 2016

Call to order 7:02 pm

Pledge of Allegiance led by Chair Kendall Woodruff

Roll Call:

Member	Present	Absent	Excused
Janice Zawol(vice-chair)	x		
Orv Hartung	x		
Fred Welsh(secretary)	x		
Dan Zuzula	x		
Bill Gray	x		
Don Clinesmith	x	Arrived 7:19p m	
Kendall Woodruff (chair)	x		

September 8, 2016 Regular Meeting Minutes

Replace Robert Partridge with Howard Partridge. Ben Partridge requested “Ben Partridge was not speaking on behalf of his father Howard” be added to the paragraph. Replace Kendall with Kendal. Orville Hartung pointed out that he was marked present, absent and excused. Present must be removed. Kendal moved and Dan Zuzula seconded the motion to approve the minutes with corrections.

Dan Zuzula was not a member of the Commission at the time. So the motion to accept the minutes was withdrawn. The Commission discussed the problem created by a lack of a quorum of members who had been at the September 8, 2016 minutes who will be serving after this meeting and would be able to vote to approve these minutes.

Don Clinesmith arrived at 7:19 p.m.

Kendal Woodruff moved to rescind the motion to approve the September 8, 2016 minutes. Dan seconded the motion to rescind. Carried. Kendal moved to accept the September 8 minutes with corrections. Bill Gray seconded the motion. Janice and Orv abstained. Motion carried.

September 19, 2016 Special Planning Commission Meeting Minutes

Change let to led in the section on the Iron Belle Trail.

Bill Gray moved to accept. Janice Zawol seconded. Approved with corrections.

Trustee Report

VASSAR TOWNSHIP PLANNING COMMISSION MEETING

OCTOBER 13, 2016

FROM VASSAR TOWNSHIP BOARD Meeting

SEPTEMBER 13, 2016

1. Motion passed to allow secretaries to order supplies from Thumb Office Supplies.
2. The Tuscola County Hazard Mitigation Plan was adopted.
3. Motion passed to accept Russ Kime's resignation with reluctance due to his working schedule.
4. Motion passed to appoint Dan Zuzula to the Planning Commission vacancy through October 2017.

FROM SPECIAL VASSAR TOWNSHIP BOARD MEETING

SEPTEMBER 15, 2016

1. The Board met with Township Attorney Brian Gamer to discuss the August 9, 2016 Board minutes. For a complete explanation see the August 9, 2016 draft minutes and the September 15, 2016 Special Meeting minutes.

FROM VASSAR TOWNSHIP BOARD MEETING

OCTOBER 11, 2016

1. Motion passed to accept the Tuscola County Sheriff contract for 1 year (2017) for \$82,929.00. For the complete contract, see Supervisor Forbes or Clerk Clinesmith for a copy.
2. There was discussion about the secretaries receiving cash when they are not bonded.
3. There was discussion about campaigning at the Township Hall.
4. Planning Commission Appointments:
 - a. Erica Aymer and Bob Reil were appointed to the Planning Commission. They will replace
 - b. Don Clinesmith and Janice Zawol. I would like to thank them both for their past service.

5. ZBA appointments:

- a) Janice Zawol and Ben Partridge were appointed to the ZBA through October 2017.
- b) Danielle Zuzula and Grace Proffer were appointed alternates through October 2017.

If you wish to know who they replaced see Supervisor Forbes or Clerk Clinesmith.

Parks and Rec Meeting

Parks and Rec Board needs an 'intent to seek grants for the park' resolution from the Board of Trustees in order to meet grant requirements. Vicky Sherry says this must be a resolution. Don Clinesmith moved and Kendal Woodruff seconded the Planning Commission recommending this resolution.

Russ Fall described the additional trails he has been working on at the park. Kendal Woodruff described positive feedback.

Cass River Greenway

Russ Fall went over the Water Trail designation. The Cass River Greenway wants this through Cass City. Fred Welsh said that National River Trail designation might have requirements for the township. Russ Fall described the handicapped accessible launch in Bridgeport. Russ Fall described mapping out the section that passes through Vassar Township.

Caine Road Cass River Access Site to Vassar River Access Site

Place	Distance	Time
Caine Road Cass River Access	9:45 AM	9:45 am
Wesleyan Woods Campground	.57 Miles	13 min
Moderate rapids - just after campground		



NATIONAL RIVER
TRAIL DESIGNATION

<https://www.nps.gov/WaterTrails/Home/About>
gives more information

Rapids just after larger rock towards middle of river	1.41 Miles	
Hess Rd. & O'Brian Rd. corner	1.54 Miles	
Small rapids	1.74 Miles	
Cass Ave. & Kirk Rd. corner	2.80 Miles	
Rapids - Large rock east side of river	3.0 Miles	
Rapids	3.14 Miles	
Rapids	3.20 Miles	
Railroad Trestle	3.94 Miles	
	2.99 Miles	1 Hour 18 Minutes

ZONING ADMINISTRATOR REPORT 10-2016

- 01) Z. PERMIT FOR RIGGS, HESS RD., ADDITION
- 02) Z. PERMIT FOR MOLINA, SCOTCH RD., NEW HOME AND POND
- 03) Z. PERMIT FOR WALTER, CAINE RD., POLE BLDG.
- 04) Z. PERMIT FOR MANNING, CANE RD., ROOF OVER
- 05) Z. PERMIT FOR COBB, CAINE RD., CAR PORT.
- 06) Z. PERMIT FOR RADATZ, BROOK LANE, COVERED PORCH
- 07) LETTER SENT FOR BLIGHT ON KIRK RD., NO RESPONSE
- 08) LETTER SENT FOR BLIGHT ON VASSAR RD., NO RESPONSE

Old Business

Kendal Woodruff passed out a copy of information on the new medical marijuana bills. The article is from Township Focus Magazine. Kendal said it looks like townships will have more control. Tax revenue is available from opting in. Fred Welsh said he wanted to look into this further. Don Clinesmith said additional information appeared in the Saginaw News. This does not affect growers in the township now. The Planning Commission must decide whether to opt in or opt out. There are tax benefits from opting in. This will not occur for at least one year.

Bills clear haze on medical marijuana regulation

Townships now have clear authority to allow or ban medical marijuana facilities to operate within their boundaries.

Gov. Rick Snyder has signed a package of three bills designed to provide the state's medical marijuana system with a new regulatory framework. The primary bill in the package—House Bill 4209 (now Public Act 281 of 2016), sponsored by Rep. Mike Callton (R-Nashville)—provides

this framework while allowing townships and other local units to determine whether to allow such licensed facilities in their community. It also permits the local unit to control which—if any—of the five types of licensed facilities they would allow and how many.

While MTA did not take a position on the bill, we worked hard to ensure that local control was maintained for approval and regulation. We were successful in our efforts—if townships do not want medical marijuana facilities within their jurisdiction, no action is required. State licensed

facilities can only locate in a local unit if the township adopts an ordinance permitting them. Townships can adopt additional ordinances, including zoning ordinances, to further regulate these facilities.

HB 4209 is tie-barred to HB 4827 (now PA 282), sponsored by Rep. Clint Kesto (R-Commerce Chtr. Twp.), which establishes a seed-to-sale tracking system, as well as HB 4210 (PA 283), sponsored by Rep. Lisa Posthumus Lyons (R-Bowne Twp.), which would allow medical marijuana to be used in edible and topical form.

Taming a 'Wild West' scenario

The legislation comes years after voters approved medical marijuana in 2008. However, there was little regulatory guidance, resulting in what one lawmaker called a "Wild West" scenario. The bills do not impact the current caregiver-to-patient model but are meant to stop unregulated growers

PA 281 creates the regulatory framework of a state licensing system with five defined types of licenses—grower processor, secure transporter, provisioning center and safety compliance facility. Once enacted, the bill will provide criminal and civil immunity to license-holders operating within the scope of the law, as well as to registered caregivers and patients.

However, before any individual or entity can apply for any of the five types of medical marijuana licenses, the local unit in which it wants to locate must first have "opted in" by adopting an ordinance. The ordinance must specify which type or types of facilities are allowed, and can also include a limit on the number of facilities allowed in the jurisdiction. Without this ordinance, the state cannot issue a license for any facility in that local unit.

Local units also have the option to adopt other ordinance that regulate the medical marijuana facilities permitted in their jurisdiction. These include zoning, nuisance, lighting, noise, and setbacks from schools and other areas. The local ordinances cannot regulate the purity or pricing of marijuana and they can't interfere or conflict with statutory regulations for licensing the facilities.

When someone applies for a medical marijuana license, they must notify the local unit by registered mail. Then, within 90 days, the local unit must provide the state licensing board with a copy of its authorizing ordinance and a copy of any applicable zoning regulations or ordinances. In the case of a license renewal, the local unit must also provide applicant.

The bill stipulates that a state operating license is a revocable privilege, not a property right. In a renewal, the board may consider any written input on a licensee from an individual or entity within the local unit, including the local unit itself. PA 281 also creates a 17-member marijuana advisory panel, which includes one township representative, to make recommendations concerning rules and the administration of the act.

All provisioning centers will be charged a 3 percent tax of their gross retail receipts, and townships with state licensed marijuana facilities within their jurisdiction will receive 25 percent of that tax revenue, in proportion to the number of facilities there. Local units can also charge up to a \$5,000 annual, nonrefundable fee. Thirty days after the end of each state fiscal year, the licensee must submit a report to the state and local unit where it's located that includes financial statements of its total operations.

The earliest any person may apply is 360 days from the act's effective date, Dec. 20, 2016. No licensing applications



New Business

Kendal Woodruff discussed the need for a training session and for work on the master plan. We have six months to do scheduled webinar training. Janice asked if she would be paid for training if she went this month. Election officials are paid for training now while Planning Commission members are not paid. The opinion of the Commission is that if a regularly scheduled meeting is used for training, we

will be paid. This meeting is open to the public and must comply with the open meeting act. Fred Welsh said he was in favor of not scheduling a meeting and not being paid. Fred Welsh suggested having the Master Plan meeting in October to allow getting the Board's opinion on paid training.

This training meeting will be on October 27 at 7pm.

Kendal thanked Janice Zawol and Don Clinesmith for their service to the Planning Commission. Fred Welsh added his personal thanks and encouraged both of them to attend the meetings.

Kendal welcomed the new members Erica Aymer was present.

Fred Welsh asked that a sign saying a web hotspot is available to the public at the township. Bill Gray will recommend this to the Board of Trustees.

Russ Fall asked about placing signs along the eastern boundary of the Township Park. Russ said Parks and Rec has no liaison person with the board so they needed to go through the Planning Commission. The Planning Commission feels that Parks and Rec can go ahead with this without approval. This is for two small signs about 150 feet apart.

Don Clinesmith said it would be a good idea to have the east line of the Park surveyed. Kendall requested the survey request be taken to the Board of Trustees.

Public Comment

John Stack said the Webinars are 60 and 75 minutes.

Jack Clark presented a petition to do work on his ditch. He is requesting a 24" drain and other work. Kendal Woodruff will take the petition to Supervisor Ford. The land owner is responsible to pay for the work.

Don Clinesmith moved Fred Welsh seconded sending Jack Clark's petition to the appropriate authority. Carried.

Ben Partridge asked for the information Kendal Woodruff received on Howard Partridge drainage problem. Kendal asked what role the Planning Commission had in drainage problems. Kendal has asked the lawyer who hasn't responded yet. Fred Welsh suspects that the Planning Commission has nothing to do with this. Fred Welsh said that the property owner should contact a lawyer to see what he can do. Fred Welsh said that the Planning Commission is not qualified to rule on drainage.

Janice Zawol moved to adjourn. Bill Gray supported. Carried

Meeting adjourned at 8:30 pm Next Meeting November 10, 2016 at 7pm

Respectfully Submitted

Fred Welsh

Secretary Vassar Township Planning Commission