

## Vassar Township Planning Commission May 13<sup>th</sup>, 2021 Meeting Minutes

Meeting called to order at 7:00 PM by Chairman Foether and pledge followed.

Roll call was conducted:

Troy Eurich (Co-Chair) – Present  
Sam Tester – Present  
Shaun McDonnell – Present  
Ben Partridge – Present  
Orville Hartung – Present  
Devin Foether (Chair & Acting Secretary) – Present  
Nicole Tenney – Absent

D. Foether moved to review of April 8<sup>th</sup> minutes. D. Foether pointed out a spelling error in Star Budz's name. No further corrections or additions made by PC members

**MOTION** to accept April 8<sup>th</sup> minutes with corrections offered by Partridge and seconded by McDonnell.

“AYES” – 6, “NAYS” – 0, ABSENT – 1

Motion carried.

D. Foether moved to review of April 19<sup>th</sup> minutes. No corrections or additions made by PC members

**MOTION** to accept April 19<sup>th</sup> minutes offered by D. Foether and seconded by Partridge.

“AYES” – 6, “NAYS” – 0, ABSENT – 1

Motion carried.

D. Foether moved to review of April 29<sup>th</sup> minutes. No corrections or additions made by PC members

**MOTION** to accept April 29<sup>th</sup> minutes offered by D. Foether and seconded by Hartung.

“AYES” – 6, “NAYS” – 0, ABSENT – 1

Motion carried.

D. Foether moved to Parks & Recreation report and asked if there were any questions. No questions posed by PC members.

D. Foether moved to the Trustee's report and asked if there were any questions. No questions posed by PC members.

D. Foether recognized Corey Christensen from ROWE and allowed him to present information on Master Plan progress.

Christensen explained the survey and the additions requested to be made. Partridge asked if the wording on the number of marijuana facilities was too leading. Christen indicated that he would fix the language to be less so, will include a "number of" instead of "too many." Christensen said ROWE will share a link to Survey Monkey site for survey for posting on social media and township website, will include a paper copy for pick up at the hall. Partridge asked if there is a means to control for people outside the Township taking the survey. Christensen indicated that they try to prevent that with the last question about township relationship. D. Foether asked if that was a required answer. Christensen stated that it was not. Christensen said they would keep the survey open for a period and assess the validity of answers based on the number of responses and responses to the survey's last answer.

Christensen then explained the need to set a public engagement time and place. Will need to have a location that can hold 20-30 people in June or July. Partridge indicated that we could use the Township Park pavilion without much issue for space. Christensen said that was perfect. Christensen explained how this engagement would work – break down into groups and walk through several exercises. Said it was a good idea to make other boards aware of the engagement session. PC members indicated that July 22<sup>nd</sup> at 6:30 PM might be the best time. Christensen said he would send a flyer layout next week to begin gathering volunteers. Recommended that PC supply refreshments as additional encouragement. Christensen indicated that map work would be completed after the visioning session, and he will not be back to PC meetings until that time.

**MOTION** to set ROWE SPC visioning session for July 22<sup>nd</sup> at 6:30 PM at the Township Park offered by Partridge and seconded by Eurich.

"AYES" – 6, "NAYS" – 0, ABSENT – 1

Motion carried.

D. Foether moved to the next agenda item. D. Foether presented his rough pass for budget funding for the 2021/2022 fiscal year. Explained the big ask was computers to begin a move to digital site plan review documents. Explained that there was a cheaper option, but it was more parting out instead of a complete package. Eurich asked what the cost difference was, D. Foether indicated that it was over half the cost. D. Foether also explained that the price quoted might not be accurate as the site he was pulling pricing from wouldn't sell more than 5 in one transaction online; said the company would likely treat this as an enterprise sale and may give a discount on the number needed.

Partridge explained the budget documentation that was acquired from the Treasurer.

Partridge commented that it should be explained where the money for the computers might come from as it is a lot of money, asked if there were any spares included. B. Foether suggested that there should also be one for the incoming marijuana facility coordinator. D. Foether said he would spell out more detail where funding might come from within current revenue streams.

D. Foether moved to the next agenda item. D. Foether asked PC members if there were any other highlights that they would like to add to the summary prepared by Eurich. Eurich indicated that he wasn't sure what to add. Partridge said that he would like to note that Troy did a great job.

**MOTION** to add agenda item "7a. Discussion on Star Budz and DD & MH LLC public hearings" offered by D. Foether and seconded by Tester.

"AYES" – 6, "NAYS" – 0, ABSENT – 1

Motion carried.

D. Foether explained that he was presented with information before the meeting that indicated that the 300' notices issued to properties impacted by the DD & MH LLC rezoning request listed the wrong meeting date. He was presented with an envelope that had a post date later than the date indicated in the mailing. It was verified that the newspaper posting was correct, but the notice as presented was incorrect. Before the meeting, the administrative assistant tried to confirm who was noticed for the rezoning and if proper 300' notices were issued to Star Budz neighbors. Due to lack of evidence that notices for Star Budz were sent and evidence that DD & MH LLC notices were incorrect, D. Foether indicated that the May 27<sup>th</sup> public hearing was to be considered invalidated. New hearing dates would need to be set. D. Foether proposed June 17<sup>th</sup>, member of the public asked if that was the week of Father's Day. D. Foether said it was and recalled that he would not be in town that week either. A suggestion was made to move the public hearings to June 3<sup>rd</sup> if notices could be sent in time. D. Foether said they could try and see if the paper would post the notice in time. PC agreed to the new date.

**MOTION** to set the public hearing for Star Budz LLC's MRTMA & MMFLA Special Land Use Permit and Site Plan Review during a special meeting set on June 3<sup>rd</sup> at 6:00 PM at the Township Park offered by D. Foether and seconded by Eurich.

"AYES" – 6, "NAYS" – 0, ABSENT – 1

Motion carried.

**MOTION** to set the public hearing for DD & MH LLC's rezoning request during the special meeting set on June 3<sup>rd</sup> for 6:00 PM at the Township Park was offered by D. Foether and seconded by McDonnell.

"AYES" – 6, "NAYS" – 0, ABSENT – 1

Motion carried.

D. Foether moved to the next agenda item. D. Foether explained that PC received the MMFLA renewal for Canna i Am; since it was a renewal, it would be handled at the next regular meeting. PC members agreed to date.

**MOTION** to set the public hearing for Canna i Am's MMFLA Special Land Use permit renewal during the regular June 10<sup>th</sup> meeting was offered by D. Foether and seconded by Partridge.

D. Foether moved to the next agenda item. D. Foether explained that the PC was receiving permitting for Releaf Farms LLC doing business as Vassar Tech Farms or vice versa. The representative in the audience indicated that they were two separate entities on the same property. D. Foether thanked the representative for the clarification. D. Foether explained that typically new apps would be set to special meetings. Still, the next regular meeting currently had no items to cover other than the renewal, suggested that public hearings for these applications be heard at the regular meeting. Member of the PC agreed to the date.

**MOTION** to set the public hearing for Releaf Farms LLC's MMFLA Special Land Use and Site Plan review during the regular June 10<sup>th</sup> meeting was offered by D. Foether and seconded by McDonnell.

"AYES" – 6, "NAYS" – 0, ABSENT – 1

Motion carried.

**MOTION** to set the public hearing for Vassar Tech Farms LLC's MMFLA Special Land Use and Site Plan review during the regular June 10<sup>th</sup> meeting was offered by D. Foether and seconded by Partridge.

"AYES" – 6, "NAYS" – 0, ABSENT – 1

Motion carried.

D.Foether moved to the next agenda item. Explained that with the notice inaccuracies for the upcoming public hearings and the improper noticing of the original DD & MH LLC's rezoning request that lead it to be bounced back to the PC from the Board of Trustees, he was looking to formalize a process that former zoning administrators did by request of the PC or as an additional record in case questions arose. The question as to why the DD & MH LLC rezoning was bounced back. Partridge answered that the 300' notices were issued to the wrong properties. D. Foether indicated that he wished to make it a requirement that notices sent/posted and addresses of where 300' notices were sent be required documentation given to the PC as part of public hearing proceedings. B. Foether asked if a copy of the plot map used to determine 300' notices should also be included. The general consensus was that as long as there was access to the plot maps, that was good enough.

**MOTION** that all public hearing notices, including the 300' notice letter sent, and a photocopy of each addressed envelope be submitted for review at the beginning of all public hearing meetings was offered by D. Foether and seconded by Partridge.

"AYES" – 6, "NAYS" – 0, ABSENT – 1

Motion carried.

D. Foether moved to the next agenda item. D. Foether explained that he attempted to find other municipalities' PC bylaws via their websites but was not able to locate them that way and did not have time to reach out to them directly. D. Foether did indicate that Eurich was able to identify a template by the MSU Extension office that is a great starting point, may need to remove some items that are not relevant to the Township. Partridge suggested that PC reads what exists. D. Foether seconded that and said it would be best to merge the existing with the MSU Extension Office template to make our bylaws more robust. D. Foether requested that PC members have some key points for the bylaws by the next regular meeting if possible, but would understand if nothing was done by then because of the upcoming public hearings. The deadline for the bylaws draft is July 8<sup>th</sup> regular meeting.

#### **PUBLIC COMMENT**

Eurich asked when the PC would expect the secretary to return. D. Foether explained that he needed to talk with her. She had contacted him once but hasn't done so since. D. Foether knew some of the reasons behind the absences but did not want to go into detail until he had a chance to talk to her. The

indication was that the existing bylaws did allow for the PC to suggest member removal based on absences but couldn't happen until an official warning was given.

Representative of Vassar Tech Farms LLC/Releaf Farms LLC started by thanking PC for their time. Wanted an elaboration on the fencing requirements for marijuana facilities. D. Foether explained that his personal preference was less see-through. Still, there wasn't an official material of construction listed in the ordinance. It just needs to be secure. Partridge agreed. The representative indicated that they were considering "deer" fence for their build site, zoning administrator indicated that they ask the PC for guidance. The general consensus was that facility security would be questionable and would like something sturdier like chainlink.

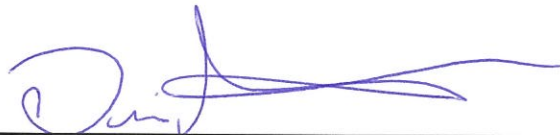
Partridge filled in the PC on issues arising between city and Township over Dollar General approved for the corner of DuBois and State. They claim that city or health department required them to hook up to the City wastewater system because of location. Attorney examining agreement wording, and currently no application at the health department for site well and septic to deny.

**MOTION** to adjourn the meeting offered by D. Foether and seconded by Hartung.

"AYES" – 6, "NAYS" – 0, ABSENT – 1

Motion carried.

Meeting adjourned at 8:40 PM.



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Devin Foether, Chair & Acting Secretary