

## CAMBRIDGE TOWNSHIP PLANNING COMMISSION

WEDNESDAY, Oct. 31, 2012

Ken Gidner called the regular meeting to order at 7:00 pm. In attendance were Tom VanWagner, Kevin O'Mara, Ken Gidner, Doug Lake, Tanya Riley VanWagner, Mike Albain, Ed Plentz and Bob Matejewski. Ken reported that Theresa Friess emailed and said she would not be able to attend as her granddaughter was visiting from Columbus; she had attached a photo to the email. Ken shared the picture of her granddaughter with the group.

Motion was made by Mike Albain to accept the secretary's report as written for Sept. 26, 2012. Doug Lake supported the motion. Tanya Riley VanWagner mentioned that the minutes in front of them have been corrected to match the set of minutes emailed to the commissioners. Yes – 8, No – 0. Motion carried.

Ken Gidner called for any Other Business to bring before the commission. No mention of any.

Old Business: Chairman, Ken Gidner brought up our "Mixed Use" discussion. He reminded the commission of our request that our attorney, Phill Schaedler submit a definition of Secondary Dwelling to all so we could review it before this meeting. We had received a mailed copy of an email with Phill's suggested definition. Ken Gidner mentioned that Phill Schaedler also mentioned in his email, that he recommended that the uses be added as a "conditional use" instead of permitted. Since the commission had discussed "conditional use" as an option for several months, they decided to continue with their decision to add as "permitted use". Rick Richardson asked if we had been mailed the correct and final definition from Phill. Upon review it was decided that we did not have the corrected version.

Rick Richardson then searched the office and made copies of the corrected definition submitted from Phill Schaedler. The commission then took time to read and review the revised wording in the second draft of the submitted definition.

"Secondary Dwelling: An independent, self-contained dwelling unit(s) having separate direct access incidental and subordinate to and located within a commercial building or a separate residential dwelling incidental and subordinate to and located on the same lot as a commercial enterprise. "

Commission discussed and agreed that this definition meets our request and intent.

Ken Gidner asked if we were going to call for a motion to be made. Doug Lake made a motion to accept the newest distributed wording for the definition of Secondary Dwelling, and to add number 8, under Permitted Uses in C1, and C4 (which will also include C2 and C3 because of our ordinance wording.) Bob Matejewski seconded the motion. Ken Gidner called for any further comments. None brought forth. Vote, Yes – 8, No – 0. Motion carried.

Ken Gidner called for any other Old Business and asked if Ed Plentz would like to bring up the Fence Ordinance issue.

Ed Plentz said he could send the commissioners information he has gathered which shows that the Fence Ordinance wording was changed from our original recommendations. These changes are also making it difficult for the Zoning Officer to figure out. Since the commissioners took a full year to agree to the intent and wording of the Fence Ordinance, Ed felt that we need to check and see if we need to review it and begin the process to revise it back to our original intent. We are not sure

when the changes were made, since we didn't see the changes the Township Board made after the Region II recommendations.

Rick Richardson said he would research and see what changes were made and when and would pull the wording used as published in the exponent.

Ken Gidner called for any other Old Business. Mike Albain started the conversation on the garage being left standing after a house has been knocked down. He said that he wants to solve this problem.

Ed Plentz explained what the difference is between a Use Variance and an Area Variance. The Board of Review is not allowed to act upon Use Variances.

Doug Lake tried to clarify what the Planning Commission's part would be in trying to resolve the issue. He mentioned that we do not have the proper wording in our ordinance to explain that an Area Variance is what would be needed. Maybe we need to have a discussion on correcting our ordinance.

Ed Plentz mentioned that the people in discussion have done nothing wrong.

Rich Richardson brought up that Townships are no longer allowed to issue Use Variances since the Michigan Zoning Enabling Act of 2006. We need to decide what our intent is or are we addressing just the issue at hand. Discussion followed on several different instances that also were in violation of our ordinance.

Mike Albain said that this issue seems to be dead in the water. Commission disagreed and discussion continued.

Ed Plentz mentioned that the forms given to people already state that the Board of Appeals can only grant an Area Variance, not a Use Variance. Also, if the Zoning Officer said they are in violation, the Board of Appeals can only agree or disagree with the Zoning Officer's ruling. Then if the Board of Appeals disagreed with the Zoning Officer's ruling they can take it to court.

Zoning Officer, Ron Dzierzawski mentioned that concerning sheds on property when a house is destroyed, they are usually on small lots and lake front and he doesn't act on it unless they haven't rebuilt in a while. Then he stops by and mentions it.

Ken Gidner asked if any more Old Business. None mentioned.

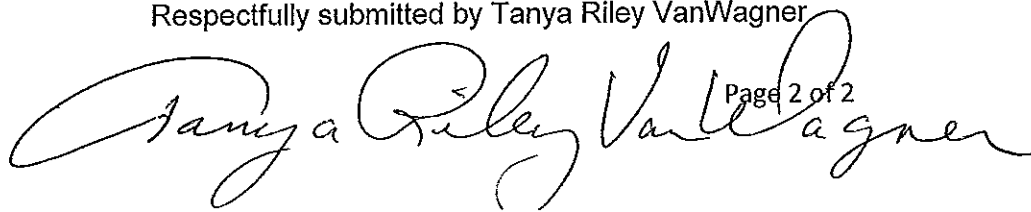
Ken Gidner asked for any New Business. After nothing brought up, he asked Tom VanWagner if he has drafted the Thank You letter we want to send to Tim Anderson.

Tom VanWagner mentioned that he has already drafted the letter but has not sent it to Tanya Riley VanWagner to be reviewed. He will send out tomorrow and have her forward it on to Ken Gidner for signature and approval.

Rick Richardson reminded the Commissioners that the Region II annual meeting is coming up. He needs our confirmation to make the reservations. He asked those attending to meet in the parking lot between 5:15 and 5:30 on Nov. 8th so we can car pool to the meeting.

Mike Albain made a motion to adjourn the meeting. Tanya Riley VanWagner seconded the motion. Yes – 8, No – 0. Motion carried. The meeting adjourned at 7:52 p.m.

Respectfully submitted by Tanya Riley VanWagner

A large, cursive handwritten signature of Tanya Riley VanWagner in black ink, written over the typed name and extending across the bottom of the page.

## CAMBRIDGE TOWNSHIP PLANNING COMMISSION

### MEETING MINUTES

WEDNESDAY, Jan. 30, 2013

Ken Gidner called the public hearing to order at 7:00 pm. In attendance were Tom VanWagner, Otis Garrison, Ken Gidner, Doug Lake, Tanya Riley VanWagner, Rick Streams, Ed Plentz, Bob Matejewski and Theresa Friess.

The Public Hearing was to discuss the addition of the "Marsh Property on Sand Lake in the "Lake Overlay District: 4.2.5. a. 2. Comments were asked of the public. Mr. Joe Marsh, owner of the property being discussed, was in attendance and had several questions of the board. He mentioned that his understanding was the "Overlay District" applies only to leased land. Then continued on asking how this will affect any future building.

Doug Lake responded that it did not apply only to leased land. As a matter of fact that didn't have anything to do with the Overlay District. The Marsh property is the only leased land included in the Overlay District. This addition to the Overlay District should make future building easier to be able to fit into the township ordinances. He continued, explaining that the "Overlay District" was made to insure that the grandfathered lands have been made acceptable as they had been built. He asked for Ed Plentz's input.

Ed Plentz commented that the reason was to accept the past "non-conformities" on older locations. The Overlay District was added because of the many older, smaller lots that were non-conforming to current ordinances. The Overlay District is on Wampers and Sand Lakes. We want to add "Marsh Property" to be able to give them "grace" for what they already had as existing properties. According to our current ordinance, most of the properties would have been considered "illegal" since our ordinance says that you can only have one dwelling on a piece of property.

Discussion and further clarification was made. The board's intent was that these non-conformities were being made "more acceptable". The additions were made to the districts that were lake frontage and were included in the "sewer district". We had previously missed the "Marsh Property" when we were figuring which areas should be included. The Marsh Property added a little confusion because of being "leased" properties.

Future building will have to conform to the building ordinances listed and any new criteria. Splits may have to be done if changes in ownership and building decisions are being made. We will tackle these issues as they arise.

Mr. Joe Marsh thanked the board for the clarification, answering all of his questions and appreciated their thoughts of adding the property to the Lake Overlay District.

Doug Lake mentioned that he was happy that we all seemed in agreement. Rick Richardson mentioned that since we (the township) no longer allowed "private roads" (without a variance), that this may have to be taken into consideration in sub-dividing and future land splits for new building. Variances may be needed for these considerations in the future.

Ken Gidner asked for further comments from the public. No more comments were brought up. Ken closed the public hearing for the "Lake Overlay District" addition.

Ken Gidner called the next Public Hearing open at 7:14 p.m.; to add the addition of "Secondary Dwellings". This was to amend definitions, article 11, section 2.2, definitions; new sub-section 2.2.68 "Secondary Dwellings"; and article 4, section 4. 3.1, Local Commercial districts; C1, subsection A, adding item 8, secondary dwelling as defined in section 2.2; and mandating article 4 section 4.3.4 Commercial recreational districts, C-4 sub-section A; additional item #8 "Secondary Dwelling" as defined in section 2.2.

Ken Gidner asked for any comments. No public comments. Ken Gidner asked if anybody was in opposition to adding "Secondary Dwellings". No comments. Ken closed public hearing on Secondary Dwelling additions as described.

Ken Gidner called the regular meeting to order at 7:16 pm. He asked for the board's discussion on the request for the amended order for the "Lake Overlay District". No comments. He asked for a motion.

Doug Lake made the motion to adopt the addition of the Marsh Property to the Lake Overlay District as proposed. Ed Plentz made the secondary motion. Vote called, Yes = 9; No = 0. Motion carried.

Ken Gidner asked for the board to give comments on the second public hearing on the addition of "Secondary Dwelling" as proposed. No comments. Ed Plentz made a motion to accept the amended definition. Doug Lake made the second. Vote called; Yes = 9, No = 0. Motion carried.

Ken Gidner called roll and introduced the new members of Otis Garrison and Rick Streams. All members are in attendance.

Ken Gidner called for review of the secretary's report of October 31, 2012. Doug Lake called to accept the secretary's report as written. Ed Plentz seconded the motion. Ken called for a vote. Yes = 9; No = 0. Motion carried.

Ken called for any other Business to bring before the planners tonight. No mention of any.

Ken Gidner said under Old Business, he is changing the order of the discussion and would like to cover the Medical Marijuana ordinance as our first discussion. Ken asked attorney Phill Schaedler about the suggested ordinance, concerning the amount of plants allowed to be grown by a "care givers".

Attorney Phill Schaedler gave the answer of 12 plants per patient and continued on with examples and clarification. Phill Schaedler commented on how the state of Michigan is now going through clarifications, disagreements and confusion. He mentioned that the medical marijuana attitude is changing daily. Court cases are now on-going and he mentioned several different changes that have happened in the last 30 days. He used many hypothetical examples of "sharing" marijuana between patients without exchanging money. He continued on with several current court cases on going in the state and in the State Supreme Court concerning different scenarios. Several cities have decided to allow the care giver locations in specified areas. Discussions came up concerning "Dispensaries" and how the State handled the questions of where and how these would be allowed. After many questions and much discussion, Doug Lake made a motion to table the issue until next month to allow all of us to look into this issue further. Theresa Friess seconded the motion. Ken Gidner called for a vote. Yes = 9; No = 0. Motion carried.

Ken Gidner said that the other old business to come before the planners was concerning the Fence Ordinance changes recently made. He asked for Ed Plentz to explain our issue.

Ed Plentz said that the published wording was not the same as the planners had submitted to the township board. There had been some confusion and the changes by the Township board, as suggested by Region II, had been thought to be simplifying and clarifying. However, the changes seemed to the Planners to have changed the intent. After discussion, Ed Plentz made a motion to resubmit as originally intended. Theresa Friess seconded his motion. Ken Gidner called for a vote. Yes = 9; No = 0. Motion carried.

New Business from Ken Gidner was brought up. The election of 2013 officers is needed. Pat Steele has declined to be the recording secretary for 2013. Therefore, the Planning Commission Secretary will need to do all of the minutes for the monthly meetings.

Doug Lake nominated Tanya Riley Van Wagner as Secretary for 2013. Ken Gidner called for a vote. Yes = 9; No = 0. Tanya Riley Van Wagner was voted in as Secretary.

Doug Lake nominated Ken Gidner for Chair for 2013. Ed Plentz also nominated Ken Gidner for Chair. Ken Gidner called for a vote. Yes = 9; No = 0. Ken Gidner was voted in as Chair of the Planning Commission.

Doug Lake nominated Thomas Van Wagner as Vice Chair for 2013. Ken Gidner called for a vote. Yes = 9; No = 0. Thomas Van Wagner was voted in as Vice Chair for 2012.

Ken Gidner asked for any other new business. No new business.

Doug Lake called a motion to adjourn the meeting. Theresa Friess seconded the motion. Ken Gidner called for a vote. Yes = 9; No = 0. Motion carried.

Meeting adjourned at 8:29 p.m.

Minutes respectfully submitted by Tanya Riley Van Wagner

## CAMBRIDGE TOWNSHIP PLANNING COMMISSION

### MEETING MINUTES

WEDNESDAY, Feb. 27, 2013

Ken Gidner called the meeting to order at 7:00 pm. In attendance were Tom Van Wagner, Ken Gidner, Doug Lake, Tanya Riley Van Wagner, Rick Streams, Ed Plentz, and Theresa Friess. Ken Gidner mentioned that Otis Garrison and Bob Matejewski were excused from the meeting.

Ken Gidner called for review of the secretary's report of January 30, 2013. Doug Lake called to accept the secretary's report as written. Ed Plentz seconded the motion. Ken called for a vote. Yes = 7 No = 0. Motion carried.

Ken called for any other Business to bring before the planners tonight. No mention of any.

Ken Gidner said under Old Business, we should continue our discussion of the Medical Marijuana ordinance. Brad Creger had contacted Ken and asked if they could give a presentation to the "members of the special committee". Ken said that since they didn't have a special committee meeting they were welcome to come before the Planning Commission during our regular February meeting.

Mr. Brad and Laura Creger mentioned that they were looking to open a Marijuana Dispensary. Laura read their "Mission Statement" which included it being a "member's only club" to help people in their pain and suffering. They have friends and family members they have lost and feel that they could work to benefit many suffering people. They also mentioned that the TLC Compassion Club members will be contributing directly to Cambridge Township fund, with approximately \$2500 to \$5000 annually. This would be coming from their membership cost. The members would know that a portion of their donation cost will be going directly to Cambridge Township.

Many questions from several different commission members were answered by the Creger's. It was clarified that they wanted to be able to dispense medication to patients that did not have a "Caregiver." Brad felt that within 8 years the State of Michigan will be getting rid of the "Caregiver" and have allowed locations to dispense the needed "medications."

After further discussion back and forth with several different commission members it was brought to everybody's attention that the commission could do nothing about "allowing" them to open a Marijuana dispensary, which is clearly not allowed in the current Michigan law.

Brad and Laura Creger thanked the Planning Commission for allowing them to come in and discuss their business plans.


Ken Gidner asked for any new business to come before the planners. Ken Gidner will try and have the Public Hearing, scheduled for next month, for the Fence Ordinance changes recently being corrected. Ed Plentz explained the corrections which he had sent out to all members and asked for any questions. Documentation was clear and no questions came forth.

Next new business was brought up by Tom Van Wagner concerning our Future Land Use Plan. He mentioned that he will make sure the new members receive a copy of our plan. He will also redistribute the spreadsheet document that had suggested next steps for the township. After review of these documents, we will begin covering further steps.

Ken Gidner asked for any other new business. Ed Plentz mentioned that he has been asking when the planners would be getting updated copies of the Township Zoning Ordinances. He called this out to Harvey Hawkins attention and asked for his assistance to get this done.

Theresa Friess called out a motion to adjourn the meeting. Tanya Riley Van Wagner seconded the motion. Ken Gidner called for a vote. Yes = 7; No = 0. Motion carried.

Meeting adjourned at 7:41 p.m.

  
Minutes respectfully submitted by Tanya Riley Van Wagner