



Call to Order: Chairperson Baker called the July 27, 2021, business Meeting of the Springfield Township Planning Commission to order at 7:00 p.m. at the Springfield Township Civic Center, 12000 Davisburg Rd, Davisburg, MI 48350.

Commissioners

in Attendance: Dean Baker, Chairperson
Dave Hopper
Jamie Costigan
George Mansour
Kevin Sclesky

Absent: Terry Rusnell
Ruth Ann Hines

Consultant present via video conference:

Sally Elmiger, Carlisle Wortman, Associates

Staff Present:

Laura Moreau, Supervisor
Joan Rusch, Planning Administrator

Approval of Agenda:

- **Commissioner Hopper moved to proceed with the agenda as presented. Supported by Commissioner Mansour. Discussion: None. Vote: Yes: Baker, Hopper, Costigan, Mansour, Sclesky. No: None. Absent: Rusnell, Hines. Motion approved.**

Public Comment:

A member of the public in attendance asked if the medical marijuana ordinance was on the agenda. Confirmed by Chairperson Baker.

Approval of Consent Agenda:

- **Commissioner Sclesky moved to approve the minutes of the June 22, 2021, meeting. Supported by Commissioner Mansour. Discussion: None. Vote: Yes: Baker, Hopper, Costigan, Mansour, Sclesky. No: None. Absent: Rusnell, Hines. Motion approved.**



Public Hearing: Amendments to Code of Ordinances to amend sections 40-2 Definitions, 40-652 Medical Use of Marijuana, and 40-653 Marijuana Establishments Prohibited.

Hearing Opened at 7:03 p.m.

Comments:

Sam Merim inquired about the proposed ordinance and if marijuana is allowed to be grown in a residence. He also asked if it will be allowed in industrial buildings and if that was going to change.

Chairperson Baker explained that the intent of the hearing is to receive comments from the public. It is not an open house or a question-answer period, but rather a time to make the ordinance known to the public, and for the public to make comment.

Sam Merim commented that he would like to see medical marijuana to be grown in areas that are zoned industrial. He feels it is safer that way and reduces risks for residences.

Chairperson Baker stated that the proposal is not to allow marijuana growing to take place inside a residential home. Caregivers are to provide a building outside their residence with certain restrictions. Chairperson Baker summarized the proposed ordinance provisions that require the grower to be a licensed caregiver living at the residence, to have four acres of land with an accessory building that maintains required setbacks and proper ventilation, and to obtain the necessary permit. These provisions are designed to have a minimum impact on neighbors. Growing marijuana will not be allowed in industrial areas.

Chairperson Baker explained that tonight's phase in the process is a public hearing and to receive input relevant to this from interested individuals. The Planning Commission will then make a recommendation to the Township Board. The Township Board then has the authority to process the proposal after that. They can make modifications or approve as is. They can incorporate input from the public hearing as they make their decision. The intent is to put this on the agenda for the Township Board's August 12th meeting if the Planning Commission recommends to do so.

Hearing Closed at 7:10 p.m.

New Business:



1. Amendments to Code of Ordinances to amend sections 40-2 Definitions, 40-652 Medical Use of Marijuana, and 40-653 Marijuana Establishments Prohibited

Commissioner Mansour commented that the definition of Marijuana Cultivation Building seems incomplete regarding the phrase “use” of marijuana. Commissioner Hopper pointed out that the phrase “Medical Use of Marijuana” is defined on the next page, so the phrase is covered comprehensively in the ordinance. Ms. Elmiger suggested a change in the wording for the definition of Marijuana Cultivation Building.

Commissioner Mansour commented that the beginning of Section 40-652 is only giving part of the explanation of Medical Use of Marijuana. Chairperson Baker noted that the short paragraph that follows this title is an explanation of what that section is about. It is not intended to be a comprehensive definition.

Commissioners discussed if it is possible to eliminate all odors emanating from a cultivation building. The intent is to prevent neighbors from being bothered and the onus is on the operator to keep odors inside. If there is a problem the Township can be contacted to correct the situation. Ms. Elmiger stated that odor is dealt with on a complaint basis and that the code enforcement officer would have to work with the property owner.

Commissioner Mansour commented that under 40-652(4)(l) the word “within” should be added, so that the ordinance reads: “No on-site consumption or smoking of marijuana shall be permitted, within the marijuana....” Commissioners agreed that this should be changed.

Ms. Elmiger commented that this ordinance is somewhat more stringent than those of neighboring townships. This is a conservative ordinance, but it is preferred to start stricter and ease up as time passes, than to try to increase restrictions on an ordinance that is initially more permissive. This ordinance is compliant with all State regulations.

A suggestion was offered to make the spelling of the word marijuana consistent throughout the ordinance. The state law spelling is with an “h” instead of “j”.

Commissioner Mansour commented if the ordinance should refer to anything as hemp. Ms. Elmiger replied that hemp does not have THC and is not regulated under the State Law.



Commissioner Hopper commented that there are three industrial zoned areas in the Township. Two are close to residential areas and one is close to Independence Township. Less than one percent of land area of the Township is considered commercial. What is conducted in an industrial setting would be a commercial operation.

Sam Merim would like to see caregivers be able to grow in industrial zoning, not necessarily a commercial grow operation in an industrial area.

Commissioner Hopper replied that the Township Board had considered allowing growing marijuana in industrial areas for caregivers, like Independence Township allows. Supervisor Moreau responded that allowing marijuana growing in industrial areas is no longer in consideration. The intent is for caregivers to make this a home occupation.

Sam Merim stated that he would like a caregiver operation to take place in an industrial building to avoid odor. Industrial buildings have great ventilation and more power. It seems that a home would not have enough electrical power.

There were no more comments from the commissioners.

Chairperson Baker stated that the action here tonight was to seek input through the public hearing, to review the document, to ask questions, and to clarify items. The final step is to offer recommendation to the Township Board.

Commissioner Hopper moved, in that the Planning Commission held a public hearing on this matter tonight, it is recommended that the Township Board amend Springfield Township Code of Ordinances Chapter 40 Zoning, sections 40-2 Definitions, 40-652 Medical Use of Marijuana, and 40-653 Marijuana Establishments Prohibited as discussed and modified tonight. Supported by Commissioner Mansour.

Vote: Yes: Mansour, Hopper, Baker, Costigan, Sclesky. No: None. Absent: Hines, Rusnell. Motion Approved.

Old Business:

1. Outdoor Café Service – update on proposed ordinance



The consensus was that the ordinance looks clean and is ready for public hearing. Minor correction suggested to 40-646(7) General Standards. Change “site” to “sight.” Chairperson Baker suggested that the next step is to recommend a public hearing.

Commissioner Sclesky moved to set for public hearing at the Planning Commission’s earliest convenience 40-2 Definitions and 40-646 Outdoor Seating and Outdoor Café Service ordinances. Supported by Commissioner Hopper. Discussion: None. Vote: Yes: Mansour, Hopper, Baker, Costigan, Sclesky. Vote: No: None. Absent: Hines, Rusnell. Motion Approved.

2. Master Plan – background studies

Ms. Elmiger explained that the 2020 census data is not available, so the data used is the American Community Survey (ACS) from SEMCOG, which is more detailed than census information. The background study includes historical development of the Township. There has not been much population growth within the past twenty years. However, some is projected, and the Township should plan for it. Trends indicate that the size of households is shrinking. The population is aging, which will continue. Income spending power shows a decrease, but this may be due to the pandemic. Land use categories have been updated. There is a change in the way Oakland County is counting land. Oakland County has not given a breakdown between recreation and conservation land use. Ms. Elmiger will be working with the Township assessor to update the economic base information. The commercial market study is being updated and should be ready for the August meeting.

Chairperson Baker offered suggestions for the document. On page 102 the first paragraph should indicate more clearly that it is the *rate* of growth that has increased. Also on page 102, it is difficult to distinguish the colors on the graph. On page 107 not everything in the pie chart is explained. On page 106 please update the pictures to reflect local citizens. Perhaps the charts on pages 105 and 106 could be presented in one table, to more easily compare incomes with buying power.

The Commissioners discussed the first paragraph on page 111 regarding Utility/Communication with the mention of above ground transmission, but the omission of underground transmission. The Township zones and sets parcels aside for above ground facilities, whereas the underground transmission lines are run through all zones.



Ms. Elmiger remarked that this land use concerns the physical structure on top of the land and the primary use of that particular property. The existing land use categories are determined by Oakland County.

The Commissioners discussed the chart on page 111 regarding Land Use. They expressed concern regarding how the land designated as water is calculated, as the amount of 199 acres seems low.

Ms. Elmiger explained that the water designation includes surface water like lakes, ponds, streams, and rivers. Ms. Elmiger offered that the land classified as Recreation/Conservation might include a lake in the recreation acreage and not separate it out in the water acreage. Ms. Elmiger will revisit this designation to find out how it is determined.

Commissioner Hopper commented that we have added a few cluster developments and would like to see that updated.

Commissioner Mansour commented on the land use chart on page 111 and was wondering if the Township desired more of multiple-family residential, mobile home parks, and commercial office land use. Chairperson Baker explained that this is not the purpose of the meeting. However, the data can be used for planning purposes.

Supervisor Moreau noted the vacant land designation. Ms. Elmiger explained that vacant land is considered that which is not developed. The map indicates existing land use, not zoning, and describes how the land is currently occupied. Specific land uses for the map on page 112 were determined by aerial photos.

Commissioner Mansour commented that the Township should consider what can be developed in the future. There may be a need for condos, apartments, and townhomes. Supervisor Moreau commented that the township needs to determine what residents want and should obtain public input on these matters.

Commissioner Hopper questioned the last paragraph on page 114 and if the Michigan Nature Association owns more land than indicated. He thinks they may own land in Indian Springs Metropark. Ms. Elmiger will research this.

Other Business:

1. Meetings Update



Supervisor Moreau reminded the commissioners that the next meeting will be a joint meeting with the Township Board on August 24th at 6:00 p.m. Updates on the Strategic Plan will be provided. Supervisor Moreau intends this to be an active meeting to work on the plan. Supervisor Moreau also stated that future meetings of the Planning Commission, along with the Zoning Board of Appeals, will no longer be a hybrid format with remote options for applicants or the public. All meetings will be in person.

Public Comment:

None

Adjournment:

- **Commissioner Mansour moved to adjourn the meeting at 8:30 p.m. Supported by Commissioner Sclesky. Vote: Yes: Baker, Hopper, Costigan, Mansour, Sclesky. No: None. Absent: Rusnell, Hines. Motion approved.**

Joan Rusch, Recording Secretary