

Village of Bellaire

PLANNING COMMISSION

William Drollinger, Chairman

Commissioners: Clarence Bennett, Butch Dewey, Ken Fedraw, Robert Shumaker

MEETING MINUTES

May 24, 2011

1. **Call to Order: Chairman Bill Drollinger called the meeting to order at 5:00 p.m.**
2. **Roll Call Attendance**
 - Present:** Chairman Drollinger, Butch Dewey, Clarence Bennett, and Ken Fedraw.
 - Absent:** Robert Shumaker
 - Staff Present:** Janet Koch, Zoning Administrator
 - Also Present:** Colette Stanish

3. **Approval of Agenda:** The agenda was approved as written.
 - Motion by Bennett, seconded by Fedraw, to approve the agenda as written.**
 - Motion carried by voice vote.**

4. **Approval of the May 9, 2011 Regular Meeting Minutes:** The minutes were approved as written.
 - Motion by Dewey, seconded by Fedraw, to approve the minutes as written.**
 - Motion carried by voice vote.**

5. **Establishment of Conflict of Interest:** None presented.

6. **Public Comment on Agenda Items:** None presented.

7. **Old Business**

- a) **Planning Commission Bylaws**

Koch presented a draft copy of Planning Commission bylaws. Drollinger asked if the Village Council needs to approve the Planning Commission bylaws. Koch said she would find out before the next Planning Commission meeting.

Koch told the Planning Commission that she included Chapter 12 of the village code in the commissioner's packets because that chapter is referred to in the draft bylaws.

- b) **Zoning Ordinance Amendments – Medical Marijuana & Community Gardens**

Zoning Administrator Koch had previously mailed copies of the proposed ordinance amendments crafted by the village's attorney, Bryan Graham, to each of the Planning Commission members. Koch said Graham had emailed her that afternoon with some revised language for the medical marijuana ordinance. The commission went through the new language.

Under Section 14, the section excluding primary caregivers within 500 feet of a lot on which a number of uses are located, the Planning Commission decided to change 14.a. from, "Any church or place of worship and its accessory structures," to "Any

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property on which stands a functioning church or place of worship and its accessory structures,” or words to that effect.

The Planning Commission also decided to strike 14.b. which excludes primary caregivers within 500 of “Any preschool, child care or day care facility and its accessory structures.”

Another modification the Planning Commission decided upon was in 14.c., changing the limitation of the 500’ exclusionary zone from “Any public facility, such as libraries, museums, parks, playgrounds, public beaches, community centers, and other public places where children may congregate, to “Public facilities such as parks and playgrounds.”

The remainder of the proposed Section 3.28 – Medical Use of Marijuana was left as written.

Fedraw asked if the ordinance addressed the issue of qualifying patients under the age of 18. These qualifying patients have parents who are considered primary caregivers. Is this type of caregiver allowed inside exclusionary zones? If so, does this need to be specified in the ordinance? Koch said she would check with Graham.

In the proposed Section 3.29 – Community Gardens Graham had left blank the restriction for accessory building height. The Planning Commission decided on a 16 foot height restriction for this section.

Koch will notify Graham of the changes and post the required notices for the public hearing in the Antrim Review. The next Planning Commission meeting was scheduled for Tuesday, June 28 in the Community Hall with the public hearing at 5:00 p.m. The Planning Commission meeting will follow the public hearing.

8. **New Business:** None.
9. **Discussion:** Koch said she hadn’t issued any zoning permits since the last meeting, but a woman had come into the office to ask zoning questions about the former Village Boutique building, 05-41-010-111-00, 109 N. Bridge.
10. **Communications/Informational:** None presented.
11. **Member/Public Comment:** Ken Fedraw asked what happens next with the Planning Commission bylaws. Drollinger said to study the bylaws before the next Planning Commission meeting. Approval of the bylaws will be on the agenda for the next meeting.
12. **Adjournment: Meeting adjourned at 5:50 p.m.**

Minutes compiled by:
Janet Koch, Zoning Administrator

Approved: _____
William Drollinger, Chair

Date: _____