

LONDON TOWNSHIP
Planning Commission Meeting

As recorded by Amanda Taepke

Monday, June 4, 2018

Chairman Daryl Nichols called the meeting to order at 7:34pm.

Roll Call:

Daryl Nichols – Present
Mark Gaynier – Present
James Turner – Present
Larry Fiebelkorn – Present
LeRoy Zieske – Present

Pam Ackerman – Present
Doug Darling – Present
Richard Horn – Present
Aimee Schoelles – Present

Approval of the Agenda:

Motion by **James Turner** and seconded by **Doug Darling** to table #2 Section 5.604 Extractive Operations Review under Old Business and #3 Article 12 Review under Old Business and approve the agenda with amendments.

All in favor: 9 Opposed: 0

MC.

1st Citizens' Time:

Topics of discussion: MMFLA guest speakers

Motion by **LeRoy Zieske** and seconded by **Mark Gaynier** to close citizens' time at approximately 7:40pm.

All in favor: 9 Opposed: 0

MC.

Approval of Minutes:

Doug Darling proposed an amendment, adding the words "but is legal" to the end of the first paragraph on page two, item 3, Article 12 Review.

Motion by **Aimee Schoelles** and seconded by **Richard Horn** to approve the minutes from May 7, 2018, as amended.

All in favor: 9 Opposed: 0

MC.

Old Business:

1. MMFLA Review

Martin Ritchie, assistant Fire Chief and Fire Marshal for Milan Area Fire Department, and Joe Nash, Fire Chief at L.M.R. Fire Department, were both present as guest speakers to give their professional opinions regarding Medical Marijuana Grow Facilities.

Informative points given by Mr. Ritchie include:

- Until a grow facility hires employees, the fire department usually stays out of the process.
- The township can regulate how many inspections by the fire department (and others) the grow facilities receive by writing it in the ordinance.

Mr. Ritchie also stated Sumpter Township has a very good ordinance to use for reference. It protects the residents well.

The Commissioners then had some questions for Mr. Ritchie and Mr. Nash; (These questions and answers are regarding Medical Marijuana Grow Facilities, unless otherwise stated.)

Q: Who pays for the inspections?

A: Those are enforced by the township. The township will set fees regarding the inspections and the grow facilities will pay those fees that cover the inspections.

Q: When these facilities are being constructed, are there any fire inspections going on at that time?

A: Unless there are inspections that are regulated by the ordinance, no.

Q: Do any fire departments require drug testing, and if they do, how will attending to a fire at a grow facility, and inhaling the smoke, affect their jobs?

A: Yes, we require drug testing at our fire departments. Mr. Nash said that he had not thought about it, and it could most definitely make the fire officials who responded to the fire, test positive.

Mr. Ritchie related to a Colorado law which has every fire official who responds to a regulated facility, stay on, and breathe only, pressurized air until the scene is deemed safe.

Q: If these facilities are built, and if there is a fire, will there be any special equipment needed that London Township will have to pay for?

A: The Michigan State Building Code mandates once a building reaches a certain size, they must install a suppression system. Mr. Ritchie also stated that the two fire departments are blessed with great equipment. The only items they do not have readily available is a (water) tower or a ladder truck, but with the mutual aid agreements these two fire departments have with surrounding departments, they could call for additional help and the help would "arrive in probably less than twelve minutes".

Mr. Ritchie expressed he did not see any additional expenses for equipment and suggested to stay progressive on the ordinance.

Mr. Nash added, with the mutual aid agreement, if he has a confirmed structure fire he has at least three other departments that come out to help.

Q: How would these grows be able to install suppression system without city water?

A: That would be up to them (the growers) and the engineers to figure out. They would also need to follow the Michigan State Building Code.

Q: Can we lower the square footage needed for a suppression system, than what the state mandates?

A: Yes.

Q: Do you personally feel that it's a higher risk of a fire having so many lights in a facility?

A: With the technology today, and LED lights, we would be more concerned with a regular house than with these facilities. It would also depend on the grower and what they choose.

Q: Would it cost the township more money for the fire departments to monitor the grow facilities?

A: They recommend the township develop a structured fee schedule, and those fees would be paid by the grower and not the township.

Q: Could the fire departments work with the township to develop a fee schedule.

A: Yes. For an example: In Washtenaw County, the fee for an industrial inspection (permit fee) is \$120, with \$85 going to the inspector. Then, it is based off of an hourly rate, which is usually the same amount as the permit fee.

There was some discussion and questions asked of a resident who is a law enforcement officer in a neighboring county. It was expressed that county has had some issues regarding grows but it was clearly stated those discussed were caregiver operations and not the grow facilities, like the township is currently considering. Caregiver operations do not have to follow the same guidelines that the Medical Marijuana Grow Facilities do.

Motion by **Doug Darling** and seconded by **James Turner** to ask the township board to ask in writing what the cost would be to have an additional county sheriff on patrol, daily or nights, and the breakdown of costs for the different levels of coverage.

All in favor: 9

Opposed: 0

MC.

Motion by **Aimee Schoelles** and seconded by **Richard Horn** to have formal communication with the two fire departments to find out what they need to cover their costs for the fee structure for inspections and recommended frequency.

All in favor: 9

Opposed: 0

MC.

New Business:

1. Site Plan Application 18-01 (12111 Oelke Rd.)

Motion by **James Turner** and seconded by **Aimee Schoelles** to approve Site Plan Application 18-01, 12111 Oelke Rd, with the following conditions:

1. An approved and signed haul route be returned to the township for the file.
2. Performance Guarantee of \$1,000 paid to the township.
3. Provide a phone number for the property owner for the file.

All in favor: 9

Opposed: 0

MC.

2. Site Plan Application 18-02 (12122 Allison Rd.)

Motion by **James Turner** and seconded by **Richard Horn** to approve Site Plan Application 18-02, 12122 Allison Rd, with the following conditions:

1. An approved and signed haul route be returned to the township for the file.
2. Performance Guarantee of \$1,000 paid to the township.

All in favor: 9

Opposed: 0

MC.

2nd Citizens' Time:

Topics of discussion: MMFLA and the Planning Commission raise.

There was also discussion about whether or not Mr. Edward Giraud Jr. needs to submit another review fee because he failed to document all existing improvements on a site plan.

Motion by **James Turner** and seconded by **Pam Ackerman** to have Mr. Horn take it to the board for clarification.

All in favor: 9

Opposed: 0

MC.

Motion by **James Turner** and seconded by **Doug Darling** to rescind the \$5 raise that the Planning Commission received.

All in favor: 9

Opposed: 0

MC.

Motion by **LeRoy Zieske** and seconded by **Aimee Schoelles** to close citizens' time at approximately 10:29pm.

All in favor: 9

Opposed: 0

MC.

Motion by **Richard Horn** and seconded by **Larry Fiebelkorn** to adjourn.

All in favor: 9

Opposed: 0

MC.

Meeting adjourned at 10:30 p.m.

The next regularly scheduled meeting is July 2, 2018 at 7:30pm.

Respectfully Submitted by Amanda Taepke