



CHARTER TOWNSHIP OF PORT HURON

3800 Lapeer Road
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AMENDED PLANNING COMMISSION AGENDA / NOTICE OF PUBLIC HEARING

Thursday, July 1st 2021 at 7:00pm **Postponed till Thursday July 8th 2021 7:00pm**

1. Call to Order:
2. Pledge of Allegiance:
3. Roll Call:
4. Approval of Agenda:
5. Approval of Minutes – June 3rd 2021
6. Correspondence:
7. General Public Comment:
8. Public Hearings:
 - a. A new Ordinance entitled “Medical Marijuana Ordinance” to regulate Patient Caregiver Activities Pursuant to the Michigan Medical Marihuana Act
 - b. By modifying “Sec. 40-698 “Home Occupation; Prohibited Uses” Ordinance to Include the Removal of Item (9) b. “Bed and Breakfast” with “Medical Marijuana Care Giver Activities”
 - c. By modifying “Sec. 40-855 Regulated Uses”, item (a), by the addition of (19). Medical Marihuana Caregiver Activities.
 - d. By modifying “Sub. VII I-H Heavy Industrial District, Sec, 40-527. Permitted Uses and Structures” item (b) Special Land Uses to Include (21) “Medical Marijuana Care Giver Activities”
9. Old Business:
 - a. Special Use Approval at 3308 Petit Street, for an existing Automobile and Heavy Equipment Repair Facility for Mark Toodzio of Petit Enterprises
 - b. Special Use Approval at 3308 Petit Street, for a Proposed Long-Term Storage Facility for Mark Toodzio of Petit Enterprises
 - c. Proposed Addition to Connect the Structures Located at 2043 And 2031 International Way for A Peters Properties LLC, Smiths Meat Packing.
10. New Business:
 - a. Proposed Personal Storage/Use Spaces to be located at parcel 74-28-020-1045-000 for Mark Bills, 6062 Griswold Rd, Kimball, MI 48074
 - b. A new Ordinance entitled “Medical Marijuana Ordinance” to regulate Patient Caregiver Activities Pursuant to the Michigan Medical Marihuana Act
 - c. By modifying “Sec. 40-698 “Home Occupation; Prohibited Uses” Ordinance to Include the Removal of Item (9) b. “Bed and Breakfast” with “Medical Marijuana Care Giver Activities”
 - d. By modifying “Sec. 40-855 Regulated Uses”, item (a), by the addition of (19). Medical Marihuana Caregiver Activities.
 - e. By modifying “Sub. VII I-H Heavy Industrial District, Sec, 40-527. Permitted Uses and Structures” item (b) Special Land Uses to Include (21) “Medical Marijuana Care Giver Activities”

11. Reports

- a. Kirk Lavigne
- b. Township Board Report – John Reno
- c. Zoning Board of Appeals Report – Jerry Sebastian

12. Adjournment

Amended



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MINUTES OF THE REGULAR MEETING FOR THE CHARTER TOWNSHIP OF PORT HURON PLANNING COMMISSION HELD THURSDAY, JULY 8, 2021, 7:00 P.M., TOWNSHIP HALL, 3800 LAPEER RD, PORT HURON, MI 48060

This meeting was postponed from July 1, 2021, to avoid a lack of quorum.

1. **Call to Order**

The Meeting was called to order by Chairman Stephen Tetreau at 7:00 P.M.

2. **Pledge of Allegiance**

3. **Roll Call**

Attended: Laura Coveyow, Trustee John Reno, Jerry Sebastian, Ivan Smith, and Stephen Tetreau.

Absent: Sheri Faust and Mark Kovach.

Also Present: Building/Planning/Zoning Administrator Kirk Lavigne, Mark Bills, Tom Fitz, Gil Myers, Kathi Myers, Mark Toodzio, and Recording Secretary Betty Child.

4. **Agenda Approval**

Motion by Member Smith, support by Member Coveyow, to approve the agenda as distributed. Hearing no objections, Chairman Tetreau called for a voice vote. All in favor, the agenda was approved.

5. **Approval of Minutes, June 3, 2021**

Motion by Trustee Reno, support by Member Smith, to approve the minutes as distributed. Hearing no objections, Chairman Tetreau called for a voice vote. All in favor, the minutes were approved.

6. **Correspondence**

Correspondence was received and accepted on behalf of Member Faust providing information regarding the '2021 MTPA Conference'. It will be presented virtually July 21st and July 22nd, by Member Faust and Dave Struck of the SCCMPC (St. Clair County Metropolitan Planning Commission). The topic will cover the Non-motorized Trail Development, specifically the Bridge to Bay Trail, in St. Clair County as well as the "Virtual Green Room" pending meeting. Members may register online.

7. **General Public Comment**

There being none, Chairman Tetreau moved to Public Hearings.

8. **Public Hearings**

- (a) **A new Ordinance entitled "Medical Marijuana Ordinance" to regulate Patient Caregiver Activities Pursuant to the Michigan Medical Marihuana Act.**
- (b) **Modifying "Sec. 40-698 Home Occupation Prohibited Uses" Ordinance to include the Removal of Item (9) (b) 'Bed and Breakfast' with 'Medical Marijuana Care Giver Activities'.**
- (c) **Modifying "Sec. 40-855 Regulated Uses, Item (a)" by the addition of (19) 'Medical Marihuana Caregiver Activities'.**
- (d) **Modifying "Sub. VII I-H Heavy Industrial District, Sec. 40-527, Permitted Uses and Structures" Item (b) Special Land Uses to Include (21) 'Medical Marijuana Care Giver Activities'.**

The topics will be addressed under New Business. Chairman Tetreau closed the Public Hearings and moved to Old Business.

9. Old Business

(a) Special Use Approval for Petit Enterprises at 3308 Petit Street, for an existing Automobile and Heavy Equipment Repair Facility, by Mark Toodzio.

The request was reviewed by Township Attorney Robert Goldenbogen and determined the request for the automobile, truck and heavy equipment (major repair) facility would be consistent with the zoning regulations as well as the historical use of the property. The major concern is with the storage and parking of various vehicles and equipment on the property in plain sight and not being stored to the rear of the property, thus prompting the Special Use Approval. It appears the use has fluctuated between minor and major repair over the years.

Mark Toodzio commented the property has been 'major repair' throughout and predating his ownership. He added he made some repairs to the front wooded fence.

Trustee Reno felt the property is not yet up to ordinance requirements. The heavy equipment out front needs to be moved behind the fence.

Member Sebastian agreed the applicant should make repairs to the fence, move the equipment behind the fence and be given thirty (30) days to comply before a permit is issued.

Motion by Member Sebastian, support by Trustee Reno, to grant Special Use Approval with the caveat the fence is repaired, the equipment removed within the time frame of thirty (30) days. Trustee Reno requested a Roll Call Vote.

There being no further comments, Chairman Tetreau called for a Roll Call Vote. Ayes: Coveyow, Reno, Sebastian, Smith and Tetreau. Motion carried.

(b) Special Use Approval for Petit Enterprises at 3308 Petit Street, for a Proposed Long-Term Storage Facility, by Mark Toodzio.

Per review of Mr. Goldenbogen, this request was troubling due to the storage of scrap and junk vehicles on the property. This storage is not authorized in the district and for the use sought it does not appear there is documented historical use of that nature. A proposal was suggested to fence the entire perimeter which included the use of semitrailers removed from their wheels. The proposal does not appear to be consistent with anything authorized in the Township Zoning Ordinance and at this time cannot be supported for approval.

Kirk Lavigne commented a revised Site Plan had yet to be submitted for the long-term storage.

Motion by Trustee Reno, support by Member Smith, to table this item until proper documentation is submitted for review. Hearing no further comment, Chairman Tetreau called for a voice vote. All in favor, motion carried.

(c) Proposed Addition to Connect the Structures Located at 2043 and 2031 International Way for A Peters Properties LLC, Smiths Meat Packing.

Per Kirk Lavigne engineered documents were provided to reflect removal of the common element and the addition of a small building between the existing structures. All requirements have been met and approval was recommended.

Motion by Member Smith, support by Member Sebastian, to approve the additions. Hearing no comments, Chairman Tetreau called for a voice vote. All in favor, motion carried.

10. New Business

(a) Proposed Personal Storage/Use Spaces to be located at Parcel 74-28-020-1045-000, for Mark Bills, of 6062 Griswold Road, Kimball, MI 48074

Per Kirk Lavigne, applicant Mark Bills, provided a digital copy of the engineered plans for some type of individual business condo project located at Michigan and Dove Roads. A review from the Township Engineer had yet to be completed. This item was available for discussion purposes only.

The proposed use is unusual and does not fit into use categories identified in the zoning ordinance. Thirteen items were outlined for discussion regarding this proposed request. There were also items deficient which needed to be addressed prior to submittal of the revised Preliminary Site plan and/or part of the Final Engineering Plans.

Member Sebastian, with support from Member Covyew, intentions are good, but further developed plans are required before the Members could consider action.

Motion by Member Sebastian to table until engineered plans are submitted. Hearing no further comments, Chairman Tetreau called for a voice vote. All in favor, item tabled.

(b) A new Ordinance entitled "Medical Marijuana Ordinance" to regulate Patient Caregiver Activities Pursuant to the Michigan Medical Marihuana Act.

(c) Modifying "Sec. 40-698 Home Occupation Prohibited Uses" Ordinance to include the Removal of Item (9) (b) 'Bed and Breakfast' with 'Medical Marijuana Care Giver Activities'.

(d) Modifying "Sec. 40-855 Regulated Uses, Item (a)" by the addition of (19) 'Medical Marihuana Caregiver Activities'.

(e) Modifying "Sub. VII I-H Heavy Industrial District, Sec. 40-527, Permitted Uses and Structures" Item (b) Special Land Uses to Include (21) 'Medical Marijuana Care Giver Activities'.

Motion by Trustee Reno, support by Member Covyew, to recommend approval of the proposed ordinance and modifications as presented. Hearing no comments, Chairman Tetreau called for a voice vote. All in favor, motion carried on Items (b) through (e).

11. Reports

(a) Township Administration – Kirk Lavigne

- Still working on Home Occupation requirements in a residential area.
- Working on simplifications for site plan and lot split requests.

(b) Township Board – Trustee John Reno

- Work on the Michigan Road Water Main is underway.
- Fireworks will be held on Saturday, August 7, 2021, at the end of Beach Road.

(c) Zoning Board of Appeals – Jerry Sebastian

- There was no meeting in the month of June.

12. Adjournment

Motion by Smith, support by Member Sebastian, at 8:29 P.M. to adjourn. Hearing no objections, Chairman Tetreau called for a voice vote. All in favor, the meeting was adjourned.

Submitted by Betty Child