

**PLANNING COMMISSION
NOVEMBER 22, 2011**

The Gladwin City Planning Commission met in regular session Tuesday, November 22, 2011 at Gladwin City Hall. The meeting was called to order at 5:15 p.m. by Chairman David followed by the Pledge of Allegiance.

Present: Commissioners David, Clayton, Alward, Foor, Stout, Beyer, Hindman, Witkowski, and Darlington.

Absent: None.

Also present: Doug Jacobson, Sarah Kile, Bernadette Weaver, Mari Hasnik, and Dean Hasnik.

Motion by Commissioner Stout, supported by Commissioner Clayton to approve the meeting minutes of October 25, 2011 as presented. All ayes. Motion carried.

Dean and Mari Hasnik explained their plans to remove three signs on the south side of the portion of the building occupied by Tobacco Alley at 935 ½ N. State Street and replace them with one lit sign that totals 48 square feet. As he has two exposed walls and the replacement of three signs with one increase conformity, a motion was made by Commissioner Alward and supported by Commissioner Stout to approve the plans as presented. All ayes. Motion carried.

Motion by Commissioner Alward, supported by Commissioner Darlington to temporarily recess the regular meeting and open the public hearing. All ayes. Motion carried. Meeting recessed and public hearing opened at 5:20 p.m.

Proposed changes to the zoning ordinance pertaining to Medical Marijuana was read by Zoning Administrator Weaver as well as a letter sent to City Attorney Doug Jacobson by Rick Seebeck, Gladwin Schools Superintendent. Commissioner David opened the floor for comments after giving a brief synopsis of the proceedings of the Planning Commission as they have deliberated the matter of medical marijuana over the past two years, including the implementation of two moratoriums which gave them additional time in which to study the issue.

Sarah Kile stated her concerns with allowing medical marijuana caregivers to grow and supply product close to the school. Is it that the city can not set limits or that they do not want to? Commissioner Hindman noted that the setback distances from schools had been eliminated. Attorney Jacobson responded that it is not the function of the Planning Commission to “zone an activity out” of the municipality; additionally, it would leave the city open to legal action such that is faced by other governmental entities that attempted to put “buffer zones” in place around schools, churches, etc.

He responded to a comment by Dean Hasnik as to the loose regulatory provisions that enable patients to easily obtain a medical marijuana card. He and Commissioners Beyer and Stout noted that the legislature cannot quickly or easily change legislation that had been passed by voter mandate, but steps were being taken to address especially this area of concern. He said

he wished there was a way to outlaw oxycodone and keep it out of the reach of those who abuse it or students who would take it to school but that is not possible. This amendment to the ordinance is to keep within the intent of the law a use as adopted by voters (as it pertains to land use/activity within the city) but implement restrictions that would preclude illegal activity as determined by the courts; i.e. supplying to more than the allowed amount of patients, etc. He supplied examples demonstrating allowable versus prohibited activities.

Ms. Kile said she knows that the commissioners do not take this action lightly and they are entrusted with a great responsibility when they undertook this task; however, she felt she needed to voice an objection, especially in view of the problems she encounters on a daily basis due to drug abuse in her job at 1016 Recovery Network.

Commissioner Alward commented as to the undesirable uses such as dispensaries that would not be allowed in the city pursuant to this amendment.

Commissioner Darlington added that she feels the commissioners should be commended that they took action to not only formulate a workable solution, but also proactive measures to adopt the moratorium when they did which enabled everyone to thoroughly research the subject.

Motion by Commissioner Darlington, supported by Commissioner Hindman to close the public hearing and resume the regular meeting. All ayes. Motion carried. Public hearing closed and regular meeting resumed at 5:45 p.m.

Motion by Commissioner Alward, supported by Commissioner Witkowski to recommend to the City Council that the amendments to the appropriate sections of the zoning ordinance regarding medical marijuana be adopted. All ayes. Motion carried.

As several commissioners would be unable to attend the December meeting, a motion was made by Commissioner Witkowski, supported by Commissioner Stout to cancel the December 27th meeting. All ayes. Motion carried.

Motion by Commissioner Darlington, supported by Commissioner Witkowski to adjourn. Motion carried. Meeting adjourned at 5:50 p.m.

Jill Witkowski, Secretary