

**CITY OF BRIDGMAN
PLANNING COMMISSION
REGULAR MEETING
MARCH 17, 2022
5:30 PM**

The regular meeting of the Bridgman City Planning Commission was held on March 17, 2022 at City Hall, 9765 Maple Street, Bridgman, MI and called to order by Vice-Chair Truesdell at 6:30 p.m.

MEMBERS PRESENT: John Truesdell, Gene Herrman, Steve Parsons, Tom Woerdehoff, Dorothea Crocker

MEMBERS ABSENT: Richard Kading, Mark Hurray

STAFF PRESENT: City Clerk Holm, City Manager Ganum, Building Official Mattner

Pledge of Allegiance was led by the board.

APPROVE/AMEND AGENDA:

Motion by Member Woerdehoff, seconded by Member Parsons to approve the agenda for March 17, 2022 as presented, **voice vote, motion carried unanimously.**

APPROVE MINUTES:

Motion by Member Woerdehoff, seconded by Member Herrman to approve the February 17, 2022 minutes as presented, **voice vote, motion carried.**

HEARING OF CITIZENS:

- No one wished to be heard

NEW BUSINESS:

Review Coastal Leadership Academy <https://youtu.be/u6rM7gdBu6w>

Video 2 of 6 was viewed: *Building Coastal Resistance.*

UNFINISHED BUSINESS:

Consideration of amending the Zoning Ordinance to incorporate Planned Unit Developments (PUDs)

Mattner explained the two ways PUD's can be handled, one being a zoning amendment and the second by issuing a special use permit. After consulting with Williams & Works, both the

professional planner, Andy and himself feel that the zoning amendment approach would best suit the City.

Ganum asked the board for feedback and explained that changes can be made up to and even after the city council approves the amendment to the Zoning Ordinance. The intent is to schedule a public hearing in April. He went through the four qualifying conditions:

1. The PUD contains two (2) or more separate and distinct uses, for example, residential dwellings and office or commercial uses;
2. The PUD site exhibits significant natural features encompassing at least twenty-five (25) percent of the land area of the PUD which will be preserved as a result of the PUD plan;
3. The PUD is designed to preserve, in perpetuity, at least sixty (60) percent of the total area of the site as open space;
4. The PUD constitutes a significant redevelopment of an underutilized or vacant property where conventional development may not be feasible.

Ganum asked on #3 if 60% was reasonable. He showed examples of how a developer might create a denser area of housing on part of a property and leave a separate part as open space. He explained how #4 gives the developer more flexibility.

The board discussed the four conditions and if any changes need to be made. They will continue the discussion after the public hearing.

PUBLIC HEARING:

Vice-Chair Truesdell opened the public hearing at 7:00 p.m.

PURPOSE OF THE PUBLIC HEARING To consider amending the Zoning Ordinance to incorporate Marijuana Secure Transporter as a permitted use within the Interstate Gateway District and Transitional Industrial District, and to add new definitions related to marijuana to the Ordinance.

PRESENTATION BY THE PETITIONER

Ganum gave a recap from 2018 when recreational marijuana was legalized to the present. The Council directed the Planning Commission to familiarize itself with the state's new marijuana legislation and develop a survey to poll Bridgman residents. In 2019 the board engaged in a six-month MSU Extension webinar series regarding marijuana. Then the board created a survey which was placed in the Community Buzz in May 2021 with information on the five different business licenses. The vast majority that voted in favor of allowing a marijuana business, 89% were in favor of the Secure Transport License. On January 20, 2022, two Bridgman area residents (Jason Cleveland and John Hopkins) introduced themselves to the Planning Commission, shared information about their new business, and asked the board to allow a Secure Transport license within the City. On February 7, 2022, the two residents then spoke at the City Council meeting with the same information and requested the City amend the Ordinances to allow for a Marijuana Secure Transportation license to operate their new business within the City. The City Council was generally in favor of allowing the Secure

Transport License but no other marijuana licenses at this time. Attorney Senica then presented the proposed changes to the Zoning Ordinance to the Planning Commission at their regular meeting in February and the board set a public hearing for these proposed changes at their regular meeting in March. Ultimately the City Council will decide if this marijuana license will be allowed and would need to adopt a change in both the Zoning and General Ordinances.

Mattner went through some of the stringent regulations and safety requirements in obtaining a Secure Transport License.

PUBLIC COMMENTS

- Mark Smith, 12427 California Rd – He is in favor of this proposed transportation company along with any other marijuana business licenses. He said he has been following along with this process and the Planning Commission is supposed to do their due diligence for all five licenses. Now they are only looking at allowing one marijuana license and aren't even discussing the other four licenses. He would like to build a grow facility and/or other marijuana businesses within the City.
- Vince Rose, 9394 Red Arrow Highway (Mayor) – He knows there are a few residents that are opposed to marijuana facilities, but it is legal in the State of Michigan. He is in favor with the secure transport license. It will bring jobs and revenue to the City, it is safe and secure. This is the first step to allowing a marijuana business within the City. The council wants to take things slow and see how other municipalities are with different marijuana licenses and if they are having any issues. He thanked Chair Hurray and the members of the Planning Commission for all of the hard work that they do. They just completed the Master Plan and he believes the City is moving in a positive direction. Currently there are 5 – 6 members of the DNR working on oak wilt which this issue was included in the Master Plan.
- John Bonkoske, 9326 Lakeview (Council Member) – Everything is taken into consideration on a case-by-case basis. He talked about how transportation is completely different than the other marijuana licenses. It would be no different than an armored truck bringing oxycodone to Rite Aid, or a Brinks truck transporting money. This business would be transporting product from A to B. He is in support of this marijuana license and this business is highly regulated by the State of Michigan. If there is ever a situation where product is needed to be kept overnight, it would be stored inside a vault like a bank inside a secure building. Marijuana isn't coming to Bridgman, this is just a transportation business.

CORRESPONDENCE

- No correspondence was received.

CLOSE THE PUBLIC COMMENTS SESSION

Vice-Chair Truesdell closed the public comment session at 7:17 p.m.

SESSION FOR COMMISSION TO ASK QUESTIONS AND CLARIFICATION STATEMENTS

- Member Parsons inquired if these residents that are wanting to build a facility for their secure transport business, if they will be installing a vault for any product they need to store. Ganum contacted a secure transport facility in Marshall, and they store product in a vault on a daily basis due to logistics. Mattner stated that Hopkins and Cleveland are going to have a vault installed to store any product if needed.
- Member Herrman asked Hopkins and Cleveland where they plan on storing any product if need be. Cleveland said that if they need to store anything, they plan on installing a 10-15 ft vault out of concrete or steel inside the building.
- Member Herrman asked if the City could require any of these facilities to include a vault inside the building. Ganum stated Attorney Senica is not present, but if the Planning Commission recommends the use as permissible without conditions, a separate general ordinance could input that requirement.
- Mark Smith said that he uses transportation companies every day with his marijuana businesses and 99% of the time those companies are not storing product in the storage facilities on a daily basis. Cleveland did say legally they are allowed to store product for up to 96 hours if needed.
- Member Herrman said that earlier, Mayor Rose said that this is just the beginning of allowing a marijuana business within the City, but his understanding is that the council is generally in favor of only this marijuana license. He asked what type of alarm system they would have. Mattner explained that they would have a monitored system with video as well. This system is more comprehensive than a regular house monitoring system.
- Members Herrman and Parsons would like to see a stipulation that would require a vault be built inside the facility.
- Vice-Chair Truesdell asked about the 89% in the marijuana survey that stated people were in favor of the Secure Transport license. Ganum explained that he filtered the information with city residents only, 52.8% were in favor of marijuana licenses, and of those 93 individuals, then 89% were in favor of the transportation license.
- Council Member Bonkoske stated that Chair Hurray came to the council 4 or 5 months ago with the survey results which were a little skewed due to the fact that first question was a yes or no question if you were in favor of marijuana in the City. If you answered no, that was the end of the survey. You could not view the rest of the information provided in the survey on the five different licenses. Vice-Chair Truesdell stated in relying on Chair Hurray, Mattner, Ganum, and the council, there still needs to be a continued survey and maybe bring someone to speak about the different licenses this spring. Now, the board is looking at only one specific license and he is struggling with the timing of this amendment because they were instructed to look into all five licenses. Bonkoske said the idea was presented to the council and was put in the Planning Commission's purview and it is worthy of addressing that alone.
- Member Herrman asked Bonkoske if he feels that there are going to be more marijuana business licenses within the City. Bonkoske said no, not today but we owe it to ourselves to listen and consider as transportation specifically was brought up. The other licenses

were not necessarily palatable and he cannot speak on behalf of the council. The City should be looking at everything that is brought before them.

- Member Truesdell suggested that Chair Hurray should go back before the Council to get more clarification. He asked what the maximum dollar amount the city would receive for allowing this license. Ganum said it would be \$5,000 per license, it is discretionary funds, and it would generate \$10,000 for the City.
- Member Herrman stated that he talked to two people that say they weren't in favor of this, one in the City and one in the Township. Member Crocker said that she has talked to people that are in favor of this, and the City can make some money off the licenses.

Motion by Member Parsons, seconded by Member Herrman to close the public hearing at 7:35 p.m., **voice vote, motion carried.**

OLD BUSINESS:

Consideration of Zoning amendment

Motion by Member Parsons, seconded by Member Woerdehoff to recommend to the City Council to amend the Zoning Ordinance to permit marijuana secure transporter operations within the IG and TI zoning districts within Bridgman with the stipulation that any secure transport license must have a vault for product built into their facility,

Roll Call:

Yeas: Woerdehoff, Parsons

Nays: Crocker, Herrman, Truesdell

Absent: Hurray, Kading

Motion failed.

- Member Crocker informed the board that she voted no because of the vault stipulation built into the motion.
- Member Herrman informed the board that he voted no because he doesn't have a warm fuzzy feeling about this, needs more answers, and it may be something he would consider down the road.
- Member Truesdell informed the board that he voted no not because of the actual merits of the business, but on the procedural aspect of the council asking the board to look more into all the licenses.

Member Crocker said that she would do a motion to approve as presented. No other Members supported and that ended the discussion.

Ganum said that he would seek Attorney Senica's opinion as the City was the petitioner and the Planning Commission denied the recommendation for the zoning amendment. He will have Mattner reach out to Senica before this goes before council since he will be out of town. Vice-Chair Truesdell will follow-up with Chair Hurray, Ganum, and members of the council.

Consideration of amending the Zoning Ordinance to incorporate Planned Unit Developments (PUDs)

At 7:44 p.m., the Planning Commission picked back up on the discussion and reviewing of the PUD language. After discussion, the 60% can be left in #3 as the applicant could use #4 instead. That leaves it up to the petitioner to decide. Member Herrman asked if a public hearing would be required or not under 2.16 Section G, item 2a. Vice-Chair Truesdell said that the decision will be made by the Planning Commission to hold one or send it to the council. Member Parsons asked if the word “written” should be taken out of the language for example:

- The Planning Commission shall review the PUD plan and PUD rezoning application, hold a public hearing (if desired), and make a written recommendation to the City Council.

Ganum said that “written” would either be from the minutes or in a staff report.

Motion by Member Herrman, seconded by Member Woerdehoff to schedule a public hearing on April 21, 2022 at 7:00 p.m. with the regular meeting to start at 6:30 p.m. for consideration of amending the Zoning Ordinance to incorporate Planned Unit Developments (PUDs), **voice vote, motion carried unanimously.**

STAFF UPDATE:

Ganum and Mattner gave the following update:

- Lake Street Eats (LSE) had a soft opening on Monday. They will be opening up part of the wall to expand into the other side.
- Last month the Planning Commission approved Dominion’s Site Plan contingent on him signing a storm water agreement with the City. Paperwork has since been discovered from 2015 that the State of Michigan (EGLE) will need to approve any permit for storm water to go offsite due to concerns with contamination of storm water going into the storm system and drains which could affect the drinking water. Mattner has notified Dominion of the findings, but he has not heard from him. Ganum said that this should have been found with due diligence on Dominion’s end, the City just happened to discover it. Mattner stated that there is some disconnect between the local government and the State of Michigan where you can only view so much information without a FOIA to obtain more detailed information.
- The gentleman that Mattner has been working with on Casey’s has been out on vacation and is waiting to hear back from him to follow-up on the status of breaking ground.

ADJOURNMENT:

Motion by Member Herrman, seconded by Member Woerdehoff to adjourn the meeting at 7:56 p.m., **voice vote, motion carried.**

Tom Woerdehoff, Secretary

Allyson Holm, City Clerk/Recording Secretary