

ATTICA TOWNSHIP  
MINUTES OF THE  
PLANNING COMMISSION  
March 2<sup>nd</sup>, 2011

At a regular meeting of the Attica Township Planning Commission held on the 2nd day of March, 2011, at the Attica Township Hall, 4350 Peppermill Road, Attica, MI 48412.

The meeting was called to order by Chairman David Penzien at 7:00 p.m. The following members were PRESENT: Geraldean Berry, Kent Gierman, Bud Fackler, Phil Madeline, and Dave Penzien. ABSENT: Nancy Szerlag and Robert Stockwell. ALSO PRESENT: Planner Dave Birchler, Attorney Mike Gildner and the public per the attached sheet.

Minutes of the January 5<sup>th</sup>, 2011 regular Planning Commission meeting minutes were reviewed and there being no corrections, additions or deletions:

**MOTION** by Berry, seconded by Madeline to approve the January 5<sup>th</sup>, 2011 regular Planning Commission meeting minutes as presented. A vote was taken. Ayes: All; Nays: None. Absent: Two (Szerlag & Stockwell). **MOTION CARRIED.**

PUBLIC HEARING: None.

OLD BUSINESS:

**1. Medical Marihuana Ordinance.**

Planner Birchler briefly discussed medical marihuana and said the Planning Commission will revisit the medical marihuana issue at the May Planning Commission meeting.

NEW BUSINESS:

**1. Mag Motors Inc.: Used Car Lot at Market 103. Set Public Hearing.**

Planner Birchler reviewed his evaluation of Mark A. Graef's Special Land Use Application for Mag Motors, Inc., 4516 Imlay City Road (Southeast Corner of Lake Pleasant) and recommended approval of the special land use and site plan only if the following conditions are satisfied:

a) If new outdoor lighting is proposed, it must be illustrated on the site plan and catalog data on the fixtures submitted that demonstrates compliance with 4.46.1 and 5.8 of the zoning ordinance.

b) A finding by the Planning Commission and Township Board that the 220 feet of separation and 40 feet of greenbelt satisfies the intent of 4.46.3 of the zoning ordinance.

c) Submission of sign details, conforming to 5.7.5 and 5.7.11 of the zoning ordinance, and issuance of a sign permit.

d) All reasonable conditions placed on the use by the Township Board designed to mitigate any adverse impacts identified by the public during the Planning Commission hearing.

**MOTION** by Fackler, seconded by Berry to set a Public Hearing for May 4<sup>th</sup>, 2011 for Mag Motors' Special Land Use. A vote was taken. Ayes: All; Nays: None. Absent: Two (Szerlag & Stockwell). **MOTION CARRIED.**

## **2. Set Public Hearing for Victory Auto Enterprises.**

Planning Commission Secretary Fackler just received the Special Land Use application from Victory Auto Enterprises. Planner Birchler will review the application and send his review to the Planning Commission members before the May meeting.

**MOTION** by Berry, seconded by Gierman to set a Public Hearing for May 4<sup>th</sup>, 2011 for Victory Auto Enterprise's Special Land Use. A vote was taken. Ayes: All; Nays: None. Absent: Two (Szerlag & Stockwell). **MOTION CARRIED.**

## **3. Planner Birchler: Procedures Manual.**

Planner Birchler reviewed a draft of the first portion of the Attica Township Development Approval Manual. There was discussion.

COMMUNICATIONS AND SECRETARY REPORT: Secretary Fackler reported:

- a) Planning Commission members Penzien and Szerlag's terms expire March 31<sup>st</sup>.
- b) Secretary Fackler attended the St. Clair County Planning Conference and attended a seminar with Professor Jerry Fisher regarding medical marijuana.

ATTORNEY AND CONSULTANT REPORTS:

- a) Planner Birchler and Attorney Gildner discussed medical marijuana.
- b) Attorney Gildner will write a letter to the Attorney General on behalf of the Planning Commission asking his opinion on the 30 day wait in Lapeer County since there is no longer funding for a County Planning Commission.
- c) There will not be an Annual Planning Conference in Lapeer County this year.

There being no further business before the Attica Township Planning Commission, **MOTION** by Berry, seconded by Gierman to adjourn the meeting at 7:55 p.m. A vote was taken. Ayes: All; Nays: None. **MOTION CARRIED.**

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Bud Fackler, Secretary of the  
Attica Township Planning Commission

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Valerie Schultz, Recording Secretary