

Gerrish Township Planning Commission
Regular Meeting November 5, 2015

Meeting was called to order by Chairperson Case at 7:00 P.M. Gerrish Township Municipal Building.

Members Present: Case, Hoffman, Trustee Link, Polisei, Russom, Wansa.

Members absent: None

Attending: Jansen- Building & Zoning Administrator, Realtors: JoEllen Serum, Diane Ocenasek, Carlos A Jean-Francois, Bonnie Odell, Donald Babcock, Diane Babcock, James Hamar.

Motion by Link, seconded by Wansa: **CARRIED.**

Minutes of 10.1.15 were approved as presented.

Agenda Changes: none

Correspondence: Thank you letters sent to Supervisor Menghinis and Chief Hill.

Public Comment: None

CURRENT BUSINESS:

A. Discussion of Health Dept. Supervisor Menghinis' input of Oct. 1, 2015: Suggestions from Oct. 1, 2015 were entered into the "Well and Septic Inspection Standards at Time of Property Transfer Draft 15.11".

B. Concerns of Paul Bunyan Board of Realtors: After reviewing the "Well and Septic Inspection Standards at Time of Property Transfer, Draft 15.11":

1. Realtors concerned with liability.
2. A transfer of property cannot be stopped according to Gregory McClelland, general counsel of MI Asso. of Realtors as reported by Realtors present.
3. How can a septic and well inspection be performed during the winter and within a timely manner without hindering a sell? Bond issued within transaction?
4. Who is to pay for the septic and well inspection on a foreclosure, a buyer?
5. Realtors now recommend a septic and well inspection, why the need to mandate a Realtor to follow through with the inspection? Realtors are not inspectors.
6. Presently, Realtors use a list of qualified septic and well inspectors. Why is there a need for only those inspectors certified with the health department?
7. Does service provided by a property inspector not qualify under the pending ordinance?
8. How is a Realtor to enforce this ordinance requirement onto the seller? Why the Realtor?
9. Township needs to carry the burden of implementing this ordinance.
10. Realtors are being asked to notify the seller/buyer about this ordinance. What is the procedure?
11. Township needs to notify the community and business associated with the Real Estate transfer or selling of property about this proposed ordinance.
12. Understands the future need for a community wide septic and well inspections and record keeping for public health.

GTPC explained that the proposed ordinance draft is a starting point for the pursuant of Act 246 of the Public Acts of 1945 in the transfer of property served by a sewage treatment and disposal system. The purpose of adopting this drafted ordinance is to regulate the health, safety, and welfare of persons and property within the township. Presently, where there is a need for a building permit within our community, comes a requirement for a septic and well inspection. The transferring of property is the second logical step in recording a property's septic and well stats. Future plans are to implement a community wide septic and well inspection and maintenance program. This ordinance draft will be reviewed by Township Board; reviewed by a lawyer, then back to the Township Board for further review. The public will be notified through a variety of media. A Public Hearing will be posted for further input.

C. Prepare final Draft 15.11 for Township Board consideration and legal review:

MOTION by Hoffman, seconded by Wansa: CARRIED unanimous.

to recommend to the Township Board the "Septic and Well Inspection Standards at Time of Property Transfer Draft 15.11" for consideration with corrections, and upon Board approval to send the proposed draft for review to Scott Hess of Hess, Hess & Daniel P.C.

D. Discussion of Chief Hill's Medical Marihuana Presentation of Oct. 1, 2015.

Update: State House of Rep. passed HBs 4209, 4010 and 4827. Article read about a house exploding when extracting oil from marijuana plants in Warren, MI. GTPC continued to develop a Medical Marihuana Ordinance Criteria with regard to regulations of potential commercial Medical Marihuana location and Standards. Review for next meeting Industrial Zoning District map status.

OPEN LINE: Cross Country Ski Shop considering a second story addition for Yoga studio.

Moved and seconded to adjourn the meeting 9:20 P.M. CARRIED.

Next scheduled meeting: Dec.3, 2015 at 7:00 P.M.

Mary Ann Russom, Secretary

William Case, Chairperson

Approved: