



# DEXTER TOWNSHIP

## PLANNING COMMISSION

6880 DEXTER-PINCKNEY ROAD  
DEXTER, MI 48130

TELEPHONE: 734-426-3767  
FAX: 734-426-3833

[WWW.DEXTERTOWNSHIP.ORG](http://WWW.DEXTERTOWNSHIP.ORG)

### PLANNING COMMISSION REGULAR MEETING AGENDA SEPTEMBER 28, 2021 7:00 PM

---

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Conflict of Interest Review** (*Possible conflicts with agenda items*)
4. **Approval of Agenda**
5. **Public Comment** (*Comment on items that are not on the agenda. The Commission will entertain public comments on agenda items as they come up for discussion.*)
6. **Action Items**
  - A. Discussion of Medical Marihuana Caregiver(s) draft ordinance.
7. **Approval of Planning Commission Minutes**
  - A. July 27, 2021 Planning Commission Minutes
8. **Election of Officers**
9. **Township Board of Trustees Update**
10. **Concerns of Planning Commission Members, Director of Planning & Zoning, Township Supervisor, & Recording Secretary**
11. **Review of Bylaws**
12. **Public Comment** (*non-agenda items*)
13. **Future Agenda Items**
14. **Adjournment**



# DEXTER TOWNSHIP

## PLANNING COMMISSION

6880 DEXTER-PINCKNEY ROAD  
DEXTER, MI 48130

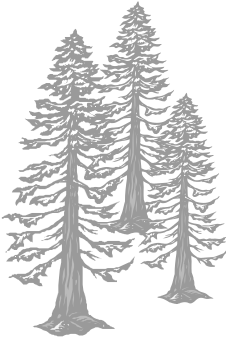
TELEPHONE: 734-426-3767  
FAX: 734-426-3833

[WWW.DEXTERTOWNSHIP.ORG](http://WWW.DEXTERTOWNSHIP.ORG)

### **Public Participation:**

- 1) All public comment on non-agenda items or items not listed as “Action Items” on the agenda shall be presented at the beginning and end of the meeting, where provided in the agenda. All public comment on items listed as “Action Items” on the agenda shall be presented during consideration of that “Action Item.”
- 2) Speakers are requested to identify themselves prior to speaking.
- 3) The amount of time allowed for each public comments of a person speaking at a Planning Commission meeting on a particular agenda item or during public comment shall be limited to three (3) minutes. This time may be extended by the Chair, unless there is an objection by any Planning Commission member.
- 4) Members of the public may each speak one (1) time per public hearing or public comment section. At the discretion of the Chair, a member of the public may speak additional times after all members of the public who wish to speak have been able to speak, unless there is an objection from the majority of the Planning Commission.
- 5) Any person may appear or be represented by authorized agents, such as attorneys, engineers, architects, etc. Such agents shall present evidence of the extent of their authorization, if requested by any member.
- 6) Members of the public shall not cross examine each other. All questions shall be directed to the Chair, who may request answers.





# DEXTER TOWNSHIP

## PLANNING COMMISSION

6880 DEXTER-PINCKNEY ROAD  
DEXTER, MI 48130  
TELEPHONE: 734-426-3767  
FAX: 734-426-3833  
WWW.DEXTERTOWNSHIP.ORG

MARTY STRAUB  
CHAIR & ZBA REP  
VACANT  
VICE CHAIR  
TOM LEWIS  
SECRETARY  
KAREN SIKKENGA  
EX-OFFICIO TWP. BRD.  
CHANDRA HURD  
CHRISTINA MAIER  
KIMBERLY MARINELLI  
BOB NESTER  
COMMISSIONERS  
  
JANIS MILLER  
RECORDING SECRETARY

---

### REGULAR MEETING OF THE PLANNING COMMISSION

#### Tuesday, July 27, 2021

Present: Marty Straub, Chair; Tom Lewis, Secretary; Bob Nester, Christina Maier, Kimberly Marinelli and Karen Sikkenga. Absent: Chandra Hurd.

Also present: David Rohr, Director of Zoning and Planning; and Janis Miller, Recording Secretary.

1. **Call to Order:** Mr. Straub called the meeting to order at 7:03 PM.
2. **Pledge of Allegiance:** Recited by all.
3. **Conflict of Interest:** No members had a conflict of interest.
4. **Approval of Agenda:**  
*With no additions or correction Chairperson Straub deemed the agenda approved as presented.*
5. **Public Comment:** (non-agenda items)  
Opened 7:07PM. No comments. Closed 7:07PM.
6. **Action Items:**  
**Item A:**  
Approval of Planning Commission Bylaws  
*Motion by Maier, seconded by Nester, to approve/adopt the Bylaws as presented.*  
  
**Roll Call Vote: Yeas – Lewis, Nester, Sikkenga, Maier, Marinelli, Straub; Nays - None; Absent - Hurd. Motion carried 6-0.**

**Item B:**

Public hearing for (20-PC-200.1) Doletzky, 11677 N. Territorial Road, Final Site Plan approval for a residential housing subdivision.

Chairperson Straub outlined tonight's possible outcomes as: A) grant approval of the preliminary site plan, with possible conditions; B) deny approval of the preliminary site plan as not complying with the Zoning Ordinance (2003 amended 2018); or C) postpone to a time certain, to allow for receipt of further requested information.

DPZ Rohr summarized the staff report noting there will be 48 homes with 60% open space. There is an updated traffic study as well as comments from Dexter Area Fire and OHM. Mr. Pascoe has answered all the Planning Commission's concerns and has presented a complete application.

Applicant representative Todd Pascoe stated they had completed the application and addressed the Planning Commission concerns. Mr. Pascoe then answered questions of the Commissioners.

Open Public Comment: 7:25 pm

Laura Sanders, 11774 Quigley Rd.

Her ten-acre property juts into the south end of the Doletzky property and she is concerned about the well water, roadways, and the intersection at Dexter Townhall and N. Territorial. She noted the documents did not include a prototype of the proposed homes and was concerned that the developer wasn't taking the Planning Commission seriously.

Closed Public Comments: 7:28 pm

#### **Commissioners Discussion Summary:**

The pond in Hartman Farms would be used for fire protection. Engineering firms (OHM) don't give recommendations on buildings or road right-of-way, they look at the technical issues. Entrance on N. Territorial will be used for emergency vehicles only, gated with a lock box. Map on (Guenther) engineering report needs to reflect 48 homes, not 51. Hydrogeological study completed. The number of wells would not affect the aquifer. Updated traffic study and discussion about a turn lane and acceleration lane (County Road Commission action) on Dexter Townhall. On site traffic circulation is the only concern of the Planning Commission. Non-Township traffic on N. Territorial and Dexter Townhall. The need for a summer and fall traffic count for the intersection of Dexter Townhall and N. Territorial. Population growth and the number of school age children per dwelling.

#### ***Motion by Maier, seconded by Lewis, to approve a Resolution for Final Site Plan Approval for (20-PC-200.1) RSG Development (Doletzky).***

Discussion: Adding "and the Washtenaw County Environmental Health Department" to condition (c). Attorney Roberts recommends adding (g) approval shall not be effective for the project until the Washtenaw County Environmental Health Department approves the on-site wells; and adding (h) approval shall not be effective until OHM approves the revisions of the final site plan addressed July 20, 2021. Correction, change (g) to (f) and (h) to (g). Adding details regarding remediation of arsenic in wells. Attorney Roberts said condition (f) covers it. Seller obligation, not Township obligation, to reveal arsenic in the wells to potential buyers. Condition (d) is a catchall for all permits and approvals issued to developers. Recap of (g) approval shall not be effective until resolution of findings in the OHM engineering report of July 20, 2021. Added condition (h) landscape plans do not include plants that fall under Michigan State University College of Agriculture's Midwestern Invasive Species Information Network; reworded Developer agrees to remove any invasive species from the landscape plans. Side driveways not shown on plan.

Maier and Lewis agree to the addition of conditions (f), (g), and (h).

**Roll Call Vote: Yeas – Lewis, Maier, Nester, Sikkenga, Straub; Nays - Marinelli;  
Absent - Hurd. Motion carried 5-1.**

**7. Approval of Planning Commission Minutes:**

*Motion by Sikkenga, seconded by Nester, to approve the meeting minutes of April 13, 2021, as amended. Motion carried 6-0.*

*Motion by Maier, seconded by Lewis, to approve the meeting minutes of May 11, 2021, as amended. Motion carried 6-0.*

**8. Election of Officers: No action**

**9. Township Board of Trustees Update:**

Karen Sikkenga, Township Board Representative gave a report on the July 20, 2021 regular Township Board Meeting.

**10. Concerns of Commission Members, Director of Planning and Zoning, Supervisor, and Recording Secretary:**

DPZ Rohr thanked the Planning Commission and Attorney Roberts for approval of the Doletzky project.

**11. Review of Bylaws: See Action Item A above.**

**12. Public Comment:**

Opened 8:46 PM. No comments. Closed 8:47 PM.

**13. Future Agenda Items: August 23, 2020** None at tis time.

**14. Adjournment:**

*Motion by Marinelli, seconded by Sikkenga, to adjourn the meeting. Motion carried 6-0.*  
Meeting adjourned at 8:48 PM.

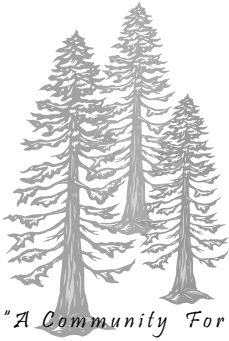
Respectfully submitted,

---

Tom Lewis, Secretary

---

Janis Miller, Recording Secretary



# DEXTER TOWNSHIP

## PLANNING & ZONING

6880 DEXTER-PINCKNEY ROAD  
DEXTER, MI 48130

TELEPHONE: 734-426-3767

FAX: 734-426-3833

DPZ@DEXTERTOWNSHIP.ORG

WWW.DEXTERTOWNSHIP.ORG

---

DATE: September 7, 2021  
TO: Dexter Township Planning Commission  
CC: File  
FROM: David Rohr, Director of Planning & Zoning  
RE: Medical Marihuana Caregivers Draft Ordinance

---

### MEMORANDUM

---

The Dexter Township Board of Trustees, at their July 20, 2021 Board meeting, approved a **Resolution 21-624**(attached) for a six - month moratorium on Medical Marihuana Caregivers operations in the Township. The Board of Trustees requests the Planning Commission discuss the issue of Medical Marihuana Caregivers and supply a formal recommendation to the Board on how the Township should address this issue.

To facilitate discussion of this issue, Township Staff, has provided a Medical Marihuana Caregivers draft ordinance. This draft ordinance has been provided by the Township attorney. The draft ordinance is modeled on the Caregivers ordinances from Bloomfield Township and Byron Township.

Please contact this office with any additional questions.

David Rohr  
Director of Planning & Zoning  
Dexter Township

TOWNSHIP OF DEXTER

DRAFT

ORDINANCE NO. \_\_\_\_\_

An Ordinance to amend the Dexter Township Zoning Ordinance, Ordinance No. 43, Article 2, Definitions, Section 2.1, Article 17, Specific Use Standards, Section 17.02(F), Home Occupations.

**THE TOWNSHIP OF DEXTER ORDAINS:**

**Section 1 of Ordinance**

The Dexter Township Zoning Ordinance, Ordinance No. 43, Article 2, Definitions, Section 2.1 is hereby amended to read as follows:

**Sec. 2.1. DEFINITIONS**

The following words, terms and phrases, when used in this subsection, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- i. *Enclosed Locked Facility* means a closet, room, or other comparable stationary and fully enclosed area equipped with secure locks or other functioning security devices that permit access only by a Registered Primary Caregiver or Registered Qualifying Patient and as further defined in the MMMA.

Marihuana plants grown outdoors, are considered to be in an Enclosed Locked Facility if they are not visible to the unaided eye from an adjacent property when viewed by an individual at ground level or from a permanent structure, and are grown within a stationary structure that is enclosed on all sides, except for the base, by chain-link fencing, wooden slats, or a similar material that prevents access by the general public and that it is anchored, attached, or affixed to the ground; located on land that is owned, leased, or rented by either the Registered Qualifying Patient, or a person designated through the department registration process, as the Registered Primary Caregiver for the Registered Qualifying Patient(s) for whom the marihuana plants are grown; and equipped with functioning locks or other security devices that restrict access only to the Registered Qualifying Patient or the Registered Primary Caregiver who owns, leases, or rents the property on which the structure is located. Enclosed Locked Facility includes a motor vehicle if both of the following conditions are met:

- a. The vehicle is being used temporarily to transport living marihuana plants from one location to another with the intent to permanently retain those plants at the second location.
- b. An individual is not inside the vehicle unless he or she is either the Registered Qualifying Patient to whom the living marihuana plants belong,

or the individual designated through the Department of Registration process as the Registered Primary Caregiver for the Registered Qualifying Patient.

- ii. *Home Occupation* means an accessory use that is customarily incidental and secondary to the use of a dwelling, and that is conducted entirely within a dwelling and that is a legal occupation, profession, or business activity conducted by an occupant residing on the premises full time and, except for Registered Primary Medical Marihuana Caregiver Operations as regulated by this zoning Ordinance, where all business activity relies solely on electronic or off-premise transactions and communication is conducted over the internet, telephone, and/or electronic mail, utilizing equipment customarily found in a home and is generally not distinguishable from the outside. Medical, hospital or veterinary services, kennel, grooming or pet boarding services, personal service establishments, or repair facilities shall not be deemed a permissible home occupation.
- iii. *Marihuana* means that term as defined in Section 7106 of the Public Health Code, 1978 PA 368, MCL 333.7106. Marijuana, with the alternate spelling with the letter “j” has the same meaning as “Marihuana.”
- iv. *Medical Use* means the acquisition, possession, cultivation, manufacture, use, internal possession, delivery, transfer, or transportation of marihuana, or paraphernalia relating to the administration of marihuana to treat or alleviate a Registered Qualifying Patient's debilitating medical condition, or symptoms associated with the debilitating medical condition, as further defined under the MMMA.
- v. *MMMA* or *Act* means to the Michigan Medical Marihuana Act, MCL 333.26421, *et seq.*, currently, or as amended.
- vi. *MRTMA* means to the Michigan Regulation and Taxation of Marihuana Act Initiated Law 1 of 2018, MCL 333.27952, *et seq.*, currently, or as amended.
- vii. *Registered Primary Caregiver* means a person meeting the definition of caregiver under the MMMA and who has been issued and possesses a registry identification card and possesses the documentation that constitutes a valid registry under the MMMA.
- viii. *Registered Qualifying Patient* means a person meeting the definition under state law and who has been issued and possesses a registry identification card which is valid under the MMMA, as amended.
- ix. *Transfer* means to convey, sell, give, deliver, or allow the possession by another person or entity.
- viv. *Visiting Qualifying Patient* means a patient who is not a resident of this state or who has been a resident of this state for less than 30 days.



*Other provisions and terms.* The other provisions and terms of the MMMA and MRTMA for purposes of deferential context are incorporated by reference as though more fully restated herein.

## **Section 2 of Ordinance**

The Dexter Township Zoning Ordinance, Ordinance No. 43, Article 17, Specific Use Standards, Section 17.02(F), Home Occupations is hereby amended to read as follows:

**Sec. 17.02(F) Home Occupations:** shall meet the additional standards outlined below, in order to allow flexibility for the use of residential property by residents while protecting the essential residential character of residential districts and uses, in terms of use and appearance.

1. **General Regulations**

*{INSERT EXISTING LANGUAGE, PARAGRAPHS 1) – 11)}*

2. **Medical Marihuana Registered Primary Caregiver Home Occupations**

It is the intent of this subsection to regulate Medical Marihuana Registered Primary Caregivers as Home Occupations. This subsection is not intended to allow commercial marihuana grow operations within the Township, as prohibited by Ordinance 40. In addition to the general regulations above, Medical Marihuana Registered Primary Caregiver Home Occupations are subject to the following:

A. **General Regulations:**

- i. No more than five (5) Registered Qualifying Patients are permitted for each Caregiver Home Occupation.
- ii. The medical use of marihuana shall comply at all times with the MMMA and the MMMA General Rules, as amended.
- iii. A Registered Primary Caregiver shall not possess marihuana or otherwise engage in the medical use of marihuana in a school bus, on the grounds of any preschool or primary or secondary school, or in a correctional facility.
- iv. Not more than two (2) Registered Primary Caregivers, who shall also be full-time residents of the dwelling, shall be permitted to operate at any one property.
- v. The medical use of marihuana shall be conducted entirely within a dwelling. The medical use of marihuana is prohibited within an accessory building or garage, except that a Registered Primary Caregiver may keep and cultivate in an Enclosed Locked Facility,

as that phrase is defined by the MMMA, up to 12 marihuana plants for each Registered Qualifying Patient with whom the Registered Primary Caregiver is connected through the registration process established by the Department of Licensing and Regulatory Affairs, and up to 12 additional marihuana plants for personal use if the Registered Primary Caregiver is also a Registered Qualifying Patient under the MMMA.

- vi. A sign identifying the home occupation by word, image or otherwise, or indicating that the medical use of marihuana is taking place on the premises shall not be permitted; nor shall any vehicle having such a sign be parked anywhere on the premises.
- vii. Except for lighting, heating, watering, drying, or other equipment, or fertilizers, herbicides or other chemicals directly related to the medical use of marihuana, no other materials or equipment not generally associated with normal ownership, use, and maintenance of a dwelling shall be permitted.
- viii. Distribution of marihuana or use of items in the administration of marihuana shall not occur at or on the premises of the Registered Primary Caregiver. A Registered Qualifying Patient shall not visit, come to, or be present at the residence of the Registered Primary Caregiver to purchase, smoke, consume, obtain, or receive possession of any marihuana.
- ix. No on-site consumption or smoking of marihuana shall be permitted within the dwelling or on the property of a Registered Primary Caregiver except for lawful medical marihuana consumption by the Registered Primary Caregiver that is registered as a Qualifying Patient under the MMMA.
- x. All necessary building, electrical, plumbing, and mechanical permits shall be obtained for any portion of a building or structure in which equipment and devices that support the cultivation, growing or harvesting of marihuana are located or used.
- xi. If marihuana is grown or located in a room with windows, all interior lighting shall be shielded to prevent ambient light from creating a distraction for adjacent properties.
- xii. The Registered Primary Caregiver is responsible for providing the security necessary to assure that the growing marihuana and usable product are accessible for use only by the Primary Registered Caregiver for transfer to only Registered Qualifying Patients who

are registered to the Registered Primary Caregiver and must fully comply with the provisions of the MMMA.

- xiii. Medical marihuana-related merchandise or products shall not be sold or distributed from the dwelling or property of the Registered Primary Caregiver apart from the permitted quantity of medical marihuana.
- xiv. To ensure compliance with all applicable requirements and laws, the portion of a building or other structure, such as a cultivation room, where energy use and heating requirements exceed typical residential limits and chemical storage occurs, is subject to inspection and approval by the zoning administrator or other authorized official.
- xv. The Registered Primary Caregiver is responsible for utilizing an Enclosed Locked Facility upon the above-identified zoned parcels in compliance with the MMMA for cultivating, growing, manufacturing, processing, and storing marihuana for medical use only. The Enclosed Locked Facility utilized by the Registered Primary Caregiver shall provide separation by fully enclosed walls, or fences, for plants that are grown on behalf of each Registered Qualifying Patient on whose behalf the Registered Primary Caregiver is furnishing marihuana for medical use so it is accessible only to the Registered Primary Caregiver and Registered Qualifying Patient. The processing and storing of medical marihuana are permitted only by Registered Primary Caregivers and Registered Qualifying Patients.
- xvi. The property, dwelling, and all Enclosed Locked Facilities shall be available for inspection upon request by the zoning administrator, building official, or law enforcement official.
- xvii. All business operations of a Registered Primary Caregiver must occur indoors. Such operations may not provide drive-thru service.
- xviii. Registered Primary Caregiver operations may not emit noxious odors or fumes.
- xix. The Medical Marihuana Registered Primary Caregiver home occupation may not be located in multi-family residential districts or attached residential dwelling units.
- xx. It is unlawful to establish or operate a for-profit or nonprofit marihuana dispensary, collective, or cooperative within the

Township even if such use is intended for the medical use of marihuana.

B. Location:

- i. Each parcel upon which Enclosed Locked Facilities with marihuana for medical use are present must be a minimum of 500 feet (500') from any parcel upon which any of the following is located:
  - a. A school, school facility, or childcare facility subject to Federal "Drug-Free School Zone" requirements.
  - b. A place of worship or public park. Measurement of the buffer shall be from property line to property.
  - c. Another Registered Primary Caregiver.
- ii. Each parcel upon which Enclosed Locked Facilities with marihuana for medical use are present must contain a minimum of 5 acres.
- iii. Each residence which contains Enclosed Locked Facilities with marihuana for medical use must be a minimum of 100 feet from any property line.

C. Registration Required. The operations of a Registered Primary Caregiver as a home occupation shall be permitted only with the prior issuance of a Township registration certificate.

i. Application:

- a. A complete and accurate application shall be submitted on a form provided by the Township and an application fee in an amount determined by resolution of the Township Board shall be paid.
- b. The registration application shall include the name and address of the applicant; the address of the property; proof, such as a driver's license, voter registration card or similar record showing that the dwelling is the applicant's full-time residence; a current state registration card issued to the Registered Primary Caregiver; a full description of the nature and types of equipment which will be used in marihuana cultivation and processing; and a description of the location at which the use will take place. The zoning administrator may require additional information necessary

to demonstrate compliance with all requirements. The zoning administrator shall review the application to determine compliance with this Ordinance, the MMMA, and the MMMA General Rules. A registration shall be granted if the application demonstrates compliance with this Ordinance, the MMMA, and the MMMA General Rules.

- c. To ensure compliance with applicable codes, within 30 days of a completed application, the applicant shall schedule an inspection with the Chelsea Area Construction Agency. The intent of the inspection is to ensure that the structure is in compliance with the International Property Maintenance Code and that the area used for marihuana has adequate electrical and mechanical safeguards to ensure
  - d. Within 15 business days from the date of the inspection, the owner/applicant/contractor shall obtain all necessary permits.
  - e. Prior to the operation of a Primary Caregiver as a home occupation, a zoning permit shall be provided by Dexter Township and a certificate of completion shall be provided by the Chelsea Area Construction Agency.
- ii. The use shall be maintained in compliance with the requirements of this Ordinance, the MMMA, and the MMMA General Rules. Any departure shall be grounds to revoke the registration and take other lawful action. If a registration is revoked, the applicant shall not engage in any activity subject to the permit unless and until a new permit is granted.
  - iii. Information treated as confidential under the MMMA, including the Registered Primary Caregiver registry identification card and any information about Registered Qualifying Patients associated with the Registered Primary Caregiver which is received by the Township shall be maintained separately from public information submitted in support of the application. It shall not be distributed or otherwise made available to the public and shall not be subject to disclosure under the Freedom of Information Act.
  - iv. The use of the dwelling or other permitted facility of a Registered Qualifying Patient to cultivate medical marihuana in accordance with the MMMA solely for personal use does not require a permit under this subsection; however, all applicable state and Township ordinance requirements must be met.

- v. The provisions of this subsection do not apply to the personal use and/or internal possession of marihuana by a Registered Qualifying Patient in accordance with the MMMA for which a permit is not required.
  
- vi. Noncompliance with the above criteria or requirements imposed by the Zoning Board of Appeals shall constitute an ordinance violation and the home occupation shall be suspended and shall be subject to enforcement pursuant to Section 31.02.

**Section 3 of Ordinance**

Chapter 26, Article 4, Use Standards, Section 4.57, Marihuana Establishments Prohibited is hereby added and shall read as follows:

**Sec. 4.57. Marihuana Establishments Prohibited**

1. Any type of “marihuana establishment,” as that term is defined and used in Michigan Initiated Law 1 of 2018, commonly known as the Michigan Regulation and Taxation of Marihuana Act, is strictly prohibited in the Township and may not be established or operated in any zoning district, by any means, including by way of a variance.
2. “Marihuana facilities” as described in the Medical Marihuana Facilities Licensing Act, Act 281 of 2016, are strictly prohibited in the Township and may not be established, licensed, or operated in any zoning district, by any means, including by way of a variance.
3. Nothing in this Section [redacted] shall limit any privileges, rights, immunities, or defenses of a person as provided in the Michigan Medical Marihuana Act or the Michigan Initiated Law 1 of 2008, MCL 333.26421, *et seq.*

**Section 4 of Ordinance**

If any section, subsection, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent portion of this Ordinance, and such holding shall not affect the validity of the remaining portions of this Ordinance.

**Section 5 of Ordinance**

All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

**Section 6 of Ordinance**

Within fifteen (15) days after adoption, a notice of ordinance adoption shall be published in a newspaper of general circulation in the Township including the effective date of the amendment and the place where and time when a copy of the amendment may be purchased or inspected.

**Section 7 of Ordinance**

Pursuant to the Michigan Zoning Enabling Act, MCL 125.3401(6), this Ordinance shall take effect upon the expiration of seven (7) days after publication.



**CERTIFICATION**

STATE OF MICHIGAN     )  
  ) SS.  
COUNTY OF WASHTENAW     )

I, Michelle Stamboulellis, the duly elected Clerk for the Township of Dexter, Washtenaw County, Michigan, do hereby certify that the foregoing is a true and complete copy of the Ordinance adopted by the Township Board for the Township of Dexter at a meeting held on the \_\_\_ day of \_\_\_\_\_, 2021; the original of which is on file in the Office of the Township Clerk.

I affix my official signature/seal this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

By: \_\_\_\_\_  
Michelle Stamboulellis, Clerk

INTRODUCED:  
ADOPTED:  
PUBLISHED:  
EFFECTIVE:

21-624

**TOWNSHIP OF DEXTER  
COUNTY OF WASHTENAW, STATE OF MICHIGAN**

**RESOLUTION TO ESTABLISH A MORATORIUM ON MEDICAL MARIHUANA  
ENTERPRISES, BUSINESSES, AND FACILITIES.**

At a regular meeting of the Dexter Township Board of Trustees, Washtenaw County, Michigan, held on July 20 th, 2021 at the Township Hall, 6880 Dexter-Pinckney Road, Dexter, Michigan 48130, the following preamble and resolution were offered by Trustee Sanders, and supported by Trustee Notte:

**PREAMBLE:**

**WHEREAS**, when enacted, the Michigan Medical Marihuana Act (MMMA, MCL 333.26421, et seq.) did not provide regulations as to where and on what conditions marihuana enterprises, businesses, and facilities may be located, prohibited, or regulated under local government zoning and/or police power authority;

**WHEREAS**, the MMMA authorizes local governments to adopt ordinances related to medical marihuana facilities within their jurisdiction, and the Michigan Supreme Court has recently affirmed a township's authority to regulate these uses through local zoning ordinances;

**WHEREAS**, the Dexter Township Zoning Ordinance does not adequately address the proper zoning regulation for uses permitted by the MMMA, but currently Section 25.03 does require a zoning permit to legally establish such a use;

**WHEREAS**, it would be counterproductive to issue zoning permits for the operation of marihuana enterprises, businesses, and facilities permitted by the MMMA within the Township while the Township studies and adopts appropriate zoning regulations for these uses;

**WHEREAS**, Dexter Township must take measures to study, promote, and provide for the long-term development of the Township in a manner that is consistent with the overall character and planning of the Township, and to take measures to avoid the approval of any land use that may undermine the overall character and planning of the Township;

**WHEREAS**, it is of major importance for the future overall development of Dexter Township to ensure that only lawful and reasonable land uses are authorized in the Township and that the purpose, goals, and objectives of the master plan are implemented.

**WHEREAS**, there is a need to adopt a moratorium on marihuana enterprises, businesses, and facilities while the Township studies the application and impacts of the MMMA; and considers and develops consistent and cohesive land use standards that implement the purpose, goals, and objectives of the master plan;

**THEREFORE, THE TOWNSHIP OF DEXTER RESOLVES:**

A moratorium on marihuana enterprises, businesses, and/or facilities is hereby established from the date of this resolution until December 31, 2021 while Dexter Township studies the application and impacts of the medical marihuana laws; and considers and develops consistent and cohesive land use standards that implement the purpose, goals, and objectives of the master plan; and develops and adopts regulatory standards applicable to marihuana enterprises, businesses, and facilities for the protection of the public health, safety, and welfare of the Township and its residents. During the period of this moratorium, there shall be no consideration or action taken by Dexter Township, any elected or appointed official, or any employee on a request for consideration, review, or action on any application, permit, request for zoning compliance, or certificate of occupancy to operate a marihuana enterprise, business, and/or facility pursuant to the MMMA. This moratorium shall terminate on the effective date of an amendment to the Dexter Township Zoning Ordinance establishing regulations for MMMA uses if such an effective date is prior to December 31, 2021.

**CERTIFICATION**

STATE OF MICHIGAN )  
 ) SS  
 COUNTY OF WASHTENAW )

I, \_\_\_\_\_, the duly elected Clerk for Dexter Township, Washtenaw County, Michigan, do hereby certify that the foregoing is a true and complete copy of the Resolution adopted by the Township Board for Dexter Township at a meeting held on the \_\_\_\_ day of \_\_\_\_\_, 2021; the original of which is on file in the Office of the Township Clerk.

I affix my official signature/seal this \_\_\_\_ day of \_\_\_\_\_, 2021.

By: \_\_\_\_\_

6967727\_1.docx

**TOWNSHIP OF DEXTER  
COUNTY OF WASHTENAW, STATE OF MICHIGAN**

**ORDINANCE NO. 40**

**ADOPTED: February 19, 2019**

**PUBLISHED: February 27, 2019**

**EFFECTIVE: February 28, 2019**

**PROHIBITION OF MARIHUANA ESTABLISHMENTS ORDINANCE**

An ordinance to provide a title for the ordinance; to define words; to prohibit marihuana establishments within the boundaries of Dexter Township pursuant to Initiated Law 1 of 2018, MCL 333.27951, *et seq.*, as may be amended; to provide penalties for violation of this ordinance; to provide for severability; to repeal all ordinances or parts of ordinances in conflict therewith; and to provide an effective date.

**THE TOWNSHIP OF DEXTER  
WASHTENAW COUNTY, MICHIGAN**

**ORDAINS:**

**SECTION I  
TITLE**

This ordinance shall be known as and may be cited as the Dexter Township Prohibition of Marihuana Establishments Ordinance.

**SECTION II  
DEFINITIONS**

Words used herein shall have the definitions as provided for in Initiated Law 1 of 2018, MCL 333.27951, *et seq.*, as may be amended.

**SECTION III  
NO MARIHUANA ESTABLISHMENTS**

Dexter Township hereby prohibits all marihuana establishments within the boundaries of the Township pursuant to Initiated Law 1 of 2018, MCL 333.27951, *et seq.*, as may be amended.

**SECTION IV  
VIOLATIONS AND PENALTIES**

1. Any person who disobeys neglects or refuses to comply with any provision of this ordinance or who causes allows or consents to any of the same shall be deemed to be responsible for the violation of this ordinance. A violation of this ordinance is deemed to be a nuisance per se.

2. A violation of this ordinance is a municipal civil infraction, for which the fines shall not be less than \$100 nor more than \$500, in the discretion of the Court. The foregoing sanctions shall be in addition to the rights of the Township to proceed at law or equity with other appropriate and proper remedies. Additionally, the violator shall pay costs which may include all expenses, direct and indirect, which the Township incurs in connection with the municipal civil infraction.
3. Each day during which any violation continues shall be deemed a separate offense.
4. In addition, the Township may seek injunctive relief against persons alleged to be in violation of this ordinance, and such other relief as may be provided by law.
5. This ordinance shall be administered and enforced by the Ordinance Enforcement Officer of the Township or by such other person (s) as designated by the Township Board from time to time.

**SECTION V**  
**SEVERABILITY**

The provisions of this ordinance are hereby declared to be severable. If any clause, sentence, word, section or provision is hereafter declared void or unenforceable for any reason by a court of competent jurisdiction, it shall not affect the remainder of such ordinance which shall continue in full force and effect.

**SECTION VI**  
**REPEAL**

All ordinance or parts of ordinances in conflict herewith are hereby repealed.

**SECTION VII**  
**EFFECTIVE DATE**

This ordinance shall take effect February 28, 2019.

DEXTER TOWNSHIP  
Debra A. Ceo, Clerk  
6880 Dexter-Pinckney Road  
Dexter, MI 48130  
(734) 426-3767

**TOWNSHIP OF DEXTER  
COUNTY OF WASHTENAW, STATE OF MICHIGAN**

**RESOLUTION TO ESTABLISH A MORATORIUM ON MEDICAL MARIHUANA  
ENTERPRISES, BUSINESSES, AND FACILITIES.**

At a regular meeting of the Dexter Township Board of Trustees, Washtenaw County, Michigan, held on \_\_\_\_\_, 2021 at the Township Hall, 6880 Dexter-Pinckney Road, Dexter, Michigan 48130, the following preamble and resolution were offered by Trustee \_\_\_\_\_, and supported by Trustee \_\_\_\_\_:

**PREAMBLE:**

**WHEREAS**, when enacted, the Michigan Medical Marihuana Act (MMMA, MCL 333.26421, et seq.) did not provide regulations as to where and on what conditions marihuana enterprises, businesses, and facilities may be located, prohibited, or regulated under local government zoning and/or police power authority;

**WHEREAS**, the MMMA authorizes local governments to adopt ordinances related to medical marihuana facilities within their jurisdiction, and the Michigan Supreme Court has recently affirmed a township's authority to regulate these uses through local zoning ordinances;

**WHEREAS**, the Dexter Township Zoning Ordinance does not adequately address the proper zoning regulation for uses permitted by the MMMA, but currently Section 25.03 does require a zoning permit to legally establish such a use;

**WHEREAS**, it would be counterproductive to issue zoning permits for the operation of marihuana enterprises, businesses, and facilities permitted by the MMMA within the Township while the Township studies and adopts appropriate zoning regulations for these uses;

**WHEREAS**, Dexter Township must take measures to study, promote, and provide for the long-term development of the Township in a manner that is consistent with the overall character and planning of the Township, and to take measures to avoid the approval of any land use that may undermine the overall character and planning of the Township;

**WHEREAS**, it is of major importance for the future overall development of Dexter Township to ensure that only lawful and reasonable land uses are authorized in the Township and that the purpose, goals, and objectives of the master plan are implemented.

**WHEREAS**, there is a need to adopt a moratorium on marihuana enterprises, businesses, and facilities while the Township studies the application and impacts of the MMMA; and considers and develops consistent and cohesive land use standards that implement the purpose, goals, and objectives of the master plan;

**THEREFORE, THE TOWNSHIP OF DEXTER RESOLVES:**

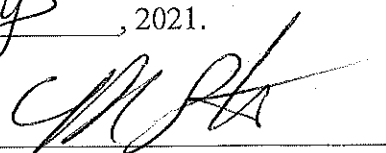
A moratorium on marihuana enterprises, businesses, and/or facilities is hereby established from the date of this resolution until December 31, 2021 while Dexter Township studies the application and impacts of the medical marihuana laws; and considers and develops consistent and cohesive land use standards that implement the purpose, goals, and objectives of the master plan; and develops and adopts regulatory standards applicable to marihuana enterprises, businesses, and facilities for the protection of the public health, safety, and welfare of the Township and its residents. During the period of this moratorium, there shall be no consideration or action taken by Dexter Township, any elected or appointed official, or any employee on a request for consideration, review, or action on any application, permit, request for zoning compliance, or certificate of occupancy to operate a marihuana enterprise, business, and/or facility pursuant to the MMMA. This moratorium shall terminate on the effective date of an amendment to the Dexter Township Zoning Ordinance establishing regulations for MMMA uses if such an effective date is prior to December 31, 2021.

**CERTIFICATION**

STATE OF MICHIGAN            )  
  ) SS  
COUNTY OF WASHTENAW    )

I, Michelle Stamboullis, the duly elected Clerk for Dexter Township, Washtenaw County, Michigan, do hereby certify that the foregoing is a true and complete copy of the Resolution adopted by the Township Board for Dexter Township at a meeting held on the 20<sup>th</sup> day of July, 2021; the original of which is on file in the Office of the Township Clerk.

I affix my official signature/seal this 20<sup>th</sup> day of July, 2021.

By: 

Regular Meeting of the Dexter Township Board  
Tuesday, July 20, 2021 7:00 PM

**CALL to ORDER:** Supervisor Ratkovich called the meeting to order at 7:00 PM.

**PLEDGE of ALLEGIANCE:** Recited by all.

**ROLL CALL:** Present – Ratkovich, Stamboulellis, Metz, Sanders, Nolte, Drolett, and Sikkenga.  
Absent – None.  
Also present: David Rohr, Director of Zoning and Planning, and Janis Miller,  
Recording Secretary.

**SUPERVISOR’S REMARK/CONFLICT OF INTEREST:**

Supervisor Ratkovich cited the notice of resignation from Janet Logghi, Deputy Clerk.  
The new Dexter Township website will go live on August 15<sup>th</sup>.  
The compensation study should be drawing to a close by the end of August.  
She thanked Office Manager Kim Jordan for all the work in advertising, screening, and interviewing  
for a Co-Office Manager.  
Supervisor Ratkovich introduced Colleen Coogan from Woodhill Consulting Group, and Mark  
Roberts, new township legal counsel with Secrest Wardle.  
Conflict of Interest: Clerk Stamboulellis stated she will recuse herself from discussion and voting on  
item D. renewing the contract with Stamboulellis Landscaping for lawn and grounds maintenance  
for Dexter Township.

**1<sup>st</sup> CALL TO THE PUBLIC:**

Public Comment Opened 7:04PM

Kim Marinelli, 5775 Libby Ct., Dexter

Her concern was the 2015 Development Agreement between the builder of Hartman Farms and  
the Dexter Township Board of Trustees. She indicated there appeared no enforcement of the  
document and was concerned that a builder could build without valid permits or follow-up testing  
of each individual well. She and her neighbors are dealing with high levels of arsenic in their wells,  
crumbling roads, crossover traffic from Copper Meadows, and no sidewalks.

Stuart Baskin, 5826 Sterling Trail, Dexter

His concern was the lack of direction/action with the Hartman Farms Home Owners Association in  
regards to the flooding of the development roads, quality of their well water, and where the  
Association fees were spent.

Public Comment Closed 7:11PM

**APPROVAL of the AGENDA:**



Motion by Drolett to approve the agenda as amended. Motion second by Sanders.

**Motion carried.**

**APPROVAL of the MINUTES:**

Motion by Drolett to approve the minutes of June 15, 2021, as presented. Motion second by Stamboulellis. **Motion carried.**

**REPORTS (oral presentations):** None.

**UNFINISHED BUSINESS:** None.

**NEW BUSINESS:**

- A. Updating compliance and accepting funds to accept ARA funds.
  1. Resolution to Adopt a Grant Accounting and Administrative Policy  
Discussion: Clarification on who the Grant Administrator is and who audits the grant. Barry Lonik was hired several months ago to write the grant application for open space land preservation.  
Motion by Sikkenga to adopt **Resolution #21-619**, a Resolution adopting a Grant Accounting and Administration Policy.  
Roll Call Vote: Yea – Drolett, Nolte, Metz, Stamboulellis, Sanders, Sikkenga, Ratkovich; Nays – None; Absent – None. **Motion carried 7-0.**
  2. Resolution to Adopt a Conflict-of-Interest Policy  
Discussion: Mark Roberts, legal counsel stated this was critical in order to get Federal Funds. Colleen Coogan, consultant, said everyone volunteering or working for the township is subject to a conflict of interest.  
Motion by Drolett to adopt **Resolution #21-620**, a Resolution adopting a Conflict-of-Interest Policy, with the condition this is subject to review and rewrite by township legal counsel. Motion second by Sikkenga.  
Roll Call Vote: Yea – Sikkenga, Sanders, Stamboulellis, Metz, Nolte, Drolett, Ratkovich; Nays – None; Absent – None. **Motion carried 7-0.**
  3. Resolution to Accept the American Rescue Plan Act of 2021 Funding  
Discussion: Consultant Colleen Coogan stated this document gives authority to accept the grant funds. The funds are not attached to any one project. The township has four years to determine what projects to fund.  
Motion by Nolte to pass **Resolution #21-621**, accepting the American Rescue Plan Act (ARPA) of 2021 Funding. Motion second by Metz.  
Roll Call Vote: Yea – Sikkenga, Sanders, Stamboulellis, Metz, Nolte, Drolett, Ratkovich; Nays – None; Absent – None. **Motion carried 7-0.**

- B. Resolution to purchase Cashreceipts.net and Delinquent Personal Property Software from BS&A.

Discussion: This software is an added component to assist the Township Treasurer track monies accepted at the front counter, and track, accrued year to year, delinquent personal property tax.

Motion by Drolett to adopt **Resolution #21-622**, a Resolution to approve the purchase of BS&A software of Cashreceipting.net and Delinquent Personal Property.net. Motion second by Nolte.

Roll Call Vote: Yea – Drolett, Nolte, Metz, Stamboulellis, Sanders, Sikkenga, Ratkovich; Nays – None; Absent – None. **Motion carried 7-0.**

- C. Open meeting with Chief Smith at Dexter Townhall on Monday, August 16, 2021 at 3:00 PM to learn about the International Fire Code. Open meeting, public invited.

Dexter Area Fire Chief Robert Smith gave an overview of the presentation for August 16<sup>th</sup>.

- D. Board approval to renew lawn and grounds maintenance contract with Stamboulellis Landscaping LLC.

Motion by Drolett to approve the contract with Stamboulellis Landscaping LLC to continue the 2020 contract into 2021, for general maintenance of the grounds at Dexter Township, with the contract up for bids in 2022. Motion second by Nolte.

**Motion carried 6-1.** (Stamboulellis abstained)

- E. Resolution to approve Laura Gibson as part-time Office Manager (24 hours per week) at \$20.00 per hour.

Motion by Sikkenga to approve **Resolution #21-623**, to approve Laura Gibson as a part-time Office Manager, 24 hours a week, at \$20.00 an hour. Motion second by Stamboulellis.

Roll Call Vote: Yea – Sikkenga, Sanders, Stamboulellis, Metz, Nolte, Drolett, Ratkovich; Nays – None; Absent – None. **Motion carried 7-0.**

- F. Amendment to the June 15, 2021 ~~Resolution~~ [motion] to add Dianne Monier to the Open Space and Land Preservation Committee appointments.

Discussion: Conflict of Interest by Dianne as she owns land under consideration for Township purchase of Development Rights. Mark Roberts, legal counsel, stated if the OSLP Committee was a fact finding and educational committee, there is no conflict of interest. If the committee makes recommendations or binding decisions, to the Board of Trustees, Dianne has a pecuniary (financial) interest. OSLP Chairperson Laura Sanders noted Dianne is a valuable committee member and would recuse herself on any discussion/decisions regarding her property.

Motion by Sikkenga to amend the prior ~~resolution~~ [motion] to add Dianne Monier to the Open Space and Land Preservation Committee. Discussion: a person who could possibly influence committee members. Motion fails due to lack of a second.

Motion by Sanders to request that Dianne Monier be appointed to the committee [Open Space and Land Preservation Committee] with the understanding that if there should become any kind of conflict, that she would recuse herself; and also, with the understanding that it is not a decision-making body. Motion second by Sikkenga.

Roll Call Vote: Yea – Sikkenga, Sanders, Stamboulellis, Metz, Nolte, Ratkovich;  
Nays – Drolett; Absent – None. **Motion carried 6-1.**

Public Comment:

Stuart Baskin, 5826 Sterling Trail, Dexter

Questions why the committee would put itself in a position where there could be a possible conflict of interest.

Kim Marinelli, 5775 Libby Ct., Dexter

It will absolutely benefit the farmers, that's why you're there. We need to listen to the farmers, as well as all the township residents.

- G. Open Space and Land Preservation Committee Report – Trustee Laura Sanders.  
Laura Sanders reported on the first OSLP meeting and summarized the presentations, by Ginny Leikam and Barry Lonik, on the agenda for the OSLP Committee meeting July, 22<sup>nd</sup>. She also shared that the committee would like to have a community event, or activity, that would highlight the work of the committee and involve the community.
- H. Resolution to Establish a Moratorium on Medical Marihuana Enterprises, Businesses and Facilities.  
Discussion: Legal counsel Mark Roberts said this was not a decision on whether to permit or not permit marijuana, or where to allow it. The moratorium puts a hold on permits until the township has the opportunity to study the appropriate zoning. The township has already opted out of the recreational use production of marijuana. The Medical Marijuana Act is still in place, with a number of permitted uses, and allowed whether the township wants it or not. The proposed moratorium would expire on December 31, 2021. The Planning Commission would study caregiver medical marijuana and make a recommendation to the Township Board on Zoning.

Motion by Sanders to accept Resolution #21-624, a Resolution to Establish a Moratorium on Medical marijuana Enterprises, Businesses and Facilities. Motion second by Nolte.

Roll Call Vote: Yea – Nolte, Metz, Stamboulellis, Sanders, Sikkenga, Ratkovich;  
Nays – Drolett; Absent – None. **Motion carried 6-0.**

- I. Discussion on Annual Clean-Up Family Fun Day – Clerk Stambouellis & Trustee Nolte  
Discussion: Karen Nolte brought forth the suggestion of having two events each year; one in April, to coincide with Earth Day, and one in October. Road clean-up would be done with volunteers. Public comment: Stuart Baskin asked about insurance for those working on the roads. To make it a Family Fun Day she suggested activities for the children, maybe a commercial shredder, and voter registration among other things.
- J. Discussion about recycle project and getting an additional recycle bin – Clerk Stambouellis  
Michelle Stambouellis reviewed the pilot project her family has started collecting film plastics/plastic bags and Styrofoam. She is working with Trex Recycling on the film/plastic bags and will be contacting Dart Industries for the Styrofoam.

**AUTHORIZATION of PAYMENTS/TRANSFER of FUNDS** – Treasurer Metz

Motion by Metz to authorize payment in the amounts of: July gross payroll \$30,665.82, General Fund \$91,538.06, Fire Fund \$74,022.43, Police Fund \$4,764.99, and Agency Fund \$64,437.22. Grand total is \$270,762.70. Motion second by Sikkenga.

**Motion carried 7-0.**

**2nd CALL TO THE PUBLIC:**

Kim Marinelli said she had trouble viewing meetings online and the township website lacked a link to Livestream.

Mark Roberts, legal counsel, noted that most municipalities use Livestream.

**OTHER ISSUES, COMMENTS and CONCERNS of BOARD MEMBERS & STAFF:** None.

**FUTURE AGENDA ITEMS**

The next scheduled Dexter Township Board meeting is August 17, 2021, 7:00 PM.

**ADJOURNMENT**

Motion by Nolte to adjourn the meeting. Motion second by Metz. **Motion carried.**

The meeting was **adjourned** at 9:13 PM.