

there was a five-inch locust that existed. The white square area was grass. The buffer requirement was for four trees along there. Mr. Reece asked if the cube van and trucks would be parked inside the addition during the evening. Mr. DeYonker said the cube van would be, but the pick-ups would not. Mr. Reece clarified that the addition would primarily be warehouse space, which Mr. DeYonker confirmed. Mr. Reece asked if the intent would be for the semi-truck to drive in, unload and back out. Mr. DeYonker confirmed that, and said they would not be there more than an hour.

Chairperson Boswell noted that to the west, there was a coney island and a party store. He asked how far back they were from Auburn. Mr. DeYonker believed they were father back than he was. Chairperson Boswell asked how far back their front door was from his. Mr. DeYonker said 15-20 feet - their building went to the rear of the property. Mr. Breuckman said it was about half a parking space or ten feet further back than the existing building. Chairperson Boswell asked if there were any further comments.

Mr. Hooper said that he wished there was way a semi could pull around to the back, but he recognized that it was a function of the building being so far back. If they did pull around to the back, he wondered if the rear yard setback could be encroached. Mr. Breuckman stated that the setback requirement was 50 feet, so they could not go any further back. Mr. Hooper acknowledged that it was what it was.

Chairperson Boswell called for a voice vote and afterwards, said that the motion had passed six to one.

**A motion was made by Schroeder, seconded by Hetrick, that this matter be Approved. The motion carried by the following vote:**

**Aye** 6 - Boswell, Brnabic, Dettloff, Hetrick, Hooper and Schroeder

**Nay** 1 - Reece

**Absent** 2 - Kaltsounis and Yukon

2010-0297

Request for a Recommendation to City Council for a twelve-month Extension of the Moratorium regarding Medical Marihuana, until June 19, 2013.

(Reference: Memo prepared by Ed Anzek, dated June 1, 2012 and letter from John Staran, dated May 24, 2012 had been placed on file and by reference became part of the record thereof.)

Mr. Anzek indicated that he did not want to belabor the point, which they

had discussed at the joint meeting on May 29, 2012. There was a Motion for consideration in endorsing a Recommendation to City Council to extend the Moratorium regarding Medical Marijuana for an additional one year. Also included in the packet was an article that he and Mr. Staran discussed they felt was pertinent and supported everything he had discussed in his letter and advised Staff about. He asked the Planning Commissioners for their support.

Hearing no further discussion, Mr. Schroeder moved the following motion, seconded by Mr. Reece:

**MOTION** by Schroeder, seconded by Reece, that in the interest of promoting and protecting the health, safety and welfare of the public, and in view of the need for clarification of the Medical Marijuana Act and the resulting need for further study and analysis, the Rochester Hills Planning Commission hereby recommends that City Council extends the Moratorium for Medical Marijuana uses an additional twelve months, until June 19, 2013 with the following five findings:

Findings:

1. There is uncertainty with cases currently in court
2. There is concern about Federal involvement in the enforcement of drug laws
3. There is great disparity and an untested nature of regulatory ordinances
4. There is current and on-going discussions in the State legislature and the State Attorney General's Office involving regulations for Medical Marijuana.
5. There is a lack of Best Management Practices for regulating medical marijuana uses

Mr. Schroeder noted that K-2 was really heating up. Mr. Anzek reminded that K-2 was just one brand name; there were about 50 varieties.

A motion was made by Schroeder, seconded by Reece, that this matter be Recommended for Approval to the City Council Regular Meeting,. The motion carried by the following vote:

**Aye** 7 - Boswell, Brnabic, Dettloff, Hetrick, Hooper, Reece and Schroeder

**Absent** 2 - Kaltsounis and Yukon

*Chairperson Boswell stated for the record that the motion was accepted.*

*Mr. Hooper said that in regards to K-2, Mr. Staran was working on an Ordinance for Rochester Hills and they would move on that in the near future. He felt that they all realized it was necessary. Chairperson Boswell commented that there were a lot of angry mothers out there who seemed to be doing the job for everyone else. Mr. Hooper added that a lot of communities were doing the same thing.*

## **ANY OTHER BUSINESS**

## **NEXT MEETING DATE**

## **ADJOURNMENT**

Note:

Anyone planning to attend the meeting who has need of special assistance under the Americans with Disabilities Act (ADA) is asked to contact the Clerk's Office at 248-841-2460 at least 48 hours prior to the meeting.