

Planning Commission

Greenvale Township

Meeting Minutes

Date/Time:	10/9/2025 7:00
Meeting Location:	Greenvale Town Hall
Regular Meeting:	Start Time: 7:02 Adjourn: 7:45
Commission Members Present:	Chair Ken Malecha, Commissioners Victor Volkert, Joyce Moore, Stuart Berg
Members Absent:	Dan Chesky II
Others Present:	TJ Hofer, Madison Richard, Bolton&Menk
Item	
Call to Order/Pledge	Chairperson called the meeting to order and pledge was recited
Opening Statement	Opening Statement was read aloud per Planning Commission Policies and Procedures Manual, Appendix B - page 24
Approve Agenda Motion to Approve: Second: Action on Motion	Motion to approve agenda with movement of Cannabis Zoning from old business to own line item immediately following Board Liaison report Stuart Berg Joyce Moore Passed Unanimously
Approve Previous Meeting Minutes Motion to Approve: Second: Action on Motion	Motion to approve minutes from Public Hearing, September 11, 2025 Chair Malecha Stuart Berg Passed Unanimously
Approve Previous Meeting Minutes Motion to Approve: Second: Action on Motion	Motion to approve minutes from PC Meeting, September 11, 2025 Victor Volkert Chair Malecha Passed Unanimously
Public Comments Board Liaison Report	No public comments were offered Liaison from board was not available due to meeting regarding winter transportation at a different site.

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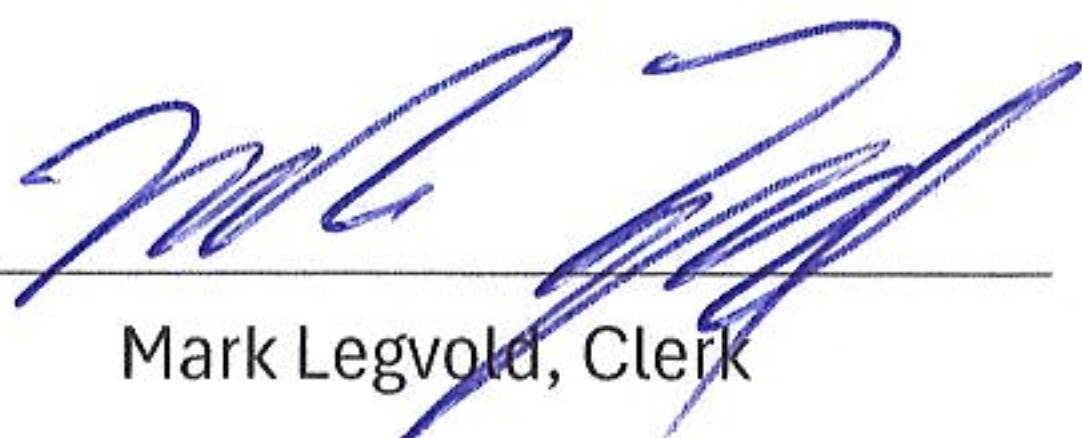

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Cannabis A2 Discussion	<p>Hofer addressed questions and comments from Public Hearing:</p> <ul style="list-style-type: none"> -Zones are created to permit time, place and manner. The A2 zone ordinance adopted by Greenvale regulates place. -Guidance from OCM and table was addressed. Under existing ordinance 2025-01 township is able to control "place" which is incorporated into existing ordinances. -Application process was addressed in that applicants are encouraged to work with municipalities (townships) and get approval prior to licensing. -Both parties are bound by adopted ordinances, which allows for fair treatment and minimizes potential legal repercussions. -Question regarding annexation was addressed. Hofer was unsure if a new zoned would need to be created if existing zone was annexed, but recommended attorney consultation if that happens. <p>Volkert questioned if it would be advantageous to put it near Northfield, Hofer was unsure but recommended consulting with an attorney, opined that we probably wouldn't have to re-zone.</p> <p>Moore asked if we could go over the recommended 3%. Hofer was unclear, but stated that 3% fits with past decisions by other bodies.</p> <ul style="list-style-type: none"> -Hofer stated that he was not sure if there are any attorneys that specialize in cannabis zoning and regulation. -When asked about any upcoming changes to Cannabis regulation, Hofer was unsure, but stated that this is a living document. -Volkert questioned establishment of more restrictive set-backs. Hofer responded that legislation in place does not allow for more restrictive ordinances than what is currently in place. -Linus Langer stated that Township Ordinance 2025-01 needs clarification on effective date and questioned if Cannabis businesses would need CUP or IUP? -Sect 2, Page 10 states this is IUP -Lisa Legvold questioned why the 3% area was not specifically in the current ordinance. Hofer stated that this is an adopted practice that has stood up to case law. <p>Joy Royle asked what kind of tax base this will create. Hofer responded that zoning doesn't determine tax base, but property use does.</p> <p>Malecha suggested further discussion and zoned determinations moved to next meeting. Hofer will bring examples of other townships with single-zones</p>
Permit Request	<p>Carly Lunderberg and Blake Carroll presented proposal for new home construction. Proposal was reviewed and found to be in order by all PC members. Motion to recommend new construction at PID 16-005-00-80-010 to board for approval.</p> <p>Motion to Approve: Chair Malecha Second: Stuart Berg Action on Motion: Passed Unanimously</p>

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Zoning - TDR for approval <p>Motion to Approve:</p> <p>Second:</p> <p>Action on Motion</p>	<p>Tim Niemeyer has presented a request to split 10 acre off an 80.2 parcel to include a TDR. Blumhoefer drafted split.</p> <p>Motion to approve agreement to assign TDR to applicable property from 16-004000-250-16.</p> <p>Joyce Moore</p> <p>Chair Malecha</p> <p>Passed Unanimously</p>
Ag Preservation Termination <p>Motion to Approve:</p> <p>Second:</p> <p>Action on Motion</p>	<p>Proposal to remove four parcels from Ag Preserve was drafted by Attny Blumhoefer on behalf of LaCanne. Proposal stated that this property is eligible for termination from program.</p> <p>Motion to remove LaCanne property 16-0060-53-011, 16-00600-53-013, 16-00600-50-012, and 16-00600-54-010 from Ag Preserve.</p> <p>Chair Malecha</p> <p>Stuart Berg</p> <p>Passed Unanimously</p>
Volkert Subdivision <p>Motion to Approve:</p> <p>Second:</p> <p>Action on Motion</p>	<p>Volkert presented a proposal to transfer land with no building right to daughter. New parcel would be combined with larger parcel already under her ownership. Official documentation is being revised.</p> <p>Motion to recommend approval by board, bending properly drafter proposal, for transfer of .33 acres (from 9.66 to 9.99 ac) on property 16-01200-25-017.</p> <p>Chair Malecha</p> <p>Stuart Berg</p> <p>Motion passed 4-0-1, Volkert abstained due to interest in property</p>
Motion to Adjourn <p>Motion to Approve:</p> <p>Second:</p> <p>Action on Motion</p>	<p>Joyce Moore</p> <p>Stuart Berg</p> <p>Passed Unanimously</p>
<p>Reviewed:</p>  <p>Mark Legvold, Clerk</p>	<p>Approved:</p>  <p>Ken Malecha, Chair</p>