

Arlington Township Planning Commission Regular Meeting

May 1, 2019

Commissioners Present: Jim Funke (Chair), Joe Wooding, Mike Koshar, Susan Wilson

Other Attendees: Brian Knotek (township attorney); John O'Connell; Annie Davidson-Funke; Mike Gray; Chin Ho; Dennis Cowen; Pat Maloy, Charles Daniel; Dennis Wilson; Cheryl Duncan; Camilita Beeching; Pam Hutchins-Dorstewitz; Chris Small; Denny Higgs; Roger Liam; Timothy Gregory; Donna Spinner

Meeting called to order by Jim Funke, Chairman, at 7:00 p.m.

Pledge of Allegiance was recited.

The minutes of the 4/3/2019 meeting were approved as written by a motion by Mike Koshar and seconded by Joe Wooding. All were in agreement.

Jim motioned that the meeting dates for the June and July meetings be moved from the first Wednesday of each month to the second Wednesday due to school and holidays during those months. Joe seconded the motion. The roll call vote was unanimous approval.

Jim informed that there was a Special Use Permit (SUP) application presentation by Green Standard Cultivation, LLC., (GSC) and motioned adjournment to a Public Hearing. Joe seconded. Roll call vote was unanimous approval. Jim cautioned the audience to hold their questions and comments until the end of the presentation.

Dennis Cowen and Pat Maloy introduced Green Standard Cultivation, (GSC) indicating that all documentation has been submitted to both the State of Michigan – LARA, and to the township. Green Standard Cultivation, LLC, has been approved by LARA, per Dennis. Facility will be located at 52161 28th Street, Bangor, MI 49013.

GSC is applying for twelve (12) Special Use Permits. This will be a grow operation only.

Pat indicated that the GSC consists of 8.4 acres. A thirty feet perimeter of blueberries will serve as primary privacy screen with an 8-foot chain link fence located behind the blueberries. Security will include an onsite guard(s) on duty 24/7, being outside during the day and inside camera monitoring of the fields at night. Ambient lighting will be used at night.

The open field area will host female cannabis plants in pots on the ground with six (6) foot spaces between plants. This will be an organic operation. The owners expect a 35% to 50% loss due to weather and other issues each year.

There will be a 3,200 sq. ft. pole barn consisting of a large open room for drying and packaging. This will be a seasonal facility with approximately five (5) employees.

Open for questions and comments:

The question of odor interfering with neighboring residents was raised. GSC owners agreed that odors would be present during the flowering stage of the cannabis plants, about three (3) weeks each September and October. This odor dissipates quickly in an open field.

A comment was made that this industry is driven by greed on the part of both the farmers and the township.

This is a slippery slope. Please don't rush in. It's part of a new progressive liberal phenomena – go slow.

Likewise, the question of taxation by the State of Michigan and Arlington Township was raised. It was noted that the State has not yet legislated on everything involved with Cannabis. Brian stated that this industry was approved by the ballot process in a recent election.

Per State regulations, there must be 500 feet between the MMA site and neighbors.

In response to a question about the presence of male plants on the site, GSC would lose their license if male plants are found.

Impacts of grow operations? Screening by blueberry plants will allow for minimum impact. If more is needed, we make changes when we have to renew in a year.

Cross contamination? Blueberries bring many beneficial insects to the property and repel some that are not helpful. There will be no insecticides used.

Jim reminded that the questions and comments must stay on topic. The township published information about hearings on the cannabis issue in both the Bangor Reminder and the Paw Paw Courier for the past year and a half.

Malory assured that there would be no chemicals used as theirs is an organic MMA. They will hire local employees and intend to give to charitable programs in the area.

Jim asked GSC about waste plants and foliage. GSC responded that they plan to biomass digest it, compact it, and haul it away. Viable materials will be dried and packaged, then sent to Provision Centers for processing or other processing centers.

Visual from the road? From the crown of the road, the operation is not significantly visible.

Affecting the adjacent property? There are woods, open land, pasture land, and an unoccupied home butting up against the proposed farm. All is zoned agricultural.

Comment urging the commission to deny the application.

Traffic to site? Five (5) employees arriving and departing, deliveries of supplies, soil, pots.

Topography? Add 2 ½' of fill under the pole barn. Roof gutter system diverts water into retention pond. No appreciable runoff. No chemicals will be used. Will use drip irrigation to plants.

There will be no retail sales and no pedestrian traffic at the site.

Compliant with state and local regulations and inspections.

If they fail, their licenses will be revoked by the state and/or the township.

Renewal condition of only female plants to be present on the site.

Mike: Can we change conditions at renewal?

Brian: Yes

Odor: Brian: The amount of odor allowed is regulated by the state. It is an agricultural operation. It's a regulated crop. The Fed is working with allowing growing hemp. People who live in Agricultural Zones must deal with agricultural issues.

The retention pond already runs off on another property. Jim said to contact the drain commission.

Jim responded to the idea of protesting: The time to protest is past.

Comment: if the farm is following rules and regulations, they should have the right to farm.

Motion by Mike to close Public Hearing. Second by Joe. Rollcall unanimous.

Motion by Jim to open Public Hearing to change procedure for non-MMA SUP renewals.

Public hearing to change procedure for renewing SUP. Send letter to SUP properties owners. Why renew SUP if there has been no activity on property? New amendment should include a \$100 yearly renewal. Notice has been sent in the past in a letter to property owners.

Joe against \$100. Proposed \$15 fee.

This renewal process does not apply to MMA facilities.

The entertainment facility is the only regular SUP that is in operation. All others are defunct.

A \$100 renewal fee was proposed with each annual renewal. This would cover administrative costs.

Discussion about amending the wording to delete “any fees paid to attorney, etc.”

Would there be a cap on fees? Yes.

Mike motioned to close the public hearing. Joe seconded. All agreed with rollcall vote.

Re: Green Standard Cultivation. Per Ken, the Findings of Fact for Ordinance 2018-02 have been satisfied. Commissioners agreed the adjacent uses, traffic, privacy, sound, barriers, odor issues and any use permitted by State, Federal, and local laws are okay. Motion made by Mike to recommend to the Township Board to approve the site plan, seconded by Joe. Passed unanimously. A motion was made by Joe and seconded by Susan to recommend to the township board that Green Standard Cultivation Special Use Permit be approved with the condition that only female plants be used on the property. Seconded by Susan

Discussion of the number of allowable MMA operations in the township. Presently, there are six processing facilities, one dispensary, and 39 grow licenses. In the spirit of slowing down the process, the commission is recommending that there be a moratorium on new MMA applications. Keith mentioned that the size of each operation is also an important consideration. Mike moved that the commission recommends imposing a moratorium on MMA license applications. Susan seconded. Rollcall vote agreed unanimously.

The issue of short-term rentals was tabled.

Public Comment:

Opportunity costs must be weighed against the benefits to the community in MMA.

Public needs to become better educated about the benefits and negative things about cannabis.

Donna Spinner, Lawrence Township Supervisor announced an educational meeting to be held at the Lawrence Conference Center later in May. “Most people need education.”

Please attend local governmental meetings and get involved in committees if you wish to be able to make a difference in the community in which you live.

Issues for the June meeting must be submitted by May 22nd for the June meeting, and June 12th for the July meeting.

Adjourn at 9:35