

ARLINGTON TOWNSHIP PLANNING COMMISSION
REGULAR MEETING February 3, 2021
Meeting conducted electronically through Zoom due to COVID-19 19 restrictions
All voting was done by roll call vote

Commissioners present: Derek Babcock (Chair), Donna Romanak, Joe Wooding, Tina Loomis, Georgette Peterson

Other Attendees: Ken Detloff (Planner), Tom Crandall, Lorraine Crandall, Jenn Zielinski, Annie Funke, Ron Klein, Clayton Robison, Suzanne Klein, Andy Andre, Diane Petty, Beverly Sherrer, Michael Sosin, Greg Dandino, Ben Kimbro, Mike Koshar, Ted Swanson

Derek brought the meeting to order at 6:03 pm. Roll call taken by Georgette-all Commissioners present.

Donna made a Motion with support from Joe:

To approve additions to the minutes under New Business of SUP Renewal for 52981 28th Ave. (Grow Arlington LLC) and also under New Business Expansion of use 26980 CR 215 (Dragonfly Kitchens)

All in favor. Motion carried.

Georgette made a Motion supported by Donna:

To approve the minutes of the January 6, 2021 meeting. All in favor. Motion carried.

Public Comment

Tom Crandall said the meeting is unprecedented and most around here are tech challenged. He said he is and he is 50 years old and he would question if the full neighborhood is speaking on the meeting. He thanked the Board for their work.

Jenn Zielinski said she is working with cultivators and doing extensive research into cannabis ordinances and reading through some of the issues. She said she believes she has the solution to cap of 100 for Class C license numbers and suggested using the number of locations instead of the number of licenses. She added they will be able to grow as they could with the same results as a moratorium.

Annie Funke said just so Tom knows, she resented being called a local yokel.

Ron Klein said that it is not really a moratorium. He added we have limited number of growers and a legal monopoly has been established which could be raised by anyone coming into the Township.

Lorraine Crandall said she had a problem getting into the meeting.

Tina Loomis told people that if they want to speak up, now would be the time.

Lorrain C talked about being totally opposed to the expansion. She said on 2/4/19 you have Harvest and that on 2/4/19, they stated the DEQ was not involved and on 11/4/19, they said the DEQ was aware of problems. She said the DEQ, EGLE and the DNR have been involved.

Tom C said many years ago, there was barbed wire across the property line and there was a large hole there. He said the new owners filled that hole with garbage, the DNR was out and the trash was never removed. He said he wrote Derek an e-mail. He added the financial impact of him and surrounding property owners that no one wants to talk about.

Ted Swanson asked Ms. Zielinski if she was a consultant and lobbyist for the marijuana industry and she replied in the affirmative.

Bev Sherrer asked for a detailed plan on how they are going to handle their waste adding that we all want to know.

Ms. Zielinski said she does not write ordinances for municipalities and is one of a resource as to the laws and how they apply.

Clayton R responded to Mr. Crandall's letter saying there will be discussion for the expansion.

Suzanne Klein asked Ms. Zielinski for clarification and asked if she was representing anyone in the Township. Ms. Zielinski replied that she is but they are not on the agenda. She added that she is responding to turmoil in the township. Suzanne asked if she was a nonresident and she replied that was correct.

Tina asked for clarification of Harvest and was told it is Harvest/Pelican.

Motion by Donna with support from Joe:

To close the regular meeting and open the public hearing for 50405 28th Ave LLC

All in favor. Motion carried.

Andy Andre reported developments that have occurred since the January 6, 2020 meeting. These include Road and Drain permits and Building plans for a 2,000 sq ft pre-engineered building. He said he spoke with Marcia at 50273 28th and she was happy about the trees that will be planted. In response to a question about property size, Andy reported there are over 40 acres. Tina asked if there are licenses available and Annie said there are 85 licenses taken but there are 2 more with standing to be approved so there are currently 13 available. Lorraine C asked if each license was 1500 plants and Derek responded yes; she then asked if each one is \$5,000 and Derek responded yes and explained that there are different amounts of plants for Medical and Adult Use. Tom C asked what the average amount is and Clayton responded that it depends on their model and his calculation is about 400 per acre. Andy A said it depends on the type, strain, spacing and so on. Lorraine asked if inside grow is different and Derek said yes; she asked if it is a different license and was told no. Lorraine stated she is opposed to this grow.

Georgette made a Motion with support from Donna:

To close the Public Hearing for Expansion of Use for 50405 28th Ave and open the Public Hearing for Expansion of Use for 26980 CR 215 (Dragonfly Kitchens). All in favor. Motion carried.

Derek said Dragonfly has received their SUP and want to expand property. Clayton stated they have an open-door policy and are very transparent. He added they will follow all Ordinances. He said as a neighbor, early on he agreed with Mrs. Crandall. He added this is their first year experience with hoop houses and there are lights that are on timers from early AM and off at 10:00pm. He said they are directional 480-volt LED lights that point down and added if it humid or if there is snow, there is some reflection and in response to Mr. Crandall's complaint, he has ordered light depth curtains. He said he thinks they have proven they are and want to be good neighbors. He said he offered price protection to Mr. Crandall for as long as they are in business. He added that there are indeed some shady characters in this business. Georgette asked if the property is bought and annexed if there will be a new property number; Annie replied that it will. Suzanne K asked how many Class C licenses Dragonfly has now to which Clayton responded 9. Lorraine asked if he doesn't get the licenses is he going to expand and Clayton said no. Lorraine asked if he will flatten the ground like he did the first one; Clayton said he did not flatten the first one and will not change the topography on this one either. Derek asked him if he could only have 7 licenses if he would move forward and Clayton responded yes but he would not do it for only 2 licenses. Lorraine asked what his plan is and Clayton replied a security shed and a power shed. Lorraine asked about lights and Clayton said none on the perimeter fence. Lorraine asked what would keep her out of it and Clayton said 8-foot deer fence and he asked Lorraine if she has had a chance to

visit. Lorraine responded that she doesn't want to be nice because she doesn't like his business. She said there is more traffic, roads are falling apart and asked what he is going to do about water. He replied that he lines natural barriers for drainage and plants organically. He said previously chemicals had been used and he is improving the land. Lorraine asked about the smell and Clayton said it is 3 months out of the year. Clayton asked her if he had read that her son was going to be a hemp farmer and Lorraine said it could be. Clayton said it is the same smell. Diane Petty said she has the property right behind Dragonfly and their 8-foot fence backs up to her property. She said they have chestnuts that smell worse and it depends on which way the wind is blowing. Diane said they are better neighbors than those in the past. Bev Sherrer commented that she thought it was illegal to have a non-grower employee to be on the premises and Derek said they are allowed within guidelines. Bev said she noticed a large steel frame building and asked if they are doing procession. Clayton said yes and they are currently using ethanol with a closed loop system and selling wholesale 3rd party or on the open market. He added that they are a large-scale biomass producer. Derek asked Bev if she is from the Township and she said she is a very near neighbor who is concerned about ground water and environmental concerns adding that she will be selling in a few years. Michael Sosin, who is with Dragonfly, said they had a perm culturist out to make sure they are doing beneficial to all life forms. He said they want green cover and diverse cover crops and to improve on monoculture farming. Tom C asked what about adjoining land values saying he won't be able to build off 28th Avenue and in some years, they will be able to buy him out. Clayton reiterated that they gave him a price protection value on their property and asked if he received it and he replied in the affirmative. Derek noted the taxable value has increased over \$8 million as a whole and it affects the whole of everyone. He said the housing market is stronger than it has been in many years. Annie added that it is because land is a non-replenishable commodity and it is not just due to marijuana, saying the Amish are looking for large pieces of tillable land. Lorraine asked why Dragonfly didn't buy the land to the North and Clayton said the amount of work it would take and the total acreage of usable land this season would have been about 30. Lorraine asked if he could deforest and Clayton said it is not moral or legal. Lorraine stated she opposes this grow. Diane P stated she approves this grow.

Motion by Donna with support from Georgette:

To close the Public Hearing on 26980 CR 215 (Dragonfly Kitchens) and reconvene the Regular Meeting

Joe did not vote as he had stepped away. Donna, Tina, Derek and Georgette voted in favor. Motion carried.

Tina asked if we should have a discussion about the requests. Georgette asked who applied for them first as there are not enough left for both entities to receive the requested amount. Derek said the Clerk would have the answer to that and added that there is no number; we are voting on expansion only. Georgette replied that we have always put a number with the recommendation to the Township Board and we need to do that in this case as well. Derek went over the Facts and Findings as in the Ordinance and there were no negatives.

Donna made a Motion with support from Joe:

To recommend approval of renewal of SUP and expansion of 6 7 additional licenses to the Township Board for 50405 28th Ave. All subject to the conditions set forth in the Ordinance.

All in favor. Motion carried.

Regarding the SUP Renewal for 52981 28th Ave. (Grow Arlington LLC)

Greg Dandino said they have been trying to comply with every agency and that in March it will be 2 years since they've owned the property. Tina asked why 2 years and Greg replied that it is difficult to get through to some of the agencies and with trying to get them all on board. Derek said they have been working on it over the 2 years. Georgette asked if there have been any comments or complaints and Derek said not that he has received. Tina asked about the size and Greg said there are four 3,000 sq ft structures up front and if they add lights, there will be light depths on them. Tina asked if there had been any comments at all over the 2 years and Derek said nothing written or that he has heard. Greg said they introduced themselves to the 2 houses across the street.

Derek went through the Facts and Findings as written in the Ordinance.

Joe asked about more power and Greg D said Consumers is trying to get us all power but there is 3 phase on that road. Derek went over the Facts and Findings as in the Ordinance and there were no negatives.

Motion made by Donna with support from Joe:

To recommend renewal of the SUP to the Township Board subject to the conditions as set forth in the Ordinance.

All in agreement. Motion carried.

Regarding the Expansion of Use for 26980 CR 215 (DragonFly Kitchens)

Ken reported that all is within the boundaries and there are no new structures.

Joe made a Motion with support from Donna:

To recommend to the Township Board approval for expansion of 26980 CR 215 (DragonFly Kitchens) for 10 additional licenses.

Donna, Joe, Derek and Georgette voted Yes. Tina abstained as she lives within 300 feet of the establishment. Motion carried.

OLD BUSINESS

Derek explained the SUP renewal for 24958 CR 215 (Pelican Farms LLC) was returned to the Board for further review.

Joe said he would like to deny because he had talked to the man who told him he was going to do a lot of stuff and he was disappointed that he didn't fulfill what he said he was going to do. Mr. Kimbro said he authorized a clean up crew and they reached out to John O'Connell and it was cleaned up in a way that satisfactory to John.

Georgette made a Motion with support from Donna:

To recommend denial of the SUP renewal to the Township Board based on lack of due diligence.

Derek noted that the property had been purchased in 2018.

All in favor. Motion carried.

PUBLIC COMMENT

Lorraine C commented on Pelican Farms saying supposedly the garbage came from that house. Nothing has been done there and she is opposed.

Tom C asked what would drive you to say no to expansion? Have there been any denials? Derek said yes.

Addition to minutes: Ron Klein noted the official roles calls out the question if Arlington Township needs to have an Ethics Ordinance to more clearly delineate the parameters of an official's responsibilities. He also asked if we can obtain objective data regarding the impact of marijuana on the Township stating there are organizations that do such studies.

Mike Koshar thanked Derek for being the chair for the last year or so.

Meeting adjourned at 8:00 pm

Respectfully submitted,
Georgette Peterson