

DAFT MINUTES (could not get water mark to mark as draft.)

ARLINGTON TOWNSHIP
VAN BUREN COUNTY, MICHIGAN
PLANNING COMMISSION QUARTERLY MEETING
MARCH 1, 2023

Meeting was called to order by acting chair, Donna Bell, at 6:00 PM

Pledge of Allegiance was Recited

Roll Call: Joe Wooding, Matt Butler, Tina Loomis, Donna Bell, Georgette Peterson present.

Others Present: Scott Graham (Township Attorney), Danielle Golembiewski (Township Zoning and Assessing), Robert Emert (Resident), Annie Davidson-Funke (Resident), Jill Cowen (Owner High Power), Byron Swift (High Power), Lorraine Crandall (Resident), Ron Klein (Resident), Marge Wanders (Resident), Jill Sanborn (Resident), Neal May (Resident), Kris Granat (Granat Campground), Rose Doherty (Resident) several other unidentified residents

Approval of Agenda: Motion by Georgette; supported by Tina. All in favor. Motion carried.

Public Comment

Robert Emert spoke about High Power. He lives to the East. He said originally they were told it was going to be indoors with filters and wanted to know if that is still the case. Scott explained that this process is ongoing and there is no way to answer that at this time.

Annie Davidson-Funke stated that she was challenged at the last meeting about how many township documents she had at home. She said she just found another cloud from 2 years ago because she backs up her computer regularly. She said she has some attachments to emails and does not have any originals at all. She said she spent hours going through things and anything that was related to marijuana, she gave to Sandy and anything that was PC related she gave to Donna (Romanak). She said all the originals were given to the clerk. She said she would like the minutes to reflect that she has no township documents. Scott explained that a copy is the same as an original and if it is stored electronically, it is the same as an original. Annie said she feels she needs to answer to Scott and Mike but not to the trustees individually. She explained how she creates a timeline. Scott said if you are saying you have no hard copies and no electronic copies, then it is all good.

Annie said as far as what is happening at this meeting regarding 28th and Granat, it is a prime example of what has been happening in this township forever; first do it and then ask for permission

Approval of Prior Meeting Minutes:

Motion by Joe, supported by Georgette to accept the minutes of the prior meeting as written. All in favor. Motion carried.

New Business

- Elections

Motion by Donna to elect Matt Butler as Chair, supported by Georgette. Roll Call vote. All in favor. Motion carried.

- High Power

DAFT MINUTES (could not get water mark to mark as draft.)

Scott explained the purpose of the meeting to the PC. He reviewed that at one point in time, High Power held a license and SUP. The license was for a Class A, indoor grow. At some point the renewal was denied. Around the same time, the Township adopted an Ordinance stating there are no new licenses. He explained that any party has a right to issue a request. Scott said Ms. Cowen was advising the Township of the issues she was having. The PC will provide the Board in an advisory matter. The owner has requested an issuance of license or licenses. Scott said there should be a statement by the owner of what High Power is asking to do. Is it a Class A indoor, a Class C outdoor or a combination. He added that they have submitted documents that are exemplary. Jill Cowen explained that she came to the Township last year and reported criminal conduct. She said she filed criminal complaints against the previous owners and she is now the sole owner. She said she is trying to recoup her money. Scott asked what she plans to do with High Power from now on. She said due to the market, it is not feasible to grow indoor and she is asking for a license to grow 2,000 plants outdoors. Ms. Cowen introduced Byron Swift who will be her grower. He stated he has his own grow facility. Byron said the plan is to fence in 2 acres on the back of the property but to only grow on 1 acre at this time and only grow once a year. The building will only be used as a nursery. He said the fence will be an 8-foot farm or barbed wire fence.

Mr. Emert asked what an outdoor grow would do to his property value. Byron said it will go up. Scott noted that the property value would not go up due to marijuana. Byron said the price for marijuana 4 years ago was \$3000/lb. and it is now \$60/lb. Mr. Emert said there are 4 homes within 200 yards. Mr. Emert asked the Board why they are getting special treatment. Scott suggested he go to the board meeting on the 15th and explained that this is an unusual situation. It is not a matter of someone asking for something new. He said they have a right to ask and the PC is looking at their plan.

Byron said they expect to have between 6 and 10 employees. Scott asked Byron if the Township granted the original request, would they pursue. His response was that it didn't make sense financially. Scott asked if they received a Class C adult use indoors, would they pursue that? Byron responded that it would be too expensive. Jill Cowen said she didn't think there would be room.

Tina asked if someone would be on the premises 24/7. Byron said no but they will have cameras. Tina asked if they will be using local workers; Byron said yes and he has contacts with Way Point and Dragonfly. Marge Wanders said it is very close to an area where there could be a possibility of break-ins. Jill Sanborn asked Byron how the grow is being funded; he replied that he is volunteering from an operational and security stand point. Neal May asked about the legalities of what the Township can do and asked if this was a new owner. Jill Cowen replied that she brought the money in. Scott explained that Jill C was involved from the beginning and if her ownership was misidentified, it was fraud. It was noted that if she were to sell the property to another cannabis company, they would have to start from scratch.

Jill Sanborn asked Byron if he was funding High Power because he had mentioned that he did not have the money to create an indoor grow. Jill S than asked if they were now asking for 3 licenses when the original was 1 license. Jill C replied in the negative explaining that she was asking for the 1 Class C license in the first stage.

DAFT MINUTES (could not get water mark to mark as draft.)

Donna Bell noted that there are residents very close and asked what measurements could be taken to protect them. She also asked if there would be any drainage issues stating she would like to see in writing that a drainage plan is not required.

Tina stated there are 4 residences and she wants to make sure they are talked to personally and do not just get a letter sent to them.

Joe Wooding said that the original request was for an indoor grow and an outdoor grow is not acceptable.

Georgette stated this is an unusual circumstance and the neighbors and Jill C. have to be considered in a decision.

Ms. Garrison said she is concerned about the blueberry farm adjacent to the grow and noted that blueberry farms have a lot of regulations and she wondered if there would be any effect of blueberry spray on marijuana or if the marijuana would have an effect on the blueberries.

Matt made a motion, with support from Donna, to Recommend the use as its application has been spelled out by High Power with concerns that everyone has voiced today; safety, security, lighting, neighbors. The motion was then amended to add landscaping with support by Donna.

The motion reads as follows:

Recommend to the Board that they take into consideration the use as its application has been spelled out by High Power with concerns that everyone has voiced today; safety, security, lighting, neighbors, and landscaping.

Donna, Tina, Matt and Georgette voted yes. Joe voted no. Motion carried.

- Granat Campground

Mr. Granat's cousin stated that Mr. Granat is planning to open a resort with 8 cabins.

Danielle Golembiewski said Mr. Granat and his cousin were here to find out what they needed from the Township to continue with building their campground. They were given a stop work order, which they complied with, in order to obtain permits. She said EGLE would not get involved unless there were 5 or more camp sites and they would consider this a resort.

Matt Butler said they need a better site plan that includes the number of sites, septic, water, community buildings.

Attorney Graham said they need whatever complies with Articles XIII and V and go to an architect or engineer to obtain a sealed Site Plan.

Diane Rhinehart said they own property down the street and their brother lives across the street and they are all ok with the campground.

Matt added that they will need a Business Plan.

Donna said it is the Township's responsibility to protect the health and safety of the residents. She asked how many people would bring boats and if their pond is safe. She said the Health Department should do yearly inspections. She asked about the driveway material; it will be crushed asphalt.

Rose Doherty stated she is a home owner in the Scott Lake Association and is concerned that the campground could impact what they are doing there. She said EGLE and the Army Corp of Engineers has been out and they are trying to clean things up. She said there will be a more people on Scott Lake because it is a public lake. She said weekend people will come from Illinois

DAFT MINUTES (could not get water mark to mark as draft.)

and bring “stuff” into the lake and added that they are trying to maintain the lake for their residents.

Old Business

- Zoning Ordinance Update

Attorney Graham said the goal was to complete it by the end of the first quarter of this year. If the PC is satisfied, we will then hold a Public Hearing followed by having it published.

- Master Plan

It is time to start on the new Master Plan which lead to discussion on the Survey.

- Survey

Attorney Graham said the Board asked us to wait and now it's time to ask the Board for permission to send the survey out. Georgette will convey the request to the Board to put this on the agenda.

- Public Comment

Ron Klein spoke on wetlands stating that he and Ted Swanson visited with Joe Parman, the drain commissioner, learning about the county drains. Ron said the drains in our Township are inadequate and there has been a lot of building in wetlands. He said 45 acres of wetlands has been lost. Ron talked about the direction that the drains are draining which is North into the Scott Lake watershed. He said he talked about it earlier today at the Conservation District meeting which led to a long discussion of the importance of community and watersheds. One suggestion they came up with is to place in every township hall a large map, with the flows and diagrams, of the county drains and watersheds.

Meeting adjourned at 7:45 PM

Respectfully submitted,
Georgette Peterson, Secretary