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**MINUTES****I. Public Hearing - Call to Order**

Lietz called the Public Hearing to order at 7:00 p.m.

**II. Public Hearing - Roll Call**

PRESENT: Jason Lietz, Kevin Barker, Sean Denison, Ralph McDonald, Donna Monell

ABSENT: None

STAFF: Community Development Director/Zoning Administrator, Rich Murphy; City Clerk, Barbara Pitcher

GUESTS: Joe Paolucci, Tom Hitchcock, Michael Carlisle, Steve Raglin, Audra MacElroy, Dan Vigansky, Fran Terry, Michael Rowland, Rick Boone, Max Boone, Josh Alpert, Philip Kahan, Sandra Hopkins

**III. Open Public Hearing**

Lietz opened the public meeting, stating the purpose was to hear public comments in regard to a Special Use Application from Boone Labs to operate a Medical Marijuana Processing Facility at 106 E. Chicago Street, Buchanan MI.

**IV. Announcement of the Rules of Hearing**

Lietz announced the rules of the hearing.

**V. Presentation by Applicant**

Josh Alpert of Boone Labs presented regarding the application for a medical marijuana processing facility at 106 Chicago Street. Currently zoned light industrial and Alpert pointed out they are repurposing a building. No correspondence was received in favor of the applicant. Rick Boone spoke on his own behalf. Mark Weedon spoke in favor of the applicant stating this is a processing center. They are not taking down plants and not dealing with the types of smells a grow facility may have. They are merely processing material.

**VI. Presentation by the Opposition**

An email from Joann Pressey expressed opposition due to the fact the facility is in a residential neighborhood and is concerned with property values and odor. An email from Audra McElroy expressed opposition and concerns about smells, stating the project would be better suited to an industrial district.

**VII. Applicant's Rebuttal**

Rick Boone reiterated that this is not a grow facility. Marijuana is delivered free frozen to be processed. There are internal scrubbers that filter any incidental odors. The processing facility will produce less noise and be a cleaner facility than before. They will also bring employees to the community. Josh Alpert also discussed the internal air scrubbing machines used in this pharmaceutical high-tech manufacturing process. The only solvent used is water and there will be zero waste going into the sewer system.

Monell asked how the facility will be secured. Alpi responded Saphire Risk is the company developing the security plan which must be approved by the State, then additional measures and training will be put in place to exceed standards. They must provide full transparency to local law enforcement.

Lietz asked the applicant, without sharing proprietary information, to describe the process and types of products produced. Alpin responded they receive fresh frozen marihuana which is immersed into ice water and agitated. The active ingredients are released, referred to at this stage as bubble hash, then compressed to collect rosin. The concentrated products relieve pain for patients. The process is solventless which is safer for patients because there are no residual chemicals. The product is then packaged for retail sale in small glass jars and distributed across Michigan. Small batches, so no big trucks.

#### **VIII. Closing of Public Hearing**

Lietz closed the public hearing.

#### **IX. Regular Meeting - Call to Order**

Lietz called the regular meeting to order.

#### **X. Regular Meeting - Roll Call**

PRESENT: Jason Lietz, Kevin Barker, Sean Denison, Ralph McDonald, Donna Monell

ABSENT: None

STAFF: Community Development Director/Zoning Administrator, Rich Murphy; City Clerk, Barbara Pitcher

GUESTS: Joe Paolucci, Tom Hitchcock, Michael Carlisle, Steve Raglin, Audra MacElroy, Dan Vigansky, Fran Terry, Michael Rowland, Rick Boone, Max Boone, Josh Alpert, Philip Kahan, Sandra Hopkins

#### **XI. Public Comments - Agenda Items**

None.

#### **XII. Approve Agenda**

Amend agenda to include New Business item A - Approval of Metal Roof (thus adjusting the order of all other New Business items).

***Motion made by Barker, seconded by Denison to approve agenda as amended. Roll call vote carried unanimously.***

***Voting Yea: Lietz, Barker, Denison, McDonald, Monell***

#### **XIII. Approve Minutes**

##### **A. May 11, 2021 Minutes**

Correct typo under Old Business, Item 6. The motion should read..."McDonald to send"... Correct the spelling of "Monell" throughout. Note the reason for Denison's abstention as "works for the company that designed the sign." Correct type in Barker's Commissioner Comment.

***Motion made by Denison, Seconded by McDonald to approve the May 11, 2021 minutes as amended. Roll call vote carried unanimously.***

***Voting Yea: Lietz, Barker, Denison, McDonald, Monell***

**XIV. Old Business**

None.

**XV. New Business**

A. Approve Metal Roof at 113 S. Main Street

Ralph McDonald spoke regarding the previous repairs on the roof at 113 S. Main Street, the future home of River of Life Yoga Studio. McDonald plans to install a new metal roof in the same color, as well as fascia. Metal sign brackets will be removed. The building is currently painted brown and will be painted a lighter color. Only surfaces already painted will be repainted. The Design Review Committee doesn't deal with color choice. The roof will be a standing seam with hidden fasteners.

McDonald choose to abstain due to a conflict of interest in that he is providing labor for the project.

***Motion made by Barker, seconded by Denison to confirm the conflict of interest. Roll call vote carried with McDonald abstaining.***

***Voting Yea: Lietz, Barker, Denison. Monell***

***Voting Abstaining: McDonald***

***Motion made by Barker, Seconded by Denison to approve the metal roof for 113 S. Main St. Roll call vote carried with McDonald abstaining.***

***Voting Yea: Lietz, Barker, Denison, Monell***

***Voting Abstaining: McDonald***

Special Use Permit - Boone Labs

A Special Use Application from Boone Labs, Rick Boone, to operate a Medical Marijuana Processing Facility at 106 E. Chicago Street, Buchanan MI 49107. A Public Hearing has been set for Tuesday, June 8, 2021, at 7:00 p.m. at Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan 49107. At the above time and place, all interested parties will be given an opportunity to be heard.

The Zoning Administrator/Community Development Director provided an overview of the application and findings of fact. Proper public notice was given for the public hearing. Letters were sent to surrounding residents, none were returned. Two emails in opposition were read in the public hearing.

Denison addressed the concerns of those neighbors in opposition stating if he lived in the neighborhood, he would be in favor. High-tech pharmaceutical is what we want.; it's as clean as it gets. Plus it is a re-use of a building.

McDonald stated the applicant is infilling openings in the work area which would reduce odor and they are exceeding State standards.

Lietz noted this light industrial area is adjacent to some with little setback and asked if the applicant if waste handling had been discussed with the City. Alpin stated they use a reverse osmosis filtration system so all water is recycled or evaporates. Lietz asked what happens to solid waste. Alpin indicated other companies reclaim the fiber for other products or compost. Lietz asked how it is transported. Alpin stated that a month's worth of waste wouldn't fill a truck. All waste must be tracked and weighed. Transfer happens inside the building for security reasons. Neighbors should be unaware of the nature of the building. Lietz wanted to confirm there would 100% be no fumes. Alpin responded that no volatile organic compounds (VOCs) would be

produced. The Process requires the product to be frozen or very cold. There is no opportunity for odors to be emitted. However, additional air scrubbers and filters will be in place. Lietz asked Murphy about the future land use plan. Barker stated the area is residential, but the existing building is very solid so a change would be a long way off. This purposed is consistent with current use. Future land use maps are often used for rezoning which isn't required here. This is adaptive reuse. Lietz asked if the applicant would be using the entire building o just a portion. Boone showed the cross-hatched area on the drawing is not being used by the applicant and is to be used by the owner. The applicant will use 3717 square feet.

**B. 106 Chicago St. Medical Marihuana Processor Special Use Permit**

Findings of Fact

Murphy presented his report as findings of fact.

***Motion made by Denison, seconded by McDonald to approve the special use application for Boone Labs at 106 Chicago for a medical marihuana processing facility and adopt the staff report as findings of fact with the following two conditions attached to the approval; 1) no orders will be emitted from the facility, and 2) the special use is limited to the area on the drawing marked as A100, 3717 square feet. Motion carried unanimously.***

***Voting Yea: Lietz, Barker, Denison, McDonald, Monell***

**C. Community Development Director Update**

The Andrews University project website is live at nicestplacetowalk.com and has already been getting quite a bit of traffic. It has become a tool to engage with developers.

Master Plan Timeline - the plan is live on the Southwest Michigan Planning Commission website and shared on the City's website.

Social District was approved by the City Commission and the State of Michigan approved.

**E. Approve Criteria for Reviewing Board Appointment Recommendations**

Given the Planning Commission's previous comments regarding the need for additional criteria for board appointments, the City Manager submitted criteria for consideration. Monel stated the type of criteria previously discussed was more skill and experience-based. Lietz agreed and stated it is not the place of the Planning Commission to adopt these criteria.

Considerable discussion regarding the type of criteria that should be used, including geography and professional background. The commission was generally favorable with the proposed criteria but wanted to be clear that other specific things need to be identified as criteria for the Planning Commission.

No action was taken on this matter.

**F. Review Board Applicants Using Approved Criteria**

Applications received:

*Dan Vigansky* - Planning Commission reviewed previous application and recommended to the City Commission he not be appointed. He has since reapplied using the new board application, expressing interest in the Borwnfield Redevelopment Authority, B.A.R.B, and Zoning Board of Appeals, in addition to the Planning Commission.

*Joe Paolucci* - Indicated interest in the Design Review Committee in additon to the Planning Commission.

*Michael Rowland* - Indicated interest in the Design Review Committee and Common Committee in addition to the Planning Commission. Has since been appointed to the Common Committee.

The Planning Commission allows only two non-residents on the board and those seats are currently held by McDonald and Barker. Therefore, as Township residents, Paolucci and Rowland are not eligible.

Discussion regarding the expansion of the Design Review Committee from three to five members and appointing Paolucci and Rowland. The Planning Commissioner sees merit in that idea.

***Motion made by Denison, seconded by Barker to recommend to the City Commission to expand the Design Review Committee to a total of five members. Roll call vote carried unanimously. Voting Yea: Lietz, Barker, Denison, McDonald, Monell***

***Motion made by Denison, seconded by Monell to recommend to the City Commission that Joe Paolucci and Michael Rowland be appointed to the Design Review Committee. Roll call vote carried unanimously.***

***Voting Yea: Lietz, Barker, Denison, McDonald, Monell***

Dan Vigansky asked for reconsideration for appointment to the Planning Commission followed by discussion.

***Motion made by Monell, seconded by McDonald to recommend to the City Commission that Dan Vigansky be appointed to the Planning Commission based on his historical perspective of the City. Motion failed.***

***Voting Yea: McDonald, Monell***

***Voting Nay: Lietz, Barker, Denison***

**G. Approve Amended Bylaws** - Amended April 13, 2021 to modify the order of business.

Lietz stated he believed the bylaws were previously approved and asked the Clerk to check the minutes.

**H. Consider Further Amending Bylaws**

Public Hearing/Others

Murphy explained he has gained a greater understanding of the public hearing process and withdrew the request to further amend the bylaws.

**XVI. Public Comment - Non-Agenda Items Only**

None.

**XVII. Community Development Director Comments**

None.

**XVIII. Commissioner Comments**

*Monell* - Congratulated Boone Labs and River of Life Yoga. She is looking forward to their businesses thriving.

*Denison* - No comment.

*McDonald* - Thanked those who participated.

*Barker* - Congratulated both of the new businesses in town.

Lietz - Congratulated Murphy on the good work he has been doing. Regarding Dan Vigansky, just because Lietz doesn't support him being on the Planning Commission, doesn't mean he doesn't respect Dan.

**XIX. Adjournment**

***Motion made by Barker, seconded by McDonald to adjourn the meeting at 9:59 p.m. Voice vote carried unanimously.***

***Voting Yea: Lietz, Barker, Denison, McDonald, Monell***

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City Clerk, Barbara A. Pitcher

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Planning Commission Chair, Jason Lietz