

MINUTES

- I. *The City of Buchanan Planning Commission, in compliance with Michigan’s Open Meetings Act, hereby gives notice of a Planning Commission meeting to be held in the Chamber of City Hall.*
- II. ** Comments may also be submitted in writing at least 4 hours in advance to the Community Development Director Richard Murphy at rmurphy@cityofbuchanan.com*

** Buchanan City will provide necessary and reasonable auxiliary aide and services to those individuals with disabilities who wish to attend the public meeting upon receiving at least one (1) week’s prior notice. Any such individual requiring such aids or services should contact the city in writing or by telephoning: Buchanan City Clerk; 302 North Redbud Trail, Buchanan, MI 49107, 269-695-3844.*

III. PUBLIC HEARING**A. Call to Order**

Public Hearing was called to order at 7:00 P.M.

B. Roll Call

Present: Jason Lietz, Kevin Barker, Ralph McDonald, Richard Martin, & Sean Denison

Absent: None

C. Opening of Hearing and Statement of Purpose of the Hearing

The purpose of the Public Hearing is for the Plan Commission to consider a Special Use Application from Boone Labs, Inc. to operate a Medical Marihuana Grow Facility and an Adult Use Marihuana Grow and Process Facility at 106 E. Chicago St. also known as 107 E. Alexander St. Buchanan MI 49107.

D. Announcement of the Rules of the Hearing

Rules were read by Chairman Lietz.

E. Presentation by the Applicant

Rick Boone from Boone Labs gave his presentation to the Planning Commission. Boone Labs will be using state of the art technology, the first of its kind. They can control from a seed all the way to processing. That way they can control any smell or pollution, they have total control.

They will add about 30 jobs to the company. They are looking forward to being a part of the community.

No correspondence in support.

Ed Cohn with Boone Labs stated that the vision is to run a fantastic business. The city of Buchanan has been a pleasant place, you don’t get that in Chicago where they are from. The more they can do business wise the more they can give back. They are regular guys trying to start a business.

They are all relocating to the area. They are bringing back life to an abandoned building.

Frank Demoski spoke about the technology with the system, how it is completely organic and completely green.

Max Boone is wanting to move his family here and loves being a part of the community in Buchanan.

F. Presentation by the Opposition

Langston read into the record an email correspondence from Louise Hwand who was not in favor of the Special Use Permit.

Langston read into the record an email correspondence from Jeff Fletcher who was not in favor of the Special Use Permit.

Joan McGuire spoke against. She personally thinks this has already been decided. Concerned about the odor and how many marihuana places there are going to be in the city. As well as how much more traffic is this going to bring in.

Norma Ferris would like to know what the limit is going to be.

Jeff Fletcher came in person as well as corresponding through email. He believes Boone Labs is a good company and not that they wouldn't be good neighbors, but the facility may not be, considering the odor and chemical process. He has heard a lot of complaints about the odor out on Post Rd. With him being so close it's a big concern for the neighbors.

G. Applicant's Rebuttal

Rick Boone spoke for Boone Labs. One of the things they looked at was the smell: that's why they went with the newest and best technology. As far as chemicals are concerned, they do not use any. They are not going for a retail license. There will be no smell.

The public will not be coming to the facility, they are not retail so traffic will not uptick. Anyone that would be work would only be there during work hours.

They want to control their product all the way to the end.

Mark Weedon wanted to inform people on of the differences between grow, process, and dispensary. Weedon sees both sides, the state has gotten extremely strict on these facilities now. There is an education process on this.

Fletcher would like the 500 feet rule addressed. What happens if there is an odor? He wanted to address the work that's being done now.

H. Closing of Hearing

Lietz closed the hearing at 7:39 P.M.

IV. Regular Meeting - Call to Order

Regular meeting called to order at 7:39 P.M.

V. Pledge of Allegiance

Leitz lead in the Pledge of Allegiance.

VI. Roll Call

Present: Jason Lietz, Kevin Barker, Ralph McDonald, Richard Martin, & Sean Denison

Absent: None

City Hall Staff: Richard Murphy, Community Development Director & Kalla Langston, City Clerk

VII. Approve Agenda

Amend the agenda to remove X. A from agenda, since Lietz is staying on as a representative for Buchanan Tree Friends.

Motion made by Denison, seconded by Barker, to adopt the final agenda with the removal X. A Voice vote carried unanimously; motion carried.

VIII. Public Comments - Agenda Items

Norma Ferris made public comment about allergies relating to the grow and process facility.

IX. Approve Minutes

A. Consider approval of February 8, 2022, Planning Commission Meeting Minutes.

Motion made by Denison, seconded by Martin to approve the February 8, 2022, Planning Commission Meeting. Voice vote carries unanimously; motion carried.

X. Old Business

A. ~~Richard Martin to replace Jason Lietz as the planning commission representative for the Buchanan Tree Friends. Removed from agenda.~~

XI. New Business

A. Consider the application submitted by Boone Labs, INC. to operate a Medical Marihuana Grow Facility and an Adult Use Marihuana Grow and Process Facility at 106 E. Chicago St also known as 107 Alexander St.

Chairman Litz wanted to address some of the comments that were brought up during the Public Hearing to clarify.

Oak St. was granted a special use for a grow and process facility.

Public consumption is not allowed at state level and not permitted under local ordinances either.

Distance from the church is measured the same way they would alcohol. That is what the state had adopted and that's what the city adopted. It must clear 500 ft.

Denison addressed the comments that this has already been decided since they see construction going on there. Boones Labs was already approved for Processing in that building and that is the construction that you are seeing, which is basically laboratory work. No growing was approved. They are already going be working in that building because they were approved at a prior meeting.

The City Commission with the City Administration has decided that they do not want any more retail shops, and there will be no more retail going in.

Discussion of odor talked about between commissioners and what the ordinance says about order and how it is enforced.

Martin wanted to address the comments about this being a done deal. The Planning Commission is a volunteer group of people. They receive an email about the items that will be discussed and consider. They do not talk about it with the other Planning Commissioners until it is time for the meeting.

Murphy sends out notices to adjacent property owners within 300 ft. When every there is a special use permit up for request.

Lietz explained that the Planning Commission is tasked with doing a narrow task. Which is looking at the Special Use Request and seeing if it meets the standard for approval in the ordinance. It's more of a planning administrative function. Questions about the licenses and policy in the city as well as enforcement are all beyond the purview of the Planning Commission. They can consider things like

traffic, odor, production, vehicle deliveries, noise; these are all things that are in the standards of the zoning ordinance. We do thank everyone for participating tonight.

The Planning Commission discussed the updated site plan to get the layout of what they are trying to accomplish. Corrections were made on verifying the correct zoning destinations for the parcels around the site. The attached letter describes what they are applying for. Murphy has all signatures from Department Heads that have all signed off. Commission would like the email copied to them.

Murphy gave his staff report to the Planning Commission (*see attachment A*)

No site plan changes for now. Lietz made the point that any nonconforming uses have expired under the zoning ordinance since the building has not been used in over 60 years. So that means the parking spaces off Alexander St. would not be usable. But that would be under a site plan review.

Barker not sure it's been out of use for 60 years. There is no manufacturing, but it was being used for storage.

McDonald wanted to make sure the lighting does not go outside of their property.

Lietz asked about the traffic they expect. They are expecting one delivery a week. Planning on growing for their own product.

Lietz biggest concern is the odor, asking for more info on the double filtration.

The VFU is 9 ft by 4ft it contains the actual plant, lights, sterilizes the air, controls. It's all enclosed and whatever air that emits out of that unit is caught by another scrubber catches it. And that is enclosed in a room.

They plan on sep walls the spray foam the roof line and then fire coat the spray foam to make the room airtight. There are multiple scrubbers.

Concerned about which way the new HVAC system will go. Boone Labs said its very possible that they could go on the West Side. To show good faith to the neighbors. Boone Labs agreed with making the adjustment.

Motion made by Martin, seconded McDonald to approve the application to include the staff report as the finding fact, with 2 conditions to the approval with no air handling on East one half of the building area occupied by the special use and no parking spaces that require backing directly out directly on public road.

Lietz is very concerned about the facility being in close proximity to Fireman's Park, The Pitt Stop, and McCoy Creek Trail. The odor is going to be a big deal, please be prepared that if the odor is a big deal it will be reported.

Barker would really like to see them put together some employee policies about hanging around after or before hours.

Denison seconded what Lietz said. Denison wants to create jobs and rehab buildings but wants the residents to know that their concern is valid. Know that the city will be holding them to the smell.

Boone sought out the best technology for this reason. They don't want the smell either.

Motion made by Martin, seconded McDonald to approve the application to include the staff report as the finding fact, with 2 conditions to the approval with no air handling on East one half of the building area occupied by the special use and no parking spaces that require backing directly out directly on public road. Roll call vote carries unanimously.

XII. Subcommittee Reports (if any)

Buchanan Tree Friends gave a brief report to the Planning Commission about what has happened this past year.

McDonald gave an update for McCoy Creek Friends of the Trail. Murphy was able to update on the DNR Grant for the extension for McCoy Creek Trail. Waiting to hear if we got, and other donations are coming in. Lietz offering feedback to the Trail Friends that there is some signage missing and would be helpful maybe in the future.

XIII. Public Comment - Non-Agenda Items Only

None

XIV. Community Development Director Comments

Murphy has one important update regarding the zoning ordinance overhaul. The current zoning ordinance has served its life. Many times, he finds in 2022 that is not addressed in the ordinance and it is silent in a lot of things. Murphy has done this before it is a big project. He reached out ML and MDEC for recommendations on who to work with. The top of the list was Placemakers. Then he spoke with Andrew Von Maur the leader on the Vision for Buchanan, who also recommended Placemakers and regularly works with them. Placemakers recommended a 3-person team which would include Von Maur. Which is great since Von Maur was in Buchanan for 6 months and knows the city well. Murphy and Heather have secured grants for this overhaul. Murphy has requested a proposal for Placemakers. We are going to need to have a committee for this, hoping someone from the planning commission is willing to have a presence on the committee.

XV. Commissioner Comments

Denison wanted to update residents about the marihuana revenue. The city this year received \$282,000 dollars. They have decided to split that one would be for grants and incentives, the other half would be upgrades to the parks. They are trying to be strategic with the money. They are working on Victory Park to start; everything takes time and were making progress. Front St. is not getting fixed right now because we are going to be tearing Front street up soon and it doesn't make sense to fix it.

Barker happy to be offering his service to the playground design at Victory Park. Barker stated that on the Planning Commission we have to follow what's put in place already. That we can not make personal calls. We must follow the ordinance.

McDonald, thanked the applicant for the continued investment in the city. He would also ask that they keep the lines of communication open with their neighbors address their concerns.

Leitz, there are a few vacancies on the Planning Commission anyone living in the city if you're interested in volunteering.

XVI. Adjournment

Motion made by Barker, seconded by Denison to adjourn the meeting at 9:12 P.M. Voice vote carries unanimously.