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**Waverly Township
Planning and Zoning Minutes
42114 M-43 Hwy., Paw Paw, MI 49079**

May 10, 2021

Chairman John Porter called the regular meeting of the Planning & Zoning Commission to order at 7:00 p.m. The Pledge of Allegiance was recited. The Planning Commissioners introduced themselves: John Porter, Bernie Wilcox, Tom Fleetwood, Marvin Leedy, Mike LaPine. Zoning Administrator Tasha Smalley and Township Treasurer Linda Bloom were also in attendance. **Absent:** None

Agenda: Approved. Motion to approve by Porter, second by Wilcox. Voice vote: All yes.

Minutes: Approved. Motion to approve by Fleetwood, second by Leedy. Voice vote: All yes.

Public Hearing—Open Public Hearing: Chairman Porter recessed the regular meeting and called to order the public hearing at 7:22 p.m.

1. Porter thanked everyone for coming.
2. **Ground rules for the public hearing:** Chairman Porter announced the ground rules to promote an orderly public hearing given the number of persons in attendance. He reminded the audience that the meeting is being videoed by the township and that the township treasurer, Linda Bloom, would be the recorder and timekeeper.
 - Order of address would be applicants, audience members, response by applicants & commissioners.
 - Speakers, when recognized by the chair, to stand and state their name and address in order.
 - All questions/comments addressed to the commission only; no side-bar conversations.
 - Applicants could present their petition in a reasonable amount of time (approximately five (5) minutes).
 - Audience members, when recognized by the chair, had three minutes to address the commission after the applicants presented their petition. Residents could allocate their three minutes one time to a designated speaker for their group.
 - Applicants were given three (3) minutes to respond to resident questions/concerns.
 - Commissioners presented questions or comments to applicants or audience members.
3. **Waverly Family Farm, LLC of Ypsilanti, MI** has submitted a detailed site plan to the Zoning Administrator and the Commission for review of proposed Medical and Adult-Use Marijuana Facility, 25555 CR 665, property # 80-18-004-004-30, an indoor & outdoor grow facility.
 - a. There were 3 representatives here from Waverly Family Farm, LLC. They explained their vision and their plan to give back to this community. Two of them said that they had gone to California and worked for a marijuana facility there, but have returned home to Michigan to apply their experience to this new local industry. They plan to keep their facility very discreet and will put in a berm and

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fence, if possible. They will have a drying/curing station, temporary office, security cameras, parking, 43,000-gallon water tank (6-7 feet tall, all clean water and organic certified), 400-amp electric service, temporary “hoop houses” on permanent foundations. They have their state approval. They will be planting seeds in pots in the hoop houses for this year, since it is so late in the growing season. They will not have grow-lights, and infra-red cameras.

- b. Many of the residents present stated their dislike of the grow facilities that have been started in Waverly Township. All comments were negative, mostly about the odor, the infrastructure eyesores that they expect and health concerns regarding the long-term effects of living near such a facility.
- c. Darrell from WFF was a professor and offered an informational meeting with doctors and scientists to explain the effects to any residents interested in attending. No responses.
- d. Porter asked how they plan to mitigate the smell, and Darrell stated that their indoor grow doesn't smell, and outdoor grows only smell from September through October. Adam from WFF stated that they used carbon filters, and a scrubber to offset the smell whenever the doors are open.
- e. There were some concerns with the size of their well water tank (43,000 gallons). They said that this was just for emergency use, so that if there was a shortage of well water, they would have a back-up so they don't lose crops. They use drip irrigation.
- f. Millek asked what they will do with their used dirt. Adam said there is room for a compost, but they currently plan to recycle using a refuse company.
- g. Porter asked how many plants they are planning on having. Answer was 3,500 plants for medical use. And how many per greenhouse, to which the answer was approximately 300-400 once in full production.
- h. A resident said that she has seen a grow facility in Breedsville that has armed guards in broad daylight. She is concerned with this practice, and how other people would view Waverly Township. All 3 reps from WFF said they have hired an independent security company that will provide unarmed security 24/7 onsite. They will drive around the property, and just make sure there is nothing happening out of the ordinary.

Public Hearing closed John Porter closed the public hearing at 8:23 p.m., and take a 7-minute break.

Regular Meeting re-convened at 8:30pm

- a. The proposed Election of Planning & Zoning Officers will be postponed until the next meeting, after a motion by Porter and seconded by Michael Lapine. Voice vote: All yes.
- b. Concerning Waverly Family Farm, LLC, some residents had concerns with the increase of crime, due to the large amounts of cash that would be on the premises. WFF assured them that there is no cash on hand, and that they have not experienced any crime at any of the facilities that they have run or that they have assisted with.
- c. John Porter discussed the drop in property values that some of the residents had asked about. He spoke with the Waverly Township Assessor, and she said there has been no drop in value...if anything, it has increased over the past 2 years.
- d. Tom Fleetwood said he would have liked to see more permanent buildings, and WFF representatives said they were planning on that for next year. They are planning to apply for 20 building permits by

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the next growing cycle. Zoning Administrator Tasha Smalley noted that hoop houses may not meet building code, so they should ask the Building Inspector.

- e. Fleetwood strongly urged them to apply with the Van Buren County Drain Commissioner.
 - f. Porter motioned to recommend approval of the site plan to the Township Board, with the following contingencies: that they meet the ordinances; present a plan for permanent buildings; and document Drain Commissioner approval. Bernie Wilcox seconded. Voice vote: All yes.
4. **989 Ventures LLC of Howell, MI** rescinded their application to add 38 acres to the approval that they had received previously. Their approved site plan will be almost 1,200 feet from the church or any neighbors. Nathan Shevick sent an e-mail to Waverly Township Clerk Larry Gilbert on Monday morning, stating that they only want to move forward with the original parcel that has been approved.
- a. Fleetwood motioned to send the original plan for 989 Ventures back to the Township Board to approve, dropping the 42 acres on the additional site plan. Marv Leedy seconded. Voice vote: All yes.

John Porter asked the P&Z commission to review our marijuana ordinance, and be prepared to discuss it and recommend amendments at the July meeting. Tony Millek said we have no say over caregivers with up to 72 plants allowed.

Close public hearing: Porter closed the public hearing and reconvened the regular meeting at 8:50 p.m.

Unfinished Business-

- 1. **Election of officers-** Fleetwood filed Motion to postpone the election of officers until the next meeting. Second by Wilcox. Voice vote: all yes. Motion carried.

New Business-

- a. Moratorium on new applications for Marijuana Adult-use grow facilities extended by Waverly Township Board until December 31, 2021.
- b. Marijuana Zoning Ordinance Review moved to July meeting.

Zoning Administrator Tasha stated that she has one more application that she received before the moratorium was instilled by the Waverly Township Board. This application is from Market 2, located near Magoo's gas station and Shepherd's Auto Body. John Porter motioned to add a meeting on June 7, 2021 to discuss the approval of this outdoor grow facility. Bernie Wilcox seconded, and all were in favor.

Township Board Meeting- Tony Millek suggested that residents go to www.waverlytownship.com for updates on township news.

Public Comments/Commissioner Comments- Porter reiterated that the commission review the Marijuana Zoning Ordinance prior to the July P&Z Commission meeting.

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John Porter thanked everyone for their attendance, and encouraged everyone to continue to participate in future meetings. He adjourned the meeting at 9:30 p.m.

Respectfully,

John H. Porter, Jr.
Chairman