

Planning and Zoning Minutes
42114 M-43 Hwy., Paw Paw, MI 49079
June 7, 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 **Waverly Township** themselves: John Porter, Bernie Wilcox, Tom Fleetwood, and Marvin Leedy. Zoning Administrator Tasha Smalley and Township Treasurer Linda Bloom were also in attendance. **Absent:** Mike LaPine.

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

Minutes: Approved. Motion to approve by Wilcox, 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 7:10 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 were allowed to 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.
 - Applicants were given three (3) minutes to respond to resident questions/concerns.
 - Commissioners presented questions or comments to applicants or audience members.

3. **Public Hearing**

Market 2 LLC (applicant Tom Buggia of Othella, WA) stated that his original site plan for Medical and Adult Use Marijuana Facility indoor/outdoor grow at V/L M-43/M-40 (behind Magoo's and Shephard Body Shop) explained that he has been growing in the state of Washington for the past 8 years, and has been learning about the Michigan rules and regulations. He plans on outdoor grow and greenhouses on 100+ acres. Commissioners asked about the site plan, water run-off to wetlands to the south, ground water contamination and water quality. He was willing to do whatever we ask of him, but more detail is needed. Residents were very negative about this grow, and the owners of Shephard Auto Body expressed their concerns with the air contamination, especially when they are

pumping in “fresh” air into their two paint booths. They are worried that the marijuana odors may permeate into their customer’s vehicles, and they have already had a couple of their clients express that they would take their business elsewhere if that did happen. Mr. Buggia stated that there should be no worry about that. He is planning on hiring 35-40 local residents for part of the year, and 100 during planting and picking seasons.

At 8:09, John Porter motioned to close the Public Hearing and reconvene the Regular Meeting. Bernie Wilcox seconded. Porter suggested a 10 minute break.

4. **Unfinished Business**

- a. The Election of Planning & Zoning Officers was held, with an open vote by the four attending commissioners. John Porter was elected as the continuing Chairman, with Mike LaPine voted as the co-Chair. All were in favor.
- b. After much discussion, the commission and Mr. Buggia agreed to postpone a decision on these licenses for at least 60 days. They agreed to giving Mr. Buggia a list of needed items for approval for him to work on, and then bringing this back up at the regular Town Hall meeting on Aug. 30, 2021. Tasha Smalley asked about him purchasing the property instead of leasing, and that is a possibility. The commission also brought up the possibility of getting an earnest money agreement, and that will be discussed at the Aug. 30th meeting.
- c. **Waverly Family Farm, LLC**, brought everything that had been previously request of them by the Township Board. John Porter moved to approve to the Board. Tom Fleetwood seconded, and all were in favor.
- d. Tom Fleetwood said he would still 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 the next growing cycle, and that they have missed the outdoor grow opportunity for 2021.

5. **New Business**

- a. Moratorium on new applications for Marijuana Adult-use and Medical grow facilities has been extended by the Waverly Township Board until December 31, 2021.
- b. Discussion with Tasha Smalley about our marijuana ordinance, hoping to have that completed for the July meeting.
- c. Discussed that the regular July Planning & Zoning meeting will be Tuesday, July 6th at 7 p.m. We will be discussing the zoning ordinance, etc.
Also discussing transport, whether it is considered commercial, industrial, or other?

6. **Public Comments** Very few public comments, as most were voiced earlier in the meeting.

7. Report from June 3, 2021 Township Board Meeting. Tony Millek discussed the township clean-up days this past weekend, and there was an unusual amount of mess left by residents this time.

8. **Zoning Administrator** John Porter re-capped the meeting and thanked everyone for coming.

9. **Planning & Zoning Commissioners** just re-capped a little as well.

10. Meeting was adjourned at 8:53 p.m. by Porter.