

Reynolds Township Planning Commission
February 2, 2023
Meeting Minutes

6:59pm Call to Order

7:01pm Pledge of Allegiance & Invocation

7:03pm Roll Call

Members Present: Randy Sherburne, Reg Potts, Jerry Poprawski, Chuck DeLaney, Robert Bergstrom, Edward Kentgen, Krystyna Kowalczyk.

Members Absent: None

Meeting Notes by: Chuck DeLaney

7:00pm Review of minutes from meeting on January 5, 2023.

Motion to approve meeting minutes from January 5, 2023, Bob Bergstrom, 2nd by Randy Sherburne.
7 Ayes, 0 Nays.

7:01pm Open public hearing on proposal Marihuana #20323,

- Dave Eberle, township attorney, gives overview of the proposed zoning ordinance for marihuana and its relationship to the township licensing ordinance. Some of the information he shared:
 - Ordinance makes amendments to definitions.
 - Includes and compare provisions to other ordinances.
 - Is requirement of negative air pressure necessary?
 - Distance measured to property line = buffer.

7:10pm Public Comment:

- Kyle Brockschmidt – Wants to open a marihuana business and is the reason the Twp Board is revisiting this issue.
 - Wants a class A micro business. Would allow him to grow 300 mature plants.
 - Sell any of the flower he produces, for smoking.
 - Purchase and sell other products.
 - Delivery only – NO store front. Will take orders over the phone and will deliver.
 - He feels the legal market kills the black market.
 - Community will receive money from the excise tax. Sand Lake received? Big Rapids received 1.4 million for 2022.
 - Addressing concerns.
 - PC questions from 01/05/22: What has changed to now opt in? Answer: Initially process was costly and time consuming to establish rules / ordinances. There is now an established body of legislation / ordinances to draw from.
 - Establishing business / explosion of marihuana businesses. Feels most would be growers. He would be a combination between retail and manufacturer. Other communities nearby have cannabis why add here? Answer: Minimum return per community of 56k due to taxes. The Twp is missing out on these funds.
 - Cannot prevent cannabis business per state law. He's a member of the community and spends his money locally.
 - Ed's concern: Is there interest?

- Proposed changes to the ordinance. Feels the state law is insanely over regulated. Please (Township) do not overregulate him.
- Would like to eliminate section 1 & 3 in QQ. Regulate the smell, NOT how / what he does to achieve it as he can do it better / cheaper than the ordinance. Would like to see part 2 modified. Distance / regulated inside the property. Would like it to be nothing can leave the property / be detected at the property line rather than a set distance. States he's 600' from his property line. (Chuck DeLaney for PC consideration: How does this work on windy vs calm days referencing the property line?)
- Gary Fewlass, Reynolds Twp: Thought the meeting was about opting in or out of the ordinance. When Twp opted out it was so others could do the leg work / figure it out / make mistakes. We (Reynolds Twp) are missing out on the tax benefits of having the business. Feels it's time for Twp to opt in and collect taxes. Cannabis is readily available in all surrounding areas. So, it's not being kept out of the Twp.
- Joseph Levandoski: Lives in HC but does not use Cannabis. Works at homeless shelter in BR and deals with drug addictions. BR has too many and 2 are shutting down. Kyle Brockschmidt business is good for the community and Twp needs the revenue. If it's legal and regulated people will get it somewhere.
- Donna Westerbrink: Works in Sand Lake as clerk. Cannabis business does not require any effort on the part of the village. Twp / area is losing out on revenue.
- Ryan Vansolkema: Lives in Winfield Twp – Indian Lake. Observed Marijuana businesses in Lowell and did not see any issues or problems. Many dispensaries are remodeling old / existing buildings helping update communities and that money is spent locally.
- Public Comments sent in to Twp via email, read by Edward Kentgen:
 - Thomas Grant: "I strongly support cannabis businesses in our community. I think there are significant benefits to our community including adding revenue to our township. Thomas J Grant, 332 Willow St, Howard City."
 - Rowanna Humphreys: "Hello. My name is Rowanna Humphreys and I live at 6075 Oliva Lane. I am unable to make the meeting tonight due to health reasons but I want to write to you that I am in support of having the cannabis industry in our township. I think it will be a wonderful thing for our town economy."
 - Kim Saucier: "Dear planning commission I fully support a cannabis business in our community."
 - James Brockschmidt: "To the planning commission, I only acreage that Kyle Brockschmidt wants his proposed grow site, it's very remote only accessible by one drive. There is no chance of any smell or anything else being a problem. I see no reason that he can't do this as it is already being done legally and illegally in surrounding areas, and here. Sand lake, Cedar Springs, and many others deliver to this area now. These cities and townships are receiving a lot of money, Reynolds township and Howard city are not. it's already happening so I see no reason we shouldn't allow this."

7:45pm Motion to close public hearing Jerry Poprawski, 2nd by Reg Pots. 7 Ayes, 0 Nays.

7:46pm Open regular Planning Commission Meeting.

- Dave Eberle: Topics for the PC to consider regarding the zoning ordinance.
 - What types of business?
 - Location vs the Master Plan?
 - Regulate? Provisions?
 - From a zoning perspective PC is not directly limiting the number of businesses. That is for the Twp Board / licensing ordinance to determine.
 - Odor and light NOT regulated by the State of MI. PC to determine requirements.

- Jerry Poprawski: asks who's to enforce the ordinance? (Jerry - Will put the burden on the Twp for enforcing / approving the design of filtration.)
- Dave Eberle: Other municipalities required carbon filtration.
- Kyle Brockschmidt: State inspects businesses so it would not be a burden on the Twp. Dave Eberle responds: State does not inspect zoning, only the requirements of the state licensing, so the township would have some responsibility for this.
- Jerry Poprawski: What types of businesses do we want in the Twp? PC to review definitions / types of business. What are beneficial to the Twp and what are possible issues / increase crime?
- Dave Eberle: Recreational retail and Recreational micro businesses are the only 2 that generate funds from the state.

Public Comment:

- Ryan Vansolkema: Concerned about the lack of movement on the wind ordinance. Response from the PC: The PC stopped pursuing wind ordinance at the direction of the Twp Board due to possible statewide legislation / work going on in Lansing and the wasted time / cost to the Twp. He was not happy with that answer and indicated there will be no statewide rules coming from Lansing and the local municipalities needed to resolve the issues.
- Kyle Brockschmidt: On filters – part 1 & 3 should be struck from QQ. Concerned about cost and putting holes in his buildings.

8:24pm Motion to adjourn: Jerry Poprawski, 2nd by Robert Bergstrom, 7 Ayes, 0 Nays.