

# CLINTON TOWNSHIP PLANNING COMMISSION

## REPORT OF MEETING

JANUARY 11<sup>TH</sup>, 2018

**PRESENT:** Kirkanne Moseley, Chairperson  
Ronald DiBartolomeo, Vice-Chairperson  
Denise C. Trombley, Secretary  
George Brumbaugh  
Stephen Charron  
Michael Deyak  
Lawrence Opalewski Jr.  
Joie West

**ABSENT:** Daniel Spatafora (Excused)

**STAFF:** Carlo Santia, Director  
DEPARTMENT OF PLANNING AND  
COMMUNITY DEVELOPMENT

Ms. Moseley called the meeting to order at 6:30 p.m.

### **APPROVAL OF AGENDA**

Motion by Ms. West, supported by Mr. DiBartolomeo, to approve the agenda as submitted. Motion carried.

**LOTS 1 THRU 7 AND THE EAST 35.13 FEET OF LOTS 34 THRU 37,  
MEADOWS SUBDIVISION, ALONG WITH PART OF VACATED  
MEADOWDALE DRIVE (TOTALING 5.22 ACRES), GENERALLY LOCATED  
EAST OF NORTHBOUND GRATIOT, NORTH OF HARRINGTON AND SOUTH  
OF WELLINGTON CRESCENT (SECTION 23)**

**- PROPOSED REZONING FROM B-3 GENERAL BUSINESS TO SP-1  
SPECIAL PURPOSE (NURSING HOMES)**

**-- PUBLIC HEARING**

**FILE #17-6796: PETITIONED BY MR. JEROME POMA**

**REPRESENTED BY MR. MATTHEW J. VALE, REMAX SUBURBAN INC.**

Ms. Trombley read the letter into the record dated December 27<sup>th</sup>, 2017 from the Assistant Director of the Department of Planning and Community Development.

She advised that notice of this public hearing was issued by regular mail to 407 owners and/or occupants within 300 feet of the land in question, with 13 of those returned as undeliverable.

Mr. Greg Goth, owner of the proposed development [no address given], stated they are seeking a rezoning to construct a senior citizens home. He assured they will build something high-tech and very nice for the community. He added they are proposing between 96 and 102 beds for seniors, and they have some very experienced architects and engineers working on the project.

Mr. Matthew Vale, real estate broker for this property, was also present to answer questions.

Motion by Ms. West, supported by Mr. Charron, to open the public hearing. Roll Call Vote: Ayes – West, Charron, Brumbaugh, Deyak, DiBartolomeo, Moseley, Opalewski, Trombley. Nays – None. Absent – Spatafora. Motion carried.

There was no one in the audience who wished to speak on this issue.

Motion by Mr. DiBartolomeo, supported by Mr. Deyak, to close the public hearing. Roll Call Vote: Ayes – DiBartolomeo, Deyak, Brumbaugh, Charron, Moseley, Opalewski, West, Trombley. Nays – None. Absent – Spatafora. Motion carried.

Mr. DiBartolomeo inquired as to Mr. Goth's background.

Mr. Goth replied to inquiry that his background is concrete foundations for commercial and residential developments.

Mr. DiBartolomeo inquired as to whether he also owns a nursing home facility.

Mr. Goth replied he has never built a nursing home, and his expertise is foundations, mass-creating, leveling, etc. He replied to further inquiry that he has not yet spoken to anyone about taking over the facility if he is granted approval to develop it. He explained they are trying to "get the ball moving" and there are a lot of steps before they would get to that point. He assured if they get approved, they will take it to the next level, as far as they can and as fast as they can.

Mr. DiBartolomeo felt it would make sense to have someone with some experience involved with Mr. Goth in this process.

Mr. Goth assured he has architects and engineers planned for the development stages. As far as running the facility, he has talked with a couple of people. They felt it is too soon to join them at this point, but recommended they proceed with the rezoning, and if it is approved, those details can be worked out. He

stated there is a facility in the 16 Mile and Utica Road area, and the owners of that facility are interested in running his facility as well.

Mr. Deyak inquired as to Mr. Goth's company name.

Mr. Goth replied his company is Concrete Leveling Services out of Shelby Township, Michigan.

Ms. West noted the nursing facility referred to by Mr. Goth used to be an American House, but it is more of a senior living facility. She inquired as to whether the proposed will be a nursing home.

Mr. Goth replied they would like more of a senior living facility.

Ms. West pointed out that a nursing home is a lot different than a senior living facility.

Mr. Goth assured he is aware of that but they want to get started on planning something that fits the area well and looks nice.

Ms. West inquired as to how many stories Mr. Goth is proposing.

Mr. Goth replied they would like between 96 and 102 beds, so he anticipated it would be about four stories.

Mr. Santia clarified that the ordinance requirements for the SP-1 Special Purpose (Nursing Home) District only allows for a maximum height of 35 feet, which would equate to possibly a maximum of three stories.

Mr. Goth complained that 35 feet is only the height of a house.

Mr. Santia replied that is what the ordinance allows. He indicated they could possibly expand the footprint of the building.

Mr. Goth agreed they could expand the footprint of the building if they have to do so.

Ms. West cautioned that expanding the footprint of the building will change the dynamic of the property, possibly allowing for less parking, so there may not be enough parking for senior housing. A nursing home facility will still require parking for employees and visitors.

Mr. Santia questioned whether Mr. Goth would consider offering a Conditional Rezoning Agreement that would allow him to work with the Township to develop a plan that would be like a Planned Unit Development (PUD) in a lot of

communities. The rezoning and site plan approval would be approved at the same time, contingent upon a specific plan.

Mr. Goth stated he would be agreeable to requesting a Conditional Rezoning.

Mr. Santia explained if he is offering a Conditional Rezoning, the Planning Commission can act on that by approving the offer for Conditional Rezoning. He will then come back with some site development plans that can be reviewed. Those will then be forwarded back to the Planning Commission for their consideration at that point.

Mr. Goth assured he can have plans put together right away and would be glad to request a Conditional Rezoning.

Mr. Goth stated they have their Phase I environmental work done, and the soil borings are in the process.

Motion by Mr. Deyak, supported by Mr. Opalewski, with reference to File #17-6796 and application from Mr. Greg Goth [no address given] and Mr. Jerome Poma, 1400 Hilltop, Oakland Township, Michigan 48306, as represented by Mr. Matthew J. Vale, of Re/MAX Suburban, Inc., 43599 Schoenherr Road, Suite 100, Sterling Heights, Michigan 48313, concerning Lots 1 through 7 and the east 35.13 feet of Lots 34 through 37, Meadows Subdivision, along with part of vacated Meadowdale Drive, being a total of 5.22 acres generally located east of northbound Gratiot, north of Harrington and south of Wellington Crescent, that the request for consideration of a Conditional Zoning of this property from B-3 General Business to SP-1 Special Purpose (Nursing Homes) for the stated purpose of development with a senior living facility, be accepted; further, the petitioner is to submit site development plans to the Planning Department for their further review, confirmation that site plan requirements are met, and the plans will then come back to the Planning Commission for their review. Roll Call Vote: Ayes – Deyak, Opalewski, Brumbaugh, Charron, DiBartolomeo, Moseley, West, Trombley. Nays – None. Absent – Spatafora. Motion carried.

#### **WORK SESSION AND DISCUSSION**

- **MEDICAL MARIHUANA FACILITY LICENSING ACT (MMFLA)**
  - **DISCUSSION ON PROPOSED AMENDMENT TO THE PLANNING & ZONING CODE TO ALLOW FACILITIES IN CLINTON TOWNSHIP**
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Ms. Jenn Zielinski, of Dunaskiss Consulting & Development, gave a presentation on the Medical Marihuana Facility Licensing Act (MMFLA). Their company has been involved with the medical marihuana industry for the last four years and have been integral in helping to create some of the legislation that is in front of them regarding the MMFLA. She explained they present information to local government to give them the information they need in order to opt in for the

MMFLA. She introduced Mr. Chris Aiello, attorney from the industry, and indicated they will both be able to answer questions that arise in their discussion. She provided a brief overview of what has occurred in Michigan within the last ten years with regard to this subject, and she will also review some zoning options the community has under these laws.

Ms. Zielinski stated that in 2008, the voters of Michigan passed an initiative to legalize medicinal marijuana in Michigan, and that was passed by a margin of 62% to 37%. An individual could then register themselves with the state as a “medical marijuana patient” and they could cultivate up to twelve plants on their own in their home. If they were not able to grow them on their own, they could subscribe to a “caregiver”, who also had to register with the state, but they were allowed to grow for five other patients, so they could have seventy-two plants. It was a home-based occupation, with the registrations all managed by the Department of Licensing and Regulatory Affairs (LARA). Patients under the new laws can possess 2.5 ounces, and are exempt from prosecution if they are a qualified registered patient or caregiver. After state and local government entities, as well as law enforcement, agreed that the 2008 law was not working and there were a lot of deficiencies, including how a patient would get their medication in the event of a crop failure, and it never contemplated commercial operations, such as what is now being seen in the MMFLA. There was a complete lack of defined authority, and it did not address what could be done with the product overages. In 2016, the legislature addressed some of these issues and created a commercially-regulated market. The governor signed it into law in 2016, and LARA has had one year to implement this program.

Ms. Zielinski reviewed the types of facilities, which are state-of-the-art, multi-million-dollar operations, using advanced technology and providing good-paying jobs. There are five types of commercial licenses available:

- Grower. There are three classes which can be applied for, with Class “A” allowing for cultivation of up to 500 plants, Class “B” allowing for up to 1,000 plants, and Class “C” allowing for up to 1,500 plants in their facility.
- Processor. This is the facility that can take the actual flower product, once cured and dried, and will extract the oils out of it, which is where the CBD oils come from. It is also where they get the oils to help create “medibles”, which are medically-infused marijuana products that can be consumed as opposed to inhaled.
- Provisioning Center. This is what the State of Michigan has declared as their “dispensaries”, so there will be no more dispensaries because the provisioning centers will be the retail sale point to the patient.
- Secure Transport. This is the only entity that will be allowed to transport the product. If someone has a license to cultivate but are not selling to the patient, the secure transporter will come to the facility, pick up the product, and will safely transport it either to a processor for further refinement and/or the provisioning center for retail sale. They can also transport currency between facilities. They do not transfer to patients and will not

deliver to patients, and at this time, there is no delivery method available for patients.

- Safety Compliance Center. This is an independent laboratory which is a testing facility, and every product grown, cultivated and processed in the State of Michigan will be tested for impurities, pesticides, mold and mites to ensure the patient is receiving clean product.

Through a PowerPoint presentation, Ms. Zielinski showed some slides of cultivation facilities, taken from other states that have legalized medicinal marijuana. She also showed some processing facilities, which she noted tend to be smaller buildings. She displayed slides of provisioning centers, which is the retail space. She indicated that most of those facilities are state-of-the-art and very eye-appealing, with a polished look on the inside. She showed some examples of the transport vehicles, noting all transport will take place through a two-man van. She explained that, even if the Township does not opt in, secure transporters from other communities have the right to commute through this municipality. She showed a sample of a safety compliance center, where the testing laboratories are located.

Ms. Zielinski provided some information on the Marijuana Tracking Act, which is a companion bill of the MMFLA, and it creates a “seed to sale” tracking system. It is a 24-hour, 365-days-a-year real-time web-based system that will track every marijuana plant in the State of Michigan. LARA will be issuing the inventory tags for each plant, and once the seed is planted, it needs to be tagged. This information will be provided to the State as well as law enforcement agencies, and will track patient purchase limits, flagging anything in excess of over-authorized limits, and will serve as a way of overseeing this process for the State and the law enforcement.

Ms. Zielinski clarified that the MMFLA did not legalize medicinal marijuana, but that was done by the voters in 2008 with the initiative of the Michigan Medical Marijuana Act (MMMA). She advised that the caregiver model created by the MMMA is still permitted by law, and caregivers have not gone away, but it has created a commercial market in which these caregivers can transition into helping to bring these people out of their basements and homes and into a more commercially-regulated market. Ms. Zielinski explained that, in conjunction with the Department of LARA, and the newly-developed bureau of Medical Marijuana and Regulation, with the appointed licensing board, they will be setting forth the rules and regulations for this industry. She noted the first release of emergency rules that the State issued for this industry took place on December 4<sup>th</sup>, 2017, and she believed the Planning Commissioners have all been provided a copy. She admitted it is a lengthy document, but it sets in some of the items for standardization of equipment and facilities, building security, waste management plans, testing standards, minimum THC levels, etc. She explained that the enforcement of the rules and regulations is not required on a local level, although local law enforcement has the ability to enter in to these shops, but she

compared it to other local businesses such as barber shops, liquor stores, auto repair facilities, dry cleaners, where local law enforcement does not regulate them. If they think there is something suspicious, they can report it. She emphasized these facilities will be regulated by the Department of LARA, in conjunction with the Michigan State Police.

Ms. Zielinski outlined some of the options local municipalities have as provided in the MMFLA include the ability to opt in or out. If they opt in, they are required to create an ordinance to support facilities coming in to the community. The number of licenses can be regulated, and an ordinance can be tailored specific to the best interest of the community. It will allow the community to separate from the caregiver model, and will create a source of revenue for the municipalities that choose to opt in. For every license housed within the community, the community will be obtaining a 25% share of an excise tax that is imposed on the retail purchases at a provisioning center. The State will collect its traditional 6%, and in addition, the patient will be charged an additional 3% in excise tax. She explained that the fiscal numbers last year, based on Colorado's market, which is about half the size of Michigan, anticipates a \$24 million excise tax revenue in the first year, and she commented that is a decent amount of excise tax shared back to the local governments.

Ms. Zielinski presented some items for consideration with regard to zoning. She clarified the difference between "location" versus a "license". The state is allowing for stacking of Class "C" licenses, which means a business owner can apply for multiple Class "C" licenses. She cited the example where an operator could apply for five licenses, thereby allowing 12,000 plants. She suggested looking at a facility based on a location rather than a license may be something the Township will want to consider. An operator looking to come in may want five licenses, so instead of allowing a specific number of grower licenses, they may opt to specify a specific number of locations where a grower can locate. They could allow the grower, based on the size of his facility or on his business plan, to put in the number of plants in which his facility can hold. This option of "location" over "license" could stop one business from coming in and taking over all five grower licenses.

Mr. Santia questioned whether it is only Class "C" licenses that are allowed to be stacked.

Ms. Zielinski replied affirmatively, noting it is only Class "C" licenses that can be stacked. She explained the allotment of facility types is up to the municipality to decide which facilities they would like to allow for: grower, processing, provisioning, secure transport and safety compliance. Regarding allotment, some municipalities set a cap limiting the numbers and types of facilities; however, another approach can be taken based on occupancy level within the Township and available real estate, and that is to let the free market work it out based on the areas in which the Township would choose to allow these facilities.

The thought with this method is that there are only so many spots available, and the free market and the economy will “shake them all out”. She admitted provisioning centers are a hot topic because that is the retail center, where the public will be coming in and out, although she reminded that “public” will be patients only. She noted a company called “WeedMaps”, known coast-to-coast for being well-acclimated with the industry. They provide a recommendation, for every 7,000 residents in a community, that one provisioning center be allowed, so in the Township’s last census of 97,000 residents, that would equate to 14 provisioning centers. She clarified that is only an industry suggestion, and does not have to be taken by the community. Ms. Zielinski stated that, with regards to zoning districts, the statute requires a grower located within an industrial or agricultural district, and that is not an option to change. It is up to the community to determine the zoning districts in which the four remaining license types can locate, and where they feel those would be best-suited for the community. She informed the State is allowing for co-locations, and she defined a co-location as a provisioning, processing and grower to all locate within the same building. Common ownership is required and there cannot be different operators. This could reduce the number of locations and could also help out the entrepreneur as they do not have to pay for secure transport, which also helps keep patient costs down. She addressed “Green Zone” versus “District Zoning”, and defined “Green Zone” as taking a section of the zoning map and indicating certain areas to be designated as an area where these facilities are allowed to locate. They can also look at districts and see how they fit in with the Master Plan for Future Land Use, and whether it makes sense to put them in certain zoning districts.

Ms. Zielinski addressed the idea of Special Land Use versus inherent zoning, noting that different communities opt to handle it their own way. She cautioned that if a Special Land Use is required each time an operator is requesting a facility, a public hearing has to be held, and that can create a lot of opposition each time. She stated it is up to the municipality in which they see best fit to address these facilities and choose to bring them into their boundaries. She addressed odor control, noting the industry is well-aware of this issue, and they do not want their facilities to smell. She pointed out there will be some requirements set forth by the State, although they did not make the cut on the latest emergency rules. She confirmed the municipality has the ability to regulate odor control, and there are air filtration systems that can maintain odor control. She assured that Emergency Rule #27 is very comprehensive with regard to building security requirements, and it is very detailed. If the Township notices something not covered, it can be addressed in the ordinance, but she encouraged the Planning Commissioners to read over that section so they feel comfortable with the state-mandated level of security. Ms. Zielinski addressed the subject of signage, and that is something the community can decide as to how they want to see the signs, the content allowed on them, etc. Distances from these facilities in relation to schools, residences, churches, state-licensed daycare facilities, parks, and between other medical marijuana facilities is something else the community can outline in their ordinances. She noted the

typical minimum distance between these facilities and schools is 1,000 feet, and the State of Michigan is currently considering a bill in the House that is looking at requiring a minimum 500-foot distance from schools. She added that they also typically see a minimum distance requirement between provisioning centers; however the other four facility types, once up and running, are not as obvious. Ms. Zielinski commented that the Township has a very good zoning map, and she pointed out a lot of land that is currently zoned residential. She explained the City of Warren, in dealing with their residential areas that butted up to their commercial areas, precluded those parcels from their residential buffering for the main reason that the City of Warren is nearly fully developed and there was no place for these facilities to locate that was not abutting a residential property. The community has the right to set up their ordinance in this way as they see fit. She noted that safety compliance facilities and labs are most often located in OS Office/Service areas, and business and industrial districts for the manufacturing facilities. She concluded her overview and presentation, and felt that the Township has a decent amount of space, including a lot of industrially-zoned areas, as well as some business zones in northeast and southeast corners. She encouraged the Township that, as they look at where they may want to locate these facilities, to map them out and identify the churches and schools in those districts. She cautioned that if there are a large number of churches and schools in a given area, it may reduce the allowable area to almost nothing.

Mr. Chris Aiello pointed out when this was first approved in 2008, the law was so vague that it did not indicate where these facilities could be located, and there were very few rules and regulations. A few dispensaries opened in Macomb County, only to later discover they could not operate where they were located, and the State Police, local authorities and prosecutors became involved, arrest warrants were issued, and it became a problem. In 2016, the industry got together and became organized to push for legislature. He commended Ms. Zielinski's firm for doing a great job, but estimated the anticipated \$24 million excise tax revenue she quoted was from about a year ago and will be substantially higher. He assured the vetting process for applying for these licenses is very strict, and the State is very concerned about how these applicants got their money, who they are, whether they can sustain a viable legal, ethical business, so they will be very tough. He claimed it does not force the Township to spend any money on law enforcement. He estimated the lawyer fees in getting an application prepared are most likely in excess of \$10,000 to \$15,000 for any attorney who knows what they are doing, because they have had to educate themselves for the last year, keeping up with the requirements from LARA. On December 4<sup>th</sup>, rules were issued, and they gave everyone until December 15<sup>th</sup> to get ready. He noted that every applicant must submit bank statements, three years of their tax returns, and they are also vetting children and spouses, so they are leaving "nothing to chance". Mr. Aiello anticipated the largest challenge to the Township is he did not feel they have a large industrial base in Clinton Township, so he indicated they may want to look at how Centerline handled it, by marking up their zoning map and designating specific

industrially-zoned areas for this purpose. He pointed out if they are going to allow it to be grown, they have to designate an area where it can be sold as well. Mr. Aiello cited Lenox Township, where they had invested in the installation of water and sewer lines just before the recession. They opted that those seeking licenses for this use would have to pay to hook into water and sewer, and they were made to work around buffers, including schools, churches, residential, etc. He felt a minimum 1,000-foot distance between provisioning centers is a good buffer. He suspected 14 provisioning centers may be rather high for the Township, but they can make up their own minds as to a limit for which they feel comfortable. He recommended against requiring a Special Land Use approval for each application, noting it creates chaos for a community. He suggested with a small industrial base, the Township should just select a section, and let the free market determine where these will go.

Mr. Charron inquired as to whether the growers can sell to provisioning centers in other municipalities.

Mr. Aiello clarified that a grower is only allowed to sell to a processor, or they can transport to a tester.

Ms. Zielinski replied that they do not have to sell to a provisioning center in Clinton Township. A processor could sell to a provisioning center in another municipality, but it would have to be transported by way of a secure transporter from the grow operation in Clinton Township to the provisioning center in another community. She replied to further inquiry that they cannot transport over state lines because that would be in violation of the commerce laws.

Mr. Aiello explained every plant will have a SKU number, and that SKU number will translate to the product that plant produces. He cited the example of a plant which may produce 1 pound of flower and 1 pound of leaf. The grower will enter in their plant number, indicating it has generated a specific crop. The State will then know that plant from that facility, for integrity and testing purposes, has been tracked to a specific product. That SKU number is then taken and given to the transporter, who carries a manifesto that indicates he/she picked up a specific SKU # from the cultivating center (the exact center will be identified per this SKU number as well) and delivered it to a specific testing facility or to a specific provisioning center (the exact center will be identified per this SKU number). He noted the SKU number will continue to follow the product. If there is a problem with that product, it can be traced all the way back to the grower.

Mr. Charron inquired as to whether three separate owners and licenses are needed to have a facility that does all in the same building.

Ms. Zielinski indicated that, in order to be able to grow, process and sell to the customer, it must all be under the same owner and investor, who must obtain

three separate licenses. That owner must apply for each of the licenses for that location, but she reiterated it must be under the same ownership.

Mr. Aiello stated the three licenses (grower, processor and provisioner) can be in the same facility, but there are requirements specifying there has to be walls and specific doors so each business is separated, prohibiting them from intermingling with each other.

Ms. Zielinski confirmed there are dividing walls between each license type. She noted if someone holds three Class “C” licenses, they would not necessarily have to have three separate rooms in which plants under each license are being grown. They would have their grow license, possibly in the back of the building where they would have their three Class “C” licenses, possibly their processing in the middle of the building with dividing walls between the growing and processing areas, and the provisioning could be up in the front. She confirmed there would have to be walls between each license type.

Mr. Opalewski referred to the Attorney General’s memorandum on federal enforcement, and he inquired as to their opinion as to what will occur.

Mr. Aiello stated he has been reading up on this, and he has also been involved in politics his entire life. He explained they have a new Eastern District Attorney General who came from Oakland County and he was on the radio recently, making it quite clear that he is not interested in raiding marijuana shops. He felt the letter referred to by Mr. Opalewski is more of “saber-rattling” and was confident they do not have the resources to take this on. He commented that generally, when the federal government gets involved, it comes from the bottom up, so it would be from the local authorities.

Ms. Zielinski referred to the memo dated January 4<sup>th</sup>, 2018 from Attorney General Jeff Sessions with regard to marijuana enforcement. She explained a “Cole memo”, issued in 2013 from the previous Deputy Attorney General James Cole under the Obama administration, recognized that marijuana was still illegal under the federal Controlled Substances Act, but it gave federal prosecutors permission to focus their resources elsewhere rather than focus on the small-time drug offenses. The recent memo from Attorney General Sessions rescinded the “Cole memo”, and the memo put in place has left it up to the Attorney Generals in each individual state that has medicinal and/or recreational laws to best prosecute how they see fit based on the crime. It has been tightened but he is still leaving it up to the states. She advised the second thing going on within the federal government now is the renewal of the Rohrabacher-Farr Amendment, which was put in place under the Obama administration and was annually up for renewal during that administration. It was renewed for about four months last year when it came up under the Trump administration. It has continued to be renewed, and is up for renewal again on January 19<sup>th</sup>. She explained that this amendment does not give the Department of Justice any funds to go after states

in which there are medical and/or recreational marihuana laws. She stated there has been a lot of discussion on these two items at the federal level. She explained there is currently a bill being discussed to allow the banking industry to bank with regard to medical marihuana, and there is a bill to declassify the schedule of marihuana from a Schedule 1 down to a Schedule 2.

Mr. Aiello noted several states that intend to go legal with marihuana, as well as those that have already done so.

Mr. Charron questioned how the edible marihuana products monitored. He questioned whether the processor creates the edible product or whether that is done by the provisioning center.

Ms. Zielinski replied the processor produces the edible marihuana product. She added that the product is labeled with its THC content, CDB content, any allergens, and although it is not monitored under the Food and Drug Administration in Michigan, they are meeting all of their labeling standards to create a product for consumption.

Mr. Aiello stated it is sold to the provisioning center under strict guidelines of packaging and labeling. He cautioned it is just like any other medication, and when the patient gets it, he/she has to be responsible and taken with the same analysis as anything else prescribed by a physician.

Ms. Zielinski replied to inquiry that the processor will receive the dried flower product from the grower, and from that, they will extract their oils. They will not be selling the actual plant product to the provisioning center. The grower can sell directly to the provisioning center because there are patients who prefer to inhale as opposed to ingest. She added there is a market for both.

Mr. Brumbaugh questioned how much it costs to grow and process 1 pound of marihuana.

Ms. Zielinski felt that may be a bad example.

Mr. Aiello stated it could cost from \$300 to \$500, depending upon whether the grower knows what he/she is doing, although it could be a lot more. He compared it to a tomato plant, noting that when it is planted, it can grow, or there could be a mishap, causing a loss of a crop.

Mr. Brumbaugh inquired as to how much a patient pays for that same amount of marihuana once it is processed.

Mr. Aiello replied it is typically going for between \$18 and \$20 for about a half-gram of oil. He replied to further inquiry that he could not provide an accurate

guess of how much it would take to grow that amount because it depends on the skill as a grower and processor.

Mr. Brumbaugh felt that someone has to know how much money is being made by the people in Colorado. He questioned how much profit the average grower and processor make relative to what is being paid for the end product. He felt that statistic is needed.

Ms. Zielinski suspected that some of the people in the audience may be experienced in the industry and could weigh in on that question. She stated she does not grow, process or sell so she does not have the answer.

Mr. Aiello generalized it is between \$3 and \$5 to grow and process one-half gram of oil, but it is dependent upon how skilled they are in the process.

Mr. Brumbaugh inquired as to whether medical marihuana is covered by any type of health insurance.

Ms. Zielinski replied it is not covered by insurance.

Mr. Brumbaugh noted that there is a possibility that recreational use of marihuana will be on a ballot proposal in November. He questioned what affect, if any, that will have on the Township opting in at this point on the medicinal marihuana.

Ms. Zielinski replied the state would regulate the recreational marihuana as well. In the initiative, it gives the locals the same ability they have now to choose. In the same way they can opt in for the medical marihuana, they would also be able to decide whether or not to opt in for the recreational marihuana.

Mr. Brumbaugh questioned what Ms. Zielinski anticipates happening to the medical marihuana industry if the recreational marihuana initiative is passed.

Ms. Zielinski felt there may be a slight decline in the medicinal marihuana; however, she cautioned that the taxation on recreational marihuana is significantly higher than on medicinal marihuana.

Mr. DiBartolomeo inquired as to whether the pricing on the products will be regulated.

Ms. Zielinski replied they will be able to price it at market demand.

Mr. DiBartolomeo questioned whether there will be background checks for those working at provisional centers, and whether they will be licensed.

Ms. Zielinski replied that all employees will have to have background checks by the state, although each individual employee will not be licensed. She assured there is extensive background checks for any employee who will be working in one of these facilities. She replied to further inquiry that there will be a limit on how much can be purchased, based on prescriptions. She pointed out that circles back to the state-wide monitoring system being implemented. When a card is scanned at a provisioning center, it will recognize the patient ID and will know this is an active patient and the purchases that patient has made and dates of those purchases. She assured it will all be monitored. She did not feel there will be any issue with the market making a huge profit, and they have not seen that in any other states, noting it is a multi-billion dollar industry.

Mr. Aiello stated the idea is to get out in front of it before all of the other communities do.

Mr. Charron questioned the THC and the potency level required and how it is monitored.

Ms. Zielinski replied it is all regulated by the State. THC content has a limit, and everything that will be sold to a patient will be labeled with all of the product information.

Mr. Aiello explained the product has to go to a tester who will analyze it for fourteen different things, including fungus, bacteria, among numerous other items. The test result will come back to the grower, and there is a pass/fail grade. He assured that a good store with a good operator will not only have everything well-labeled from the manufacturer, but the staff will also be educated on the product and everything will be labeled as to what is in it, the origin. He claimed the biggest stores out west are incredible, and he claimed people who walk in are taken back by how beautiful they are. He compared them to fine jewelry stores. He cited a couple of stores out west that he recently visited and brought ideas back to his clients. He explained the customer is greeted by a friendly employee at the door, and he indicated they are not security guards. They provide their ID to that person, obtain a number, and once checked in, they are buzzed inside another door. There is a budtender at that point, and he/she has an iPad. He/she takes the customer around to all of the display cabinets which, under Michigan law, cannot be accessible to the customer. Everything is under lock and key. The customer, upon viewing the displays, places his/her order, the budtender punches the order into the iPad, and the customer is led to an ATM-type machine. It spells out exactly what is being purchased, and at that point, the customer inserts cash or credit card into the machine. A receipt is generated, and the customer can take the receipt to the counter for his/her prepackaged order. He noted that a lot of stores already have the product prepackaged. The customer receives his/her product in a bag and can leave. He claimed the atmosphere in these stores is great, and he felt the employees love what they do and enjoy helping people.

Mr. Charron questioned who monitors the security system in these facilities. He noted that if they opt to include in their ordinance that the latest and greatest security system must be incorporated, who monitors whether that requirement is being met.

Ms. Zielinski replied the State, as well as the local law enforcement agency.

Mr. Charron inquired as to whether there is some monitoring device or company who will provide this security check.

Ms. Zielinski replied they are required to maintain six months of security footage and their requirements are extensive.

Mr. Charron inquired as to whether the Township would have the right to tell them they have to use a certain security firm.

Mr. Aiello replied everyone in the state is referring to the emergency rules because they are so intrusive and are set up to protect the customer and the community.

Ms. Zielinski replied the Township has the ability to set their own security requirements, but what is imposed by the State may trump what the local authorities put in place. She replied to further inquiry that the Township can require security so if they want each facility to have 24-hour surveillance by a security guard, they have the right to incorporate that into their ordinance and request that of the owners.

Mr. Charron inquired as to how the air is monitored for odors.

Ms. Zielinski replied they do not have to monitor that unless they receive complaints.

Mr. Charron inquired as to whether that would come under local jurisdiction.

Ms. Zielinski replied that would be under local jurisdiction, but she reiterated they would not need to check the air unless there were complaints. She noted the general concern with odor are the complaints from the residents in the community. She explained there is a machine that can be purchased which checks the air, but again, they would not need to do so unless there are complaints.

Mr. Charron inquired as to whether the odor is a health hazard or just a nuisance.

Ms. Zielinski confirmed it is just a nuisance, and she assured no one can get high from any odors emanating from a facility.

Mr. Aiello explained that in the provisioning centers, nearly everything is prepackaged, and the only time a store may have an odor is if they open a jar to pour out the contents. He explained that, regarding cultivation centers, the smell only comes when they are harvesting, and the odor is generated when the plant is cut down and the drying and curing period starts, between 7-14 days, depending on the grower. He stated there are carbon filters inside of these buildings, which he felt will be included in the requirements of the ordinance.

Ms. Zielinski commented that the state will put forth requirements for these facilities. The emergency rules were put in place based on public health, safety and welfare, but the department still has quite a few rules to go through and modulate. The emergency rules put into place only affected the health, safety and welfare of the public, so odor was not included in that list. She anticipated that there will be more from the State within the next six months to a year.

Mr. Deyak inquired as to the definition of “secure transportation”.

Ms. Zielinski replied a secure transporter is a business entity that is able to transport medicinal marihuana and/or currency from one facility to the next. They are only allowed to transport between those facilities and their home base. They are not transferring to any patients or caregivers.

Mr. Deyak inquired as to whether this is an armored car service.

Ms. Zielinski replied they are not requiring armored cars. It is a two-man operation, so one person will always be with the vehicle when the other person may be making the deliveries. There is shatter-proof film on the windows as well as camera surveillance for the safety of the employees of the secure transporter business as well as the safety of the product. The State has modeled these after the pharmaceutical industry, which transport opioids and other drugs in the same manner. She replied to further inquiry that they are not armed.

Mr. Opalewski questioned whether federally-insured banks cannot pull money from marihuana sales.

Ms. Zielinski replied that is correct.

Mr. Opalewski inquired as to whether these are mainly cash transactions.

Mr. Aiello clarified that there is a way they can apply, and it can be done as long as they do not mind the rules and regulations of the paperwork. The larger banks have said no, but the federal government accepts cannabis money, and he claimed there are banks and credit unions in the western states that are dealing with it. He further claimed there is a caucus setting up in the State of Michigan, and they are talking about getting involved with this.

Mr. Opalewski appreciated that they anticipate this will occur in the future, but he questioned whether it is mainly cash transactions at this point.

Ms. Zielinski replied affirmatively, which is why a secure transporter can take payment from the grower to the processor and vice-versa, in order to provide security for the industry.

Ms. West questioned whether a caregiver can also go in to purchase.

Ms. Zielinski confirmed a caregiver is considered a patient and can go in to purchase. The caregiver can continue to give care and can purchase on behalf of their patient.

Ms. West inquired as to how they dispose of any of the byproducts.

Ms. Zielinski replied that there is a waste management plan to which they are required to adhere to, so it will not get into the storm drains and will not be burned. She apologized for not knowing the specific details, but assured the waste management plan addresses these concerns.

Ms. West inquired as to whether the requirements as to what the employees need to know can be included in their ordinance.

Mr. Santia replied that can be required, but it is also part of the state law.

Mr. Brumbaugh referred to a comment made by Mr. Aiello that other communities have written ordinances for this. He inquired as to whether they can provide some examples of who they feel have written some good ordinances.

Ms. Zielinski assured she will provide those to Mr. Santia.

Mr. Santia confirmed that he has already received mores of them.

Mr. Brumbaugh did not feel the Township needs to “reinvent the wheel” when there are communities that have already done that.

Ms. Moseley stated there are people in the audience who wish to speak. She does not want to spend a lot of time on public comments, but understands that people have questions. She stated she would like to open the comments to the public, and acknowledged that they have some young people here as well as others from the local school districts, and she would like to hear their comments first because she knows they have to be in school early in the morning. She requested that comments be limited to a couple of minutes each. She indicated they do not know what they are going to do just yet with regard to the ordinance,

so they will not be able to address those questions at this time. If they have questions regarding the presentation, she welcomed them to bring those forward.

Mr. Ron Roberts, Superintendent of the Chippewa Valley School District, which is the seventh largest school district in the State of Michigan at 16,300 students, explained this is his seventh year serving as superintendent of this district. He noted that the Planning Commissioners should have each received an email that was sent from this office earlier today, which contained a letter from the Macomb County Association of Superintendents, comprised of twenty-two superintendents of the school districts located in Macomb County. He noted it is very hard to get twenty-two superintendents to agree on anything, but he claimed the one thing they all agree on is they feel they are on a “slippery slope” right now regarding the decisions that are before the Township and how they impact the educators for the kids in this community. He is aware this is about medical marihuana, and he is not here to talk about whether it is good, bad or indifferent, but he is concerned with the “normalization” of marihuana. He recalled when he grew up in the 1970’s, they were “wild times”, but it was made clear by everyone they were not supposed to be “doing drugs”, and there was a big education program in place to support that. Mr. Roberts felt that, by the community promoting or approving medical marihuana, it is a normalization of the use of marihuana. He was concerned the next step is to pass “recreational marihuana”, with the word “recreational” really bothering him. Mr. Roberts stressed that kids are impressionable, and this does make an impact on how adults behave. The ordinances put in place by Township officials make a difference to the children in the community. He has heard a lot about the money that may or may not be generated as a result of “opting in”, but he cautioned that with every action, there is a reaction, and one of the reactions will be the impact on their youth. He was concerned when that happens, no one will want to step up with the money. They will have to have more counselors dealing with kids, when kids are in hospitals because of this drug, when kids use this as a gateway drug to go on to other drugs, to which he pointed out there is proof that it is a gateway drug, and he suggested that the Township slow down when considering this issue. Based on some of the questions he heard tonight, he felt someone needs to come in and answer questions, and they should not be answered from the perspective of someone who is involved in the marihuana industry or has a profit motive. He felt some of the questions were very technical. He asked the Township to pay attention to other communities and what they do, emphasizing there is no reason for this community to be first. He suggested letting other communities go first to see how it works in their communities. He suggested they take a field trip and go to Colorado to experience first-hand what it looks like. They need to go into the schools in Colorado and talk to the school counselors. He stressed what the Township is considering does have an impact on the youth because it

normalizes marihuana use. He cautioned this community is now at a crossroads, and they have to examine what kind of community they want to be. He stated he has worked in the Chippewa Valley School District for forty years, and is very proud because he has viewed this as a community that has focused on kids. He stated that he is not sure putting dispensaries and taking that next step of normalizing marihuana in this community is a good thing for the kids. As an employer, he needs employees who can pass drug tests. He admitted that having dispensaries does not mean everyone will use drugs, but it will pave the way for increased use. He reiterated his request for the Township to slow down, study it further, talk to other experts and visit Colorado, because what he has learned about Colorado is not what he wants to see in this community. He emphasized that it does not matter to him that “these stores look like Louis Vuitton, where they open the pearly gates” and marihuana is being processed, and he did not think that is an accurate picture of the direction in which they want to go. He thanked the Commission for their consideration.

Three students from Chippewa Valley High School (Christina, Olivia and Mattie) voiced their opposition to allowing medical marihuana businesses in the Township. They fear for their safety, as well as the safety of their peers around them. They know students with no medical issues who have stated that when they turn 18, they know exactly which doctor to go to in order to receive a “card”, and they are worried about students having increased access and increased use of marihuana.

Dr. Dave Richards, resident of Clinton Township at 20921 Balfour, Clinton Township, Michigan 48036, as well as Superintendent of the Fraser Public Schools, spoke in opposition to the consideration of such an ordinance. As a resident and homeowner, he is concerned that the Groesbeck corridor would be a potential candidate for an area where this type of business could locate. He does not want this type of business near his home, and although there are a lot of empty buildings and industry in the area, he does not want to live in a neighborhood where this use is permitted. As a superintendent, he recalls being principal of Fraser High School when they were referred to as “Heroin High”. He stated they took on the battle, and he credited Judge Linda Davis and FAN (Families Against Narcotics) for all the work they have done. He claimed he has stood in front of too many kids’ caskets, has had to deal with too many situations where parents have lost contact with their kids, and he cautioned that, if the Township does not feel that by opting in, they are creating a gateway or desensitizing kids, they are extremely wrong. He works with kids every day and must deal with expulsions and situations where “really good kids” make bad choices. It starts with the educators taking a stand and saying “not us...not our community...not our kids”. He stressed that FAN is making an impact across the country and it is

because they took a stand. He challenged the Township to take that same stand on this issue and say no. He stated he visited a high school health education class today, knowing he would be attending this meeting tonight. He asked the kids what they felt it is like growing up in today's environment with the access to drugs, and he claimed they laughed, which he attributed as a direct result of the desensitization of the issue. He complained that there is a "puff factory" 500 feet from the corner of a soccer field, which he felt is ridiculous. Educators continuously tell kids "not to do it", and coalitions are all involved to help kids make good choices, but when local communities allow this, the kids become desensitized. They walk by the places every day, and eventually they will try it. They move on to try a lot of different juices in their vape, figuring no one will know. Their poor choices result in consequences, and he eventually has to look at these kids and tell them they can no longer attend the high school and there are no alternatives available to them because of their bad choices. He appreciated the fact there are students here tonight trying to fight for their classmates. As adults and authority figures, they have to take a stand. He is aware there is a lot of money that may be involved and a lot of business opportunity that comes along with it, but he has a problem, both as a resident and a school superintendent, when the Township's consultant is a lobbying firm. He stressed this is not what they want for the Township.

Ms. Kari Drogosh, Assistant Principal at Chippewa Valley High School, 49492 Evanston Court, Macomb Township, Michigan, stated her children are in the Chippewa Valley School District and she is a proud graduate of Chippewa Valley High School's Class of 1995. She was interested in hearing what the consulting firm had to offer to the Commission, and she took a few notes, especially those relating to what she compared to what she grew up hearing about the big tobacco industry, with the eye-catching ads and making it appealing. She pointed out the suggestion of a 1,000-foot buffer distance from schools and churches is less than the distance of a track, so she felt that is not far enough away. She explained there are 31 schools in Clinton Township, and she sits at a desk every day, with the majority of her job involving the discipline of students. Marijuana is one of the common drugs for which the students are disciplined, not only in Chippewa Valley but in districts all over the Township. When speaking with students, she is concerned with the fact their parents are accepting of this practice of illegal use because the children are underage and do not hold a medical marijuana card, their parents have medical cards so it is available in their home and they are provided easier access. She is aware this "opting in" could bring money into the Township and is business, but she stressed it makes her nervous to put money above the health and safety of the kids in their community. She found it interesting, when they were discussing how police would monitor these facilities, that the presenters would make a comparison of monitoring a barber shop or a dry

cleaners with monitoring a medical marihuana facility. She is concerned the appealing, eye-catching nature of these stores and the availability that comes to this community by opting in is a health hazard for the students. She stated her own children go to school in this district, and they will eventually drive with her every single day to the high school they will attend, and she stressed they take time every single day with their kids to educate them and help them to become better young adults and make better healthy choices for themselves. She expressed great concern that this will negatively impact the students in their community, and she thanked the Commission for hearing her concerns.

Dr. Dan Lawrence, 14111 Ivanhoe Drive, Warren, Michigan, stated he is a high school counselor at Chippewa Valley High School and has served in this capacity for 17 years. He agreed with Mr. Roberts' assessment of the "normalization" of drugs taking place, and over the 17 years he has served as counselor, he has witnessed the steady erosion of the perceived risk of drugs. It started prior to 2008 and it has accelerated since that time. Students are struggling in his office every day, falling behind, and when they are honest with him, they share with him that marihuana is their drug of choice. They are using it daily, and when he tries to have a factual conversation with them, the messages they receive are from the industry and not from science. He clarified that he knows the science part because his other job, in evenings, is serving as an adjunct instructor at University of Detroit Mercy, where he teaches in the Addiction Studies Department. He has a PhD in Counseling, and he studies and researches this topic in the hopes of helping future addictions counselors to help young people. Mr. Roberts' suggestion of slowing down and obtaining more facts before making a decision, getting more information from people who do not have a money stake in this, is something he would like to urge the Township to do. He thanked the Commission for hearing his concerns.

Ms. West clarified that Ms. Zielinski and Mr. Aiello are not the Township's consultants, but they are a part of the process of getting an education on the topic. She indicated they will be having more people come in, and these are not the only two people they will be hearing from. She reiterated that, while they respect these people, they will be getting more information.

Ms. Moseley felt the presentation was excellent, there was information included for which they had no prior knowledge, and there is information they would have not known had the presentation not been given.

Ms. Barb Towner, a community member for nearly thirty years and serving as Library Board president and community volunteer, thanked Ms. West for clarifying the fact that these presenters are not the Township's consultants. She stated she has two kids, as well as nieces and nephews, who graduated from Chippewa Valley High School. She stated she also

serves as coordinator for the Chippewa Valley Coalition for Youth and Families, and has served in that capacity for nine years. She commented it is a great organization and they have partnered with Clinton Township on a lot of things, such as the vape ordinances, drug take-backs, etc. She stated their mission is to join community and school together along with parents to prevent and reduce substance abuse for youth and all of the negative consequences that come with it. She stressed they are about education and research-based information that they share on alcohol, marihuana, prescription drugs and suicide, and they hope they are getting the message out. She expressed concern about the changing face of the community and its impact, and she thanked the Commission for listening to her concerns.

Mr. Brian Rebbling, 20921 Balfour, Clinton Township, Michigan 48036, stated he is a resident of the Township and a community organizer in Macomb County, and a big part of his job is advocating for students in communities in which they serve. He recognized the need to regulate the substance for the safety of their community, but he stressed it is not the solution. Communities that have increased access to marihuana, whether it is medical or recreational, have a reduced perception of harm towards using the substance, and research shows an increase in the school-age population. He urged the community to take the time to research the facts and the potential negative effects it can have on the youth, schools and the entire community as a result. He thanked the Commission for their time.

Ms. Ann Perry, 16612 Sarjay, Clinton Township, Michigan 48038, understood that the discussion at this point is regarding medical marihuana, but she emphasized it is still illegal on a federal level. When they ask how the money will be regulated and how much will be brought in to the local community, they do not know because it is still all cash and they are not allowed to have bank accounts. She felt until the federal level makes a decision to not make marihuana a Class A narcotic, she did not feel the Township should be talking about this at all, especially in light of the fact that the Midwest is suffering from such a terrible drug problem. She stated she has a son who is a recovering heroin addict. He was a Chippewa Valley student, and she is thankful he has survived. He has been clean for six years, but she emphasized that his gateway drug was marihuana. He, along with many of his friends, are seeing too many young people in caskets, and she stressed the gateway drug in these cases is marihuana. She pointed out the Township does not have enough money for police to patrol the streets now, let alone to start when this is brought in. She added that, although they say it will be regulated by the state, she claimed they are still bringing in a criminal element. She did not feel the Township should be the first to do this.

Ms. Diane Blain, 43168 Herring Drive, Clinton Township, Michigan 48038, a resident of the Rivergate Subdivision and a 17-year employee of the Chippewa Valley School District, stated she has supported many Township initiatives, programs, blood drives and many of the people who serve as elected officials in the Township. She stressed she is vehemently opposed to medical marihuana growing operations, sales and commercialized businesses in the Township dealing with marihuana. She felt it is the wrong move for the Township, and she felt they can do better. She could see the areas where they would like to spur economic development, and she agreed she is also concerned about those areas, but she questioned what else they have tried, and why they have to resort to growing and selling drugs in this community, which is putting their children at risk, inviting crime with all-cash businesses, and possibly affecting home values. She stated she does not think she wants to live in a community that has these types of operations. She pointed out communities all around Clinton Township that are not considering this option and have been successful, with vibrant business communities and are possibly doing something different. She urged the Planning Commission, as they move forward with their recommendation, to give that thought and come up with other alternatives. She urged the Township Board to step back, think, and slow down because when the consultants and people from Colorado come into this community and reach their goal, they will leave, and the consequences of the decision will rest solely with the Planning Commission and the Township Board. She stressed she is completely opposed to it, and she claimed others she has spoken to do not even know this is going on. She thanked the Commission for their time.

Ms. Charlene McGunn, Director of the Coalition for Youth and Families, and she claimed their charge is protecting the youth of this community. In the process of the work she does, she, along with others, has spent the last 13 years tracking what has occurred in Colorado, as well as the state of Washington. She noted that Colorado approved medical marihuana in 2000, recreational marihuana in 2012, and moved to commercialization of recreational marihuana in 2013. She claimed the state of Washington has followed a similar path. Approximately eight months ago, Las Vegas approved recreational marihuana. She claimed that Massachusetts was mentioned, and in talking with coalitions in that state, "it is a complete mess". She cautioned that marihuana is an addictive drug that is increasingly being vaped by kids. She stated that, as an individual who has treated adolescents and young adults in substance abuse and addiction, she can vouch for the fact that it is a gateway drug to stronger drugs. She stated there are now four studies that show the movement from marihuana to opioids in young adults ages 15 to 24, and she felt a great deal of information was provided to each Planning Commissioner in a packet prior to this meeting. She would like to provide the Planning

Commission and Township Board with further information on the harmful effects of marihuana, on behalf of the many agencies and coalitions in the County. She cautioned that anything that commercializes marihuana will “put a face on that drug” and increase youth use, and she indicated the information she has will show that. Ms. McGunn stated if the Township wants to look at the money or revenue possibilities, they need to think about the human cost of what they are considering. She stated she would be happy to come back with others and provide them with more information. She thanked the Commission for the opportunity to speak on this issue.

Mr. Carl Etue, 38871 Red Oaks, Clinton Township, Michigan 48036, stated he is going to “swim in a different direction on this”. He stated he is in favor of an ordinance to allow the Township to opt in on marihuana. He claimed he has a friend who “used to take opioids like chicklets” for pain, but with the ability to consume marihuana cookies, he no longer has to be on opioids. He has another friend who smokes marihuana twice a day and is now pain-free. He explained his nephew has multiple problems with his knees, causing him extreme pain, but he has a medical marihuana oil he can put on his knees and he now has no pain. Mr. Etue agreed with others that this needs to be kept out of the hands of children, but he felt that raising this kind of fear in the community is “crazy”, and he challenged those who are opposed to medical marihuana to “do the research”.

Mr. Shaun Mansour, Attorney, 38550 Garfield, Suite A, Clinton Township, Michigan 48038, urged the Township to restrict the big companies from California, Oregon, and Colorado coming in to the Township and opening large facilities. He felt they should keep these businesses in the hands of the local residents. He suggested the budtenders be trained to have on-site physicians or pharmacists who will educate the customers or patients on how much they should be taking. He questioned how they will prevent customers coming in daily or multiple times a day. He felt there are certain restrictions they can put on these businesses, and he has been telling his clients to have a plan for their employees, which should include employee handbooks for everyone who will be involved in the operation. He urged them to do their research on how many people should be allowed to come in at one time, and age restrictions need to be placed on them. He appreciated the Planning Commission’s time.

Mr. Jared Maynard, 35956 Vaughn, Clinton Township, Michigan 48035, stated he spoke in favor of this move in front of the Board of Trustees to opt in. He stressed that he is very partial to not allow underage students to smoke cigarettes, marihuana, drinking or take drugs. He stated he would like to hear from each of these school superintendents is what type of counseling is offered to students when they admit that they are smoking

or taking drugs. He felt they need to look at keeping it out of kids' hands. He stated he cannot control that a parent has a medical marijuana card, nor can anyone else if the parent leaves the card laying around and the kid takes the marijuana to get high. They cannot control the fact that a kid knows a doctor who will write a script for a card. He suggested there should be a different way for those cards to be issued. Mr. Maynard expressed concern that they are losing sight of the people who are in need of the medical marijuana. He recalled a gentleman who spoke at the Board level about having to drive to Lansing to pick up his medical marijuana. He mentioned that one of his good friends from high school has cancer and he has to take the medical marijuana to be relieved of his pain. He felt there needs to be a balance between students but also those who generally need this. He suggested in creating the ordinance, they should do their best to mirror the state standards. He explained he is part of a company that is filing 987 pages for their state application next Thursday, and he felt the Township should also require all 987 pages for an application to either grow or run a dispensary in the Township. The Township needs to know exactly what the state knows, and they should be aware that there is a \$6,000 fee for him to go through a background check. He felt that the Township should require a separate background check, and the applicants should be required to pay whatever fees are set. He claimed the fees are very high, and the state also requires that he be fingerprinted so they can determine whether he has committed any felonies. He added that he is also required to turn over three years of taxes, and three years' worth of every month's bank statements. He stated he knows a lot about point-of-sale in Colorado, and knows who wrote the laws in California, and he would be glad to come in and talk to the Township about it, and show them what their retail sites look like. He assured they bring a "Cadillac" of services. He suggested the hours of dispensaries could be limited so that they do not open until after schools are already open, and they could be required to close at 8 p.m. He reminded that this is for marijuana that has been prescribed for patients. He also stated they have a prevention program and videos that is a mandatory part of their business in Colorado, and they go into the schools to talk about this.

Ms. Moseley stated this is a work session, and they are not making any decisions tonight. The purpose was to gain information this evening, and she was glad there were people both for and against the issue so they could hear both sides. She questioned Mr. Santia as to where they go from here.

Mr. DiBartolomeo stated the presentation made by Ms. Zielinski and Mr. Aiello showed the positives, but he would like to see "the other side of the coin" so they have a full view. He would like to know if there are statistics and studies that reflect the negatives.

Mr. Brumbaugh viewed this in a way that it is not the Planning Commission's decision as to whether or not to have an ordinance. He claimed this Commission was given that job by the Township Board of Trustees, and although he does not like it, he felt they have to do it. He clarified their job is not to determine whether it is good or bad, but their job is to develop an ordinance they believe protects the community to the best of their ability, and to present that proposed ordinance back to the Board of Trustees. He appreciated everything the schools have said, especially speaking both as a spouse and a parent of teachers, but he felt they need to proceed forward discussing what they need in an ordinance and looking at some ordinances that have been passed in other communities.

Mr. DiBartolomeo stated there may be an ordinance they come up with and will have to recommend to the Board, and he emphasized that he wants to be fully informed on both sides. He commented that tonight's presentation was great, but it was one-sided. He felt there is a study available that shows why it is not a good thing for a community, presenting statistics of how marihuana is a gateway drug. He stated he has been to FAN every year, and has seen what goes on with high school teenagers who started as athletes and end up with injuries and on drugs. He emphasized there is a huge opioid addiction problem, and he questioned whether marihuana is another easy stepping stone for those people. He agreed with Mr. Brumbaugh, but stated he would like to see "the other side of the coin", not necessarily from an advocacy group but he would like to view a study.

Ms. Moseley agreed with Mr. Brumbaugh that this Commission has been directed to come up with an ordinance; however, she also agreed with Mr. DiBartolomeo because if they have the task of putting an ordinance together, then possibly something they see on the negative end will encourage them to add something to the ordinance that will reflect what they find.

Ms. West felt they need to stay away from the positive and the negative. They want to hear from someone who has had it in their community and can provide information on the repercussions on things such as number of police calls in their community, etc. She stated she does not know whether there are positives and negatives, but she stressed there are people who need the medications with THC in them but they are so overpriced that the people in pain cannot afford them, so there are people who need to use the marihuana, which she felt is a much better choice than opioids. She sensed that part of the problem the schools are experiencing is children getting ahold of their parents' marihuana card, and she questioned how they can address this. She felt they need to make an informed decision. She questioned Mr. Roberts as to whether he has ever been to Colorado and talked to the superintendent of the schools out there.

Mr. Roberts replied he has not gone to Colorado but has worked with people who have.

Ms. West stated she has been to Colorado and has worked into both the medicinal and recreational facilities, and has talked with the people behind the counter. She claimed she has bad knees that should have been operated on years ago, and she has the marihuana cream that she uses when her knees cause her a lot of pain. She would like to hear from an educator in Colorado as to how much the legalization changed what they were doing. She requested that if Mr. Roberts could refer someone to her so she could talk with him/her, she stated she would appreciate it.

The question was raised as to the Commission's thoughts on where they would like to see these dispensaries, and whether they intend to keep them hidden in industrial districts, or whether they will be in commercial areas such as the corner of 16 Mile and Groesbeck.

Ms. McGunn stated there is an enormous amount of evidence available to the Commissioners in two federal reports. One of those reports is out of Colorado and is dated 2017, called "The Rocky Mountain High". The other report is out of the State of Washington, and these are the two "poster child" documents as to what happens with marihuana. The second is a huge report that will answer all of the Commissioners' questions. It is federally-funded and it is high-intensity drug-trafficking, all of the information coming from school districts, public health, etc. She stated she would be glad to forward those to the Commissioners.

Ms. West reminded they are only discussing medical marihuana at this time.

Mr. Santia commented that the presentation today was not pro-marihuana but the presenters explained the law, which was the intent. They can all learn what the law allows and what needs to go into an ordinance. He agreed with Mr. Brumbaugh that the Township Board charged them with coming up with a Zoning Ordinance, so that is what they need to do. He does not have a problem taking extra time and exploring the information the schools may be able to provide to try to answer other questions they may have so they can be better informed. He added it may help them create a better ordinance. He stated the bottom line is that they have to create an ordinance that will go back to the Township Board for their review.

Mr. Opalewski inquired as to the time line for this ordinance to be prepared.

Mr. Santia replied there is no time line, and they have whatever time it takes. If they are not ready to make a decision for whatever reason, they do not have to make a decision by a specific date.

Ms. Moseley inquired as to whether it would be possible to do a little more research, although she clarified it should not necessarily be "internet" research because not all of that information is true.

Mr. Santia replied he is sure they can contact some doctors, possibly some from the Detroit Medical Center (DMC) who have expressed some interest in providing information. When they had a public hearing last year at Macomb Community College, there was another doctor who was part of the presentation panel. He suggested they try to get someone who is not biased, and he assured he will do the best he can. He inquired as to whether the Commission would like to see this on their next agenda. He replied to inquiry that they have three other items on the agenda at this point.

Ms. West inquired as to whether they could have some small work groups because she would love to discuss it with her colleagues.

Mr. Santia stated they could have a smaller group or hold a special meeting.

Discussion took place regarding whether they will hold a special meeting.

Ms. Moseley thanked everyone for coming and making their comments, and she recommended they “stay tuned”.

A brief recess was taken at 8:50 p.m., and the meeting reconvened at 8:54 p.m.

## **REPORT OF MEETING**

### **-- APPROVAL OF THE DECEMBER 14<sup>TH</sup>, 2017 REPORT**

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Motion by Mr. Brumbaugh, supported by Mr. Deyak, to approve the report of the December 14<sup>th</sup>, 2017 Planning Commission Meeting, as submitted. Motion carried.

## **PLANNING COMMISSION SCHEDULE OF MEETINGS**

### **-- NEXT MEETING SCHEDULED FOR THURSDAY, JANUARY 25<sup>TH</sup>, 2018**

Mr. Santia confirmed the meeting for Thursday, January 25<sup>th</sup>, 2018. He informed that they will be considering three site development plans. Two of those are actually part of Conditional Rezoning. The site development plan is for a storage building at Chateau Mobile Home Community. One of the site plans related to a Conditional Rezoning is for Garland Commons, to be located behind the Family Optometry P.C. building on Garfield, just south of Children’s Hospital. The other site plan related to a Conditional Rezoning is for Hampton Senior Assisted Living Facility, to be located on the vacant property fronting the north line of 15 Mile Road, west of Kelly Road.

Mr. DiBartolomeo stated that, due to a scheduling change at work, he will not be in attendance for the February meetings, and he may miss one of the meetings in March as well, so he requested to be excused.

## **ADJOURNMENT**

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Motion by Mr. Charron, supported by Mr. Opalewski, to adjourn the meeting. Motion carried. Meeting adjourned at 8:56 p.m.

Respectfully submitted,

*Denise C. Trombley*

Denise C. Trombley, Secretary  
CLINTON TOWNSHIP PLANNING COMMISSION

ces:01/14/18

ces:01/15/18

*Approved 01/25/18*