

CHARTER TOWNSHIP OF MONITOR
SPECIAL PLANNING COMMISSION MEETING
February 26, 2019

The meeting was called to order by Chairman J. Frank at 7:00 p.m.

The Pledge of Allegiance was recited by all present.

Members present: J. Bellor, R. Campbell, D. Darland, J. Frank, Connie J. Schweitzer, T. Miller, B. Reder

Members absent: None

Also present: R. Sheppard, Planning Attorney; J. Valentine, Planner, K. Malkin, Supervisor, Todd Levy, Mark Asmar

Motion by D. Darland seconded by B. Reder to adopt the agenda as presented.

Motion carried.

Motion by B. Reder seconded by R. Campbell to approve the minutes of the February 5, 2019 regular meeting as presented.

Motion carried.

Public Input

Chairman J. Frank opened public comment at 7:02 p.m. and closed public comment at 7:03 p.m. with no one present, wishing to speak.

J. Frank introduced a letter written by Kiara Huber, 334 Midland Road, concerning possible odor from the facility located at 391 Midland Road.

Items for Consideration

Terra Capital Industries, LLC

J. Frank opened the Public Hearing for Terra Capital Industries, LLC/AEY Capital, LLC tenant.

J. Valentine began a review of AEY Capital, Special Use Permit and Site Plan Review, which included the existing structure, parking lot, loading dock area, trees for screening, dumpsters, odor, signage and security. Also, outlined were the following conditions:

1. All future expansion and site modifications shall be subject to site plan and special land use approval. Only uses included on the current site plan are considered at this time
2. The site plan is approved by Planning Commission and all approval conditions of Township are met.

3. All County and State requirements and permits are granted obtained prior to granting a Certificate of Occupancy.

B. Reder expressed concern for the drainage system of two farms to the west of 391 Midland Road, that have tile running through 391 Midland Road. There was also concern regarding the fence and a railroad spur. B. Reder wanted to know if these concerns would be addressed.

Mark Asmar, AEY Capital, LLC replied, "Whatever it takes"

J. Frank asked if it was AEY Capital intentions to replace the fence.

M. Asmar confirmed that the fence will be replaced.

D. Darland questioned transfer of product.

T. Levy explained that a truck would be backed up to the loading bay and loaded inside the loading bay. Product will not be loaded from outside the building.

D. Darland questioned the signage in reference to "Marihuana"

T. Levy stated that the sign is a requirement under the administravtive regulations under LARA.

D. Darland questioned a possible odor problem.

T. Levy advised that there are three different types of filters: ozone generator, carbon filters and a canister filter. Canister filters are changed monthly. If all three filters are running at the same time, you will have no odor either inside or outside the building. The only odor will be in the grow room.

T. Miller shared an article from Science Magazine regarding growth of legalize marihuana and emissions. He applauded AEY Capital, for the filter systems they will be using to create an odor free zone.

J. Bellor made reference to the Fire Chiefs review of a key box containing MSDS sheets and a fire alarm system. J. Bellor made a recommendation of inviting the Fire Chief and his staff to tour the facility upon completion.

B. Reder suggested to have a copy of the MSDS sheets on file at the Monitor Township Fire Department as well as in the key box.

T. Levy stated MSDS sheets would be sent in PDF format to the Fire Department.

R. Sheppard spoke of the ten (10) additional licenses that were approved at the February 25, 2019 Board meeting and stated another review may be needed.

K. Malkin stated that the additional licenses do not impact the site plan or special use permit because there is no change to the original footprint. An additional review would be needed only if the footprint changes.

T. Levy explained that they have 30-50 employees in their original plans, the additional plants do not require additional people.

R. Sheppard summarized that there should be a final conforming site plan with all conditions met that have been addressed, before final approval is given.

J. Frank inquired about the process of oil extraction and what happens with the waste after the extraction process has been completed.

T. Levy explained the extraction process. When the process is complete, the total THC is less than .3% and is not recoverable. Waste, which is compared to sawdust, is then sent to landfill transported by a licensed company or used compost to the local farm community.

Planning Commission asked T. Levy to breakdown the building blueprints.

T. Levy reviewed the building blueprints and answered questions regarding--the fence, dumpster, loading bay.

A discussion continued on drainage, on site fire hydrant and a fire sprinkler system.

J. Frank opened public comment at 8:03 p.m.

Mark Suchy, 2185 N. Union Road, asked if the waste is harmless and chemical free--free of any toxins.

T. Levy explained that there is nothing harmful in it to begin with. Everything has either been cooked off or picked off. The end waste product was referred to as lawn waste.

J. Frank closed public comment at 8:11 p.m.

Motion by T. Miller, seconded by B. Reder move to approve a special use permit for the two facilities of AEY Capital LLC/Terra Capital Industries conditioned upon:

1. No odor beyond the facilities boundaries.
2. No discharge of water offsite.
3. Perimeter fence is replaced as indicated by applicant.
4. Approval of the site plan and a final conforming site plan indicating all the planner suggested modifications.
5. Fire chief requirements.
6. Township engineer's approval including recognizing the need to facilitate storm water drainage.
7. Road commission approval.

8. Also, with the understanding that any modifications beyond the presented footprint will require an additional review. Violations of these conditions could result in the forfeiture of the special use permit.

Roll Call Vote:

Yes: Bellor, Campbell, Darland, Frank, Miller, Reder, Schweitzer

No: None

Absent: None

Motion Carried

Motion by J. Frank, seconded by D. Darland to recess the public hearing, table the consideration of the site plan and reserve the right to modify conditions of the Special Use Permit to the March 5, 2019, Planning Commission meeting.

Roll Call Vote:

Yes: Bellor, Campbell, Darland, Frank, Miller, Reder, Schweitzer

No: None

Absent: None

Motion Carried

Motion by R. Campbell supported by J. Bellor to adjourn.

Motion carried.

Meeting was adjourned at 8:36 p.m.

Respectfully submitted,

Connie Schweitzer
Secretary

CS/djp