

ARCADIA TOWNSHIP PLANNING COMMISSION  
PUBLIC HEARING  
NOVEMBER 16, 2021  
FANSON – CONTINUATION FROM OCTOBER 19, 2021

A Public Hearing of the Arcadia Township Planning Commission was held on Tuesday, November 16, 2021, at the Arcadia Township Hall, 4900 Spencer Street, Lum, Michigan. Chairperson Lashbrook opened the meeting at 7:30 p.m.

ROLL CALL: Members present: Lashbrook, Woloszyk, McClelland, Arnold and Poniatowski. Absent: Kennedy, Howe. Others present: Resident Robert Jarrett; Greg Snoblen, Craig Fanson. Recording Secretary, Teresa Gormley.

MOVED BY McClelland, SECONDED BY Woloszyk, to approve the agenda as presented. MOTION CARRIED.

MOTION BY McClelland, SECONDED BY Arnold, to approve the Minutes of the October 19, 2021 Public Hearing. MOTION CARRIED.

Chairperson Lashbrook opened the Public Hearing stating this is the continuation of the last month's meeting to allow the applicant Craig Fanson the opportunity to tell us why he is here. Due to Fanson's absence at the last hearing due to covid, Lashbrook stated that the Planning Commission had gone as far as they without the Applicant present. Before allowing Fanson to speak, Lashbrook read a letter from a neighbor, Susan Thompson Reichenberg, who owns property around 3131 Bowers Road, in opposition to this matter. A copy of that letter will be attached to these minutes.

Fanson stated that he is requesting a Special Approval to request to operate a medical grow operation located at 3131 Bowers Road, Attica, Michigan. Fanson resides at 3145 Bowers Road, Attica, Michigan. Fanson had in attendance with him his lead engineer, Mr. Greg Snoblen, who is the engineer for the building. Snoblen has been working to integrate the Co and CO2 system to kick gas off and kick fan on. This has been challenging.

Fanson stated that he wished to get approval of the home occupation in medical marijuana, and acknowledged the recent visits of Woloszyk, McClelland and Poniatowski. Fanson said the facility is fully installed with the exception of what Snoblen will be doing. Fanson has two other barns on the property that may be torn down. The main pole barn is near his neighbor, Robert Jarrett's house. This is the barn that will be used for the grow operation.

Fanson explained that he is retired engineer from Ford Motor Company and uses cannabis for back pain. He started this process in March of 2020, then the pandemic hit hard. That was the time he decided to retire from Ford's and pivot out of the auto industry and go in this direction.

On June 10, 2020, Fanson requested an address for the lot from the township. That was granted, being 3131 Bowers Road, Attica, Michigan. His intentions were to have one building and one building only, acknowledging that is what the township allows.

Fanson shared that he was born and raised in Lapeer, Michigan and has been around Lapeer most of his adult life. He did some travel with his work and stated that he has had five generations of family live in Lapeer County.

There will be 26 lamps – double “Davida” lamps. Fanson provided plot plan schematic layout for the building. He stated that he respected the moratorium the township placed on grow operations and by doing so, he got rid of 60 plants and kept only 12. His intention is should he get approval he will get back to 72 plants.

His operation does have CO2, an air unit, 3’ foam ceiling, 2’ foam on walls and a dehumidifier system, adding that he has not had any complaints from anyone in the neighborhood. And with that, respectfully requested the approval and permit.

Lashbrook asked Woloszyk, McClelland and Poniatowski, who did site reviews within the last couple days, if they have any questions for Fanson.

Poniatowski – If you have hazardous material, where is it going to be located?

Fanson – it is organic and I have a Safety Data Sheet I can show you.

McClelland – When I visited I noticed a drain pipe on outside west end in case of overflow.

Fanson – the plants are organic. It’s essentially reverse osmosis. Coming from air units and dehumidifiers. Nutrients are placed in barrels and eventually it goes into an automatic feed system based on a timer.

McClelland – are you licensed by the state?

Fanson – yes, with five patients as well as 12 plants per patient.

Poniatowski – So you are retired from the automotive industry?

Fanson – yes

Poniatowski – Are you looking to make a profit?

Fanson – I am doing this for myself and my patients. Compassionate care. It is illegal for me to make a profit from this.

Poniatowski – yes, it is. I just want to be on the same page with this. These are two lots together – this needs to be two acres, we have .5. The lot lines are off. Rear and side yard needs to be 50 and we have 15' in the back.

Fanson – it is more like 25 in the back.

Poniatowski – if my math is right I get 47'. Does home and barn need to be on the same parcel?

Discussion about whether house can be on one parcel and barn on the other.

Fanson passed out a document which contains his formal request for a variance, adding that he did receive “grandfather status” from (Supervisor) John Howell.

Discussion about combining these parcels and then going to the Zoning Board for a variance approval.

Fanson stated that he wanted to do this better, referring to a prior hearing similar in nature held a few months earlier where the applicant was unprepared.

Poniatowski stated that all the boxes are checked. Everything seems to be in order, but we have an issue with lot size and setbacks.

Lashbrook – Because of the size and lot lines, we need to have approval from the Zoning Board.

Woloszyk – This is a very professional job. Of course, we did not have any direct documentation.

Fanson – Air draws in ...

Woloszyk – I understand that... usually use dampers.

Fanson preferred Snoblen to address so Lashbrook opened public time for Snoblen to address this body.

Opened public time at 7:55 pm

Greg Snoblen, 74 N. Elm Street, Lapeer, Michigan. I am a licensed builder and licensed mechanical contractor for 45 years. There are dampers in the system, controlling CFMs at any given point.

Woloszyk – The main trunk is not insulated.

Snoblen – Not at the moment. I did not install original duct work. My biggest concern is the CO2 and carbon monoxide equipment and what's out there is very limited to get it set up to code.

Woloszyk – No odor outside.

Fanson – Using carbon filter system. I submitted for mechanical permit so CCA would grant a permit so we get approval here.

Woloszyk – How did it get that far?

Fanson – I worked with a gentleman for layout. It wasn't commercial when I started but now it is. I am an engineer but I am limited (in my knowledge). Still working on controlling CO and CO2 systems to shut down.

Woloszyk – Beautiful installation, all in place and THEN it comes to us. We are behind the horse (referring to the cart is before the horse analogy). We should have been in at the beginning.

Fanson – there was no ordinance at the time. There was a moratorium and I had to wait.

Poniatowski – What are your plans for the building if you don't get approved?

Fanson – I don't know. I hope that we get the approval. There is a lot of money invested.

Lashbrook – we need to look through the permit to see if it is correct.

Poniatowski - \$135,000 invested but no profit?

Fanson – I can't make a profit but I have the facility. It is brick and mortar.

Poniatowski – It has a latch and a lock.

Fanson – Double security door, keyed from inside, lock mechanism on back side of door.

McClelland – Do you live there by yourself?

Fanson – I'm a single man.

Lashbrook – This does not meet the minimum lot size and setbacks.

Fanson – As far as you can see (around my property) is field.

McClelland – but it may not be field forever.

Fanson – I would like to remind you that the building was there before the ordinance.

Lashbrook – That is something for the Zoning Board. The lot size is under two acres. I feel very confident in your lighting, ventilation, cabin filtration system... you will need a combination putting the lots together.

Lashbrook then asked this Commission if there is anything that they see that would be approved?

Woloszyk complimented Fanson on a nice job.

Poniatowski stated that Fanson's presentation was much better than previous one.

Arnold stated that there is that issue of lot size and setbacks.

The Recording Secretary stated that she would try to set this matter for hearing with the Zoning Board on or about December 7, 2021 but that is determined on whether she can align a quorum, get it noticed in the local paper in time, and get the residents within 500 notified timely.

Fanson – if there is an inspection and it does not meet the parameters any longer, this can be revoked. My neighbors all know and support me.

Lashbrook – we have a letter from Mary Thompson Rifenbark against this.

Opened to public at 8:15 pm.

Robert Jarrett, 3109 Bowers Road, right next to Fanson's place. Jarrett stated that Fanson is not in operation right now.

Lashbrook stated he is but just for his own use.

Jarrett – I have smelled a little bit of "skunk" – I am told it smells like skunk. I have smelled it a couple times. Doesn't bother me now but I don't want it regularly. My other concern is cars and traffic.

Arnold – that is not allowed.

Jarrett – Thank you for allowing me to attend these meetings.

Poniatowski to Jarrett – You can always complain to the township.

Woloszyk to Jarrett – so odor is your number one concern.

Fanson – it is my number one concern.

Woloszyk – make sure those filters are changed.

Fanson – yes

Public time was closed at 8:22 pm.

MOTION BY Arnold, to approve conditionally upon approval from the Zoning Board of Appeals on acreage and lot size, and to have the property combined.

Lashbrook – the address of the permitted grower matches the address of the growing facility.

Fanson – Madame Chairperson, I will make that happen.

Arnold amends Motion on the floor: MOTION BY Arnold, to approve conditionally upon approval from the Zoning Board of Appeals on acreage and lot size, and to have the property combined, and that the Home Occupation goes with the Homeowner.

SECONDED BY Woloszyk.

Roll Call Vote:

ARNOLD, YES; McCLELLAND, YES; LASHBROOK, YES; WOLOSZYK, YES; PONIATOWSKI, YES. ABSENT: KENNEDY AND HOWE.

YES (5) NO (0) ABSENT (2)

MOTION CARRIES.

MOTION BY Arnold, SECONDED BY McClelland to adjourn this Public Hearing at 8:28 p.m. Motion carried.

Submitted by:

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Teresa M. Gormley  
Recording Secretary

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Richard McClelland  
Secretary