Green Lake Township Recreational Marijuana Sales Public Hearing

September 27, 2021, 7:00 p.m.

Called to order at 7:00 p.m. by Supervisor Radtke.

**Roll call**: Marek, Biondo, Kramer, West and Radtke present. McDonald arrived late, **was attending a Planning Commission meeting**. Bieganowski absent and unexcused.

Supervisor Radtke asked everyone to please be respectful, respect your right to comment and respect others’ rights as well and do not interrupt, everyone will get their turn to speak and voice their opinion.

**Public Comment**:

**Brian Immink**, 9551 Tenor Dr., Interlochen, Michigan: Been a resident since 1989, been a marijuana user for a long time, been a legal marijuana user since 2008 so what is being discussed doesn’t really affect him as he has a medical marijuana card and is already being taken care of by a business in Green Lake Township. It is his understanding that 3 out of 4 people in the Township voted to approve recreational marijuana. You are having people from your Township travel to Benzie County or Kalkaska to purchase recreational marijuana, bring sales to the Township. The money currently is not being left in the Township. We have the largest State Park Campground where its visitors are looking for a place to purchase recreational marijuana. Between Memorial Day and Labor Day, he suspects Interlochen Alternative turned away 600 to 1000 people away. Think of the money they are losing by sending people outside of the Township to purchase it and then bringing it back to ingest it. If you are looking for a business model for selling recreational marijuana, you already have someone who has been selling medical marijuana in the Township for years and has not had any problems.

**Steve Ezell**, 2074 J. Maddy Pkwy., Interlochen, Michigan: (non-resident) Interlochen Alternative Health owner. We have been here before with the medical marijuana. This entire industry has changed pretty dramatically. He did research today the medical marijuana cards peaked in 2018 at 309,000 card holders and since recreational marijuana was approved in 2018 by a 56% vote throughout the state and 75% vote in Green Lake Township the number of cards have gone down 20%. The trajectory is it will continue to drop, people will not renew their cards because they feel the state has already approved recreational marijuana. That is why he is present, to make his case to allow him to stay in business because if you look at the trajectory, in a couple of years its not going to be favorable for medical marijuana.

That is why he is present tonight to try to approve the sales so he can stay in business.

**William Murgan**, 1590 Innwood North, Interlochen, Michigan: He is present to advocate in favor of recreational marijuana sales in our Township. The points the gentleman made about the money leaving here then coming back to ingest the product makes perfect sense. I am strongly in favor of this, and he knows Steve’s business is first rate and he knows it will be equally first rate for recreational sales too, which is to say responsibly run.

Green Lake Township Recreational Marijuana Sales Public Hearing Cont. 9/27/21 Page 2

**Public comment continued**:

**Denise Peppler**, 1854 Round Lake Rd., Interlochen, Michigan: (see attached follow up email received after the board meeting). She works in the medical field as an inhalation therapist, and it is wildly known of the dangers of smoking tobacco and or THS laded marijuana, weed or what ever you want to call it. There is amble research stating the adversities, the risks of addiction, the affect on brain development, how it is related to increased mental illness, the risk of increased motor accidents, the risk of cancer and other health effects. Even though there is some evidence that it can help glaucoma and nausea associated with other illnesses but that is covered under the medical marijuana legality that we have. It is federally illegal to possess marijuana despite Michigan’s ruling on calling it legal. When she did a recent real estate closing, title insurance companies won’t even ensure lands that are related to the sale, manufacturing, etc. of marijuana because of the Federal law. She does not understand how our Township is going to financially gain, I can understand how one or two businesspeople could gain financially, but I do not see what our Township is going to gain financially or otherwise, we already have enough accidents in Interlochen, we have a lot of youthful young people 18 and older associated with our beautiful college of music and I am opposed to this coming to our Township.

**Brian Winicki**, 4045 Euclid, Interlochen, Michigan: Is in attendance to support the request. The State law is the State law. There is 23 or 24 States now that have recreational marijuana and he looks at the revenues that being generated around this. In a very undeveloped market, the last pay out to Benzonia was $84,000.00, Kalkaska was $84,000.00, Baldwin two stores $56,000.00 so it’s about $28,000.00 worth of tax receipts that are not coming back into the local Counties and Townships. The way the law is written, 15% goes to the County, 15% goes to the Township, 35% goes to schools and 35% goes to transportation. So, it’s just not the business owner who is making money, but the County is going to get money back from the sale. He thinks its all around us and isn’t going away and he thinks the Federal Government will be taking it off the schedule 1 and then it will really explode. He thinks its something we should entertain to do in the Township.

**Ryan Kulawiak**, 5340 Karlin Road, Interlochen, Michigan: He is definitely pro recreational, he has had epilepsy his entire life. Whether people have a medical card or not, they are going to get what they need. He use to have to go to Honor or somewhere else and it is definitely taking revenue away from this area, people travel to here which means they will spend money at other places too just on the pure notion of coming to that specific spot. It is nice to be able to go somewhere and get positive input or direction on what medicine you should get.

**Wilford Wurm**, 10764 White Pine Road, Interlochen, Michigan: It is all around us, he knows a lot of people in this Township who do smoke weed and the fact that it is legal he would rather see the store open and be able to sell recreational marijuana then off the other end of Gonder Road there is a parking lot where the trails are and there is a lot of activity that goes on down

Green Lake Township Recreational Marijuana Sales Public Hearing Cont. 9/27/21 Page 3

there. He would rather see it be more up front, being done properly like this gentleman does running his business. Kalkaska and Cadillac and Benzie County they are making their money off it and they are doing it legally. He just wants to see it done legally.

Supervisor Radtke gave a brief overview on recreational marijuana sales. Yes, the State of Michigan did vote to allow adult use recreational marijuana. However, it does not give the right to sell it, it is legal to use it and grow it, there are guidelines that LARA has put out. The Township did opt in for medical marijuana years ago and we set standards. We have two facilities who have complied with the States requirements, and we have had no substance, substantial issues with regards there. But, with that being said, there is an ordinance now that allows medical in the commercial district, industrial district etc. with certain setbacks. The board has been working on this for quite some time, some people say it is way too long, others say we shouldn’t have worked on it at all. Long story short, there are some proposals that yes, we will recognize the State and our voters did vote for it in the neighborhood of 3 out of 4, give or take a percentage. Considering what we have worked on and looked at, we have had some fairly decent discussion amongst the board over the past couple of years. There are people who have taken a position. One gentleman asked about the map when he arrived, this map indicates currently we have three licensed marijuana businesses. Two absolute licensed facilities and one that is being challenged currently. This map indicates these three existing facilities and the recommended spacing distance of a half mile from a facility of like or similar nature and indicates a 1000-foot separation between churches, schools, and licensed care facilities. On this map you will notice peach-colored areas on the map which are locations recreational marijuana sales could exist under the proposed zoning ordinance and police power regulations of 2640 feet and 1000 feet from a church, school, or licensed care facility. As we look at the map, the peach-colored areas where it would be permissible to allow adult use recreational marijuana facility. Take into account if one facility goes into one of those locations, that removes a half mile radius of any other similar type uses being placed within that vicinity. That is the existing draft regulations that we have developed, presented, and proposed.

Trustee McDonald arrived from the Planning Commission meeting.

Supervisor Radtke stated he would like to open the public hearing and run it as a public hearing/townhall meeting so the board members can interact with the public. He reminded everyone we have been receiving postcards and we are preparing a spreadsheet which indicates yes/no vote, resident/nonresident and including comments written on the card or emailed to the Deputy Clerk.

Supervisor Radtke stated in 2020 $28,000.00 was given, per dispensary, to any Township, City and or County in the event there were no Townships on the record. In 2021 the amount was down to $22,000.00 per dispensary.

**Open public hearing**: Moved McDonald, support Biondo to open the public hearing at ~~8:27~~ **7:22** p.m. Carried, 6/0.

Green Lake Township Recreational Marijuana Sales Public Hearing Cont. 9/27/21 Page 4

**Discussion**:

**Brian Immink**, 9551 Tenor Drive, Interlochen, Michigan: He indicated there are many ways to take marijuana, edibles, or smoking. He is a big believer in recreational marijuana and the person running it in Green Lake Township is high class and they are not a franchise, there a mom-and-pop operation and they could use some help and recreational sales would have them because they have had to turn away a lot of customers this year. Everyone attending the meeting who has spoken has been in favor of this.

Supervisor Radtke stated there is a 10% excised tax collected and allocated for recreational marijuana sales and Mr. Winicki gave the breakdown earlier.

**Kelly McQuillan**, 6901 Sullivan Road, Grawn, Michigan (non-resident): Asked what identifies the peach areas? Are they industrial commercial what signifies this area? Planning and Zoning Director Alycia Reiten explained she took the existing marijuana facilities and using the basis of the draft ordinance separation of the 2640 distance between any, as well as the 1000-foot buffer between any of them for any church or daycare and what is left, are the parcels identified in pink/peach that are commercial. Kelly wanted to clarify the title of the meeting Recreational Marijuana Sales Public Hearing. Is this compartmentalized to include sales, research and development and transportation. Are these compartmentalized or are you considering them all in one bucket? With research and development, we do not care if it is rec or medical so that is not the issue at hand. The growing is being worked on currently with the State of Michigan so that is off on its own at this point. So, we are basically talking sales.

**Denise Peppler**, 1854 Round Lake Road, Interlochen, Michigan: She would like to make a clarification, as an inhalation therapist, I have a duty to my community to advocate for healthy things in our community. There are different ways to take THC you can inhale it or eat it as edibles, but the THC affects the body in the same way, it stays in the body and the body takes it in at different rates and times but all of the adversities that affect our health because of marijuana usage, its all the same whether you inhale it or take it in as food. Food is chemicals in our bodies. Anything we put in our body affects our body and its our blood and vascular system that is most impacted by THC. Our blood and vascular system are related to our heart which is right next door to our lungs so our whole body is one big system. The adversities she mentioned are for both inhaled and edibles. She has a duty as a medical professional in this community to advocate for what is best at keeping our community healthy. I understand the huge financial focus on the community and money is important, but our health is important and there is a lot of misunderstanding. She referred to the New England Medical Journal which is one of many great sources of information on marijuana and its affects.

Green Lake Township Recreational Marijuana Sales Public Hearing Cont. 9/27/21 Page 5

**Discussion continued**:

**Ryan Kulawiak**, 5340 Karlin Road, Interlochen, Michigan: Stated there are many people who drink, and no one bats an eye at it and if you look up statistics that way on how many people are drunk driving and hitting cars causing accidents. People are going to have issues you still need to handle anything responsibly but to say health reasons in the mix is just not a smooth transition when you consider all the alcohol and things, we have in the area too.

**William Murgan**, 1590 Innwood North, Interlochen, Michigan: Asks that the board to take into serious consideration with how the community voted and the turnout tonight is clearly in favor of, and he would ask the board to keep that in mind and do the right thing.

**Brian Winicki**, 4045 Euclid, Interlochen, Michigan: When you look at the fully developed recreational marijuana, the estimates are $192 to $200,000 in local tax revenue per school, those are pretty significant numbers and if you start thinking about Benzonia they have three at $600,000 in one year. He thinks we need to look at the today but also where this is going. He thinks if we don’t get in front of it and manage it, he feels we are missing the boat.

**Steve Ezell,** 2074 J. Maddy Pkwy, Interlochen, Michigan, (nonresident): The lady mentioned she had emailed you; I was told to direct all email deputyclerk@greenlaketownship.org and she is directing emails to you? Supervisor Radtke stated she had left a phone message on his phone with a question of was the meeting at 6:00 p.m. tonight or 7:00 p.m. tonight.

Steve Ezell asked if these emails that are being sent going to be acknowledged or what? Supervisor Radtke stated yes, the Deputy Clerk is acknowledging receipt of the emails. He reminded Mr. Ezell all postcards, emails, and public comment at all three meetings will be added to a spreadsheet for board review before a determination is made. Clerk Kramer also stated, you need to remember it is Green Lake Township residents/property owners whose responses/vote will count, the board will review outside comments but since this decision does not affect nonresidents, there votes will not count. Mr. Ezell asked what about residents who did not receive a postcard? Supervisor Radtke stated it was mailed to all property owners and if someone did not receive a postcard and would like to contribute public comment, there are two more public hearings being held or they can send and email or letter to the Deputy Clerk.

**John Peppler**, 1854 Round Lake Road, Interlochen, Michigan: There is a lot of bureaucracy here obviously it is going to cost money. Just like this guy is all worried about his business so he is saying you did not send it to every resident. Another point, two wrongs don’t make a right, he quit drinking 29 years ago and he doesn’t do dope anymore and he feels its just a gateway, and that is his opinion. He thinks if people can’t handle life without drinking and doping then he doesn’t know what to say to them. That’s just my opinion.

**Denise Peppler**, 1854 Round Lake Road, Interlochen, Michigan: There have been some comments about alcohol but what is interesting alcohol driving we have a mechanism called a breathalyzer, so the statistics are out there, so we know what accidents are related to alcohol. Do we have equal technology so we can recognize when accidents occur how many are due to being under the influence of marijuana? I work at the ER at the hospital, and it is amazing how

Green Lake Township Recreational Marijuana Sales Public Hearing Cont. 9/27/21 Page 6

**Discussion continued**:

many accidents occur in Grand Traverse County and adjoining Counties, it is amazing. But is there technology to show if people are driving under the influence of marijuana? Supervisor Radtke responded to his knowledge not to the level of the breathalyzer or immediate results of blood tests. Comparing alcohol to marijuana is not the topic tonight, we are discussing whether recreational marijuana sales should or should not be allowed in the Township.

**Yvonne Holland**, 5409 Betsie River Road, Interlochen, Michigan: Wondering what the take is on pharmaceutical drugs as far as what a medical practitioner would say is healthy to be put in the body. People who get addicted to opioids are just as bad as something as depression and killing their inner self of just taking pharmaceutical drugs so you can just put one perspective on alcohol or marijuana or this, its healthy choice or not. If you go to the ER or just your doctor, my God, they just want to throw a pill at you. How can anybody without rationally saying being healthy taking your own responsibility of taking care of yourself yet its all a wrong world of big business taking over. You can’t just blame it on alcohol or marijuana, it’s all the big picture here, its not just one sided.

**Ryan Kulawiak**, 5340 Karlin Road, Interlochen, Michigan: I totally agree with the women that just spoke.

Steve Ezell, 2074 J. Maddy Pkwy, Interlochen, Michigan (nonresident): Steve stated he has weaned 100’s of people off opioids and alcohol. He feels it is not a gateway drug it is an off-ramp drug, and it has helped them to transition off opioids and alcohol to cannabis and there in bed asleep at night at 11 o’clock instead out carousing around town driving drunk.

Supervisor Radtke reminded Mr. Ezell he stood before this board three years ago and he made a statement in regard to recreational marijuana. What was your position? Mr. Ezell replied he stated he was opposed to recreational marijuana, and he still is opposed to it and the reason why is, he got into this for one reason only, that was the medical benefits of it. However, the landscape has changed dramatically and basically what he is seeing he will not be able to survive as a medical marijuana provisioning center, I am not going to. Andy McQuillan is here, and he has a medical marijuana grow license and he can not sell his product. Its all about recreational now. These people that have both licenses are selling 95% recreational and 5% medical. The medical cards are going downhill. His passion is the same, but the industry has changed. If he had his druthers, it would never would have been recreational but here we are, it is what it is and its here to stay. His position is, he wants to survive in this industry and the only way to do that is to sell recreational marijuana. Supervisor Radtke asked Mr. Ezell if the Township allows rec, if you are a successful applicant and are able to do recreational are you going to continue to do medical marijuana? Mr. Ezell stated his emphasized is on serving medical patients but unfortunately, you’re going to have to service recreational customers to stay alive. That is the bottom line. His wife is a cancer survivor that is how he got drawn into it, he wasn’t a marijuana user but since he discovered this and has seen it firsthand how much it

Green Lake Township Recreational Marijuana Sales Public Hearing Cont. 9/27/21 Page 7

**Discussion continued**:

benefits people, that is why he is in this. Now I am not going to lie, I want to make money so I can survive but medical is not going to survive long term. The number of cards is going down and it is going to continue to go down and eventually you are not going to be able to survive without recreational.

Testing facilities are currently very advanced. Since the State licensing came into effect, every single product is State tested. The product must be free of mold, pesticides or nutrients that could have chemicals in them, its all free of that. It is hard to pass the testing. The product is getting better and better.

**Andy McQuillan,** 6901 Sullivan Road, Grawn, Michigan(nonresident): He is the medical marijuana licensee and the Township Class A grower. Had there first and passed all the testing and inspections and can not sell his product. Medical facilities are dead, and they do not want his product even though it tested great. He is a big advocate for recreational in the Township and he hopes the board considers it.

Trustee West asked with all the testing they do with medical marijuana do they do the same with recreational marijuana? Mr. Ezell and Mr. McQuillan said yes it goes through the same testing as medical unless it is sold in the black market. If product does not pass testing, it must be destroyed. Trustee West asked since you have a medical marijuana facility, you can sell to a recreational marijuana facility, correct? Mr. Ezell and Mr. McQuillan stated correct.

Every plant is tagged, and they follow it through the entire process.

Clerk Kramer asked what is the price difference between medical and recreational? Recreational has a 10% excised tax on it where medical does not.

Clerk Kramer asked is there a limit on how much each person can purchase? They can purchase 2.5 ounces per day up to 10 ounces a month. After the limit has been reached, they are not allowed to purchase anymore. No one has ever exceeded the limit since he has been in operation.

Clerk Kramer asked how much marijuana does it take to make a joint? Mr. Ezell replied ½ gram to a gram.

Treasurer Marek asked if there is a different inventory for medical and recreational or do you sell the same inventory for both? The State requires that they be separated.

Mr. Ezell invited all the board members to tour his facility to learn more about the process and Mr. McQuillan invited the board for a tour as well.

**Brian Winicki** asked Supervisor Radtke if any of the board had consulted with Benzie County or Kalkaska County to hear what their experience has been since they allowed recreational marijuana sales? Supervisor Radtke stated there has been no substantial impact negative or positive in Kalkaska. The Lume, when they were the sole proprietor in Benzie County, many of the board members played witness to the issues they had with parking, people smoking marijuana in the parking lot, cars lined up and down U.S. 31 and security carrying weapons.

Green Lake Township Recreational Marijuana Sales Public Hearing Cont. 9/27/21 Page 8

**Discussion continued**:

Now that two other facilities have been allowed to open, things have settled down.

Supervisor Radtke stated he has talked with the county officials regarding these establishments and there has been no substantial impact negative or positive.

Treasurer Marek stated he was approached and asked why the Township was not allowing recreational sales in the Township, this person was very passionate about it. There are people out there, who I as a representative will listen too, who aren’t going to come to the meeting. It is really easy to get people to come to a meeting who are fired up and in favor of something or strongly opposed to something enough to put their time in. That is why we are taking the effort to send out the postcards. That is why we are taking the effort to hear from people who may not be comfortable coming and speaking in public because there are 20 people in here who are passionately in favor of it and there are ten people who are against, and those 20 people may not respectfully treat those people who are wanting to express their opinion differently then those who are in favor of it. We are trying to give everyone an opportunity to be heard. If we receive 100 postcards stating, they are against it but you have 15 people show up to the meeting who are very passionate for it do I just listen to the 15 people who put the effort in and attended the meeting or do I listen to the 100 people who took the time to send out the postcards or do I take everyone’s response into consideration when making my final decision. Our goal as a board is to try to figure out what the 75% of people who voted to legalize recreational usage in the Township want. The ballot did not state sales of recreational marijuana it stated legalizing the usage of recreational marijuana. That is why we are taking the input, that is why we are moving slowly because it is really easy to say no and then allow something later. It is really hard to say absolutely, open every pot shop on every corner and then a year later go oops, now we can’t allow. So, we are trying to do this in a methodical way to make sure that every resident has the opportunity to express their opinion, every property owner has the opportunity to let us know what they want and the residents to let us know what they want. You also need to remember that just because 15 or 20 people come to a board meeting and speaking in favor of, does not mean that’s what the majority of the people are communicating to the board members. It also means the dialogue will be respectful of people who have opinions opposite of yours.

Supervisor Radtke stated most of you that have attended previous meetings on this topic know what my position is. Let market dictate who is in and who is out. Allow it, my views are different from other members of this board, my views are different from other residents/landowners. It’s a chunk of change, $5,000 application fee, $25,000 annual return because of the sales of the excise tax, that helps. But does that use impact another economic development to come in? I don’t know.

Green Lake Township Recreational Marijuana Sales Public Hearing Cont. 9/27/21 Page 9

**Discussion continued**:

Trustee West asked if they would like to have a 1 million square foot 2 floors marijuana facility in this area? She knows where there is one at, its a quarter mile from her sister’s house.

Clerk Kramer stated if they beat the locals through the State process, that is what could happen.

Mr. Ezell stated based on section 6, paragraph 1 the Township has the right to say how many, where, when and what kind is allowed.

Supervisor Radtke stated his position is, yes let rec in in the commercial district, we have developed a draft ordinance and zoning district, he is comfortable with that happening with the existing three entities we have. Looking at the map, three more grower or whatever and that would be it. That would wipe out anymore types of those uses in our Township as it is written now. And as far as medical, Mr. Ezell understands my position on this. My position is, yes allow recreational marijuana sales within the boarders of Green Lake Township. We are not an island, we have over a half million visitors to our community annually, it is what it is, this is my position at this point.

Mr. Ezell stated he respects everyone’s opinions; everyone is entitled to their opinion; we are not trying to coerce people into supporting this. He just asks that everyone have an educated opinion, he can understand both sides.

**Close public hearing**: Moved McDonald, support Biondo to close the public hearing at 8:27 p.m. Carried 6/0.

**Public comment**: NONE

**Discussion**: Trustee Biondo stated our whole idea was to listen to folks and tally it up kind of get this thing moving. A lot of things have happened over the past years, and you get these things on your agenda, and you must deal with the ones who are at the top and this one, unfortunately, hasn’t been at the top. We are taking time to see if we can’t get this thing moving along. It isn’t to debate marijuana use or anything like that. I know we are getting all off on all that stuff, we got it. The board has taken its time to make sure we do it correctly to avoid issues other municipalities experienced. There have been a lot of changing rules from the State of Michigan that the board needs to take into consideration as well.

**Adjournment:** Moved Kramer, support Biondo to adjourn at 8:32 p.m. Carried 6/0.

Respectfully submitted,

Judith L. Kramer

Green Lake Township Clerk