

Franklin Township, Portage County
Zoning Commission Hearing
November 17, 2022

Members Present: Chair Mekal Banyasz, Reed Havel, Glenn Luttner, and Mary Organ

Others: No one else attended. Zoning Inspector Joe Ciccozzi and Secretary Jenny August were absent due to illness.

Call to Order: Ms. Banyasz called the meeting to order at 7:02 pm.

Approval of Minutes from October 20, 2022:

Mrs. Organ moved to approve the minutes from the October 20th meeting with a second from Mr. Luttner. All commissioners voted yes. The minutes were approved.

Discussion Topic:

Ms. Banyasz said there are three topics of discussion this evening. First, there is continued discussion on medical marijuana facilities in the township. The second topic is spot zoning. The third topic is an update on possible rezoning or a variance application for tiny homes on Kent State property. Ms. Banyasz asked to move the last two items to the next meeting's agenda. Regarding tiny homes, some paperwork and a jump drive was submitted to zoning. Ms. Banyasz will email these documents to the group so everyone can review it before the group from Kent State presents it. The Zoning Commission is still waiting on clarification if Kent State is exempt from zoning. More information is needed. Ms. Banyasz moved to have spot zoning and the tiny homes discussion continued to the next agenda. Mr. Havel seconded. All commissioners voted yes.

Continued Discussion on Medical Marijuana Facilities in Franklin Township

Ms. Banyasz provided a study about the environmental impacts of cannabis. It has a great break down about water usage with growing cannabis compared to other crops. Mr. Luttner noted that this study includes effects on wildlife. Mr. Havel asked if the University of Illinois used data for this study from many other states. Ms. Banyasz thinks it is mostly data from states that have legalized it.

Mr. Luttner noted that outdoor growth requires more water than indoor growth, possibly due to evaporation. Mrs. Organ said Ohio only allows indoor growth. Mrs. Organ said we have such a small amount of industrial land available compared to other townships in Portage County. We do have commercial land available. She would be comfortable adding language to our Zoning Resolution about medical marijuana cultivation but she would like to include buffers to residential areas to be fair to the people that live there. All of our industrial land touches residential areas. Mrs. Organ said we had discussed a 100-foot buffer from the medical marijuana facility to the residential property in addition to zoning setbacks.

Ms. Banyasz is not convinced that cultivation is even possible in the township given our limited resources. Mrs. Organ feels like they have done the research that the Trustees asked them to do. Ms. Banyasz would like to start getting the language together for the Trustees. She is not comfortable with cultivation because of the use of resources. Mr. Havel thinks that the EPA might be the governing body for cultivation regarding use of resources. He thinks the carbon footprint is coming more from the energy usage than the

water usage. Ms. Banyasz said it is difficult to compare to crops such as corn or soybeans because those crops do not use artificial light.

Mrs. Organ had information from the Portage County Sheriff's Dept and the Franklin Township Fire Inspector. She spoke with Det. Desario and he said they do not have any special protocol for medical marijuana facilities. They are treated like any other business when it comes to criminal activity. It is possible that someone from the Drug Enforcement Agency or maybe the Board of Pharmacy could be involved with their own investigators. Det. Desario also noted that medical marijuana facilities are required per ORC to have their own security detail. Sometimes off duty policeman work security detail. He wasn't sure how the Sheriff would feel about allowing them to do that because it may be considered to be a conflict of interest since marijuana is still considered to be federally illegal even though legal in Ohio. Working the security detail may be something that a retired officer or a security firm could provide to a medical marijuana facility. As far as Det. Desario is aware, the medical marijuana facilities and the vehicles that transport medical marijuana may not have identifying signs.

Mrs. Organ spoke with Richard Smith, the Franklin Township Fire Inspector. He also works with the city of Kent. He said they do not have any special protocol or training relating to medical marijuana facilities. They follow the same protocol as any other business. He did say that because they are medical marijuana facilities, they do make sure that because of additional security measures taken at these facilities, they have panic bars on the doors so people can easily get out in the event of a fire. Per the ORC, there may be sprinkler system regulations involved. Mr. Smith also provide a thick packet of information to her about Ohio medical marijuana regulations, policies, and procedures.

Mr. Havel also spoke with the Kent Police Department, and he said they are still working on all of the language before the facility on East Main Street can open up, so they were very cautious about giving information out about their policies. Mr. Havel thought if we look further into cultivation, we would want to look at surrounding floodplains that may be impacted by fertilizers that could be being used. The commission will need to research if that is something they can regulate. Regulations may require that wastewater is processed on site. Ms. Banyasz said we can research how septic systems work when there is a flood. Portage County has a flood plain map that can be looked at.

The commissioners agreed that they will research the carbon footprint, wastewater and flood plain restrictions for processing in medical marijuana facilities, and what happens with septic systems in a flood. Ms. Banyasz will ask Todd Peetz at PCRPC about the flood plain maps and she will also look into the commodity crops carbon foot print. Mr. Luttner will look into what happens with septic systems in a flood. He will also look into what happens when there is waste or effluent that needs to be taken away, similar to a superfund site that needs to be mitigated by the EPA. Mrs. Organ will refine the language that was originally created to propose to the Trustees.

New or Other Business: Regarding the 2023 meeting schedule, Mrs. Organ requested that there will be no meeting in May of 2023 due to her work schedule. Ms. Banyasz moved and Mr. Havel seconded the motion. All commissioners voted yes.

Next Meeting: The next meeting will be held January 19, 2023 at 7:00 pm.

Adjournment: Mr. Luttner moved to adjourn at 8:14 pm with a second from Mr. Havel. All Commission members voted yes.

Respectfully submitted by Jenny August, Zoning Commission Secretary.

Approved:

Mekal Banyasz, Zoning Commission Chair