

## PERKINS TOWNSHIP ZONING COMMISSION MEETING

Held By: Perkins Township Zoning Commission

Place: Perkins Township Service Facility, Meeting Room, 2610 Columbus Avenue

Date: October 12, 2021

Time: 4:30 p.m.

Board Members Present: Mrs. Cheryl Best-Wilke, Chairperson  
Mrs. Kula Hoty-Lynch  
Mr. John Lippus  
Mr. Billy Criscione  
Mr. Les Wilson, Alternate

Board Members Absent & Excused: Mr. Greg Schmid

Staff in Attendance: Mrs. Arielle Blanca, Zoning Inspector/Planner  
Mrs. Jessica Gladwell, Administrative Assistant

- I. Call To Order**
- II.** Mrs. Cheryl Best-Wilke called the meeting to order and welcomed the audience and the Commission. Mrs. Cheryl Best-Wilke led everyone in the Pledge of Allegiance.
- III. Roll Call**  
Mrs. Jessica Gladwell took Roll Call: Mrs. Cheryl Best-Wilke, here; Mr. Criscione, here; Mrs. Hoty-Lynch Mr. Wilson, here; Mr. Lippus, here; and Mr. Schmid is absent.
- IV. The approval of meeting minutes from September 13, 2021**  
Mr. Wilson made motion and Mr. Lippus seconded the motion. Mr. Wilson, Yes; Mr. Lippus, Yes; Mr. Criscione, Yes; Mrs. Kula Hoty-Lynch, Yes; Mrs. Cheryl Best-Wilke, Yes;
- V. Chairperson's Welcome and Explanation of Public Hearing & Public Meeting**  
Mrs. Cheryl Best-Wilke welcomed everyone to the meeting. She stated that the purpose of the meeting is to consider a request to change an item in the zoning code. The responsibility of this is only commission given to us by a zoning resolution to conduct this meeting. First, we will read the request then we will open a public hearing during which we will hear comments questions and any concerns from members of the audience. Then the public hearing will be closed, and the public meeting will open, during the public meeting commission members will discuss the request and vote on a recommendation to present to the trustees, weather to accept decline or table. Then our recommendation will be forwarded to the trustees who will consider the request at a future trustee meeting. Do we know when that next meeting would be?

Mrs. Blanca stated it would be two weeks from today, so Oct 26<sup>th</sup>.

## **VI. Reading of the Application**

The Perkins Township Zoning Commission will conduct a public hearing to consider amendments and addition to the text of the Perkins Township Zoning Regulation for Medical Marijuana Dispensaries.

## **VII. Open Public Hearing**

Mrs. Wilke opened the Public Hearing and said there is the time for anyone in the audience to ask questions, make comments or raise concerns.

## **VIII. Staff Review**

Mrs. Blanca stated that the staff is recommending the following with medical marijuana dispensaries primarily due to the state of Ohio releasing new/additional licensing opportunities for such facilities. In 2016 Perkins Township passed two resolutions, one prohibiting cultivators, processors, and retail dispensaries of medical marijuana in the township and one amending the zoning resolution to prohibit all 3 in all zoning districts. With the increased use of medical marijuana and the state releasing opportunity for new licenses it is evident that another dispensary will be located in our area soon. At this time the township is only considering lifting the prohibition on dispensaries, but cultivation and processing may be considered at a later time. The proposed changes are detailed in the staff report, but she went over them briefly.

### **Proposed Changes**

The following summarizes the Zoning Resolution current and proposed changes:

**Bold Text:** Added text

~~Line through Text:~~ Deleted text

Red Text: Comments

## **Article 3– CONSTRUCTION OF LANGUAGE & DEFINITIONS**

### **3.109 Medical Marijuana**

**Marijuana that is cultivated, processed, dispensed, tested, possessed, or used for a medical purpose.**

### **3.110 Medical Marijuana Dispensary**

**As used in Chapter 3796 of the Revised Code, means an entity licensed pursuant to sections 3796.04 and 3796.10 of the Revised Code and any rules promulgated thereunder to sell medical marijuana to qualifying patients and caregivers.**

### **3.111 Medical Marijuana Cultivator**

**As used in Chapter 3796 of the Revised Code, means an entity that has been issued a certificate of operation by the department to grow, harvest, package, and transport medical marijuana as permitted under Chapter 3796. of the Revised Code.**

### 3.112 Medical Marijuana Processor

As used in Chapter 3796 of the Revised Code, means an entity that has been issued a certificate of operation by the department to manufacture medical marijuana products.

Comments: To clarify. There was no existing definition.

## Article 17 – GENERAL COMMERCIAL DISTRICT (C-2)

### 17.2 Conditionally Permitted Uses

#### 14) Medical Marijuana Dispensaries

- a) A copy of a valid license to operate a Medical Marijuana dispensary from the State of Ohio must be submitted to the Community Development Department. In addition, a local emergency contact name and phone number must be on file with Perkins Township.
- b) Dispensaries are to be located no closer than 1,000 feet from any parcel on which sits a school, church, public library, public playground, or public park.
- c) Dispensaries shall not be located within twelve thousand (12,000) feet of any other dispensary.
- d) Dispensaries must have a Security Plan approved by the Perkins Township Police Department.
- e) Dispensaries must have a Site Plan and Lighting Plan approved by the Community Development Department.
- f) Outside sales or storage is not permitted.

Comments: To add retail dispensaries to the conditionally permitted uses section under C-2.

## Article 25 - SUPPLEMENTARY DISTRICT REGULATIONS

### 25.21 Medical Marijuana Cultivation **and** Processing ~~or Retail Dispensaries~~ Prohibited

Prohibit the location of any medical marijuana cultivators **or** processors, ~~or retail or other dispensaries~~ in any zoning district with the Township.

Comments: To remove retail dispensaries from the prohibited list.

**Mrs. Hoty-Lynch** asked if this was sent to Mr. Coppler to review this at all, or if this is something the community development department wrote.

**Mrs. Blanca** stated that it was something we wrote.

**Mrs. Hoty-Lynch** asked if we have reviewed the City of Sandusky, or Hurons.

**Mrs. Blanca** stated that we did review Huron's and they are very in depth, more in depth than we wanted to go, they require their own license in the city.

**Mrs. Cheryl Best-Wilke** asked why we didn't go into as much detail.

**Mrs. Blanca** stated that Huron requires you to get a license in the city of Huron, as we did not decide to do this.

**Mrs. Hoty-Lynch** stated that last meeting we discussed maybe an additional fee for that conditional use.

**Mrs. Blanca** stated after talking with the staff, we decided not to put that in there, but if that is something that you guys want to require. A conditionally permitted use does require I do believe a \$400.00 permit, which is just a one-time fee which is to go in front of the Board of Zoning appeals to get approval.

**Mr. Lippus** asked if Huron's is a onetime license or is it renewable.

**Mrs. Blanca** stated she did not recall.

Mrs. Gladwell swore the audience in.

**Chris Visco** (applying for a license). Asked if we are recommending a license in the township.

**Mrs. Blanca** stated no that is not something that we are requiring.

**Mrs. Hoty-Lynch** stated that one of our concerns are this could potentially or potentially not be a stressor on our already stressed police force. So, the consideration we discussed would be to have an annual fee of some sort to reimburse our police department for weather it be calls or alarms or anything that would go off.

**Chris Visco** stated that she operates in Pennsylvania and West Virginia, and I donate a ton of money to the police department because we don't actually want them anywhere near our facilities because it scares the patients. Crime goes down 7% in any community where a dispensary opens because we have so much security that it solves for crime around the whole area. As a matter of fact, two of our dispensaries we were able to catch criminals, one was a hit and run where we got the license on the cameras (980DPI) for clarity. Its very regulated no one can stay on the property, you can't enter without a card, we have security guards, and you cannot consume on the property and as soon as they are done, they leave.

**Mrs. Cheryl Best-Wilke** stated basically a person can come in with a prescription purchase it and have to leave.

**Chris Visco** stated yes, they can't even open the package. No one can smell it no one can look at it. We actually bring out fake product to show them how to properly use it and dose it.

**Mr. Lippus** asked if that is a property owner, or state rule.

**Chris Visco** stated that it is the state regulation.

**Mrs. Cheryl Best-Wilke** asked Chris Visco how long she has had these dispensaries.

**Chris Visco** stated that she was awarded a license in Pennsylvania in 2017 we happened to be the first to open in 2018, I have three stores there which happen to be the three largest volume stores in the state. We have had no problems, the communities welcome it because there is no loitering there is no stress on the traffic coming in and out, we solve the crime and opioid deaths go down 25%. Her average patient is 58, she has patients that are 12 months old and 98 years old.

**Mrs. Cheryl Best-Wilke** asked what kind of signage she has.

**Chris Visco** stated that you can't use anything that has a pot leaf on it or anything like that. It would just say the brand, we don't want to attract people.

**Mrs. Cheryl Best-Wilke** asked that they haven't had any issues with break ins or anything like that.

**Chris Visco** stated that you can't break into a dispensary, its so locked down, she will spend on average 1 million on security a year. All the products kept in the vault; 100 cameras surrounded the store.

**Brian Smith**, representing Marcie on a business standpoint – stated one of the things that he heard is that there is a 1,000-foot radius from any religious facility, daycare. That is twice the requirement from the state, so I am wondering why it is 1,000.

**Mrs. Blanca** stated that the staff recommended 1,000 to be on the safe side, I don't think we had specific reasoning.

**Brian Smith** stated Marcie has C1 and C2 on her property, so when you look at the map, the primary lot that has Manny's is C1 and the two parcels behind it are C2.

**Brian Smith** stated he thinks everyone should investigate Chris to learn about her and her business.

**Chris Visco** Stated that all of her employees are required to donate 16 hours a year to her nonprofit and our other community support. That's the biggest thing about going into a community and seeing the landscape and getting to know the people.

**Mr. Criscione** asked if the plan is just to be a dispensary

**Chris Visco** stated yes, they are only offering dispensary permits right now in Ohio.

**Mr. Wilson** asked Chris if she does recreational as well

**Chris Visco stated** that she has an adult use in Chicago that hasn't opened yet. All my others are medical.

**Chris Visco** continued to educate and inform the board of the state's rules/regulations for dispensaries.

## **IX. Discussion from the Board**

Mrs. Wilke asked for a motion to close the Public Hearing & open the Public Meeting.

Mrs. Best-Wilke made the motion, Mr. Criscione seconded.

Mrs. Best-Wilke, yes; Mr. Criscione, yes; Mrs. Hoty-Lynch, yes; Mr. Wilson, yes; Mr. Lippus, yes;

**Mrs. Hoty-Lynch** asked so it's a conditionally permitted use and you have these conditions but that will overlay to the other requirements for a conditional use anyways which includes the site plan and all that other stuff.

**Mrs. Blanca** stated yes, that would be parking, signage, site plan, everything.

**Mr. Criscione** stated his only concern is has there been enough thought going into what we are recommending with the staff wants to when they have the rules and regulations with the other communities/states. I hate to delay it, but we need to form another smaller committee to actually go into his a little bit further so we have a better recommendation for the trustees. Its vague to me.

**Chris Visco** stated if its not zoned for cannabis by Nov 4<sup>th</sup>, you won't get a dispensary as they must be submitted by then. Her and Mrs. Best-Wilke about her revenue she's made in the past.

Discussion continues.

**Mrs. Wilke** said she will entertain a motion to recommend approval, disapproval, or to table the application.

Mrs. Hoty-Lynch made the motion to recommend that we accept the language that was present by staff with the deletions of the retail dispensary from Article 25.

Mrs. Hoty-Lynch, yes; Mr. Wilson, yes; Mr. Criscione, yes; Mr. Lippus, yes; Mrs. Best-Wilke, yes;

**X. Old Business**

No old business.

**XI. New Business**

Mrs. Blanca asked if we could change the meeting time to 4 instead of 430.  
Everyone stated that's fine, just to check with Mr. Schmid.

**XII. Adjournment**

Mrs. Cheryl Best-Wilke entertained a motion to adjourn. Mr. Criscione Motioned Mr. Lippus seconded. Mr. Criscione, Yes; Mr. Lippus, Yes; Mr. Wilson, yes; Mrs. Hoty-Lynch, yes; Mrs. Best-Wilke, yes.