

XENIA TOWNSHIP JOINT TRUSTEE & ZONING COMMISSION

MEETING

January 31, 2017

THESE MINUTES ARE A SUMMARY OF THE EVENTS OF THE MEETING AND ARE NOT A WORD FOR WORD ACCOUNT OF THE DISCUSSIONS WHICH TOOK PLACE.

The Xenia Township Zoning Commission held a meeting on January 31, 2017 at 6:00 p.m. at the Xenia Township Trustees Office, 8 Brush Row Road, Xenia, OH, 45385 with the following members present:

Attendees: Steve Combs (Trustee), Susan Spradlin (Trustee), Jeffrey Zweber (ZC), Alan King (ZC), Donna Randall (ZC), Virgil Ferguson (ZC), Kent Harbison (ZC), Ken Penewit (BZA), Ed Jacobson (BZA) and Alan Stock (Administrator/Zoning Clerk)

Steve Combs called the meeting to order at 6:04 p.m.

Mr. Combs began with stating that topic one is just a reiteration that this meeting is for discussion purposes. The zoning commission is not interested in talking about anything specific proposals that may come up. This is a generalized meeting for both Boards to have discussions regarding the direction of each group.

Mr. Combs stated that the first topic would be about the direction the Trustees may go concerning HB523. The Trustees may approve or disapprove individually marijuana Cultivators, Processors, and Dispensaries, and the time the Zoning commission may have to process the next steps if any.

Mr. Stock advised that when HB523 first came out, the Trustees put a six-month moratorium on it and asked the Zoning Commission to do some research. This research was passed along to the Trustees in a previous Trustee meeting. Mr. Stock shared what the Commission had found so far. The Zoning Commission would like to know from the Trustees if they are interested in having one, two, or all three of the types of marijuana aspects in the Township. This way the Commission can use their time more efficiently and not talk about aspects of HB 523 that the Trustees may not be planning to have in the Township. Mr. Stock stated that he suspected that the Trustees may want to do another six month moratorium on this topic to give more time for discussion and to conduct public hearings. The current moratorium ends March 3, 2017.

Mr. Zweber stated since there are three types of businesses, he understands that it does not have to be all or nothing. Mr. Zweber stated that the zoning can be different for each type. There was discussion about how to tackle the topic of medical marijuana. There was also discussion about the three types of businesses regarding medical marijuana. There was discussion about the State requirements for becoming a Cultivator, Processor or a Dispensary.

Mr. Combs asked that since it is unclear whether there would be one, two or all three kinds of businesses, would the Commission want to implement zoning regulations for all of them just in case. Mr. Zweber stated that if the Township is not going to prohibit them, then yes he believes the Commission should implement them as land uses in a resolution. There was discussion about what the State is requiring for each business. Mr. Zweber stated that the State has been divided into six regions and there will be a certain number of each business into each region. Mrs. Spradlin read information regarding how the regions would be supplied with Cultivators. There was discussion about the rules set by the State for these businesses.

Ed Jacobson asked for more clarification because he had not had a chance to look at the information. Mr. Stock stated that he would email the information packets to him. He showed and explained the packets to him for clarification.

There was discussion about location and security for these businesses. There was discussion about whether the township could make any revenue from these businesses and how this could happen, for example, zoning permit fees and property taxes. There was discussion about the pros and cons of medical marijuana in the Township. There was discussion about conducting a public hearing and who should attend, for example only open to Xenia Township residents. This would allow this group to hear where the residents stand on this issue. There was discussion about finding dates in March for a public hearing and holding it in the Greene County Media Room on Ledbetter Road.

Mr. Stock asked the Board of Zoning Appeals members what they would like to have discussed at a future joint meeting. Mr. Penewit stated that he appreciated being invited to this meeting and that it is helpful because this will help the BZA understand the intent behind the Resolutions. There was discussion about having an open forum on Facebook regarding topics within the Township. There was discussion about what things they need to have in order to apply for a license through the State, including a local zoning permit.

Mr. Penewit asked for clarification regarding the Township's right to opt out of the whole program. Mr. Stock stated that was correct and the Township can do so with no explanation. He explained the options that are open to the Trustees. There was discussion about how the Township may handle these businesses. Mr. King stated that he had been asked by two people inquire about this issue. He stated that he told them that the Township was discussing it, and they asked him if they could hurry with a decision because they knew people who could benefit from it. He was told that these people are going to other states to get medical marijuana and it would help them if they did not have to go so far to get it. There was discussion regarding the Federal law regarding marijuana.

Mrs. Spradlin stated that one of her concerns was the security of these marijuana businesses. There was discussion regarding security for these locations.

Mr. Combs stated that this is a topic that needs to have more discussions. He wondered if there was any income for the Township in these businesses. Mr. Stock advised that these types of business do not change the taxes to the property. The Township would receive money for any zoning permit fees, but those are one-time fees. There was discussion about the advantages to

having these types of businesses and what would be reasonable and enticing fees for the Township. There was discussion about the difference between medical and recreational use. Mr. Harbison and Mr. Combs agreed that if there is medical use now, was recreational use down the road or in the near future.

Mrs. Spradlin stated that there was a lot of information and seminars at the OTA conference that dealt with Zoning. She wanted to let everyone that next year when they get the schedule that would open it up for the Zoning Commission and Board of Appeals to be able to attend if they chose to do so.

Mr. Combs moved to adjourn, Mrs. Spradlin seconded the motion. Meeting adjourned at 7:15 p.m.

ATTEST:

Alan D. Stock, Zoning Clerk