

RAVENNA TOWNSHIP BOARD OF ZONING APPEALS
JEFF GAYNOR, CHAIRPERSON, REMY ARNESS,
JOANN McEWEN, CLAIRE MOORE, AND GARY LONG

Jeff Gaynor brought the meeting to order at 7:05 p.m. Secretary took the roll call with Jeff Gaynor, Remy Arness, Gary Long, Claire Moore, Jim DiPaola, Zoning Inspector, and Carolyn Chambers, Zoning Secretary present. Absent was Joann McEwen.

Jeff: If you want to be heard and entered into the minutes you pretty much need to be sitting right there (points to the chair in front) because the microphone is a little limited. Comments from the people in the back will not be recognized by the Chair and will not be recorded.

Rule number 2 the Board does not like being interrupted and that is known to happen when people will not let the members of the Board speak. Is there any old business before the Board?

New Business- Variance request 2017 BZA 02 for FN Holding LLC, Chagrin Falls, Ohio for processing and cultivation of medical marijuana on a newly created parcel of land on Lake Rockwell Rd., in Ravenna Township. Are the applicants here and ready? Ok, we need to swear you in. Swears in Mark Thomas Hobson, I live at 8212 Chagrin Rd, Bainbridge Twp, Ohio.

Jeff: For spelling reasons, does the secretary have the spelling of your name and the application and so forth?

Tom: Yes

Jeff: What is the nature of your request please?

Tom: There is a currently zoned industrial piece of land that we got a purchase agreement for and we would like to get a variance for that land to be manufacturing and cultivating medical marijuana. Previously medical marijuana was not a legal substance in the State of Ohio so it wasn't contemplating when the zoning laws were written. When we were searching out properties we first came to the Township Trustees and ask if they would allow it and they said yes and we have a resolution to that effect and also we wanted to create as little storage as we possibly could and want to go into an area as close zoning wise as what we were trying to do and that would be manufacturing and I think the description of general industrial in the zoning law for the township actually states processing and manufacturing and actually Pharmaceutical as an allowed use in that zone. So since the medical marijuana processing and cultivation has now become legal in the State of Ohio we need to get a variance in order to do it on industrial land, because it wasn't contemplated when the zoning laws were written. So that is the reason we are coming here today.

Jeff: We are not surprised that we have some questions about your finished product and how it is handled and so forth. I understand that the growing of the marijuana plant will be done indoors.

Tom: That is right.

Jeff: Are these standard marijuana plants?

Tom: There is a lot of different strains, a lot of people don't understand this part of marijuana, and they think of marijuana they think of people in dreadlocks and playing hacky sack and messy around outdoors. Medical marijuana is not like that it's not like the THC content a lot of these are not very high THC part of marijuana plant that would be what people traditionally think of effect is part of it.

Jeff: Let's just enter in the record that THC is the abbreviation for Delta-9 Tetra hydro cannabinol.

Tom: Yes, so in truth various conditions are treated when you have a different profile. There are different strains of marijuana and different strains are geared to treat different things. So some plants have a very low THC, so if you smoke them or ingest them you wouldn't necessarily get high. What they would do instead treat whatever they are aimed to treat. There are twenty very specific strains that

Ohio has said and given a prescription for it and these things a good many of them maybe 15 or 20 of them have a different profile. So you grow different plants based on what you are trying to treat is.

Jeff: Is your finished product marijuana oil or the marijuana leaves?

Tom: The leaves, no, the leaves are not the finished product. You can vape marijuana, you can't smoke marijuana in the State of Ohio but you can vape it. I know it is a fine detail, but that is the way the law is written. So the finished product to us would be soil and there would be a bud that could be vaped as the finished product. There are other things that could be done with it in intense processing, we haven't really contemplated all the different things we can do with it, but right now that is our plan. Obviously, the more things we plan to set up the more you pay for license and the more complications there are and the more things could go wrong. We are trying to keep it simple.

Remy: How many total plants?

Tom: Well, there's 3,000 sq. foot of canopy that is allowed, so I couldn't tell you how many plants go into make that up, but it is divided they are not all plants. There are certain areas of the facility that you would have to put seedlings and things like that aren't really considered plants and they're not part of the canopy, but they get to be moved into the grow room when they are, I think, 8 inches high and they get moved in there so it is a complicated process and is all extremely tightly regulated, every aspect of this has been costly. Ohio has the toughest rules in the entire nation for cannabis.

Jeff: How many employees would you expect?

Tom: Initially between five and ten. Your guess is as good as mine as to where that is going to go. I've heard people say there is going to be shortage and I've heard people say a lot, so I don't know. It's a bit of a risk.

Jeff: Sounds like It is going to be a pretty significant investment.

Tom: Yes

Claire: Who are you selling to?

Tom: We would be selling to dispensers. So there would be no retail traffic, there will be no..... the only traffic that would be coming to our facility would be for pickup and delivery. That would probably be, my guess, would be two times a week and that probably wouldn't happen for a while, but you have to start growing and nothing can be delivered for quite a while.

Gary: Can you elaborate on your dispensers?

Tom: I am not planning to go for a dispenser's license.

Gary: Your customers

Tom: What would you like me to elaborate on?

Gary: Is it pharmaceutical? Is it State of Ohio Warehousing?

Tom: No, they are individual licenses, there are 80 licensing being granted in the State of Ohio they haven't written applications yet so I don't know what they look like and I don't know what their requirements are. I think they are coming out with too many rules on that application. So far other states have had them and I have a gentleman, who is more or less and expert on the marijuana laws and he has been working with the people that drafted the laws and I brought him along for questions like this that I don't have experience with, but my understanding is the way these dispensary's are going to work is no more than two people area aloud to work inside the dispensary at one time, so there will be a waiting room outside and one person outside and one person go in and it will be very heavily guarded. My understanding is every package, it's not going to be like a big bag of pot that people get off the road, they are going to come pre-packaged from the manufacture and they are not to be opened. You have a prescription for that, that you can get filled. That is my understanding of it.

Gary: What is your professional background?

Tom: I have owned two companies that have been in Auburn Township, I started the one company in 1985 in Chagrin Falls and moved to Auburn Township in 1989. They are both manufacturing, they don't manufacture, obviously cannabis, but they manufacture (not audible coughing). We sell a little bit in

Ohio, but we primarily sell in other states and outside the US. I have an office in the UK for that operation. I also have another company that does air pollution particularly from air smoke stacks dust collection and that is what that is primarily for.

Gary: So you do not have any professional back ground in growing?

Tom: No, as a matter of fact we do have to hire and has to be part of your team and we do have somebody that is part of our team. We are in the process of interviewing, I should say we have them or getting them. We won't get a license if you don't have somebody that's on your team that knows how to do this. We will probably have to bring somebody in from Denver to start out and maybe train somebody that is a horticulturalist locally. That is a process that is going to take some time. We will have a data expert working with us for probably several years.

Gary: What is the caliber of people that you will be hiring?

Tom: It depends on what job you are talking about.

Gary: Any from five to ten.

Tom: Well, three of them will probably going to be doing marketing. You are going to have to go out, I need field producers. I have to find dispensers that are going to buy it. So you have a marketing person, sales person. You are going to have people that have to work doing basically cutting the plants for harvesting the plants and trimming them for harvesting and I estimate that that's going to be two or three, you will have to have the horticulturalist, the cultivator so that will probably be two to three people they are not going to be harvesting all the time, you will need someone to go around and check the plant making sure they are healthy and then you are going to need obviously in sales and when the time comes to harvest that is going to be pretty intense, you will probably have to bring in extra people at that point. What their qualifications are they will have to be trained by us and have to have training prior training to that and everyone has to pass a back ground check that works for us. I don't know if I answered your questions.

Gary: You are getting there

Tom: What other questions to you have on that in mind?

Gary: You probably don't have an employment policy yet?

Tom: If we do, we don't have the business plan for it that is written, part of it will be written in the application.....

Gary: Will there be anything written in that policy for periodic and I don't mean once every six months. A drug testing?

Tom: I haven't talked to anyone yet, my preference is yes. I don't know what the policy stated on that, we are obviously going to stay in the out of state guidelines. Currently, I don't have a drug testing policy in my current company, but we have other things, I mean we don't have that problem that I've seen

Gary: You weren't raising marijuana either.

Tom: There will be a lot of security, for example so I don't know what you are trying to get at, but there won't be a problem with people using it at that facility, stealing it.

Gary: Giving it out at your facility is my main concern.

Tom: No, the security on this is very tight and the laws or the rules written by the state in order to get a license you're scored on your security and that being the most important part of the application. You have to have camera's everywhere, you have to be able to look back and this is probably where we should ask Kevin what the rules are. I would defer to him, on these questions I can answer some of these questions, but I can answer some of them but, I may have some of the details wrong, I know you have to have cameras throughout the facility you have to have biometric bulk stored in any finished product, so you are not going to be able to shove these off, there are going to be cameras all over the place if you have to look back and I believe it is three months that they have to be able to look back and look at the video tape. You have to be online constantly so someone in Columbus can monitor your site. I am, obviously always open to a spot check and they are saying now they would be in once a week, the

State will be in checking the facility. By the way, once you have a plan together and you submit it to the State, the State comes in and they don't sluff anything off, they look at what your application was and they are going through their check list. You said you were going to do this, did you do it? You run the risk of losing your license if any of those things aren't met. You get a provisional license to start you have to be up and running in nine months for it to turn into a real license and that point you have to definitely get everything you said you would have in that application that includes security and every aspect of your facility that you said you were going to do they are going to hold you to it. Then they will come in periodically, they are saying once a week at this point they will come and make sure nothing has changed and everything is working the way you said it would be and the way they feel it should be.

Gary: Still speaking of security, what's your plan on spot checking your employees when they leave the facility at the end of the work day?

Tom: The answer is, I will follow what the guide line are, and the guide lines at this point, I'm not sure they specifically state that and as far as spot checking on the way out, certainly we will have periodic spot checking, I'm not going to check them every day it will have to be something that happens more or less as the season goes on and you are within the harvest area, that is when you will be doing it. You are not going to be doing it, when it is out of season is not of any value, anybody be stealing. Keep in mind, people can grow marijuana right now in their houses and they do it black market wise all the time. They are not going to come into my facility, probably to steal a plant, they can do that at home without running the risk that they are going to run to come into my facility. If they come into my facility and steal something they're going to get caught, because all the points are checked, all the plants are checked every day if something is missing, we are going to know it. We are going to have a video tape to find out if something is missing and who took it, you are not coming into my place to steal marijuana, because you won't get away with it.

Remy: What is your perimeter security?

Tom: Perimeter security as written right now is going to be sensors all the way around with cameras periodically around the fences, you are going to have motion sensors, you are going to have obviously, video tape 24/7 on it and the fences will be locked with from the security company and I can't tell you exactly what it is going to end up being. We are in the process of doing all this. We don't have any rules for this written for this until a week and a half or two weeks ago they have been telling us what they might do and then they change it. So things have to, they are putting us under the gun right now to get it done in time.

Gary: Do you have a preliminary copy of those rules?

Tom: Of course I do.

Remy: Any live security on the premises? Like 24 hour live security?

Tom: We are debating that right now.

Claire: So that is not required?

Tom: That is not required. Right now what happens is the State is constantly having someone watching the facility in Columbus 24/7 of course we will be able to do that as well remotely. As far as if there is ever a problem, if any alarm goes off the State will be the first one to know and anything that is of value in this facility is going to be kept in a vault, until it's harvested it's not sitting around in a protected environment. It's not like it's not like your standard safe. This is not going to be, like something you can put a chain on and pull out of the place. Something like that, this is going to be, don't know the exact specks, but right now we are planning on using something that is rebarring force and planning on putting a basement in there to handle it.

Claire: When you are harvesting, that doesn't happen in just a day, so you are saying when it is time to harvest, you are moving all these plants.

Tom: Harvesting will happen pretty quickly, I think. This isn't a 25,000 sq. foot grow, it's 3,000 it should be pretty quick.

Remy: Mechanical or human harvesting?

Tom: It can be both. But we are planning on human

Jeff: Security after the product leaves your facility, how do you transport to the dispensers?

Tom: There are guide lines for that and there are companies that do it. Right now the guidelines as written are non-descript vehicles with a safe inside with two people in the vehicle at all times and they don't specify whether or not they are going to be armed. The quotes that I have seen for transportation companies are they are basically armed and trained in terms of military background and things of that nature from what I've seen.

Gary: Is it going to be your loading and unloading destination going to be like a Sally Port?

Tom: It's going to be loading and unloading at the destination, I will say this, from the stand point of our responsibility at the facility is when it gets picked up its FOB at the facility. So if somebody is picking it up they are arranging transportation from an Ohio certified company that is doing it, how they handle it at the dispensary, I don't know.

Gary: Will it be loaded inside the facility?

Tom: I would imagine, yes. The reason I say so, is I don't know where these store fronts are going to be.....

Gary: In your facility

Tom: In my facility, yes. Yes, it will be inside.

Gary: We have a few questions that need to be answered before we address this variance that is bothering the Board and some of them may be hard, but we have to know. A couple of them we have already touched on. In your facility, long term, long term being probably being a couple of years when the State of Ohio decides to ok recreational marijuana does that mean you are going to have a store front.

Tom: No, never, I don't anticipate them ever allowing it. It depends on the State some of the States don't allow it as well and Ohio being one. I don't think they will every allow it.

Gary: This is kind of a peculiar question, but if this marijuana oil is not able to create, let's call it a high,

Tom: Some can, I won't say they can, but some can.

Gary: Why the need for the armed transportation?

Tom: Because, people have a lot of misconceptions about marijuana. By the way, this stuff isn't cheap to produce it's expensive, so, it's like you may not get high on it, but it's still valuable, you still want it, it's just like anything else that is still sold by anybody or resold by somebody it still have a value. By the way the value does drop at least that is shown in other States the longer it's legalized the quicker the value drops. I was talking to somebody out in Seattle about a month ago and she was saying the cost of the root that she was producing for the marijuana piece went from 25 cents a unit to 6 in the last three years. The price is probably going to come down in value.

Gary: Since it is so valuable and I guess so many people want it, I have a particular question concerning woman, if a woman is repeating taking this oil through her doctor and she becomes pregnant, would the baby be addicted?

Tom: I don't know if I'm qualified to answer that question. All the research that I've done in terms of looking at this product shows that it is not addictive, so I don't believe so. I'm not a doctor and I've done a lot of research so I really can't give you a definitive answer. The answer is I'm not qualified, if you would ask me honestly, I would tell you no.

Jeff: I would agree with that, my wife was a research pharmacologist for years and we have talked about this action, you wish to take here, and that there is pretty much no addiction to marijuana.

Tom: The people that we are trying to help with this pot are people that can't seem to find anything but really powerful drugs right now that are on the market that are really dangerous and have a lot of bad side effects. I've seen several documentaries on it where they are having seizures and they are given a marijuana oil pill and the seizures stop almost immediately. Joe Zuscara, over here, my contractor

brought his wife along and his wife suffered a stroke a few years ago and Joe has to go out and he was telling me the other day that he has to ask people for favors that are out of State to try and get her these pills, because they work better than these expensive pills that he is getting from the Cleveland Clinic right now.

Gary: Is this marijuana oil or pills does it have the approval of the FDA? Like morphine, Oxycodone, Fentanyl and other pain relievers that are approved? Is marijuana approved by the FDA?

Tom: The answer is no, not unless there are people that are Grandfathered in from a few years back where the Federal Government did allow it. I saw a person on the news the other night that happened to be down at the Cleveland State University was one of those people that was still allowed to take and received a bundle every month of basically marijuana.

Jeff: Anyone else on the Board have any questions?

Gary: If your employees get a background check, what you are telling me is that there is no one that has been convicted of a felon, addiction can be employed?

Tom: That's correct. That's if I ever knew about it they wouldn't be. They have to go through an FBI background check and a State background check. Anyone that I list right now on my application has to have a background check the State is going to do that background check and I tell them up front that when they sign that application that they are going to be doing it and you better be ok with it.

Claire: How many people are in the holding company with you?

Tom: There are three people, myself, my daughter and my son.

Gary: What is the waste product of this operation?

Tom: The waste product as I understand it right now, basically is the stems and organic material that you have to... anything that you get that comes out of the soil has to be rendered so that it can't be used again for anybody. You have to mix it with things like paper, there is a number of things that you can mix it with. I plan on, planning on doing if I can, I plan on composting. I probably will use paper shredding.

Gary: On sight?

Tom: Yes, on sight. Everything is posted to a lot, discarded and put into lot dumpster that is carried off by a company that is licensed to carry it away.

Claire: And that has to be regulated by the State also?

Tom: I don't think they specified that yet, but my Son says it is going to be.

Gary: Being a grower, I know that there are damaged buds, broken branches, dead leaves and discarded stems how will they be handled?

Tom: They will be handled the same way they're be composted. You as a cultivator would have to account for every bit of that plant there is seed to sell in the growing process and an accounting system that you have to be a part of its run by the State, they want to know everything about those plants. Anything that is damaged has to be destroyed properly, has to be accounted for and discard of in a way that the State can insure that it doesn't get out of the plant.

Remy: What is the growing season for Ohio?

Tom: Well, it's all year round, because it's indoors.

Remy: Where does your water come from?

Tom: It is a co system we will probably use ground water. We see a lot of water waste and we should be able to recycle water pretty well. I don't want to use more water than I have to. I have to add nutrients to it and you don't want to let that stuff go because that stuff is going to be expensive.

Jeff: So this is hydroponically grown?

Tom: There are several different ways you can do it, at this point we are not going to do hydroponics, but you could actually call it hydroponics, because we are not putting them in dirt. We are thinking about burlap or coconut shells or things of that nature.

Gary: Now a bigger questions. What is the monetary benefit to Ravenna Township by having this facility in our area?

Tom: Monetary benefits, first off the jobs, second there is a CAT tax in the State of Ohio, it took over the inventory tax a few years back, personal property tax that goes to the county. The county, I don't know what percentage of it, but I would imagine the largest percentage of it comes back to the township.

Gary: If this is not approved by Ravenna Township, what's your secondary mission?

Tom: I would have to find another place to have it. Now, keep in mind we already have approval from the Trustees to locate in the Township. That's not the issue here, the issue here is to whether or not we can get a variance to the property that we are on. We already have an industrial piece of property that is not zoned currently for medical marijuana. The Township Trustees have already approved this, so it's really a matter of whether or not it qualifies for a variance.

Remy: Do you have proof of that approval?

Tom: Actually I do have a copy

Gary: Do you have a copy of that Jim?

Tom: I can get it for you.

Jim: Jon has the resolution, yes it exist and I have seen it.

Claire: What kind of building is it going to be?

Tom: We are trying to decide, we have a number of opportunities. I prefer a nice colonial look to the front, I don't know if we have time to get that off, we have nine months to do it and it's going to be a pretty tough portion that is probably going to be a steel sided building and then the office and then processing of course and that could be steel sided, I would prefer not to, my building on Munroe is a nice looking building and that is the kind of building I want to have.

Gary: There is no pressurized water out there is there? Where this facility is going to be.

Tom: I guess I don't understand.

Gary: Fire prevention?

Tom: Oh, yes, fire prevention, the whole system is going to be, we are going to have fire prevention. I haven't gotten into that.

Jim: Gary, whatever the building code requires.

Gary: Ok, what will it require out there?

Jim: That depends on, we have to have the plans reviewed by the building inspector for that.

Remy: Are you putting in septic for the employees?

Tom: Yes

Jeff: If you would step back, but we may want you again and remember you are sworn in. The gentleman who came with you whose is familiar with the State laws has any comments to make or do we have any questions. Who wants to be next?

Swears in Patsy Artz, Ravenna Township Trustee, 6638 Peck Rd., Ravenna

Jeff: Thank you, you can stand or sit as your wish.

Patsy: The reason that the Trustees went ahead and approved this is because number one we were very impressed mostly with the security. He said in a lot of cases a Brinks truck or a facsimile there of would be picking this product up and another thing is the jobs. Ravenna Township can definitely use the jobs and I understand they are pretty good paying jobs and we were impressed with the rules and the State is so highly regulated. So we felt the jobs would bring in taxes for Ravenna Township which we sorely need, it would bring in taxes for the county. That was our big thing and we felt because it is medical marijuana it is a valuable subside. My Brother-in-law, Bill, was diagnosed with cancer of the esophagus and they gave him six months to live. In the meantime he went to UH hospital and a nurse there got him aside and said listen there is a doctor in Canton you should get ahold of because he has a fellow doctor out in California that will prescribe medical marijuana and Bill went down to this Doctor and he is still alive and in fact he has had a gall bladder removed and they found no traces of this cancer. The

man will be 80 years old. He has been on it now a year and a half and the only side effects that he has had he gets a little dizzy occasionally, but he goes to work every day at 6:30 in the morning and does dry cleaning, so he has himself better and I feel that although it has a bad reputation as far as smoking and getting high and all that. I think the medical marijuana is probably one of the best things that ever happened for my Brother-in-law and let's say Ravenna Township is very secure in the knowledge that this company is going to use every security out there and they are regulated by the State of Ohio. So I'm not sure it is any worse than a bar room coming in or something like that. Thank you.

Jeff: Who would like to be next? Sir

Swears in Jack Giulitto 4052 Lake Rockwell Rd, Ravenna, Ohio

Jeff: You have the farm next door?

Jack: Yes I do. This so called parcel is going to run the full length of my property, it's going to be 214 feet wide by 1,000 some feet long, it's going to run the full length right alongside my property, I've got a farm there we raise beef cattle, grain farm. I've also got a small market, a lot of these neighbors know about it and have been there it's kind of a county setting. I'm kind of questioning is this where we want to go with this? I also have some pictures.

Jeff: Excuse me this is currently your property we are speaking of? It has not been transferred?

Jack: I'm next door. The property that supposedly talking about is on the next farm that I currently rent. These pictures I will pass around to everybody is about 15 hours after about an inch and a quarter or so of rain and if you can judge where that markers are there, we are actually in a kind of flood plain there is an 8 inch tile under there trying to take all that water that it possibly can it took about 2 days to get rid of all that water. I just think this is not the place to be putting this building. The other question I have is what is it going to do to the market value around there, property value not only to my property, but other properties, other adjoining neighbors across the street, farmers in other areas we've got a lot of families there with young kids. They are one day going to want to sell their house, is a family going to want to come in there knowing that... It may be the securest place in the world, don't get me wrong, but are they going to want to bring their family in their kids and say when they hear that there is a marijuana processing plant there? Also they are going to grow 3,000 feet of growth, from my understanding is they are going to bring marijuana in from other places to process it there. This thing with this security transporting this material I was told it was just going to be hauled away in a van. I don't know where these security trucks, brinks trucks or whatever we got coming in to get it, I wasn't told that, I was told it was going to be hauled out in a van.

Jeff: The secured delivery is State law, you can't just be anybody in a pickup truck toting this stuff away.

Jack: Ok, so is that the way the law reads? Is there going to be a..... we don't know, there is a lot of things in here that this fellow said that we don't know, we'll have to see what the State says and all this to go forward with this thing without knowing these things in mind, security and what kind of building is he going to build? It could be anything from a shack to a cement block building, I don't know.

Jeff: There are building codes that will stipulate a lot of what type the building can be.

Jack: Another thing I have a question about is the processing of this material is what kind of smell are we going to get off of this? Everything makes a smell

Claire: Is your primary concern the nature of the business itself being its marijuana would you have the same concern if it were..... is that the biggest concern for you?

Jack: My concern is, I don't want it next to my property

Claire: What don't you want? Because it's marijuana?

Jack: Yes, I don't want it next to my property, I have nephews and nieces and I have

Claire: So you're worried that it's going to bring in a bad element?

Jack: I think it will be and I think I don't want to be know living next to a marijuana processing plant. I think a lot of my neighbors here that are in this meeting today don't want to be known for that.

Claire: I just wanted to be clear that it was the business itself the marijuana not if it were an ice cream stand next door or whatever?

Jack: Right. The other thing is what kind of traffic are we going to have on this county road? It's not a township road it's a county road. The county takes care of the snow plowing, the county takes care of the paving.

Claire: But, there is no store front so you shouldn't have any frequent traffic, correct?

Jeff: There has got to be some. Ok, is that basically your concerns at this point?

Jack: Right

Jeff: Swears in William (Bear) Oehler 7575 St. Rt. 44, Ravenna Township. We live on a continuance piece of property to this. Jack is on the one side we are continued on the other side. I'm not against medical marijuana in the least. I think medical marijuana itself is awesome, but it is currently, if you were to ask Mr. Tom it is definitely illegal to grow the marijuana in Ohio. Even though they passed the law. So my question is, will that come back to bite us? What is the ramification for our township if we wanted to go and get, let's say, a federal grant for our fire department and they say sorry you guys are in a violation, we can't help you. What if our township wanted to do business at the bank and they say well that is FDI insured we are no longer going to take your money because it is from an illegal source that is not federally legal. I don't have a problem with Mr. Tom or his business. I also have no problem with my neighbor Brian, I don't think anybody has the right to tell somebody else they can't sell their property or do anything. But to go with what Jack said the possibility of composting smell or some kind of stand smell or something like that, would you be moving Paris Linen over there? Awesome, I would have no problem with that. I'm going to say in the long run and I'm going to say this out vaguely, stupid people and I think what happened here is you're going to have people say that this is not a dispensary, you have a place that is growing marijuana. They are going to come from out everywhere. I worked for the.....back when we had a Township Police Department I worked for the detective bureau here as a crime scene investigator, what I seen would never hit any of the newspapers here and that was back then you've got these people, who I think have a problem, it could be drug oriented or it could be anything that is driving their problem. If you bring it, we are going to have a crime scene problem. What I don't want, my continuance piece of property, and I talked to Mr. Tom about this, is you go down, and you guys pass it, I and Jack Giulitto believe that we need to have the entire piece of property that touches this whole thing with an extra fence. I don't want people to go look, I've been by there and we can stage the break-in from that guys woods. I have a CAUC program on my farm, just thinking about that I do pay a CAT tax, my CAT tax is \$150.00 a year. So, I don't know how much money you are going to generate off the CAT tax, but it also depends on how much money this brings in, so we don't know we talked about this if it was some multi trillion dollar business, well then the CAT tax of 150.00 is not going to do it, but at first, when it first opens the first CAT tax will be 150.00 bucks. So, I just don't know if that is enough of an incentive for us to give it away? But again the idea is federally illegal, I can't see how our people can be put at that day until they pass it. I think once they pass it, it's good the government says it's going to be ok, it's not going to have any retribution on us, but at this point in time if that question was arose to him is this today, illegal, truly illegal and his answer is yes, I can't see it being ok. If it's no then you guys got to do what you got to do. But as a neighbor if you go forward I would like and I know that this is probably the venue to bring that up, but in the program I would like to have an entire fence, I talked to Brian about it and I talked to Mr. Tom about it, my entire property that continues to both these guys properties after the effect. I would like an extra fence and Jack to have the same fence so that it would..... I don't want somebody to come down and I talk not about a staging area, I'm talking also about an escape area. I have a woods that's 2,000 feet long, big woods, I don't want people drive by from Cleveland say ok, when we break in we're going to run through your woods, because that's how we are going to get out. That take my quality of life out of the program an again I'm not against business, everybody here knows me, I have a business, I've been living in this township for

40 years and 38 out of the 40 years I've been running a business. I'm not anti-business, I'm not anti-marijuana especially medical marijuana, but there may come a day when I go to a doctor and they say you know for your diabetes you can have this, ok, that's great, but at this point in time, we're talking about quality of life for our neighbors that are sitting here. Now, that's all I really have to say because I think I put it out there whether or not it's good or bad. You've heard what I have today there is only two of us that have continues piece of property besides Brian and I'm happy that Brian can make some money on this deal and that's awesome, I'm not against that idea, I like that guy, he's a great guy. I just don't necessarily want it in my back yard, but that doesn't mean anything, because if you guys say yes it's ok then I'll live with it and if I have to live with it, I want a fence and that's pretty much where I'm at today. So thank you for listening.

Jeff: Thank you for your comments

Claire: I have a question, are you with them? Are you an attorney?

Jeff: Swears in Kevin Murphy, Attorney 1301 E. 9th St., Cleveland Ohio

Kevin: I've been involved with industry for eight years. I was one of the folks that was writing the law in Ohio which caused the State to address the house bill 523 this is a very written law, it was very well written and I think security is one of the things that came up, this will be the most secure building in the Township, there will be cameras that are wired, required by State law, right to Columbus. Every room in the facility will be, the Bureau of Commerce will have the ability to touch a button and see everything every single room in this facility, there will be outside cameras with its face of recognition software anyone coming on that property will be seen immediately.

Claire: And this is monitored 24/7?

Kevin: 24/7, you would have to be a fool to rob this facility. There are way easier places to rob.

Claire: My concern is young adults, I think most adults understand what medical marijuana is for and how these plants are used and what not. My biggest concern is the kids that don't understand this. What is going to stop them from trying to break in or like they said go into their house, in the woods and trying to think that is what they are going to do?

Kevin: They can't get to it, so there is two things, there's a fence along the entire border, that's also required under the State law entire perimeter will be fenced in.

Claire: What kind of fence?

Kevin: A chain linked fence, I don't have the code in front of me, but if you like I can email you or sent you... It's all available online, there is actually a provision that deals with security that's also one of the requirements that is agreed on. These are going to be very highly competitive applications. Tom[s working with one of the best consultants in the county called MJ Throughway. They have successfully writing applications for a number of years. If you don't have one of the twelve best applications in the State of Ohio you will not get a license for a level two. Tom is talking to the right people he is spending a lot of money, because he is doing it the right way. If you don't have a plan that complies, and I think in most cases exceeds the requirements with the State you just don't get it. They are ultra-competitive. As far as young adults, you wouldn't know what's happening in this facility unless you would drive by and say oh, I could go in and buy something there.

Claire: I don't think they would want to go in and buy it. I said they would want to go in and steal it.

Kevin: They won't get very far, they might if they get over the fence then they get caught by the cameras and if they get by the cameras, which they wouldn't, then get into the facility which is going to be guarded by the employees. The employees.... The program is called details, and every single plant is tagged and weighed so if that plant, they know proximately what that plant will produce. If that plant produces less after they are fully mature and harvest it, they will weigh that and if something is missing they will know that someone stole it and then they will find out who stole it and figure it out they can't miss it. It is very difficult this is so highly monitored. It is pharmaceutical grade medicine it would be like going to rob anybody, because you want to go in a steal narcotics.

Claire: That's what I wanted to hear.

Kevin: So that... the other thing too if you try to steal and you are coming in for the plant material they have to be under light and water constantly, so if you don't have mechanism to keep those plants alive, bye bye. As far as the transportation there just spare vans. They are very non-descript, they are not armored trucks, no one's armed in these vans, so if someone's coming to rob that it would be go ahead and take it, they would be caught because they won't have anywhere to sell it. So in terms of transportation that's your answer there is some work to do on that, and so no threat of violence there whatsoever, you won't know what's in those vans because they are not marked no name of the company, no marijuana flag, nothing.

Claire: They won't be showing up at 4:15 every Wednesday?

Kevin: Actually what many companies do they will stagger them. Some vans will come and leave with nothing and they will never come the same time of day.

Claire: How many of these industries have you worked on?

Kevin: I have work on these industries for 8 years. I am not the application consultant, I just give legal advice, but I've been around and I've seen a lot of my years in state where this is highly regulated and the company only insured cannabis industries. This company won't take risk, like the State of California, because there are no regulations. In Ohio there is not that much risk, because it is so highly regulated because there are camera's everywhere, the State officials breathing down your neck that is great for insurance protection so there's not a lot of risk in this industry.

Claire: You indicated that is not federally legal, what risk does that bring to our Township, if we ok it?

Kevin: There has never been retribution from the Federal government in fact for medical marijuana, even the Trump administration have said that they have drawn a line between adult use and medical. The press secretary said they have no problem with medical and they are plan on continuing Obama policy that is nonintervention, so basically there was a memo that came out it was called the Pole memo and said in States where it is legal if you comply with certain guidelines which all apply to the Ohio law.

Claire: What was that the Pole?

Kevin: The POLE memo that would be an Attorney General memo and that says if you are complying with certain terms and not being your private playground and comply with the State law they won't intervene then you can bank. Banking is allowing to take your business in States where it is legal. There are a lot of updates for banks, so often it is more expensive for a bank there are different access to banking also, so either the Federal Government, although it is not legal, they have an automatic policy and there is no indication that they won't continue that. In Ohio it is so highly regulated.

Claire: If we were to approve this, you could send us the rules and regulations that are required. We have to be able to approve this knowing all of the guidelines will be followed.

Kevin: Tom would not get a license if the guidelines are not followed and there are also going to be an oversight from the Department of Commerce lots of over sights.

Remy: We just want to be careful not to give a blanket conditional use based on regulations we are not familiar with.

Kevin: They are filed, the regulations and the rules are filed, and the application is now filed. The applications are out now with a formal application. The cultivator rules are 100% filed. There are a few comments are only to clarify they are not going to rewrite the rules, but if you have questions about the rules they will answer those questions, but they are not going to redo those rules and they are already done. They are online it is all right there.

Gary: The shipments of this marijuana oil and whatever the end product is have they been manifested? How long are the manifest contained retained?

Kevin: Can you clarify?

Gary: The records, the shipping records

Kevin: I can confirm this that in Ohio law, you have to report to the State where you are going when you are done so the State knows where every shipment is going.

Gary: That is part of the manifest. How long are they retained?

Kevin: I don't know what the State requires, but my guess is they are retained at least a year or two.

Gary: Normally they are electronics

Kevin: It is all going to be electronics.

Gary: One other question. Why isn't the distribution of this end product to directly to pharmaceuticals?

Kevin: The way that the law is written it isn't a prescription that you get at the doctor's recommendation, because this is a State law and not a Federal law and to get a prescription at a pharmacy is governed by Federal law. This is a State law.

Gary: This is where the FDA comes in.

Kevin: Yes, it is not, there are some FDA approved, but not this in Ohio will not have the FDA approval it is not allowed by recommendation to opt into of the program and that's why you won't be and you could someday and you will someday see it being sold pharmaceutical grade cannabis FDA approval cannabis. There are researchers in Israel and London right now that are doing research on this right now and several trade companies actually. I do think it will be some time before you will go to CVS and get it, but not right now.

Remy: How does the signal get to Columbus? Satellite?

Kevin: That I don't know. They are probably working with the security company. The one thing too that I don't think Tom mentioned is that when you constructing this facility everything is open book. You invite the fire department to oversee this and to participate and this is a facility where there is nothing to hide. I think they will submit plans that will comply with your code, fire code. Whoever wants an interest in this facility to be safe and give their opinions?

Gary: If all the signals go into Columbus and this facility is breached how is the Sherriff department know it to back up?

Kevin: You have a backup security and a primary security. Two separate companies, both monitoring this so they actually provided for that too. So if both fail then you still have that's just the camera system, then you are getting into your facility itself which getting into the areas where the material is stored and oils are stored where are going to have to get past locked doors and it would be a monumental task and almost impossible. A mission impossible type. It's not going to be kids that can break into this thing. Master criminals wouldn't be able to get into this facility. None around here, 3,000 sq. feet is not something that will be a very difficult product to take unless you get the product it is hard to sell. The plant will dye, if you look at crime specifies nationally where they are available there is not a lot of crime in associated with marijuana in fact in a lot of jurisdictions where they introduced it goes down and you have less trafficking.

Remy: On backup alternative powers, this is very electronics, the security, cameras, the broadcast, the signal and you're kind of in an isolated area what is in the regulations?

Kevin: I can tell you from an insurance perspective if you are looking at any business, there have been a lot fewer reduction if you have a backup generator that is gas or electric it's just good business, because if someone is trying to steal something you have to have backup system for that as well. It is some interest because this is medicine for patience so they do want, that is where Tom has 3 months to grow and a provisional license. If you don't have the facility up and running within nine months, you miss your growth cycle, they will take your license away, so the time will be more than required to get it up and running and get it on its way.

Jeff: Could I ask you a couple more questions please? Addresses Tom

Jeff: There is a question about smell and that sort of thing from processing the product.

Tom: There is a odor irrigation is part of the regulation, so you have to have odor irrigation inside your facility. There are different methods to do that. There are scrubbers to get rid of the odor. I'm going to

say, cows are going to smell worse than this is going to smell. So I don't think you are going to be able to detect, I don't know but the research that I have done, on the other of my business that I mentioned is dealing with smoke stacks and I will tell you we plan on filling in on irrigation as much as possible to make it and bring down whatever this has created.

Claire: How do you get the oil from the plant?

Tom: There are several different methods, there is a cold method, to be honest with you, right now that's not an application that we are filling out, because it's not, they have not come up with an application for that yet so I don't want to answer that, because I may answer wrong, I haven't read anything on that yet, they haven't concentration on that at this point.

Gary: What the comment was made that you will be processing materials from other growth sites.

Tom: The processing facility, there are going to be people for example that are going to get up a processing license only, so they would only have a processing license, so all this facility will be getting product from other places and yes, absolutely if we can get some other places we probably will.

Gary: And they will ship that to you under light and heat?

Tom: Depends on what they are shipping me, if these things are cured, and they are probably going to send me a cured product so it will probably not be under light and heat. It ought to be dried, with lack of a better way to put it so the transportable, but, yes, I will probably process.... I'm a little worried that we will be able to get to other places, because it's a level one processing, the level one cultivating processing licenses, the product is hard to come by. So we're not sure why, like I said a lot of this is up in the air and we're not going to know in terms of how much is produced until everything is settled.

Remy: What exactly does your level two license allow you to do?

Tom: 3,000 sq. foot for the canopy.

Remy: That's it. So processing

Tom: That's a different license.

Remy: So you have to have a cultivating license and processing license.

Tom: We are be going for the processing license and by the way to get one there is no guarantee you will get the other. If they do anything with this application, it's all blind you get penalized on this application if they know who you are. So they try to make it fair and I think there are probably law suits in every state so they are trying to make it.....there is a lot of money coming in from the State. A lot of big money from other companies that have been successful in other States and they have a lot of money to throw around and they're all fine as well. I'll be honest I will be very fortunate to get this license. As he mentioned there are only twelve other licenses that can be delivered.

Gary: You have quite an investment in this already?

Tom: Yes, I feel strongly about it and I feel strongly about the business. I know people that it has helped

Gary: What is your risk factor?

Tom: In losing money?

Gary: Making it

Tom: I could lose a lot of money on this is the answer, but I'm prepared to take the risk.

Remy: Do you plan to expand?

Tom: If we are allowed to, yes, I don't think they're pretty reluctant to start level two going to level one I don't think that's going to happen anytime soon. I doubt they do that. The last I heard on any type of expansion like that would be like 8 years if they allow it at all so this one that we got has got to be able to last a long time. The licenses they are giving out now they're reserving the right to a level two processor to go to 6,000 and perhaps 9 down the road, but they are not promising that and they are not saying they are going to do it. They say they might down the road.

Remy: How much can a level one do?

Tom: 25,000 sq. feet and then that's to start and then if it grows it will go 25 to 50 to 75.

Claire: Out of curiosity what would your rate of pay for your employees?

Tom: I'll be honest with you. We haven't looked at it yet. We haven't got any business plans for this to be so concerned with other aspects. I can tell you by the way I run my current businesses we pay a high rate of retention, I have people that have done a lot of work for me for 20 years and they still work for me. We tend to employ 80 people, I have a lady that works for me now that is 81 years old and has been with me for quite a while, a lady that is 78. Basically I believe on being a good neighbor, I personally willing to work with others and do this myself so I appreciate the consideration. I would take younger people that is willing to work.

Gary: Claire did you get your question answered on the Federal grant money and what might be available to the Township if we requested some? Did we get that answer?

Claire: No, I don't think we did.

Jeff: I don't think there has be any cases of retribution by the Federal government.

Gary: Will you consider a secondary fence around the facility as you have already planned it security, lights, all that, would you consider a secondary fence around that property?

Tom: I would consider it, but I'm not going to commit to it, because I don't know the cost and I don't know what it's going to be. I will not put fences that are not on my property. I believe that is what he is asking and I'm not willing to do that.

Gary: Ok

Jeff: You saw the pictures of the standing water. Have you talked to anybody about what you could do?

Tom: Yes, actually we are glad that we ran into Jack when we did and he's got some drain tiles. I would be foolish to build on something that's got water on it. So we are going to improve what's there. Right now according to Jack there's a buildup, those pictures are great and I loved to see them, but as I understand it there's drain tiles running from either side of the property so coming in from either side of where the property is. So what we would do is dig in there and put in new PFC lines we have actually talked about putting in a retention pond because now there is draining on either side of the road that gets over whelmed because this pipe isn't large enough so we would put a retention, we're planning on and it depends on when we can start doing it, but right now we our plan is to put in a retention pond to hold the water back, other words it would have to build up in our pond it's not going to get over whelming the current drainage. It will probably be improving what's out there by quite a bit. I understand the property across the street is flooding as well. I can't guarantee that it would stop that, but it sure would help.

Jeff: Do you have any plans as far as signs on the outside of the business?

Tom: My plans right now are none. I don't plan on drawing attention more than I have to.

Remy: You are allowed to have one by law, but no more

Tom: I put in what I have to put in.

Jeff: The current property owner, would you step forward please?

Swears in Brian Pfeiffer 3856 Lake Rockwell Road, Ravenna.

Jeff: You are the current owner of the property that's in question?

Brian: Yes, sir

Jeff: How were you approached? How was your decision made to sell to these folks for a marijuana facility?

Brian: It was not really easy to sell my land, but I believe in what he is trying to do and I think Ohio needs something like this. We have an opium problem and this is a way for part of the solution that can help that.

Jeff: We have an opium problem that's for sure. Ok, that's pretty good thank you.

Swears in Rob Willard home address is 4891 Hayes Rd. Ravenna. I am an employee and farm manager of Giulitto farm next door. I guess my question, from standing in the background her that nobody has really ask, that when is this application due? We are hearing a lot of what ifs and if this and we'll do that and maybe we'll do that and we might do that, but when is the application actually due? I guess where

I'm going with this is that he's looking for approval from you folks to get a variance on this piece of property and he's got a lot of maybes and I might do and I may do this and I may do that and we'll thinking about this and so on and so forth, but I've been told the application is due in pretty short time. I have a hard time believing that if the application is due in pretty short time that a lot of questions that he's saying right now are what if's and maybes and could be haven't been nailed down. So I just kind of have some questions there that why we don't have some more exact answers. We're at the stage that we want to put this on the property, but so far no body has really directly answered any question we are talking to the security company, we are talking to this company, we are talking to that company. I can go talk to anybody I want and I can get anybody my explanation, my idea, but so far there has been nothing written down in black and white.

Jeff: There're have been a lot of cases do to questions that don't have answers before they know just where he is going to be building and I think the answers to these will come.

Rob: I agree, but I think that I just want to make sure that those questions of that stuff is nailed down before a decision is made, because I think it would be not to any bodies benefit to tell them yes you can do it here and tonight he sits here and says he is planning on doing this, but tomorrow he changes and doesn't do a fence or doesn't follow this.

Jeff: Remember, we talked about our requirements by State law. So, just because he doesn't know exactly what kind of fence he's going to have now, doesn't mean the State requires him to have a fence.

Rob: That's correct, but on the other side of the coin, he's also said there would be no smell, but there has been no rules or regulation for the cultivation and he said that himself. So that's my point

Jeff: Yes, and we can add if this gets to the motion stage, that if there is an odor there is action he can take about that. Thank you. Anyone else?

Gary: The question is when is your application due?

Tom: The procession application is due June 16

Gary: June 16, 2017?

Tom: June 16, 2017

Jeff: Swear in Linda Hulak, 3738 Lake Rockwell Road

Linda: I just want to say that I respect him and I just feel that this is wrong for our neighborhood. It is not something that I would like to have in my backyard either. Now our property runs in back, a portion of our land backs up against it, in the big field, and you brought up about adding more and getting bigger. Now if he does add more buildings, a building here, a building here, another time here and I just like to see our neighborhood be a neighborhood and you mentioned about all the fences and the lights, it's going to look like a prison with all the lights, it's going to look like down Infirmary Road. It's too close to the neighborhood where houses could be built. Not big facilities and I would ask the Board to respect the wishes of the citizens and I said something about Tom's employees. That the Township needed more employees to pay their taxes, is that right Pat?

Pat: That is one of the reasons, yes

Linda: How many employees, 10 maybe? So how much taxes will ten employees bring to the Township? Because we all pay taxes, but to tell you the truth on Lake Rockwell Road there has been nothing, and I've lived out there for 40 years, we need a new road and the Township doesn't give us that.

Jeff: Rockwell is a county road

Linda: Whatever, you know, and then how would you guarantee that the people that would be working are from our area? These could be people from anywhere.

Jeff: So could anyone

Linda: Right, so it's not just our people that are going to be employed. I would just ask the Board to be respectful of the citizens too, because there are truly a lot of us that are afraid to speak up and say we don't want this. I'm not against the medical marijuana, because it's going to help a lot of people, but just not in my neighborhood, please. Thank you

Jeff: You're welcome. Swears in Jim DiPaola, Ravenna Township Zoning Inspector

Remy: So based on the testimony you have heard tonight. Do you feel that he is within the scope of the rules and regulations as you read them?

Jim: Yes, I do. Over the years through different occupations I've dealt with a lot of rules and regulations, these are some of the strictest rules I've seen. There is safeguards, there are, this business in zoned General Industrial, so any kind of a processing or manufacturing plant could go in there. There's plant on business that could go in there without having to come to the Board. The reason they are at the Board, is when I talked to Chris Meduri, he said that the State of Ohio has said that this is not agriculture and each entity can approve or disapprove it, so, they recommended, because it's not a specific use that they come before the Board of Zoning Appeals to ask for a variance.

Jeff: What other things are allowed in this area zoned General Industrial?

Jim: There are a whole lot of things. You could have everything from a foundry to a manufactory facility that whatever is in the code that is permissible use and there's been many permitted uses.

Gary: So the reason we're here tonight is all of these could go in there, but there is nothing in the resolution that makes a statement about raising marijuana?

Jim: Correct,

Gary: Raising and processing

Jim: That is what we are looking at is the growing and the processing of it. Otherwise it would be a permitted use.

Jeff: In the General Industrial in the Zoning book, I don't see anything that mentions housing residential. Is that permitted?

Jim: No, they could come for a variance, but as a permitted use. No, if you remember some years back the Township initiated a hearing to change back to residential and the residents said no they didn't want that. They didn't want residential, they preferred it be General Industrial. So we left it alone.

Jeff: Borrowing a major change in the Zoning Code... Any other questions

Gary: I would like the Chair to grant us a ten minute recess.

Jeff: One more question then we will do that. You said a sign is required as it would be on any commercial business, that's all that is required?

Jim: That's all that is required.

Jeff: We would like to take about 10 minutes. I will call back to order this meeting of the Ravenna Township Board of Zoning Appeals. We have some questions of a few people. Mr. DiPaola, if you would please. What have you read, if any, in the regulations about the required fence?

Jim: I read what the required about a perimeter fence

Gary: Perimeter of the property or the facility?

Jim: My understanding is the perimeter of the property.

(Several people talking)

Tom: I have heard something different. I heard from the perimeter of the building to the parking lot and that area that is what I did ask a consultant today that question and got that answer from Kevin.

(Several people talking)

Gary: We need to come forward so we got this on record

Kevin: We would be the additional acres on the outside, we wouldn't be advised on the outside acres, we have a buffer around that, so we would have to secure the entire facility, but I don't believe Tom would have to do the entire outside acres just the facility. So, we....

Jeff: This is spelled out in the regulations though.

Gary: Is there anything, Jim that addresses the secondary fencing around this facility?

Jim: No, not that I've read

Gary: Jim, what is the requirements for a security fence if we stipulate in this variance a stipulation. What would be the height and type of fence, not the one that they are required to do, the secondary fence?

Jim: It would be whatever the height is restricted to in the code which I think is about 10 feet.

Gary: 10 feet. Anything on top?

Jim: No

Gary: Nothing on top? The type of fence, chain link?

Jim: Yes

Jeff: Anything else for Jim, Remy?

Remy: What about the lighting?

Jeff: We are getting to that. The resolution does require outdoor lighting, is that accurate? We could make a stipulation probably, to maintain that lighting so that it doesn't shine on the neighbor's property.

Gary: So that is already in the resolution? That's in the code?

Jeff: Yes

Remy: The fire department will review and approve the building.

Jim: A copy will go to the fire department and the building department. The building and fire talk all the time on things.

Gary: That's a good question Remy. Since this is a secured facility how will the fire department reach that building in case of a fire?

Jim: There are secured boxes that can be installed on the facility to allow enter. I'm sure the security company can come up with something. They would have to blend what security require verses what the fire code and building code is, if that makes sense.

Gary: Is there a requirement in Ravenna Township for on board water, rather than transporting.

Jim: Do you mean water availability at the facility?

Gary: Yes

Jim: That depends on the size of the building, the construction of the building and what the fire code requires.

Gary: So that would come from the fire code?

Jim: The fire code and the building code. We leave here with 28 hundred gallons of water. Which is enough to put out a fair size fire.

Gary: Then from there we transport

Jim: yea

Gary: Hopefully we never have to do that.

Remy: Parking area and surface and.....

Jim: That's all governed by the Zoning Resolution. All that would be done a site plan review. That would include topography, drainage and all that.

Gary: Jim, secondary security fence, is there a certain footage that has to be from the primary fence that they are required to do?

Jim: There is no requirement on that. Topography that is something that can be recommended by a security company.

Claire: You had stated earlier tonight that you were going to be a good neighbor if this went through. What is the possibility of putting up shrubbery or something for the neighbors, not on their property, but on your property so that they couldn't see into your facility?

Tom: My only concern about something like shrubbery is, I would do it to shield the neighbors, there is other stuff there like the pond. On the private property closest to where the people are there's already some shrubbery there. Jack actually ask me if we'd take the trees down, but I don't have any problem with putting shrubbery there. I think some of the code actually requires you to have, the Building Code

is like a 10 foot shrubbery and by the line, by any restricting houses or something along those lines. I don't have any problem with planting something there. I don't want to make it so it's easy for someone to hide there. That's what I don't want to do, so I don't want to create a problem by trying to fix another problem.

Claire: I just know from my stand point. I wouldn't want to have a factory or anything of that type next to me either. So, I understand, but I also don't want to stop progress either, but I think it might be in your best interest, if you are willing to hear the neighbors, if we do all it, to kind of keep your business out of their business out of their homes. So, would you be willing to either put a fence in.....

Tom: I would be to an extent that its going... there is only one set of neighbors that would have a problem with. Everything else is not buildable, the closest one is Brian on that side.

Gary: Today

Tom: Today, so you would have to change design for the rest of the area, because it's General Industrial, but you don't have any residential in there. That is certainly something that I would be willing to look at, at the time. I will tell you that you would have to change the zoning laws to do that on the other side. The existing neighbor had no problem doing that. I can't tell you what is coming down the road.

Gary: Jim, if that should come about if someone wanted to build a home, am I not correct that they would come before us and ask for a variance?

Jim: Correct, especially with a housing development too, they would have to come and get a variance and that could happen. That's what your variance did for somebody like that you could also make them screen.

Jeff: Our book says screening shall be used to protect adjoining property from all glare and uses which are visual and which is compatible other uses. So, if somebody stood up here and said your lights are glaring in my yard. We would need to fix that. Ok thank you

Jack: On this lot that we are looking at, this long narrow piece when I talked to Tom and he walked over that it is so low in the front half of that lot that he thought he would go clear back against Bears property and build this building. That's the way we confirmed it or talked about it and one thing I don't like about that is my house is off the road only 150 feet so anything past that, he's looking in the back of my house he's not along side of me anymore, he's behind me so if I go out the back side of my house I'm visual to whoever is over there as employee. I can't do nothing, now there's the road in the front of my house and now I have this business in the back of my house just looking across the street my house only sets from that property line probably 200 feet. So, anything past the 200 from the road going to have to tend to them from behind the house.

Claire: That is if someone builds a house back there too, correct?

Jack: That's correct if they would go back that far.

Jeff: Can we make an assumption if they build that it's not going to have a lot of windows?

Jack: That's a lot of assumptions

Jeff: I understand your point Mr. Giulitto, but again somebody could build anything around there some day.

Jack: That's true

Gary: Jim, one more question when we look at this property and following up on Mr. Giulitto's comment about the water is there any portion of this property that is classified wet lands?

Jim: No, if you look up on that map up there, there is no wet lands as being in there. Wet lands are green and we are in the purple at the top.

Claire: Again, are they saying as far as the lay of the land, that's all going to be looked at by.....

Jim: Yes, when the architect designs the building, he will look at the topography of the land and design it accordingly.

Jack: what happens when he puts the retention pond in digs up clay tile and the rest of the land goes to pot, because everything is wet? So who comes back and fixes the tile, who comes back and relays the land because the water comes from both sides to that point, so if he's not going to build the building in the back of the property, where it's dry, he builds it in front of the property where he has to fill it up. Water comes off the farm, water comes off the remaining portion of Brian's field comes down into that hole and put out to the road as the picture shows. My question is, who does all this if they screw something up and our ground gets wet on the other side that never was the field is now no longer usable, because it's wet. Who's paying for it?

Jim: I can guarantee you that if a problem is created the township will see that it gets fixed. That's my guess and I've had a pretty good track record since 2007 and I would make sure that anything that's messed up gets fixed.

Jack: You understand my point. You have to understand that a guys out there with an excavator and he plows through a tile line that is running across 2, 3 or 4 adjoining properties, whatever the case may be, he scrapes it in a pile and he moves on about his day. But, now that water backs up and its connected to who knows where and to what.....

Jim: We have several remedies to be able to handle a problem like that where the course of natural ground water get altered. There's myself, there's the water person that is hired by the State of Ohio and he has a whole lot of clout when it comes to those issues. He makes sure it gets fixed. We will definitely take care of a problem like that.

Remy: If you see it, report it

Jack: There would be no problem making a report on it. We spend our time out in that field fixing tile lines sometimes every year fixing, repairing and replacing and that's a fact the clay tile was hand dug 50, 60 years ago and who knows, it gets messed up and you now got problems maybe on the far side of the field, but if it comes back and it goes up to this fellows property line and the problem is beyond that property line then we are not going across and help.

Jeff: There is legal recourse for that sort of thing. Thank you. Anybody else wish to speak?

Swears in Debbie Gliozzi, 7566 S. R. 44

Debbie: My question is he said something about a tower from the smell. How tall is this tower going to be?

Jeff: We did talk about the odors from the processing we're not actually talking about a tower here are we?

Debbie: Because there is an airport right there, I was concerned, because I don't want it in my backyard either. I have Grandkids and little neighbor boy beside me and the people it will attract.

Jeff: What sort of people will it attract? I think that has been heavily addressed. People can break into Fort Knox if they want to.

Gary: Jeff and I have discussed one thing that he pointed out to me and I think we all have to understand this, the marijuana that we're talking about at this facility is not like the marijuana that people are smoking. We have to distinguish that.

Jeff: Any other questions, comments from the Board? Is the Board ready for a motion pertaining to this application? I have several things I want included in the motion.

Gary: I move that we approve this variance request of 2017 BZA 02 for FN Group Holdings, LLC of Chagrin Falls, including the following stipulations. We have two or three. There will be no retail of marijuana products, oil, pills or recreational even if it becomes legal in this State we don't want it at this location. Follow all Zoning and a light screen, we discussed that quite heavily, we go by the resolution. If you fall from following the State for licensing or any other requirement here, your permission for use of this property will be immediately cancelled. We are not going to, we won't be sending the stipulation of the variance approval that you have in your plans a primary sense lighting secure situation around your facility which is fine. I'm sure the State has something to say about that. In the variance request

we will stipulate that you install a ten foot secondary security fence around, not the perimeter of the property, but the perimeter of your facility. Are there any other stipulations that I've missed?

Jeff: Do we hear a second?

Claire: I will second that motion.

R/C: Claire Moore – yes, Gary Long – yes, Remy Arness – yes, and Jeff Gaynor – yes

Jeff: Your application request has been granted with the stipulations that we mentioned. There is an appeal period though which any interested parties can appeal this decision. Any action you take at this time is at your risk. That is pretty much it and we have a few things that the Board has to take care of, you can stay or leave as you wish. That applies to everyone.

Jeff: I would like to hear a motion pertaining to the minutes to the March 8, 2017 meeting.

Claire: So move, that we approve the minutes.

Gary: I second it

R/C: Remy Arness – yes, Jeff Gaynor – yes, Gary Long – yes, and Claire Moore – yes.

Minutes approved

Jeff: I would like to hear a motion pertaining to the decision we made tonight to journalize such decision.

Remy: I so move

Gary: Second

R/C: Gary Long – yes, Claire Moore – yes, Remy Arness – yes, and Jeff Gaynor – yes

Jeff: I move we adjourn.

Meeting adjourned at 9:10 p.m.

Respectfully submitted by

Carolyn Chambers

Zoning Secretary

CC: Trustees (Coia, Artz, Gibson)

Zoning Inspector (DiPaola)

Zoning BZA (5)

File