

**MINUTES OF THE BEECHER PLANNING AND ZONING COMMISSION
(THE PZC)**

***Thursday, November 21, 2019 at 7:00 p.m.
Washington Township Center
30200 Town Center Road***

At 7:00 p.m., Chairman Serviss called the meeting to order.

All present joined in the pledge to the flag.

ROLL CALL. Members present: Commissioners Bouchard, Hearn (arrived at 7:07 p.m.), Heim, Schuitema, Serviss and Tatgenhorst.

Members absent: None.

Staff present: Attorney Tim Kuiper, Administrator Bob Barber and Pete Iosue of Teska Associates.

Guests: Approximately 95 people were present.

CONSIDER APPROVAL OF THE MINUTES OF THE OCTOBER 17, 2019 MEETING.

Commissioner Heim made a motion to approve the minutes of the October 17, 2019 PZC meeting as written. Commissioner Bouchard seconded the motion.

AYES: Commissioners Bouchard, Heim, Serviss and Tatgenhorst.

NAYS: None.

ABSENT: Commissioner Hearn (arrived at 7:07 p.m.)

ABSTAIN: Commissioner Schuitema.

Motion carried.

PUBLIC HEARING: CONSIDER AN AMENDMENT TO BEECHER ZONING ORDINANCE PERTAINING TO THE SALE, DISTRIBUTION, TRANSPORTATION AND CULTIVATION OF RECREATIONAL CANNABIS. The Village Board has referred the issue of recreational cannabis to the PZC to come up with the proper way to zone and regulate such establishments if one is proposed for Beecher. The Attorney has suggested to have regulations in place by January 1, 2020 to either prohibit, regulate or ignore the sale of cannabis. To ignore the issue means the community is unregulated pertaining to sales. The Village CANNOT prohibit the possession or use of cannabis; this is a right granted under State law. Medical cannabis facilities are also permitted by State law without local control. The only regulation we can enforce is the recreational sale of the product; similar to liquor laws.

A draft zoning ordinance amendment first drafted by the Illinois Municipal League and then tweaked by the Village Attorney to fit our current ordinance was provided in the packet for review. We treat these types of uses as special uses, similar to a beer garden where the Village can place additional stipulations on the permit to fit the needs of the specific site.

Attorney Kuiper explained the reason for the public hearing, the Planning and Zoning Commission's function, proposed maps, and the special use permit process.

Commissioner Hearn arrived at 7:07 p.m.

Pete Iosue, Village Planner, introduced himself, and explained map of possible dispensary locations.

Commissioner Tatgenhorst made a motion to open the public hearing at 7:10 p.m.

Commissioner Schuitema seconded the motion.

AYES: Commissioners Bouchard, Hearn, Heim, Schuitema, Serviss and Tatgenhorst.

NAYS: None.

Motion carried.

The following persons provided testimony in favor of the sale, distribution, transportation or cultivation of recreational cannabis in the Village of Beecher: Ana Tristan, Julianne White, Tyler Swanson, Tracy Abrams, Jennifer Witkowsky, Mike Sons, Shane Malecha, Lisa Alleva, Ben Juzeszyn, Jesse Smedberg, Anthony Gray, Phillip Speese, Daniel Alleva and Vidal Fonseca.

Comments from those in favor were:

- the benefits of medical marijuana;
- the desire to have Beecher have some control by not opting out;
- asked the Village to proceed with caution and consider the risks;
- people will get it elsewhere if they can't purchase it in Beecher;
- a new culture will emerge from the cannabis industry;
- cannabis facilities are very secure;
- stern process to purchase marijuana;
- to opt-out the Village will deny the benefit of marijuana, but won't prohibit the use;
- the black market will benefit if the Village opts out;
- the Village should take advantage of potential revenue;
- alcohol causes deaths and addictions too;
- provide locations for the safe sale of marijuana;
- people need to be informed of benefits.

The following persons provided testimony NOT in favor of the sale, distribution, transportation or cultivation of recreational cannabis in the Village of Beecher: Pastor Ed D'Andrea, Lucy Rietveld, Jeff Olthoff, Pastor Ron Rock, Mary Panozzo, Dr. Dan McKay and Pastor Nathan Prairie.

Comments from those NOT in favor were:

- concerned for the community and increased drug addiction, hallucinations and paranoia;
- totally against a location on Church Road;
- provided petitions signed in opposition of ordinance amendment;
- concerned for the children and their safety;

- the Village is seeking revenue at what cost;
- let the other towns allow it and see how it goes;
- seen bad effects of addiction;
- the Village shouldn't do it for economic reasons;
- there are too many negative influences already with drugs, alcohol, cigarettes, and vaping;
- if allowed, it shows young people that it's okay to use marijuana – young brains have adverse effects with use;
- small amount to gain in tax revenue, but a lot more to lose.

After no further testimony was heard, Commissioner Schuitema made a motion to close the public hearing at 8:07 p.m. Commissioner Hearn seconded the motion.

AYES: Commissioners Bouchard, Hearn, Heim, Schuitema, Serviss and Tatgenhorst.

NAYS: None.

Motion carried.

A 15-minute break was held. The PZC meeting reconvened at 8:22 p.m.

Attorney Kuiper explained that written testimony was provided to the PZC members and is considered part of the record.

Attorney Kuiper answered questions that arose from those testifying during the public hearing, and explained proposed zoning regulations and permitted uses. January 1, 2020 it will be legal per the State of Illinois, and Attorney Kuiper suggested having regulations put in place prior to January 1st.

Pete Iosue clarified that based on draft ordinance, dispensaries could only be located in commercial or industrial districts. The Village would have no authority over Township or County locations. Buffers are 1,500' between dispensary per State law. Comprehensive Plan provides 1-1/2 miles for planning purposes. If the Village opts out, they have no control.

Commissioner Schuitema suggested that the residents should determine by an advisory referendum, and that the Village opt out until then.

Commissioner Serviss prefers that the Village have control, rather than none at all.

Commissioner Heim requested to add to the proposed amendment a restriction of 1,500' from churches.

It was the consensus of the PZC to include churches in the 1,500' buffer from a dispensary facility.

It was the consensus of the PZC (except Commissioner Schuitema) to leave other buffers at 1,500'.

CONSIDER A MOTION OF RECOMMENDATION TO THE VILLAGE BOARD ON AN

AMENDMENT TO THE ZONING ORDINANCE PERTAINING TO RECREATIONAL CANNABIS. Commissioner Heim made a motion of recommendation to the Village Board on an amendment to the Zoning Ordinance pertaining to recreational cannabis, to include buffer for churches. Attorney Kuiper will revise the proposed ordinance. Commissioner Bouchard seconded the motion.

AYES: Commissioners Bouchard, Hearn, Heim, Serviss and Tatgenhorst.

NAYS: Commissioner Schuitema.

Motion carried.

Commissioner stated that the PZC vote is on the proposed ordinance, not reflecting that the PZC is in favor of the sale of cannabis.

The next meeting for the PZC is Thursday, January 23, 2020 at 7:00 p.m. at the Village Hall.

ADJOURNMENT. Commissioner Bouchard made a motion to adjourn the meeting.

Commissioner Tatgenhorst seconded the motion.

AYES: Commissioners Bouchard, Hearn, Heim, Schuitema, Serviss and Tatgenhorst.

NAYS: None.

Motion carried.

Meeting adjourned at 8:48 p.m.

Respectfully submitted,



Patty Meyer
Secretary