

**MINUTES OF THE SPECIAL MEETING OF THE ZONING PLANNING & APPEALS
COMMISSION OF THE VILLAGE OF METTAWA, LAKE COUNTY, ILLINOIS,**

**HELD AT THE HOUR OF 7:00P.M. ON MONDAY SEPTEMBER 16, 2013
IN THE COTTONWOOD ROOM OF THE HILTON GARDEN INN,
26225 N. RIVERWOODS BOULEVARD, METTAWA, ILLINOIS**

I. CALL TO ORDER

Chairman Krusinski called the meeting to order at 7:00 P.M.

II. ROLL CALL

Upon a call of the roll, the following persons were:

Present: Commissioners Busscher, Leonard, Hirsch, Meluso, Miller, Pickell and
Chairman Krusinski

Absent: None

Chairman Krusinski declared a quorum present.

Also present: Commission secretary, Cathy Nelson, Village Attorney Gregory T. Smith
of Klein, Thorpe & Jenkins, Ltd. and Village Administrator Bob Irvin

III. APPROVAL OF MINUTES

Minutes of the regular meeting of May 7, 2013

It was moved by Commissioner Pickell, seconded by Commissioner Meluso to approve
the minutes from May 7, 2013 and place them on file.

The Following voted:

Aye: All

Nay: None

Commissioner Krusinski declared the motion carried.

IV: CALL OF CASES: No Cases to be heard

V. DELIBERATION AND RECOMMENDATION: None at this time

VI. COMMUNICATIONS: There were no communications

VII. REVIEW OF REPORTS OF COMMISSION COMMITTEES: No reports presented

VIII. OLD BUSINESS: No old business to be discussed

IX. NEW BUSINESS:

WORKSHOP DISCUSSION: CASE NO.13-TA-2

Mettawa Zoning Ordinance text amendments regarding zoning classifications,
restrictions and regulations of medical cannabis cultivation centers and medical cannabis
dispensing organizations.

Attorney Smith advised the Commission that on February 19, 2013 the Village Board adopted a resolution containing a referral to the Zoning, Planning and Appeal Commission that if the State of Illinois adopts a law permitting the growth, harvest and/or distribution of cannabis, whether the Village should either prohibit such uses, or if the Village cannot prohibit such uses, allow such uses only in the O/R, Planned Office/Research District, with such additional form and use based restrictions as the Zoning, Planning and Appeals Commission believes are necessary to ensure and protect the health, safety and welfare of the Village and its residents.

He further informed the Commissioners that the Zoning, Planning and Appeals Commission shall only hold a hearing on this request and issue findings of fact and a recommendation, in the event the State of Illinois Adopts a law permitting the growth, harvest, and or distribution of cannabis.

On August 1, 2013 the Governor of the State of Illinois signed the "Compassionate Use of Medical Cannabis Pilot Program Act" the law does not take effect until January 1, 2014, but the Mayor suggested the Zoning, Planning and Appeals Commission study this issue closely and make a recommendation no later than November of 2013 so that the Board can take action prior to January 1, 2014.

Attorney Smith further informed the Commissioners that the Act allows cannabis to be grown, sold and used for medical purposes within the State of Illinois, subject to restrictions in the Act and reasonable Zoning restrictions. The Act has a 4 year term. He continued to present details of the Act as put forth in his memorandum to the Commission dated September 10, 2013

Two issues to be discussion and recommendation made upon:

1) Growth and Manufacture location and regulation and 2) Dispensary location and regulation.

Discussion ensued regarding which Village locations would be suitable. It was requested that the Village Administrator, Bob Irvin, obtain a map with perimeters per the act for the O/R and H districts, but it was agreed that no matter the perimeters, an area should be designated for such activities.

Attorney Smith recommended that the Village track and parallel the State Law.

1) Pick a location and 2) decide whether it should be a permitted or Special Use Permit activity.

The Commission agreed that the O/R area (Boulton Blvd) was the appropriate location

Attorney Smith also stated that the Village cannot impose additional taxes on the activity

Chairman Krusinski directed Attorney Smith to draft language for the Findings of Fact as proposed on pages 7 & 8 of his memorandum and recommend facilities being placed in the O/R district requiring a Special Use Permit.

It was agreed that the zoning adjustments should be made even if no area in the Village meets the requirements of the Law.

- X. OTHER MATTERS: Chairman Krusinski informed the Board that in the future, copies of the Finding of Fact and Recommendations made by the Zoning Planning and Appeals Commission to the Board will be sent to all Commissioners. The Findings of Fact and Recommendation on Case No. 13-TA-1 will be forwarded by the Secretary. No action has been taken by the Board on this recommendation and Administrator Irvin stated that he will check into the status of this item.

Discussion ensued regarding the scheduling for the Public Hearing on the current Case No.13-TA-2 and it was agreed that the Public Hearing should be scheduled for Monday October 7, 2013 at 7 PM at the Hilton Garden Inn as a Special Meeting. All Commissioners are available on that date except Commissioner Miller who will advise.

XI. ADJOURNMENT

With no further business to discuss, it was moved by Commissioner Leonard, seconded by Commissioner Hirsch that the meeting be adjourned.

With unanimous consent, Chairman Krusinski declared the motion carried and the meeting adjourned at 7:50 pm.

Cathy Nelson, Secretary