

September 6, 2022

Dear Meridian Township Board,

I hope to be able to attend tonight's public hearing on the "Haslett Village Square Commercial Rehabilitation District No. 1" application for 1621 and 1655 Haslett from SP Holding Company, LLC. In case I am not able to address the board directly this evening I have a few comments/questions concerning the application that I think need to be addressed before the application can be approved by the township board, presumably at your next meeting on Sept. 20, 2022.

The district was established by the township board at a previous meeting and done so in accordance with the stipulations provided in Michigan Public Act 210 of 2005. You now have before you an application from SP Holding Company, LLC.

Public Act 210 defines a "qualified facility" in "**207.842 Definitions**" as:

(h) "Qualified facility" means a qualified retail food establishment or a building or group of contiguous buildings of commercial property that is 15 years old or older or has been allocated for a new markets tax credit under section 45D of the internal revenue code, 26 USC 45D. Qualified facility also includes a building or a group of contiguous buildings, a portion of a building or group of contiguous buildings previously used for commercial or industrial purposes, obsolete industrial property, and vacant property which, within the immediately preceding 15 years, was commercial property as defined in subdivision (a). Qualified facility shall also include vacant property located in a city with a population of more than 500,000 according to the most recent federal decennial census and from which a previous structure has been demolished and on which commercial property is or will be newly constructed provided an application for a certificate has been filed with that city before July 1, 2010. A qualified facility also includes a hotel or motel that has additional meeting or convention space that is attached to a convention and trade center that is over 250,000 square feet in size and that is located in a county with a population of more than 1,100,000 and less than 1,600,000 as of the most recent decennial census. A qualified facility does not include property that is to be used as a professional sports stadium. A qualified facility does not include property that is to be used as a casino. As used in this subdivision, "casino" means a casino or a parking lot, hotel, motel, or retail store owned or operated by a casino, an affiliate, or an affiliated company, regulated by this state pursuant to the Michigan gaming control and revenue act, 1996 IL 1, MCL 432.201 to 432.226.

As such, the term "qualified facility" refers to the current state of the property, including its ownership. According to both Ingham County and Meridian Township tax records, as of this morning the current owner of both properties is listed as LTG Haslett, LLC, 1111 MICHIGAN AVE STE 300, EAST LANSING, MI 48823.

P.A. 210 also describes in "**207.844 Commercial rehabilitation exemption certificate; filing application by owner of qualified facility; notice and hearing**":

Sec. 4. (1) If a commercial rehabilitation district is established under section 3, the owner of a qualified facility may file an application for a commercial rehabilitation exemption certificate with the clerk of the qualified local governmental unit that established the commercial rehabilitation district. The application shall be filed in the manner and form prescribed by the commission. The application shall contain or be accompanied by a general description of the qualified facility, a general description of the proposed use of the qualified facility, the general nature and extent of the rehabilitation to be undertaken, a descriptive list of the fixed building equipment that will be a part of the qualified facility, a time schedule for undertaking and completing the rehabilitation of the qualified facility, a statement of the economic advantages expected from the exemption, including the number of jobs to be retained or created as a result of rehabilitating the qualified facility, including expected construction employment, and information relating to the requirements in section 8.

As stated above, and assuming that the tax records are correct, the current property owner is LTG Haslett, LLC, not SP Holding Company, LLC, which would seem to make the application by SP Holding Company LLC invalid as it is not being submitted by the property owner of the qualified facility. Until SP Holding Company, LLC purchases the property, and according to a literal interpretation of the provisions in P.A. 210, only LTG Haslett, LLC may file the application. Therefore, the current application by SP Holding Company, LLC should be denied.

If the board is intent on improperly approving the application in its current form, there are several "Whereas" statements in the Draft Resolution that are logically invalid and/or not consistent with the definition of "qualified facility" given in P.A. 210:

Two of the statements ("WHEREAS, the application was approved after a public hearing as provided by section 4(2) of Public Act 210 of 2005 on September 6th;" and "WHEREAS, the application was approved for 10 years and no opportunities for extending the exemption;") are logical fallacies in that they presuppose that the application has been approved when in fact the resolution itself is for approval. How can you use pending approval of an application as support for approving the application in the first place? Therefore, these two "Whereas" statements should be removed from the resolution.

Two other statements ("WHEREAS, the application relates to a rehabilitation program that when completed constitutes a qualified facility within the meaning of Public Act 210 of 2005 and that is situated within a Commercial Rehabilitation District established under Public Act 210 of 2005;" and "WHEREAS, completion of the qualified facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to, increase commercial activity, create employment, retain employment, prevent a loss of employment, revitalize urban areas, and increase the number of residents in the community in which the facility is situated;") incorrectly apply the definition of "qualified facility" by saying that the finished project is the "qualified facility" when in fact P.A. 210 defines qualified facility as the property BEFORE rehabilitation. The first of these two should be removed in its entirety as it is factually incorrect. The second can easily be made to be consistent with facts by replacing the word "completion" with the word "rehabilitation" at the beginning of the statement.

My other major concern, and something the board may wish to consider, has to do with the duration of the certificate. P.A. 210 allows for issuance of a certificate for a period not to exceed ten years. As far as I can tell from reviewing the packets, minutes, and videos of meetings related to the matter at hand, it may have not been made clear to the township entities reviewing the matter that the exemption period could be for fewer than ten years, although it is mentioned in the Sept. 6<sup>th</sup> memo from Director Clark included in the packet for tonight's meeting. Below is an analysis of the additional tax revenue paid to the township over 20 years that would result from a 6-year exemption (2023-2028) and an 8-year exemption (2023-2030) compared to the proposed 10-year exemption:

<b>20-year Estimates</b>	10-year exemption	8-year exemption	6-year exemption
Estimated total taxes	\$ 13,000,000	\$ 15,322,340	\$ 17,644,680
Baseline taxes	\$ 1,388,300	\$ 1,388,300	\$ 1,388,300
Net increase in taxes	\$ 11,611,700	\$ 13,934,041	\$ 16,256,381
<b>Additional tax revenue</b>	-----	\$ 2,322,340	\$ 4,644,680

While these values are approximate and based on my own assumptions, reducing the exemption to 8 years instead of 10 years would result in approximately \$2 million in an additional taxes paid to the township over the 20 year period while a 6 year exemption would result in over \$4 million in additional revenue for the township. Because the project is proposed to be completed by the end of 2028, any exemption beyond six years amounts to a "gift" from the township to the developer.

If I am unable to speak to the board directly during tonight's public hearing, I hope that the comments and concerns outlined in this letter could be addressed during the hearing itself or later during the board discussion item on the agenda.

Sincerely,

Neil Bowlby  
6020 Beechwood Drive,  
Haslett, MI 48840

**From:** Lynne Page

**Sent:** Tuesday, September 6, 2022 3:46 PM

**To:** Board <Board@meridian.mi.us>

**Subject:** Recreational Marijuana Discussion Item #13E\_09.06.22

To the Township Board:

The 2022 August Primary Election Report delivered to the Board on August 4 by Clerk Guthrie was incomplete due to the short interval between the election and the Township Board meeting. Board members' initial questions regarding the election results during the public meeting were deferred and remain unanswered to date. In keeping with Meridian Township's established process, voters deserve a full and complete Primary Election Report to ensure transparency and accountability in the election process.

For your reference, the draft minutes of the Ingham County Board of Canvassers for their meetings of August 8 and August 9, 2022 are attached. The minutes document significant issues with the tabulation of numerous Meridian Township voting precincts, including a comment from Clerk Byrum regarding the "gravity of the situation" referring to issues relating to validating and counting Absentee ballots. Although the September 1, 2022, recount for the Township's recreational marijuana primary election ballot proposal recouped 6 "Yes" votes, Clerk Byrum reported that 9 voting precincts were not "recountable". Per Clerk Byrum's staff, this was due to multiple discrepancies with the ballot container seals and contents.

Although almost 25% of voting precincts could not be recounted, the official "No" result prevailed by a reduced margin of 6 votes. The election results, essentially a tie, reflect residents' deep division on this issue. As you move forward in this matter, I ask you to consider the following:

1. The ballot question did not ask whether residents wanted to opt in for recreational marijuana dispensaries, but only whether to ban recreational pot businesses altogether. Michigan's MRTMA law identifies several recreational marijuana businesses, including grower, processor, secure transporter, and safety compliance facilities, in addition to retail facilities. Other communities have opted in for recreational marijuana facilities without allowing retail dispensaries.
2. The close election outcome is not a mandate for recreational marijuana dispensaries. Residents deserve a careful process that preserves the character and safety of our predominantly single-family, residential community.

1. As with any land use issue, if the Township should decide to opt in, there are significant concerns regarding the number and location of the totality of marijuana businesses, both for medical and recreational establishments. Currently, there are no active medical marijuana permits or pending applications. Based on recent legal developments in other municipalities, it is necessary to rescind the current medical marijuana zoning and non-zoning ordinances to avoid inundating the Township with an excessive number of marijuana businesses.

2. If the Township Board decides to permit retail recreational marijuana businesses, the number of facilities and locations should be restricted to a single dispensary, as there are numerous other pot businesses close by in Bath, East Lansing, and Lansing. Furthermore, to serve Township residents safely, recreational marijuana businesses dispensaries should be located at the center of the Township, rather than at the I-96, US-127, and M-69 gateways to our community.

As a 26-year resident, my preference is to maintain the Township's current MRTMA "Opt Out" status for retail marijuana dispensaries.

Sincerely,  
Lynne Page  
3912 Raleigh Drive  
Okemos, MI 48864



**From:** Xavier Suarez

**Sent:** Tuesday, September 6, 2022 2:35 PM

**To:** Clerk's Office <clerksoffice@meridian.mi.us>

**Subject:** Special Assessment District #20 - 2022 order to maintain sidewalk

To whom it may concern,

My name is Xavier Suarez, resident of 5891 Shadow Lawn Dr. in East Lansing, and I am writing this email to object against special assessment district #20 and to appeal the amount of \$299.70 against my property for this project.

My sidewalks are in great shape and see no need to do any maintenance on them. I have attached some pictures. I am not able to attend the meeting in person, is there a way to attend virtually?

Let me know if there are any more steps that I need to take.

Thanks,

Xavier Suarez











Dennis J. & Sheryl B. McGrath  
1866 Yosemite Drive  
Okemos, MI 48864  
Subject Property: 33-02-02-34-182-009

September 5, 2022

Debra Guthrie, Township Clerk  
Charter Township of Okemos  
5151 Marsh Road  
Okemos, MI 48864



Re: Subject Property 33-02-02-34-182-009  
Protest and objections to special assessment for sidewalk work

Dear Township Clerk Guthrie,

On behalf of Subject Property 33-02-02-34-182-009, this is the written objection to the 2022 Order to Maintain Sidewalk, Special Assessment District #20.

We have arranged for the sidewalk repair adjacent to the Subject Property to be completed in September 2022.

Accordingly, please do not proceed with any maintenance or repair work and do not assess any costs for sidewalk maintenance or repair adjacent to the Subject Property.

If this objection is insufficient in any way, or if you need further information, please contact Dennis McGrath at 517-881-9866.

Sincerely,

A handwritten signature in black ink that reads "Dennis J. &amp; Sheryl B. McGrath".

Dennis J. & Sheryl B. McGrath