The Charter Township of Orion Planning Commission held a regular meeting on Wednesday, November 18, 2020, at 7:00 pm VIA VIDEO CONFERENCE - GoToMeeting Access code 599-669-285 or VIA TELEPHONE 1-(571) 317-3122 Access Code 599-669-285
(Meeting being conducted via video/telephone conference due to the health concern of COVID-19 and the Michigan Department of Health and Human Services)

PLANNING COMMISSION MEMBERS PRESENT:
Don Walker, PC Rep to ZBA (arrived at 7:04 pm) Scott Reynolds, Vice Chairman
Don Gross, Commissioner John Steimel, BOT Rep to PC
Kim Urbanowski, Commissioner Joe St. Henry, Secretary
Justin Dunaskiss, Chairman

PLANNING COMMISSION MEMBERS ABSENT:
None

1. OPEN MEETING
Chairman Dunaskiss, opened the meeting at 7:00 pm

2. ROLL CALL
As noted

CONSULTANTS PRESENT:
Mark Landis, (Township Engineer) of OHM Advisors
Tammy Girling, Township Planning & Zoning Director

OTHERS PRESENT:
Andrew Milia Woody Held
David Steuer John Thompson

3. MINUTES
A. 11-04-2020, Planning Commission Regular Meeting Minutes

Moved by Vice-Chairman Reynolds, seconded by Secretary St. Henry, to approve the minutes as presented.

4. AGENDA REVIEW AND APPROVAL
Moved by Vice-Chairman Reynolds, seconded by Commissioner Urbanowski, to approve the agenda as presented.

5. BRIEF PUBLIC COMMENT – NON-AGENDA ITEMS ONLY
None

6. CONSENT AGENDA
None

7. NEW BUSINESS
A. PC-2020-25, Silverbell Pointe Wetland Permit, located at 4 vacant parcels south of Silverbell Rd. on the east side of Joslyn Rd. (parcel 09-33-201-001, 09-33-128-001, 09-28-379-001, and 09-28-451-001)

Mr. Andrew Milia with Franklin Property Corp. presented via GoToMeeting.
Mr. Milia stated they were there for the wetland approval portion of Silverbell Pointe. He noted that the development was recommended for approval by the Planning Commission and then was approved by the Township Board, and they were now seeking wetland approval.

Mr. Milia stated that David Steuer the principal developer of the development was present, via GoToMeeting and Woody Held their wetland consultant was also present via GoToMeeting.

Mr. Milia said that the wetlands were depicted on their site plans, they were delineated, flagged, and surveyed. The Township Engineer consultant OHM issued a review letter on November 11, 2020. He said that the project was in substantial compliance with the wetland ordinance.

Chairman Dunaskiss asked if Engineer Landis had anything to add?

Engineer Landis gave an overview of his review letter dated November 11, 2020.

Chairman Dunaskiss asked if it was an appropriate time to talk about the phragmites to help mitigate and control it since there was so much there? Planning & Zoning Director stated that the phragmites mitigation is part, usually, of the PUD agreements. She added that they are still working on the PUD agreement related to this development.

Chairman Dunaskiss noted that they did a nice job, working with the current conditions and working around it with very little impact given the vast amounts of wetlands.

Moved by Commissioner Gross, seconded by Vice-Chairman Reynolds, that the Planning Commission approves, the wetland permit for PC-2020-25, Silverbell Pointe, located on 4 vacant parcels south of Silverbell Rd. on the identified (Sidwell #09-33-201-001, 09-33-128-001, 09-28-379-001, & 09-28-451-001). This approval is based on the following findings of fact: that while the project does impact wetlands on the site, the proposed plan impacts less than one acre of existing wetland area and will not negatively affect the drainage pattern in the area; the proposed land use is consistent with the proposed future use of the property; based on the findings of the OHM report of November 11, 2020; and that the requirements of the wetland permit ordinance have been met.

Roll call vote was as follows: Steimel, yes; Reynolds, yes; Urbanowski, yes; St. Henry, yes; Walker, yes; Gross, yes; Dunaskiss, yes. Motion carried 7-0.

B. PC-2020-28, Pure Green, LLC, Ord. #154 application (Class “C” Grown Facility), located at 180 Premier Dr. (parcel 09-35-477-001 & 09-35-477-002)

Chairman Dunaskiss asked Planning & Zoning Director to give an overview.

Planning & Zoning Director Girling noted that each one of these applications required a separate license from the Township, so each application has to have a separate motion and are listed individually on the agenda. She didn’t think that there would be any harm deliberated on them but they would all need to have a formal motion separately.

Planning & Zoning Director Girling added that in regards to her review, they were all the same entity, and they were all at the same location. She verified that each one of them met the requirements for the zoning that it needed to be, the number of feet from residential, schools, and churches. She said those are the location requirements that she looks at before it comes to the Planning Commission. She added that as they go further, the other requirements within Ordinance #154 are verified by the Fire Department and the Building Official.
Chairman Dunaskiss stated that this property is over in the Oakland Business Park, so it is obviously in the zone as Planning & Zoning Director Girling stated and has verified it allowing stack licenses. He said that they were going for ten class “C” licenses, and felt that they had provided everything.

Planning & Zoning Director Girling said that there was one thing that came up in the 11th hour, and that was not closing the loop on ownership and having an interested party in the property. That was why there was an updated suggested motion, if they so please, to give a conditional approval, that one of the conditions be that they close that loop on the ownership proving an interest in the property.

Commissioner Urbanowski questioned the ingress/egress on the street or road that has an average traffic volume in excess of 6,000 vehicles. She added that the report said that the SEMCOG website doesn’t contain traffic count reports. She questioned if that was a big deal? Planning & Zoning Director replied no; if it was not on there it is because the traffic count is so insignificant that they just don’t report on it.

Commissioner Urbanowski asked Planning & Zoning Director Girling to explain the ownership proving an interest in the property? Planning & Zoning Director replied that they have to have an interest in the property in order to be issued this permit license. She said that the lease agreement that they were sent between the landlord and the person with the lease, the one with the lease is the company asking for it, but the person granting it was not who they show as the owner. They contacted the owner on record and the owner on record said that there is a change in entity names and it was signed by one side and not by the other side, so they could not provide that to them. She added that with the motions saying that it is contingent upon this, they would not be fully approved until there were able to produce that document. They have produced it, it just doesn’t complete the circle, showing that one entity is now another entity, which is who the lease is with.

Moved by Vice-Chairman Reynolds, seconded by Commissioner Urbanowski, I move the Planning Commission grant approval of the application as required per Ordinance #154 for PC-2020-28, Pure Green, LLC, for a Class “C” growing facility, located at 180 Premier Dr., (parcel 09-35-477-001 & 09-35-477-002) based on the following findings of fact that the operation does meet the following location requirements: that it is located in the IP zoning district; the building meets all the distance requirements per ordinance #154; the building is located on a road with ingress/egress with trip counts less than 6,000 vehicles/day; the building is located and has an ingress/egress road that does not service as a road that also serves for residential zoning; this approval is based on the following conditions: providing the Township with proof of interest in the property along with the application; the applicant meets all applicable Township and promulgated standards of the township and prior to opening shall demonstrate to the township that it meets the rules and regulations promulgated by the State Medical Marihuana Licensing Board.

Discussion on the motion:

Trustee Steimel noted that the buildings looked good. He was surprised to see how far away they could see their flags and were visible as you come over the hill by Culvers, when going north on Lapeer and thought it looked nice. He felt that they were doing a good job with the facilities and meeting all the requirements. He was also happy to see that they had applicants that are trying to be tenants, so they can get moving on.

Vice-Chairman Reynolds noted that the names were not the same but with this facility his architectural firm had done architectural work. He wanted to disclose a potential
conflict of interest and recused himself. He said they did some facility work with this and wanted to be recused from the discussion and the vote.

Trustee Steimel stated that he thought they were past the point of his company’s involvement, that was with the facility, and now that they were leasing out space, he didn’t think there was a conflict. Vice-Chairman Reynolds noted that there had been work completed with the tenants, and said that he couldn’t say confidently that they will have a direct relationship. He said he would rather be safe than sorry and be recused.

Moved by Commissioner Urbanowski, seconded by Secretary St. Henry, that they recuse Vice-Chairman Reynolds from the conversation.

Motion carried.

Moved by Commissioner Urbanowski, seconded by Commissioner Gross, I move to grant approval of the application, as required per Ord. #154, for PC-2020-28, Pure Green LLC, for Class “C” growing facility, located at 180 Premier Dr. (parcel 09-35-477-001 & 09-35-477-002) based on the findings of facts that the operation does meet the following requirements: it is located in the IP zoning district; it is located in a building that meets all the distance requirements shown in Ord. #154; is located in a building that has an ingress/egress road with less than 6,000 vehicles/day; is located in a building that has an ingress/egress road that does not service a road that also serves for residential zoning; approval is conditioned upon: providing the Township with proof of interest in the property; the applicant meets all applicable Township Ordinances and promulgated stands of the Township and, prior to opening, shall demonstrate to the Township that it meets the rules and regulations promulgated by the State Medical Marihuana Licensing Board.

Roll call vote was as follows: Urbanowski, yes; Gross, yes; Walker, yes; Steimel yes, St. Henry, yes; Dunaskiss, yes. Motion carried 6-0. (Reynolds recused)

C. PC-2020-29, Pure Green LLC, Ord. #154 application (Class “C” Grown Facility), located at 180 Premier Dr. (parcel 09-35-477-001 & 09-35-477-002)

Moved by Trustee Steimel, seconded by Commissioner Gross, I move to grant approval of the application, as required per Ord. #154, for PC-2020-29, Pure Green LLC, for Class “C” growing facility, located at 180 Premier Dr. (parcel 09-35-477-001 & 09-35-477-002) based on the findings of fact that the operation does meet the following location requirements: it is located in the IP zoning district; is located in a building that meets all the distance requirements shown under Ord. #154; is located in a building that has an ingress/egress road with less than 6,000 vehicles/day; is located in a building that has an ingress/egress road that does not service as a road that also serves for residential zoning; approval is conditioned upon providing the Township with proof of interest in the property; the applicant still meets all applicable Township Ordinances and promulgated stands of the Township and, prior to opening, shall demonstrate to the Township that it meets the rules and regulations promulgated by the State Medical Marihuana Licensing Board.

Roll call vote was as follows: Gross, yes; Urbanowski, yes; St. Henry, yes; Walker yes, Steimel, yes; Dunaskiss, yes. Motion carried 6-0. (Reynolds recused)

D. PC-2020-30, Pure Green, LLC, Ord. #154 application (Class “C” Grown Facility), located at 180 Premier Dr. (parcel 09-35-477-001 & 09-35-477-002)

Moved by Secretary St. Henry, seconded by Trustee Steimel, I move to grant approval of the application, as required per Ord. #154, for PC-2020-30, Pure Green LLC, for Class “C” growing
facility, located at 180 Premier Dr. (parcel 09-35-477-001 & 09-35-477-002) based on the findings of fact that the operation does meet the following location requirements: it is located in the IP zoning district; is located in a building that meets all the distance requirements shown in Ord. #154; is located in a building that has an ingress/egress road with less than 6,000 vehicles/day; is located in a building that has an ingress/egress road that does not service as a road that also serves for residential zoning; approval of this motion is based upon the following conditions: that the applicant provide the Township with proof of interest in the property; the applicant meets all applicable Township Ordinances and promulgated standards of the Township and, prior to opening, shall demonstrate to the Township that it meets the rules and regulations promulgated by the State Medical Marihuana Licensing Board.

Roll call vote was as follows: St. Henry, yes; Steimel, yes; Gross, yes; Walker yes, Urbanowski, yes; Dunaskiss, yes. Motion carried 6-0. (Reynolds recused)

E. PC-2020-31, Pure Green, LLC, Ord. #154 application (Class “C” Grown Facility), located at 180 Premier Dr. (parcel 09-35-477-001 & 09-35-477-002)

Moved by Commission Gross, seconded by Commissioner Urbanowski, I move to grant approval of the application, as required per Ord. #154, for PC-2020-31, Pure Green LLC, for Class "C" growing facility, located at 180 Premier Dr. (parcel 09-35-477-001 & 09-35-477-002) based on the findings of facts that the operation does meet the following location requirements: by being located in the IP zoning district; is in a building that meets all the ordinance requirements shown in Ord. #154; has an ingress/egress on a road with less than 6,000 vehicles/day; the building does not service as a road which also serves residential zoning; the favorable recommendation is conditioned upon: the applicant meeting all applicable Township Ordinances, and promulgated standards of the township; prior to opening shall demonstrate to the Township it meets the rules and regulations promulgated by the State Medical Marihuana Licensing Board; the ownership interest be clarified to be in compliance with the ordinance.

Roll call vote was as follows: Walker, yes; St. Henry, yes; Steimel, yes; Urbanowski, yes; Gross, yes; Dunaskiss, yes. Motion carried 6-0. (Reynolds recused)

F. PC-2020-32, Pure Green, LLC, Ord. #154 application (Class “C” Grown Facility), located at 180 Premier Dr. (parcel 09-35-477-001 & 09-35-477-002)

Moved by Trustee Steimel, seconded by Commissioner Gross, I move to grant approval of the application, as required per Ord. #154, for PC-2020-32, Pure Green LLC, for Class “C” growing facility, located at 180 Premier Dr. (parcel 09-35-477-001 & 09-35-477-002) based on the findings of facts that the operation does meet the following location requirements: it is located in the IP zoning district; is located in a building that meets all the distance requirements shown in Ord. #154; is located in a building that has an ingress/egress road with less than 6,000 vehicles/day; is located in a building that has an ingress/egress road that does not service as a road that also serves residential; this approval is conditioned upon: the applicant provide the Township with proof of interest in the property; the applicant meets all applicable Township Ordinances and promulgated standards of the Township and, prior to opening, shall demonstrate to the Township that it meets the rules and regulations promulgated by the State Medical Marihuana Licensing Board.

Roll call vote was as follows: Steimel, yes; Gross, yes; Urbanowski, yes; St. Henry, yes; Walker, yes; Dunaskiss, yes. Motion carried 6-0. (Reynolds recused)

G. PC-2020-33, Pure Green, LLC, Ord. #154 application (Class “C” Grown Facility), located at 180 Premier Dr. (parcel 09-35-477-001 & 09-35-477-002)
Moved by Secretary St. Henry, seconded by Trustee Steimel, I move to **grant** approval of the application, as required per Ord. #154, for PC-2020-33, Pure Green LLC, for Class “C” growing facility, located at 180 Premier Dr. (parcel 09-35-477-001 & 09-35-477-002) based on the finds of fact that the operation does meet the following location requirements: it is located in IP zoning district; it is located in a building that meets all the distance requirements per Ord. #154; is located in a building that has an ingress/egress road with less than 6,000 vehicles/day; it is located in a building that has an ingress/egress road that does not serve as a road that also serves for residential zoning; this approval is based on the following conditions: that the applicant provides the Township with proof of interest in the property; the applicant meets all applicable Township Ordinances and promulgated stands of the Township and, prior to opening, shall demonstrate to the Township that it meets the rules and regulations promulgated by the State Medical Marihuana Licensing Board.

**Roll call vote was as follows:** Gross, yes; Urbanowski, yes; St. Henry, yes; Walker, yes; Steimel, yes; Dunaskiss, yes. **Motion carried 6-0. (Reynolds recused)**

H. PC-2020-34, Pure Green, LLC, Ord. #154 application (Class “C” Grown Facility), located at 180 Premier Dr. (parcel 09-35-477-001 & 09-35-477-002)

Moved by Commissioner Gross, seconded by Trustee Steimel, I move to **grant** approval of the application, as required per Ord. #154, for PC-2020-34, Pure Green LLC, for Class “C” growing facility, located at 180 Premier Dr. (parcel 09-35-477-001 & 09-35-477-002) based on the facts that the operation: is located within the IP zoning district; is in a building that meets all the distance requirements shown in Ord. #154; is located in a building that has ingress/egress road with less than 6,000 vehicles/day; the building has ingress/egress road that does not serve as a road that also serves for residential zoning; this motion for approval is conditioned upon: the applicant meets all applicable Township Ordinances and promulgated stands of the Township and, prior to opening, shall demonstrate to the Township that it meets the rules and regulations promulgated by the State Medical Marihuana Licensing Board; that the ownership interest be clarified to be in compliance with the township ordinances.

**Roll call vote was as follows:** Urbanowski, yes; Gross, yes; Walker, yes; St. Henry, yes; Steimel, yes; Dunaskiss, yes. **Motion carried 6-0. (Reynolds recused)**

I. PC-2020-35, Pure Green, LLC, Ord. #154 application (Class “C” Grown Facility), located at 180 Premier Dr. (parcel 09-35-477-001 & 09-35-477-002)

Moved by Commissioner Urbanowski, seconded by Trustee Steimel, I move to **grant** approval of the application, as required per Ord. #154, for PC-2020-35, Pure Green LLC, for Class “C” growing facility, located at 180 Premier Dr. (parcel 09-35-477-001 & 09-35-477-002) based on the finds of facts that the operation does meet the following location requirements: it is in an IP zoning district; it is located in a building that meets all the distance requirements shown in Ord. #154; is located in a building that has an ingress/egress road with less than 6,000 vehicles/day; is located in a building that has an ingress/egress road that does not service as a road that also serves for residential zoning; the motion approval is conditioned upon: providing the township with proof of interest in the property; the applicant meets all applicable Township Ordinances and promulgated stands of the Township and, prior to opening, shall demonstrate to the Township that it meets the rules and regulations promulgated by the State Medical Marihuana Licensing Board.

**Roll call vote was as follows:** St. Henry, yes; Steimel, yes; Walker, yes; Gross, yes; Urbanowski, yes; Dunaskiss, yes. **Motion carried 6-0. (Reynolds recused)**
J. PC-2020-36, Pure Green, LLC, Ord. #154 application (Class “C” Grown Facility), located at 180 Premier Dr. (parcel 09-35-477-001 & 09-35-477-002)

Moved by Commissioner Walker, seconded by Commissioner Urbanowski, I move to grant approval of the application, per Ord. #154, for PC-2020-36, Pure Green LLC, for a Class “C” growing facility, located at 180 Premier Dr. (parcel 09-35-477-001 & 09-35-477-002) based on the facts of fact that the operation does meet the following location requirements: it is located in an IP zoning district; is located in a building that meets all the distance requirements shown in Ordinance #154; is located in a building that has an ingress/egress road with less than 6,000 vehicles/day; is located in a building that has an ingress/egress road that does not service as a road that also serves for residential zoning; the motion approval is conditioned upon: providing the township with proof of interest in the property; the applicant meets all applicable Township Ordinances and promulgated stands of the Township and, prior to opening, shall demonstrate to the Township that it meets the rules and regulations promulgated by the State Medical Marihuana Licensing Board.

Roll call vote was as follows: Gross, yes; Urbanowski, yes; St. Henry, yes; Walker, yes, Steimel, yes; Dunaskiss, yes. Motion carried 6-0. (Reynolds recused)

K. PC-2020-37, Pure Green, LLC, Ord. #154 application (Class “C” Grown Facility), located at 180 Premier Dr. (parcel 09-35-477-001 & 09-35-477-002)

Moved by Trustee Steimel, seconded by Secretary St. Henry, I move to grant approval of the application, as required per Ord. #154, for PC-2020-37, Pure Green LLC, for Class “C” growing facility, located at 180 Premier Dr. (parcel 09-35-477-001 & 09-35-477-002) based on the facts of fact that the operation does meet the following location requirements: it is located in an IP zoning district; it is located in a building that meets all the distance requirements in the Ord. #154; is located in a building that has an ingress/egress road with less than 6,000 vehicles/day; is located in a building that has an ingress/egress road that does not service as a road that also serves for residential; the approval is based on the following conditions: the applicant provide the township with proof of interest in the property; the applicant meets all applicable Township Ordinances and promulgated stands of the Township and, prior to opening, shall demonstrate to the Township that it meets the rules and regulations promulgated by the State Medical Marihuana Licensing Board.

Roll call vote was as follows: Urbanowski, yes; Gross, yes; Walker, yes; St. Henry yes, Steimel, yes; Dunaskiss, yes. Motion carried 6-0. (Reynolds recused)

L. 2021 Planning Commission Meeting Dates

Moved by Commissioner Urbanowski, seconded by Commissioner Gross, to accept the 2021 regular meeting date resolution, as presented.

Motion carried.

8. UNFINISHED BUSINESS

None

9. PUBLIC COMMENTS

None

10. COMMUNICATIONS
A. Brandon Township Master Plan – Notice of Intent to Develop

11. PLANNERS REPORTS
None

12. COMMITTEE REPORTS
None.

13. FUTURE PUBLIC HEARINGS
None.

14. CHAIRMAN’S COMMENTS
Chairman Dunaskiss thanked Trustee Steimel for all his service, time, effort, and all that he has done for the community.

15. COMMISSIONERS’ COMMENTS
Secretary St. Henry thanked Trustee Steimel for all of his knowledge and professionalism and wished him the best.
Commissioner Gross thanked Trustee Steimel and said that he was a great asset, not only to the Planning Commission but the entire township, and wished him well.
Commissioner Urbanowski said she echoed everyone’s sentiments about Trustee Steimel, and wanted him to enjoy whatever it is that he was going to do.
Vice-Chairman Reynolds said he was going to wish Trustee Steimel the best, but he felt that he still might appear at another meeting. He thanked Trustee Steimel and noted that people don’t realize the time, effort, and investment that goes into the board meetings. He felt that 20 plus years was very commendable and something to be very appreciative of and thanked him for all of his contributions to the community.
Commissioner Walker thanked Trustee Steimel and said the community will miss him. Trustee Steimel thanked them all for their kind comments and said he would miss them all. He hoped to see them around town. He thought it was interesting how over time he grew to become very passionate about, especially Planning Commission land use, and he learned a lot about the Township. He felt going out and walking sites, meeting all the different people, became a passion of his. He liked the Master Plan process and thought it was important and getting input from the public.

16. ADJOURNMENT
Moved by Vice-Chairman Reynolds, seconded by Commissioner Gross to adjourn the meeting at 7:58 pm. Motion carried.

Respectfully submitted,

Debra Walton
PC/ZBA Recording Secretary
Charter Township of Orion

December 2, 2020
Planning Commission Approval Date