The Charter Township of Orion Planning Commission held a regular meeting on Wednesday, June 21, 2023, at 7:00 p.m. at the Orion Township Municipality Complex Board Room, 2323 Joslyn Road, Lake Orion, Michigan 48360.

**PLANNING COMMISSION MEMBERS PRESENT:**
- Scott Reynolds, Chairman
- Don Gross, Vice-Chairman
- Joe St. Henry, Secretary
- Jesssica Gingell, Commissioner
- Don Walker, PC Rep to ZBA
- James Cummins, Commissioner
- Kim Urbanowski, BOT Rep to PC

**PLANNING COMMISSION MEMBERS ABSENT**
None.

1. **OPEN MEETING**
Chairman Reynolds opened the meeting at 7:00 p.m.

2. **ROLL CALL**
As noted.

**CONSULTANTS PRESENT:**
- John Enos, (Township Planner) of Carlisle Wortman Associates, LLC
- Tammy Girling, Township Planning & Zoning Director

**OTHERS PRESENT:**
- Lisa Shackleton
- Tom Beauchamp
- Zeyad Alfred

3. **MINUTES**
A. 6-7-23, Planning Commission Regular Meeting Minutes

Moved by Vice-Chairman Gross, seconded by Commissioner Cummins, to approve the minutes as presented. **Motion carried.**

4. **AGENDA REVIEW AND APPROVAL**
Moved by Commissioner Cummins, seconded by Liaison Urbanowski, to approve the agenda as presented. **Motion carried.**

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

6. **CONSENT AGENDA**
None.

7. **NEW BUSINESS**

Chairman Reynolds asked the applicant to state their name and address for the record.

Lisa Shackleton representing Clearview Homes was present. Her address is 49305 Marsseilles Macomb Michigan, 48044.
Chairman Reynolds asked the applicant to give an overview.

Ms. Shackleton explained that she petitioned the Planning Commission allow her to amend their landscape plan for Waldon Meadows Condominium. As part of their landscape plan, they were required to install yard or street trees along with some entry common area planting as well. All the common area plantings have been completed and inspected. At some point through the process, they were informed by the Planning Department that all landscaping in the community, including the yard or street trees, were to be inspected one year after the installation of the last item. She stated that it was their intention to plant all of the yard trees at one time so that the clock could start ticking once they were all installed. Several of the homeowners at the time had moved into their homes and did not want them to plant the trees once they had ownership of the homes. She did reach out to everybody in the community and everybody that was willing to accept a tree, they did install several of them did not want the trees. She explained the plan shows what they did attempt to install and what was already installed by other homeowners to give the Planning Commission an idea of what is on-site right now.

Chairman Reynolds thanked the applicant and turned it over to the Township Planner to read his review of the request.

Planner Enos read through his review dated stamped received May 17, 2023.

Commissioner Cummins stated that Clearview is an experienced builder. He continued on to say could not believe that they could have passed up the fact that they are going to omit thirteen or by his count as many as nineteen trees in this subdivision knowing that they were required to plant them. As they went to sell a lot, at least they should have told tell the owners they have two trees, they need to be planted, one tree whatever you are putting in there. Those trees should have been planted at the time that those lots were finished graded and they sold those lots.

Vice-Chairman Gross said that upon reviewing the site of the subdivision, he thought the developer did a pretty decent job of preserving and maintaining some existing trees on some of the lots. It is unusual that they did not mass-grade the entire site, but they did preserve some of the rather large trees, especially on the western border. The only area he saw that could use some assistance was on lot 4, which is the lot which backs up to Waldon Road on the west end of the subdivision. Lots 1, 2, and 3 have nice existing heavy trees along Waldon and lot 4 is bare. He thought that even if it is in the right-of-way, some additional landscaping along lot 4 would be very helpful in terms of screening that property from Waldon.

Chairman Reynolds stated that it was disappointing to have the development go down the way it did. Landscaping is something we factor in these developments so it was something that he thought he would like to see. He was understanding of the situation, understanding that it has been a while since it has been approved and built and there was some homeowner input on here. He thought that for him, it is the discussion of do we require what was previously approved, do we want to accept what they have done to date, or find some compromise in between? He did not want to go and start changing or shifting. Chairman Reynolds thought to go with one or the other, but he was open to working with this, at the same time, he would love to see the street trees, but he was also understanding that as a homeowner what that would mean.

Commissioner Gingell asked the applicant if the landscaping requirements are in the HOA documents for the street trees?
Ms. Shackleton stated that there is language in the Master Deed and By-Laws that talks about landscaping requirements that could be required by a municipality.

Commissioner Gingell wondered if our requirement was in there? Do we know?

Ms. Shackleton stated that she would have to check.

Commissioner Gingell stated that a lot of them say each house is required to have a street tree. She thought that this was overlooked in the HOA documents.

Ms. Shackleton said that she knew potentially in our PA, there may be some language between them and the buyer that indicates or discusses the potential of any municipality planting requirement.

Ms. Shackleton emphasized that it was never their intent not to plant the trees. They were not looking to walk away from that. While a sub of this size could potentially take two years to build out, if they plant a tree in year one and the last tree is planted two years later and then they have to warrant a tree for another year after that, then they were looking at a potential three-year period from the first tree. It is a combination of they cannot plant at the very beginning when the sub is under construction because these trees were required to be in the front yard and not in the right-of-way. They cannot grade, they cannot build a house with a tree there and at that point, there is not a public right-of-way that would potentially give them access to put a tree in after the fact. These homeowners own their properties, and at that point they could not get in there. Ms. Shackleton ran the whole process and she made every attempt with every homeowner to try and get those trees installed. They even had several more that were even going to take them initially. Then at some point in the process, she went out a week later and the homeowners said forget it, they did not want them. She tried.

Commissioner Walker said that it seemed to him that all he heard was that these are the things she did not do. He did not hear a good reason why she did not do them. If she had done this before, she had to dot her I’s and cross her T’s. One of the reasons we grant PUDs and things of that nature is because of that tree ordinance. He is known as the “tree-man” and he takes it really, really seriously. He asked the applicant, that they heard and took the temperature of the Board, what would they suggest they do?

Ms. Shackleton said that they would have absolutely from the beginning offered to pay into a tree fund if that was an option. There is nowhere else to plant trees and she understood that Vice-Chairman Gross mentioned lot 4. If you look at the property line, that person’s property goes all the way to the pathway so that is his property, they cannot plant anything in there because it is the same argument that that is their property. That only leaves between the pathway and Waldon Road, which is the right-of-way, so they cannot put anything there either. There is a small area up front where there are just the little entry plantings. There is a small easement up there for those plantings but other than that every other piece of that sub is owned by somebody, so there is nowhere to put them. They had no problem with the Planner’s suggestion to work with Parks and Rec for the additional trees that were not planted there, but there is nowhere to put them on site.

Liaison Urbanowski stated it was her understanding that for any sort of tree fund, we would have to spend it within a certain amount of time. On top of that, some of the things that we have planned for Parks and Rec are not quite there and not ready to be done yet. We are at a point where we are not quite in a position to accept either one of those things. We do not have the space for them yet until we build a park which is not quite ready. If we take the money, we have
to spend it on trees and put it somewhere. We do not have a place for that either. We cannot take on the issue that was created by this.

Secretary St. Henry stated that our options are limited. He was curious why did the homeowners not want the trees?

Ms. Shackleton replied that she did not know. Some were adamantly angry that they absolutely did not want them; we were stuck.

Secretary St. Henry wondered what kinds of trees are these?

Ms. Shackleton stated that they were a variety.

Secretary St. Henry questioned are they of decent size?

Planner Enos replied yes, three and a half caliper, d.b.h. Planner Enos added that since they were trying to brainstorm here, what about the possibility to ask residents who will not shoo her off their property, whether they would be interested in an additional tree?

Ms. Shackleton stated that she thought that it might be possible.

Liaison Urbanowski said that is not a given. That would just be a possibility. That does not really solve the issue.

Planning & Zoning Director Girling added that it always seems like when there is an issue with a neighborhood, there is an issue with a neighborhood. She said that since day one even along the perimeter the mature standing pine trees, beautiful pine trees, the homeowners were in and saying I want to cut them down. Then, we had the corner lot 22 who had some trees, and they were like I do not like the trees. Landscaping has been the theme of the issue of this neighborhood since day one. For whatever reason, the homeowners that have moved in here are not even liking the existing ones that are to remain.

Secretary St. Henry said to continue with the discussion of a wacky idea. This is our community. There is a lot going on with the schools and so forth right now, a lot of construction. They just built a new elementary school in the Village, early childhood centers that are a year or two old. There are other buildings where there may be tree issues. Why don’t we try and work something out with the school district and see if they would be interested in any of those trees? Landscape their properties, he said since they are part of the community.

Chairman Reynolds questioned can we do that with our tree fund? Liaison Urbanowski wondered can we do that with what? Chairman Reynolds replied with the tree fund. Liaison Urbanowski stated no.

Chairman Reynolds thought that the parameters of it are very specific.

Planning and Zoning Director Girling indicated that we never created a tree fund. We would be creating something that we never had. There has been litigation on communities that had the tree fund. It cannot be just this fund of money that sits there. It has got to be spent relatively fast. She did not know what relatively fast is, but she remembered reading and thinking wow that is relatively fast. We are talking about creating something that does not exist plus we are talking about text amendments where we might even just eliminate that because of the hassle of it. Then, you are talking about not wanting physical trees. Unless there is somebody that physically has the ability to have thirteen trees delivered and they bear the responsibility, and
you just cannot deliver them and have them sit there. That was the problem we had discussions previously with Parks and Rec about them opening a nursery but when they started the number of trees we were talking about because this is coming up in a lot of cases, they were like we just cannot handle that; we do not have the ability. They are larger, they are balled up and they have got to be planted and they have to be ripped up and they have to be moved. The conversation came to a close and it is not the direction they want to go.

Liaison Urbanowski asked the applicant if she had any other properties in the Township?

Ms. Shackleton replied no.

Secretary St. Henry re-emphasized the point that we do not have a tree fund. He suggested that they think outside the box here a little bit. Let us figure out someplace else in our community that could use thirteen nice trees.

Planning and Zoning Director Girling said that while we are researching it, where do the thirteen trees go? They owe them to us until we figure it out? If we do not figure it out, do they have to come back?

Secretary St. Henry wondered how long will it take to put some feelers out there for some trees?

Chairman Reynolds replied that it happens on a regular basis. That was why Liaison Urbanowski spoke to what she did. This is a frequent topic of a project not fulfilling the tree requirement and we have to try and scramble and try to find a place to put them. A lot of times, we go to Parks and Rec or that other entity. Based on when we collect, then it becomes a task of the Township to figure that out. It is almost like that has to be brought forth by the applicant as a solution. To say, here is where we are going to go and us to bring that versus us assuming the issue and then fixing it.

Secretary St. Henry suggested that maybe if the applicant threw those ideas out there, they would consider doing that.

Vice-Chairman Gross wondered if MDOT would be willing to accept the thirteen trees? In the median?

Chairman Reynolds replied that it is all hypothetic.

Planner Enos stated that there are options and as said we would like to see the applicant come up with options. Whatever those options are in our Township; we do not know what those options are.

Ms. Shackleton suggested Woodside Church or some other church. Maybe she could call them and say would you like thirteen trees, something like that?

Chairman Reynolds confirmed that he was defending the process and our staff, and we frequently run into this that we say hey here’s 46 trees right? By our legal requirements, we cannot just say perfect, we will figure them out. Yes, he was sure there are needs in the community, right? However, as of here today based on what the applicant is required to do versus what we are willing to work with and here are the circumstances, we cannot hang our hat on the what if. We want to hang our hat on we are going to donate these to so and so, right? For us, on his behalf, he can understand the circumstances. He was very frustrated that it did not go in in the first place and if there was not a good alternative solution of where these could go within our Township, we would personally be requiring the site plan as it was originally
submitted. With that said, he did not know if anyone was willing to make a motion or if anyone wanted to have further discussion here, to allow the applicant to provide that solution to them.

Planning and Zoning Director Girling pointed out that along that line, as she was trying to think of because it comes back to staff following up, her mind was thinking that the plan before us is what is out there, which is lacking thirteen so perhaps if the Planning Commission is in favor of it, it would be a motion to approve this alternate plan with the condition that the applicant has to come back with written correspondence of who they are going to give in Orion Township the thirteen trees to.

Liaison Urbanowski added could we also put a couple of parameters on who they are given to.

Chairman Reynolds agreed with Liaison Urbanowski.

Planning and Zoning Director Girling added that it should also list the size of the trees.

Chairman Reynolds responded with of equal caliper.

Moved by Liaison Urbanowski, seconded by Commissioner Cummins, that the Planning Commission grants amended landscape plan approval for PC-23-16, Waldon Meadows Amended Landscape Review, located on the north side of Waldon Rd., west side of Lapeer Rd. (parcel #09-26-102-001 through 09-26-102-022) for plans date stamped received 4/20/2023 based on the following findings of fact: the applicant has demonstrated that there are no places within this plan to put the thirteen trees that are lacking and this is also conditioned upon the applicant coming up with an alternate plan for placing thirteen trees somewhere in the community in terms of public spaces or community spaces.

Discussion on the motion:

Chairman Reynolds requested that there be an amendment to the motion. The thirteen trees of equal d.b.h., required d.b.h. essentially, so they can flex that a little bit if it is not equally thirteen, they are at least getting the replacement quantity.

Ms. Shackleton clarified to the Planning Commission that they want the trees in a public facility of some sort.

Commissioner Walker questioned if there was a time limit within the motion. He suggested that there be a reasonable time limit in the motion itself.

Chairman Reynolds went back and clarified the intent of where these would go, something that is a community benefit.

Liaison Urbanowski interjected with something along the lines of a public space, library, civic areas, places that are enjoyed for free by the community maybe that is connected to some sort of charity or something. When we think in terms of when we do a PUD, we think of community benefit. She would like it to be a community benefit.

Chairman Reynolds suggested that we clarify it in the scence of a community space or civic space within a 12-month period. He thought that whether it is a non-profit or not at least something that is a bigger picture.

Liaison Urbanowski wondered how are we going to verify this and make the approval? Are we making this incumbent upon the Planning and Zoning Director and
administratively to approve it or do we want to put it in front of the Planner again to see if that is good? Do we want to have it come back that we approve it? How are we making sure that this is being followed through?

Planner Enos proposed that it could be done administratively between the Planning and Zoning Director and himself as part of the motion. They provide that information location d.b.h. and they would bring it back to them and let them know what that was, but they can administratively handle that.

Planning and Zoning Director Girling asked if planted is meant literally planted? It is not correspondence, library, yes we are going to be accepting thirteen trees. Do they physically have to be planted? In which time they are planted, she will be notified and probably check with her ahead of time of the location, to make sure we are in agreement of the public space, then when they are planted, they get a hold of her, she goes out and counts thirteen trees, life is grand, we move on.

Chairman Reynolds made a clarification of the motion that it is intended that the administration would verify that the trees are physically planted within a 12-month period.

Planning and Zoning Director Girling said that as she pointed there is in the ordinance that we hold their money a year from when it is planted to make sure that it survives. Was she still going that year from when it was planted in this community space?

Chairman Reynolds and Liaison Urbanowski both replied yes.

Chairman Reynolds again clarified the performance guarantee as noted in the discussion for the motion.

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

B. PC-23-21, Dutton East Retail Landscape Review, located at 4898 Bald Mountain Rd. (parcel 09-35-477-003).

Chairman Reynolds asked the applicant to approach the podium, state their name and address for the record and give them a brief overview.

Tom Beauchamp representing the landowner and the tenant for the site located at 4898 Bald Mountain Rd. His address is 4865 Broomfield Way.

Mr. Beauchamp admitted that the site has been a challenging site. The site consisted of parcel one and parcel two. Parcel two is the large area behind Culver’s which was a landfill, the Sandison landfill. Up on the hill is where Joyology currently resides. In order to build within the property line, they had to build a retaining wall of two hundred fifty thousand dollars to get it to that edge so they could get a building on the property, to get a parking lot to meet the Fire Marshal’s requirement for twenty-six feet aisle ways and part of the property was actually across Premier Drive. It is just a very tight site. A month or two down the line, now all of a sudden, ITC comes through and they want to put their power poles. They have an easement and the applicant cannot have trees or anything below that. There are specific plants that are compliant that they could put there. There was an initial landscape package that was put together through the site plan process that was submitted that Nowak and Fraus had done. They came back
after a number of rounds with the ITC, changes that were required with them being in there and having a public utility improvement and then the owner moved in. Some of the things that they overlooked in the design was the impact of not only the new one but the existing power poles that DTE ran across along Bald Mountain and the Premier side. They added to the fact on the west elevation where they had to build this retaining wall, the retaining wall is twenty feet tall at the highest point. It was not twenty-one double A, it is six A but it is a stone that is twenty feet from the wall back into the parking lot. The little greenbelt that he has set up there, he cannot even plant anything in, plus roots would grow into the wall. There is a lot of hardship, and a lot of burden to try to find places to put trees. Additionally, they had to put in a septic field on the site because the location and elevations of the existing sanitary system trying to tie into something where they did not have property at that time. It would have been floating in the air to be able to get it to tie in. There have been a number of hardships to get to the point where they are at. They are going to throw thirty-eight trees around this property and try and make this stuff work. It has been very difficult. The building is going to be completely hit. There is understanding the ordinances and protecting the line of vision to the parking lots and different things. They did a revised site plan.

Planner Enos read through his review dated stamped received June 12, 2023.

Mr. Beauchamp understood what Planner Enos was saying. Mr. Beauchamp went on to point out specific areas on the proposed landscape plan. He stated that they want the trees to thrive; they want them to grow and if they are talking about adding one or two more trees in a corner, they could do that. They might be pine trees if the other two are deciduous. He stated there are three trees along Premier Drive. He pointed out he cannot plant in the area of the septic field. However, he mentioned an area of where he could put five trees but what they are trying to achieve, sometimes we get caught up in ordinances. He explained that he gets it because then everybody who does not come in here and it is a subjective deal of what do we do. He stated he does not know the answer and pointed to three big trees. He continues there is a power line but that comes more over the parking lot. It is not directly over. The three trees are directly under power lines. He stated they are not the ITC power lines that are along Dutton, but they are power lines from DTE. The trees have to be maintained and kept under the height that they are. He stated he did not know if it was 20 feet. In the interior, they have three trees now that may not be a typical shade tree. He reiterated that they spent a lot of money building a building too. The building is a beautiful building in the community. He expressed that you can cover it up with where people drive by, they see a forest. He continued to say he was not trying to be insensitive. This was not anything before, it was the top of the landfill. They have created something that he thought was beneficial to the community at a cost. It is not a cost issue to put trees here. If you guys come out of this and we got to put fifty trees on there, we will figure out how to do it. That is not what the intent is as we come in here. We want it to look presentable. The tenant wants it, and the landowner themselves wants it. He would be glad to work with the Planner’s landscape consultant if they have some ideas that made scene that we can actually put on paper and do this. George Ostrowski with Nowak and Fraus is a talented guy too and he has beaten me over the head every time we came back to him with these challenges.

Commissioner Walker stated that one of his least favorite arguments by an applicant is it is a challenging site because unless someone forced the applicant to do it, the applicant and their team picked this site, and you knew what the site looked like before you picked this site. The applicant knew it was a landfill. Commissioner Walker explained that he had the advantage of being on the Zoning Board and his Waze could not find this place at first. He could not figure out where he was even going because maybe the streets are not in the latest addition of Waze. It is challenging but it is there. It was there when the applicant started. When they came in front of the Zoning Board, they wanted another sign. The applicant wanted a variance from the sign ordinance because it was so difficult to see the building; that was the pitch. The Board voted for
the applicant, but it was not a unanimous vote. It was a lot of discussion among the Board members about granting that variance. Some of us did not feel that it was not warranted. When he heard again today, it is a challenging site, it is a challenging site. He did not pick the site, someone on the applicant’s team did. He did not like the argument that much.

Commissioner Cummins commented that he looked over this pretty well. He drives past this almost every single day and regularly passes it on Dutton Road. He could tell them that it is not unreasonable. We have nothing that we can do with that ITC easement, of course. It is a legitimate waiver. He believed that probably the twenty-two open-space trees are going to be difficult for them to achieve. He believed that the rest of the trees could easily be achieved and probably add to the site. The applicant will still have great visibility of that building from Dutton and M-24. It is sitting on top of the mountain. Everyone will see Joyology’s building from the two most heavily traveled roads, so visibility is not going to be blocked by these trees. The street trees along Bald Mountain and Premier could easily be handled. He thought that the applicant had an adequate plan that they did when they did a cross between the ITC plan that was developed back in March and their proposed plan that he had today if they had a cross reference those two together and keep some of those larger shade trees and mix in some of the smaller trees; he thought that the applicant could come up with a pretty good plan that you do not have to waiver all the trees.

Liaison Urbanowski noted that even if they had landscaping around this building, there is no way anyone could miss it. It is right there. She asked if the applicant still had the lights on the side of the building too? The applicant replied they are gone. Liaison Urbanowski said she thought that they should go through every one of these waivers and talk about them and see what we think about them because there are a lot of waivers that they are asking and she wanted to be very specific on what we are expecting from them.

Chairman Reynolds agreed with Liaison Urbanowski. He voiced his thoughts. It seems like because there is a hardship it is like we are just jumping off the cliff and saying well let us just fight it. He thought that from the basis of approval, we rarely approve seven waivers on a project, especially of all one nature and belief. What he would like to have happen is the applicant come forth with a reduction of waivers with a proposed site plan versus just an open-ended here is seven, will you approve them? He thought there are areas where additional can be considered. Chairman Reynolds considered that there are some areas where there are potentially alternate methods; the applicant had heard discussion prior to their case of other opportunities if that might be considered. He understood the easements, he understood the parameters that cannot be controlled. He felt like there is a handful that are decisions being made here that are in defense of branding then in defense of landscaping. He did not want to necessarily say tit for tat. He would like to see a reduction in the waiver proposal.

Planner Enos interjected that he agreed with Chairman Reynolds. He thought that the applicant should come back before the Commission after reviewing our suggestions and also perhaps talking with our landscape architect. For example, the hedge rows running along Premier and/or extending along Bald Mountain. To extend those hedge rows may allow the applicant to speak with the Planning Commission and say hey we have extended these hedge rows three-to-five-foot hedge rows to block traffic and headlights. Can we have a waiver on tree removal? To walk through all these several waivers with the idea that hey we are going to give this or that changes the layout because he did not believe that the Commission will give you all of the waivers. It changes the layout of the plan. He would suggest as the Commission was talking about and the Chairman had mentioned to do what the applicant can based on our strong suggestions and they can certainly work with our landscape architect and have these discussions and bring this back with a lower number of waivers. At that point, the Commission may be able to have a conversation on what works or does not work.
Liaison Urbanowski expressed that the compatible planting list that was included with them from ITC. She looked at their website and there are a couple of different suggestions for things that can be planted along their easement on the ITC website. There are additional ideas on where the trees can be planted.

Planning and Zoning Director Girling mentioned that she and Planner Enos have talked about this. The landscape section of the ordinance gets repetitive. Where it might appear to be one, two, three, four, five, six waivers it is because there is a requirement here under this section and there is a requirement here under this section. It is still talking about the same area but because it is two different sections of the ordinance, it compounds itself. It makes it look worse than it is. Again, your decision on whether you look at these each before a motion is on the table and we are out of here. She did have to say in defense, it can look worse than it is just because of the multiple places we talk about landscape in the ordinance.

Chairman Reynolds understood and acknowledged that our ordinance can sometimes be a little messy. He guessed just plans aside, he felt like there is some opportunity here to make up and make an honest attempt at areas that have been pointed out today. Walking in, saying that this is the requirement and then it is all off the table. Chairman Reynolds thought there are some areas that we can still provide some additional. He would consider because of those hardships of the public spaces and utilities there could be some others maybe on the adjacent properties or another area. His intent here is he did not want to keep talking about sure they can just push them elsewhere because that is not his end goal with our ordinance. His opinion would be to have an opportunity to revise and resubmit based on some of the discussions.

Liaison Urbanowski wanted to make sure that they are all clear about what they would like each one of us; what we are expecting to see when it comes back. As many trees as possible, plantings where you can, understanding that some issues have happened and that is understandable. She believed that there is plenty of opportunity here to do some nice landscaping and put some trees in. She would like to see a valiant effort.

Chairman Reynolds mentioned what the applicant brought forth to the Planning Commission tonight and what he thought the applicant had. He thought that within reason, some of these areas of where they changed and what you are doing in lieu of, especially if there is some of the low plantings or something. There are opportunities to fill in some more on the site and then also he would be open to other contributions personally. He did not know there were other thoughts here because things like a power line are obviously a difficult parameter, but it could be an opportunity for another location to receive trees.

Secretary St. Henry concurred with Chairman Reynolds in seeing another plan, using as many trees as possible for landscaping. He also agreed that just like the last case they looked at, there are creative opportunities to plant trees and benefit this community. He thought the applicant has an opportunity here to move forward with a strong idea another option if there are any extra trees. We are making you work a little, it is the way it goes.

Moved by Chairman Reynolds, seconded by Commissioner Cummins, that the Planning Commission postpone revised landscape plan approval for PC-23-21, Dutton East Retail Revised Landscape Review, located at 4898 Bald Mountain Rd. (parcel 09-35-477-003) for plans date stamped received 6/1/2023 for the following reasons: to provide time for the applicant to revise and resubmit a landscape plan that reduces the number of waivers and increases the number of tree plantings within the site or comes up with alternative solutions for the lack of plantings within the proposed development of the second.
Chairman Reynolds asked if there were any further discussions of the motion from the Planning Commission. There were none.

Chairman Reynolds asked if there were any public discussion of the motion. There were none.

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

### 8. UNFINISHED BUSINESS
None.

### 9. PUBLIC COMMENTS
None.

### 10. COMMUNICATIONS
None.

### 11. PLANNERS REPORTS/EDUCATION
None.

### 12. COMMITTEE REPORTS
None.

### 13. FUTURE PUBLIC HEARINGS
None.

### 14. CHAIRMAN’S COMMENTS
Chairman Reynolds told everyone to enjoy the holiday coming up and the festivities in town and the fireworks and everything. He hoped that everyone enjoy themselves and to stay safe.

### 15. COMMISSIONERS’ COMMENTS
Liaison Urbanowski reminded everyone that by the end of next week, tax statements will be in the mailbox. Taxes are due. Starting July 1st, we can take payments and we will be here on July 3rd and July 5th but not July 4th.

### 16. ADJOURNMENT
Moved by Chairman Reynolds, seconded by Vice-Chairman Gross, to adjourn the meeting at 7:52 p.m. **Motion carried.**

Respectfully submitted,

Courtney Keisman
PC/ZBA Clerk
Charter Township of Orion

July 5, 2023

Planning Commission Approval Date