The Charter Township of Orion Planning Commission held a regular meeting on Wednesday, August 19, 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 Governor's Executive Order 2020-15)

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

PLANNING COMMISSION MEMBERS ABSENT:
None

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

2. ROLL CALL
As noted

CONSULTANTS PRESENT:
Rod Arroyo (Township Planner) of Giffels Webster
Eric Fazzini (Township Planner) of Giffels Webster
Mark Landis, (Township Engineer) of OHM Advisors
Jeff Williams, Township Fire Marshal
Tammy Girling, Township Planning & Zoning Director

OTHERS PRESENT:
Brian Biskner
Mario Izzi
Kevin Oliver
Meghan Cuneo
Nathan Sanko

3. MINUTES
A. 8-5-20, Planning Commission Regular Meeting Minutes
B. 8-5-20, PC-2020-16, Public Hearing Minutes

Moved by Vice-Chairman Reynolds, seconded by Commissioner Walker, to approve the minutes as presented.

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

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

6. CONSENT AGENDA
None

7. NEW BUSINESS
A. PC-2019-10, Stadium Ridge Commercial, Site Plan Extension located at an unaddressed site at the NE corner of Stadium Dr. and Lapeer Rd.

Mr. Mario Izzi MJC Companies, Macomb, MI the applicant presented.

Mr. Izzi stated that they were asking for a site plan extension for both item’s “A” & “B” for both the Stadium Ridge projects, one is the commercial and the other is a residential project.

Mr. Izzi said for the commercial site, they have all their permits in place except for the building permit. The building permit plans, the architectural plans have been reviewed by the Building Department. The plans were approvable, they had not pulled the permit yet because they have to do the site work. They could have started the site work earlier in the spring but due to the pandemic, it did not happen. Their goal was to do the site work for both sites, the residential, and the commercial, at the same time. As far as the residential project goes, they have a state wetland permit in place. They have had one engineering review completed and have had comments back from the Township Engineer. They had comments that they have to make some revisions for. They have to resubmit back to the Township Engineer for their review and expected to do that in the next couple of days for the residential. He noted that it was a complicated site and he could answer any questions, but there was a lot of change to the project. He added that they have a sanitary sewer pump station. He stated it was a very complicated project, and with the slowdown, and the stop working with their consultants due to the pandemic they are asking for an extension on both projects.

Chairman Dunaskiss asked if there was anything else specifically on the commercial portion that they wanted to accent as it relates to the timeframe or the length of the extension or any updates on their activity, on the commercial? Mr. Izzi replied no.

Planning & Zoning Director Girling commented that the applicant hasn’t submitted anything for review, they are just asking for an extension.

Chairman Dunaskiss asked what the timing and the activity on the PC-2019-10 and where does the project stand? Mr. Izzi answered that as far as the site work goes, they still had hoped to do the site work this year with the residential. Mr. Izzi added as far as the commercial they would like to construct and do all the horizontal and all the development, tree removal, mass balancing, underground, this fall/winter. It is going to be depending on the review on the residential portion, but they still have a tenant for the first building Tropical Smoothy Café. They had hoped to go vertical with the building before the end of the year but noted that the site works has to come first.

Chairman Dunaskiss asked if there were any comments or questions from the Board Members?

Trustee Steimel stated that this was the first extension for both sites. He noted that they have not changed anything from the ordinance or anything related to this type of development. He added that there hadn’t been any big changes around that area. He thought that the Stadium Drive got paved. He said that he did not have a problem with the extension. He knew that they wanted to start before the end of the year, but had no problem with wanting to grant them a one-year extension on both properties because who knows what might happen if they get shut down again. He thought that they are not taking a big risk right now if they give them a one-year extension. He would like them to move forward as soon as possible.

Engineer Landis stated that he would encourage them to look at a one-year extension because part of the projects involves the sanitary sewer pump station that has yet to be finalized on the engineering review. Once they do that, they have to go out for permits. He added that those
are typically taking 3-4 months. He thought that the best-case scenario, they were into next spring before they can really break ground.

Moved by Vice-Chairman Reynolds, seconded by Trustee Steimel, that the Planning Commission grant a one-year extension from the original date of site plan approval for PC-2019-10, Stadium Ridge Commercial, located at an unaddressed parcel on the NE corner of Stadium Dr. and Lapeer Rd.; due to COVID, application, and permitting process issues.

Discussion on the motion:

Commissioner Urbanowski asked if the extension was from the original approval date of May, 15th or if it was from or today’s date? Vice-Chairman Reynolds replied from when the original approval expired.

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

B. PC-2018-15, Stadium Ridge Residential Site Plan Extension, located at an unaddressed parcel 09-14-400-026 on the north side of Stadium Ridge, east of Lapeer Rd.

Moved by Vice-Chairman Reynolds, seconded by Commissioner Gross, that the Planning Commission grant a one-year extension from the original expiration of their site plan approval for PC-2018-15, Stadium Ridge Residential, located at an unaddressed parcel 09-14-400-026 on the north side of Stadium Ridge, east of Lapeer Rd. due to COVID and permitting timeframes.

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

C. PC-2020-17, Lake Orion Self-Storage, Site Plan Amendment requesting interior self-storage warehouse, 1007 Brown Rd. 09-33-378-009

Chairman Dunaskiss asked the petitioner to give an overview of the plan.

Mr. Kevin Oliver from Oliver Architecture 8923 Jackson Rd., Mentor, OH 44060 the applicant presented.

Mr. Oliver stated that they were proposing a new indoor self-storage facility, climate-controlled to be constructed at the rear of an existing self-storage facility on Brown Rd. The new facility is one story, approximately 30,000-sq. ft., full sprinkler system, and is replacing an area that is currently used for outdoor vehicle storage and open areas where vehicles are stored. The owners are looking to convert that into an interior climate-controlled self-storage building. For their project, they are providing parking along the new building and the required amounts for that new building. One of the waivers suggested is that the existing site doesn’t meet the parking requirements. They proposed to keep the existing site functioning as is. The open area parking they are replacing has not been used to serve those existing buildings, and given the nature of the self-storage and drive-up units, they requested that the parking remain intact and their new parking be provided for their building. He thought that there were 70 spaces over for their building, which he thought should accommodate any need for the existing facilities. He added that along the east, west, and north end of the new construction they have a driveway going around. On the west, they are seeking a waiver to encroach on the landscape buffer, they are proposing to continue the drive to the north around the building, providing access to the facility, and firetruck access around the entirety of the newly constructed building. He noted that
up near the front of the facility, there were some comments and questions for a proposed waiver for landscaping and improvements along Brown Rd. They requested that what is in place now currently, remains intact upon that into the site. There are existing established plantings there, and a decorative black metal fence. The slope there is significant, from the sidewalk down to the site. Their proposal that constructing a three-foot wall there didn’t make sense for the site, given the change in topography there and the established plantings. They also requested that they don’t include decorative lighting, again, they are trying to preserve those and cause additional issues upfront there. He added that another waiver is for landscaping at the new facility, he said that they will fully landscape the parking islands around the facility, and provide irrigation systems to those, as well, again at the new building, towards the remote site. The new building will be constructed with an exterior of prefinished metal panels. They will have automatic doors to allow entry and exit from the facility. This building is set far removed from Brown Rd. They felt it was in keeping with the buildings that are there, for a facility of this type, and the distance from Brown Rd. they were requesting that the waiver to allow the metal panel constructions, it is a fully insulated, weather-tight climate-controlled building. It is not a warehouse with a single layer of metal on the outside of it. The wetland setback of their project is setback the 25-ft. minimum, from the wetland as defined by the wetland consultants. They were respecting that setback and trying to fit it nicely into the rear of the site, keeping the front buildings intact. He stated that the engineering comments and fire department comments, they didn’t have any issues, complying with those requests, and proposing to make changes to accommodate those requirements.

Chairman Dunaskiss asked the Township Planner to give an overview of his findings.

Planner Arroyo read through his review date-stamped July 31, 2020.

Chairman Dunaskiss asked the Township Engineer to give an overview of his findings.

Engineer Landis read through his review date stamped August 4, 2020.

Chairman Dunaskiss stated that the Fire Marshal Williams in his review recommended approval with some requirements as it related to some of the siren features for opening the gates as well as a Knox Pad Lock, and a few other items to make sure upgrading is provided on the site.

Chairman Dunaskiss stated that the Public Works Director Stout had no concerns or issues with the project.

Chairman Dunaskiss asked the commissioners if they had any questions?

Vice-Chairman Reynolds stated that there was a site walk on the project. He noted that the current area is currently used for outdoor storage and is utilized, almost, completely storing RVs and vehicles but was an existing property.

Chairman Dunaskiss asked the Site Walk Committee Members, their thoughts regarding the waivers. Vice-Chairman Reynolds replied that the property is kind of withheld to a nice design standard out front, and there would be some modification required at the facility to make it work within their (BIZ) District, road front entry requirement. He was torn whether it should be brought up to speed, a case being brought forth for site plan approval does open them up, and their intent is to bring it forward and up to date. He did not think that the facility was under designed, either right now, he thought it looked nice.

Commissioner Gross asked what will happen with the existing outdoor storage that is on the site? He also wanted to confirm that this will strictly be pedestrian access and not vehicular
access to the interior of the building. He questioned the number of units and the prices of the units in the facility. Mr. Oliver replied that the outdoor vehicle storage will go away. He didn’t know the exact mechanism to be used there, but once they terminate their rentals, those items are removed, and there will be no outdoor vehicle storage on the site. He stated that the building has no vehicle entries to it, they are man doors, that users will bring carts into and out of, without the ability to drive in, it was not sized for that. He added that there are schematically approximately 230 units in the building. Typical units are 10x10-ft. those comprise the majority of the units. There are 5x5, 5x10 units, and a smaller number of 10x20 and 10x30 units. Typically, in a building this size, there might be ten of the larger units, but the majority of the units are 10x10.

Commissioner Gross said relative to the parking, and the request for a parking waiver, or a parking determination, he thought this type of use has parking, which is random. It is not used all at the same time. So, the parking that is being proposed on the site plan, he thought, is sufficient to accommodate the staggered uses of the facility.

Vice-Chairman Reynolds asked what the hours of operation in which this will be utilized as a facility or limited access hours? Mr. Oliver replied that he didn’t know, specifically, the client’s other facilities, typically are open 8 or 9 AM until 5 or 6 PM. Then there is an additional hour where the office isn’t manned but the gate is opened, but it is not intended to be a 24-hour access facility. Just because they have a gate card didn’t mean they could come and go when they pleased.

Chairman Dunaskiss asked about the waivers, the bigger one, maybe just go after that is for the design specifically with the lighting or landscaping along Brown Rd. He stated the editions where there is outdoor storage already is tucked in the back. He thought that it looked nice upfront, this is the end of the (BIZ) District and looked for comments on the lighting and or the streetscape requirements.

Commissioner Gross asked relative to the design considerations of the building, he didn’t see that as being contradictory to what they were trying to accomplish within the (BIZ) District, especially, since this building is setback so far from the street it will not be visible, in effect, from the road. Relative to the lighting that could be a pretty expensive proposition, but in the event that additional lighting that they have designed for Brown Rd., continues to the east, he suggested and hoped that the applicant would participate in the lighting along their frontage when it is a little more economical. Mr. Oliver replied absolutely, yes.

Trustee Stemen thought that there was not a lot of frontage along Brown Rd. He didn’t believe that there was a pathway in front of the facility. He noted that the lights are to light up the pathway. He said as far as the width, it might require one light.

Planner Fazzini stated that on the lighting fixture spacing, it is 125-ft. between fixtures.

Chairman Dunaskiss asked what the frontage was on the site? Mr. Oliver thought it was 305-ft. Chairman Dunaskiss stated asked how far does the (BIZ) District go to the east does it go all the way to Jamm Rd.? Planner Fazzini replied yes. If Jamm Rd. is the road that runs north into that residential area. It doesn’t extend into the residential area. Chairman Dunaskiss asked if it extends further east from this site, all the way there? Vice-Chairman Reynolds stated that the (BIZ) District ends on the east end of this parcel. Planner Arroyo said yes, and it turns to (R-3).

Moved by Commissioner Gross, seconded by Commissioner Urbanowski, that the Planning Commission grants the Parking Calculation Waiver for PC-2020-17 for the plans date stamped received July 10, 2020, based on the facts: the proposed use is such as the parking would be
Discussion on the motion:

Vice-Chairman Reynolds asked regarding waiving some of the specialty requirement for the Brown Road Innovation District, such as the lighting for the safety path, are they required to provide a safety path that since they are at Site Plan approval? He asked if there an additional waiver that they should be providing them? He asked if this something that they would have to go in front of the Safety Path Committee for? Planner Arroyo replied that there is a path in front of the site. Trustee Steimel noted that it does drop off on the path though. It goes down from the path to their decorative fence. He added that if they look realistically at it, it is the only kind of level area to the north of the safety path is right where their sign is. Vice-Chairman Reynolds questioned that even with that connector they wouldn’t be requiring them to provide it into their site? He thought that it was one of the requirements? Or is that just a desire they have for safety path requirements? Planning Arroyo stated that this is a site that is fenced all the way along the front as well, except for the parking area that serves the office building. He added that there is really not anything to connect to, into the site, there is just a parking lot. Vice-Chairman Reynolds thought that there was not a safety path, but after pulling up the areal he noticed that it was the next property down.

Commissioner Urbanowski stated that her concern is that whatever is west of the property, if they applied for some kind of changes in the future, it is such a large piece, and if they are waiving two light posts for them, they might have to waive a lot of light post for that larger section. Vice-Chairman Reynolds asked the applicant if they would consider adding some ornamental lighting? If they waive the knee wall requirements since they have a decorative fence, and waive the requirements since the exterior materials are cohesive, with their existing, that even though it is not part of the (BIZ) District, that they kind of give and take care a little bit and ask for the lighting but give them the other waivers? Mr. Oliver replied yes. They are willing to provide the decorative lighting upfront. They have not investigated the actual logistics of doing so, but that is a reasonable request, and they were willing to provide those. Commissioner Urbanowski thought that it sounded like a nice offer to comply with the landscaping in front of the (BIZ) District. Secretary St. Henry felt that it was a fair compromise. He added that he thought that the lighting is very important for consistency purposes and to set the precedent for any adjacent properties if they were ever developed. He stated that he was familiar with the decorative fencing versus the knee wall and thought it was a good tradeoff.
Moved by Vice-Chairman Reynolds, seconded by Commissioner Urbanowski, that the Planning Commission grant waivers for the following general requirements for PC-2020-17 for plans date-stamped received July 10, 2020, based on the following: based on the economic impact quality of architecture and design and the overall compatibility with the district, along with the existing structures that remain on the site, to allow for the use of pre-engineered metal siding on the structure, to avoid any further entry area improvements; and since an ornamental fence is provided, they would waive the requirement for a knee wall; they would still require ornamental lighting along the existing safety path, and such amendments to the plans must be made and resubmitted to the township.

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

Moved by Commissioner Gross, seconded by Trustee Steimel, that the Planning Commission grant a waiver from the landscape requirement beyond what was demonstrated on the plan date stamped received July 10, 2020, for PC-2020-17 based on the finding: the parking, vehicular circulation, or land use are such that the required landscaping would not enhance the use or the site, or result in the desired screening effect; this waiver is for the existing use only and does not carry over to any future land use.

Discussion on the motion:

Commissioner Urbanowski stated that in the report it says, the applicant, is not showing the number of trees. Is that what they were talking about, 34.03, that section? On page eight, is that the tree plan that was being discussed by Planner Arroyo?

Commissioner Reynolds said that he wanted to clarify the two landscape waivers because there were some missing calculations on the plans. He wanted to make sure that they don’t grant a waiver based on a lack of data, but rather, a design implementation that is actually on the plan itself. It seemed like there were some calculations, but trying to figure out, what the differences are, and what they are missing?

Planner Arroyo said that regarding 34.03 on page eight deals with the fact that the buffer requirement typically would show the number of trees in the buffer meeting the requirements in the ordinance. It is basically labeled as dense vegetation and it is a fairly unique situation with very dense vegetation in that area. A lot of that is existing and then, it carries over into the adjacent parcel. What they are looking for is to just have them accept that meeting the spirit and the intent of that buffer requirement, rather than having to call out all the specific information that would otherwise be required if this was a greenfield site, with no trees.

Trustee Steimel asked to please review because if they looked at the area, right around the building itself, it drops off both on the east and the north and somewhat to the west around the new building pretty steeply, he thought about 9 or 10-foot drop around that premises. The natural topography is doing it for them right there.

Planner Arroyo stated that under section 34.03, the other section on page nine, screening between uses, where the 20-ft. buffer will be required on the west side, and clearly, they already granted the waiver for the parking to be only five-ft. setback on that side. This is a related waiver of landscaping because they can’t provide the 20-ft. buffer on the west side because there is only five-ft. setback there.
Roll call vote was as follows: Gross, yes; Urbanowski, yes; St. Henry, yes; Walker, yes; Reynolds, yes; Steimel, yes; Dunaskiss, yes. Motion carried 7-0

Moved by Commissioner Gross, seconded by Trustee Steimel, that the Planning Commission grant a waiver from the general landscape requirement beyond what is demonstrated on the plan, with the exception, that the petitioner or the plan provides an inventory table, which creates a column including removed and saved trees with an indication of the existing tree’s inventory. Conditional notations of sampled tree preservation details or other information should be provided to verify compliance with this section, as the landscape plan has been combined with the Site Plan.

Discussion on the motion:

Mr. Brian Biskner with Powell Engineering noted that they were not aware of any trees being removed from this improvement. He added that all the trees along the east line would remain, and the pavement that they are extending 15-ft. to the north, there are no trees in that area. There are some existing landscaping and bushes in the islands where the outdoor storage is, those will be gone, but those are being replaced as part of the whole new landscape scheme. He didn’t believe that they were taking out any trees. Commissioner Gross asked that they reflect that on the Site Plan.

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

Moved by Commissioner Gross, seconded by Vice-Chairman Reynolds, that the Planning Commission grant Site Plan approval for PC-2020-17 Lake Orion Self-Storage Amended Site Plan with the waivers that have previously been discussed, for the property located at 1007 Brown Road (Sidwell #09-33-378-009) for plans date stamped received July 10, 2020, based on the following findings of facts: the plan complies either with the zoning ordinance or waivers that have been granted and the condition that the petitioner resolves any issues related to the Township Engineer’s review letter dated August 4, 2020; further that the recommendations of the Fire Department of August 4, 2020, be incorporated into the plans.

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

D. PC-2020-18, Leggera Technologies, LLC, Site Plan Amendment requesting outdoor storage, 87 Northpointe Dr. 09-35-401-003

Vice-Chairman Reynolds noted that there was a conflict of interest in this case. The applicant plans for Leggera Technologies was prepared by Auger Klein Aller Architects, which he is employed by.

Moved by Commissioner Walker, seconded by Commissioner Gross, that the Planning Commission for purposes of discussion, recuse Vice-Chairman Reynolds. Motion carried

Planning & Zoning Director Girling wanted to clarify that in the Boards packets there were two sets of plans. They had the original submittal, which was then reviewed by all the consultants. There was a little bit of unclarity on quantities of product that the Fire Department said that they needed clarification on in order for this project to proceed. They asked the applicant to amend the plan and clarify the amount. They were way ahead of the game as, they incorporated some changes that have been called out on the Planners review, also. The Planner due to the short
time was not given time to rereview. So, they kept it simple in the plan that will be looked at will be the original one that was in their plan. They asked that if the motion is to approve that one of the conditions be that the plan was received that the Fire Marshal addresses be specified that it contains everything within that plan set.

Chairman Dunaskiss asked the applicant to give an overview of the request.

Mr. Nathan Sanko the applicant presented.

Mr. Sanko noted that Steve Auger was their architect and he had a conflict and could not make the meeting.

Mr. Sanko the owner of Leggera, stated that they are a tier-one automotive supplier located at 87 Northpointe. They make the rear tire carrier for the Jeep Wrangler. If they were behind the Jeep, they would be looking at it and you would see the wheel and tire hanging off the back. They are responsible for the piece that actually holds the tire on the vehicle. The do the same part for the Ford Bronco. They have programs with Chrysler Pacifica and the new Rivian vehicle, and they just landed a program to make all the shelves in the Amazon delivery vans.

Mr. Sanko said that what they were asking for is to allow them to have two storage containers in the back of their facility the very back of the lot. They use the outdoor storage to store their raw material, which is their magnesium chips. Per the 2015 International Fire Code, suggests that it is store separately, and not to exceed 1,000 cubic-ft. He noted that two containers give them around 760 cubic-ft. of outdoor storage. So, it keeps them within the guidelines and still allows them to operate their business. He added that there was something on the cooling tower, although he wasn’t sure how that worked. He noted that there was a cooling tower pad there. There were entrances through the wall of the building and they simply put a new cooling tower, they expanded the pad a bit and put a new cooling tower on it, but he thought that they needed an approval, also for that addition. He stated that in Fire Marshal Williams’ review, there was a mistake made by the architect when he listed the cubic footage and then what was actually going to be stored in those containers. The architect put in the plans that it was actually ingots storage and it is not, they do not use ingots, they use a chip material which is granule, and it comes in bags and each container can hold 24 bags of that material, which is around 360 cubic feet of magnesium. Two of them are around 720 cubic feet. That is a change that was made to the plans per the Fire Marshal Williams recommendation. He noticed that there was that mistake made so Mr. Auger changed the plan. Unfortunately, to Tammy’s point, he made some other changes and then they resubmitted.

Fire Marshal Williams said that they had completed their review, exactly like Mr. Sanko said. It was an educational piece for them on this property and the type of storage. International Fire Code is very specific on the material and if it is an ingot or a granule. Depending on the type of material in its raw form, there are certain requirements for the granule. They had to get the revision changed on the Site Plan. Then depending on with the granule that depicts or explains the separation distance requirements.

Trustee Steimel said he knew that they use Manganese when they are machining and there are different requirements. They have some of this for storage, is this something that the Fire Department needs to be aware of and keep on file what is in there? He thought that they have to be very careful about throwing water on Manganese granules. Fire Marshal Williams replied most definitely. He added that the occupancy classification of the building right now is an F-1 use occupancy permission building code. They do have plans to increase production in the near future. The Building Official is aware of it, so in regards to building safety and life safety concerns, the building is compliant with the Michigan Building Code. Fire Marshal Williams
noted that Mr. Sanko wants to increase his operations, he will need to submit a building permit and a building application to bring the building up to an H-3 classification. Nothing can be done, they can't increase operations, they can't do anything more than what they are currently doing right now, without the building permit and submitting plans to the Building Official. He added that in regards to the outside storage, it is in shell containers, with very limited exposure. In regards to anything that happens on the outside of the structure, they are proposing a fenced-in area. When they are storing the granular material out in the parking lot, they are going above and beyond by putting it in the shell containers. Regarding training, their staff and personnel, they are completely aware of what is happening out on site. They have been since day one. They had some communication problems during this situation, over the past several months that has been resolved. They have a great working relationship with Mr. Sanko, and it is just a work in progress, it is a very extensive site. It has taken a lot of education on their part for his division to get educated on the material and the operation. They have been doing well working in partnership with the Building Department as well.

Mr. Sanko stated that he would echo everything that Fire Marshal Williams has said. He and his department have been phenomenal to work with. He mentioned how much he has learned in the process, and he had to admit, he has learned a lot as well. He didn't know nearly as much as he should have. He had other people that he had hired that he had relied upon for a lot of this, and as he was thrust into the situation where he had to get more involved, and it has been a tremendous learning experience as well. He added that Fire Marshal Williams and his department have come and got samples to better train his department. He felt it had been a great working experience.

Planner Fazzini gave an overview of his review date stamped August 13, 2020.

Planning & Zoning Director Girling stated that on the memo that she had submitted, regarding the need for an agreement. She thought that perhaps the Fire Marshal Williams could join in. They are saying that they won't exceed the 1,000 cubic feet, which has a 100-ft. setback from any building and if it was under that they have a 50-ft. setback. She said that the plans they gave were scaled to hundreds. She had a concern that the 50-ft. setback would still cross over into the vacant parcels, that are not developed. If someone comes in to develop that parcel, they can't stop their property rights of developing because, suddenly, they have less than 50-ft. because of property development. She sought out an opinion from the attorney, and he suggested an agreement, which she briefly discussed with the applicable that would basically say, at that point in time that, the site is developed. They would have to come back in and re-evaluate whether they have the distance, whether the product contained has to be changed. She asked for some discussion on that issue.

Mr. Sanko said that he was fine with that. He added ideally, they could get the building owner to agree to allow them to move the building to an H-3 building. It is not overly expensive to do that around $120,000 he believed, to get it converted from the current code to the H-3. That is what they want to do. It took them nine months to get a signature from the owners, to present to Planning Commission. He was hoping that they can move that along, and if that happens then it opens up their window for indoor storage based on the fire code. They would not necessarily have to have the outdoor storage in perpetuity.

Commissioner Walker said it appears as though there will be a fence on one side of these two structures and not surrounding the structures? Mr. Sanko replied that is what they have proposed. Commissioner Walker asked how the magnesium chips transported into the enclosure? Mr. Sanko replied that it is a bag on a pallet, it is called a super stack and it is on a palette and they drive it right into the container and set it down. Commissioner Walker asked if there was a door for the containers? Mr. Sanko replied yes; the containers have doors that
opens up as you would see on a shipping container boat. It is a 40-ft. shipping container. Commissioner Walker asked if there was just one door in each container. Mr. Sanko replied yes; the doors are only on one end of each container. Commissioner Walker questioned how are the doors secured? Mr. Sanko replied they are the same way they would secure the doors on a semi-truck it has the big heavy cantilevered locks that use the lock and pinion. Commissioner Walker asked if they are only opened when they are inserting some of these chips? Mr. Sanko said yes; they open up and load them up and once a day they go out there and get a bag and bring it into the facility. Commissioner Walker said it could be possible for someone else to open that door? Mr. Sanko replied yes; they could put a padlock on there, that would not be hard to do. Commissioner Walker said that his only concern is that a citizen of Orion Township could open that door when they are not around and take out a bag or a handful of 10 magnesium chips. It was his understanding that they are very flammable and very dangerous. Mr. Sanko replied that is correct. Commissioner Walker asked if they would be willing to put a fence around the whole unit? Mr. Sanko replied no. Mr. Sanko added that they only reason that they proposed one in the front was because of the container because it sits on the parking lot asphalt. If they were to put fencing behind it, they would be putting posts in the ground. He added if that is what they want that would be fine with them. Commissioner Walker asked what they use the chips for? Mr. Sanko replied that it is very similar to injection molding. If they were familiar with how plastic injection molding works, they have the little chips of plastic, these are little chips of magnesium. They are sucked up into a vacuum system and then the hopper feeds the material down into a barrel and then the material heating inside the barrel and then it is shoved into the mold.

Chairman Dunaskiss asked if the basins were expensive and, are they a target for theft, as the steel scrap metal. Mr. Sanko said he didn’t even know they could find a place to sell magnesium scrap but it would be hard to steal. If they were big pieces that they could pick up and lift, but it is just bags of granules, the bags weigh a ton. He never really thought about someone stealing the bag. He has thought about someone vandalizing. He added that with the chips they can’t just throw a cigarette in there and they are going to catch on fire. It takes a lot of heat to get the magnesium started. Once the magnesium starts on fire, that is when it is a catastrophic situation. Once that magnesium starts on fire, they can’t use water on it, it burns very hot. Getting that magnesium to its ignition point it is around 300 degrees. It would take someone with a blow torch, with some time.

Trustee Steimel said he didn’t think that they should make it a requirement to lock it, but he was familiar with that area, and there is a problem with theft. They literally got people cutting copper pipes on the sides of buildings. He suggested that they should put a lock on it. He added that some people might think that it is aluminum. Mr. Sanko agreed.

Commissioner Urbanowski said she was looking at the aerial view, and there is already one trailer back there? Mr. Sanko replied that there were two together. Commissioner Urbanowski asked if they were asking for another two next to it? Mr. Sanko replied no, just the two that they already have. The containers are already sitting there. Commissioner Urbanowski said so they are looking to put stuff in it now and block it off? Fire Marshal Williams said in the past he and Mr. Sanko have been working together for a long time. They did have a situation on site, and this is what they were doing to bring the site into compliance.

Chairman Dunaskiss stated that they are looking for a couple of waivers, one is the Screening Waiver.

Secretary St. Henry questioned the possibility of screening the entire four sides of the two containers. He asked what is on the other sides of the property currently? Mr. Sanko said to the north of it is a vacant lot. To the west and to the east are other parking lots. He wasn’t sure
how far the parking lot went back. He was not opposed to putting up a fence. He didn’t think that anyone could see that from anywhere from the north side because it was a big empty lot.

Chairman Dunaskiss asked about the screening overall with the cooling tower is that visible from 24, or even from Northpointe? Mr. Sanko replied he didn’t think so.

Chairman Dunaksiss stated that it is in the Overlay District for M24, but not fronting it. He didn’t think there were any eyesore issues now. He was leaning toward giving the waiver on the screening.

Planner Fazzini added some clarification from the applicant, the fence screening exhibit they submitted is chain-link fencing that is not permanently attached to the ground, it is on a floating bracket so if there a concern with security the applicant should specify that the fencing would be on permanent foundations surrounding the structures and not moveable type fence screening. Mr. Sanko said yes; they did propose to have a fence that just would sit on the ground. Since it is going to be on that asphalt it would keep them from having to dig into the asphalt, which he was sure they would have to get another signature from the building owner or at least get their approval. The security was not something that he was concerned with. They didn’t have a problem locking the containers, he thought that was a great idea. As far as, any sort of fences to keep people out, he wasn’t sure what the fence would do. The fence plus the lock would be overkill. They have not had any issues with that, he knew it could happen. He thought most people would look inside of the container and have no interest in what was in there.

Chairman Dunaskiss said if they got an H-3 building, they would be bringing the materials inside. It seemed to him to be more temporary and bring it to code. The Fire Marshal is happy with it he was happy with it.

Moved by Commissioner Gross, seconded by Commissioner Urbanowski, that the Planning Commission grants an outdoor storage screening waiver for PC-2020-18, Leggera Technologies for plans date stamped received July 29, 2020, for the one side adjacent to the south side of the storage containers; the screening would serve no useful purpose due to similar uses located on adjacent land.

Discussion on the motion:

  Planning & Zoning Director Girling asked for some clarification, is the motion saying that there is no screening needed on the south side only? Commissioner Gross said yes.

  Commissioner Urbanowski said what they are looking at is just the screening and that is all that they need to be agreeing on in terms of what the requirements are, but locking it would be great.

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)**

Moved by Commissioner Gross, seconded by Trustee Steimel, that the Planning Commission grant site plan approval for PC-2020-18, Leggera Technologies Site Plan Modification located at 87 Northpointe Drive, parcel #09-35-401-003 for plans date stamped received July 29, 2020, based on the following: this is for the addition of a water cooling tower and the addition of the outdoor storage; recommended that this is approved base upon the fact that this does satisfy all the ordinance requirements; further, that an agreement is submitted between the township and the owners relative to the setback between buildings based upon the types of materials that are stored in the outside storage facility.
Commissioner Gross amended the motion, Trustee Steimel re-supported, to include that the Fire Marshal had agreed to the changes and with the distance in accordance with the agreement of the Fire Marshal and the Township Attorney based the plans date stamped August 17, 2020.

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)

8. UNFINISHED BUSINESS
None

9. PUBLIC COMMENTS
None

10. COMMUNICATIONS
None

11. PLANNERS REPORTS
A. Community Planner Update – Summer

Planner Fazzini highlighted the GIS Story Maps link on the first page of the update, that takes them to a website. Story Maps is a newer technology that GIS software has that they use for various planning projects.

12. COMMITTEE REPORTS
Planning & Zoning Director Girling commented that they will be receiving the new Boardbook which is how they get their packets. Asking them to get ahold the Planning & Zoning Department to give some basic instructions.

13. FUTURE PUBLIC HEARINGS
None

14. CHAIRMAN’S COMMENTS
None

15. COMMISSIONERS’ COMMENTS
Trustee Steimel commented that the new Master Plan will be coming out soon. He asked that they add links in the Master Plan.

Commissioner Gross said that population is a very important segment of their Master Plan and where they are headed.

16. ADJOURNMENT
Moved by Vice-Chairman Reynolds, seconded by Trustee Steimel to adjourn the meeting at 8:59 pm. Motion carried.
Respectfully submitted,

Debra Walton
PC/ZBA Recording Secretary
Charter Township of Orion

September 2, 2020

Planning Commission Approval Date