

CHARTER TOWNSHIP OF ORION PLANNING COMMISSION

***** MINUTES *****

REGULAR MEETING, WEDNESDAY, SEPTEMBER 7, 2022

The Charter Township of Orion Planning Commission held a regular meeting on Wednesday, September 7, 2022, 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 Walker, PC Rep to ZBA

Don Gross, Vice Chairman

Joe St. Henry, Secretary

Kim Urbanowski, BOT Rep to PC

Jessica Gingell, Commissioner

Derek Brackon, Commissioner

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:

Tammy Girling, Township Planning & Zoning Director

OTHERS PRESENT:

None.

3. MINUTES

A. 8-17-22, Planning Commission Regular Meeting Minutes

B. 8-17-22, Planning Commission Public Hearing Meeting Minutes for PC-22-31, 1112-1128
Lapeer Road Rezone Meeting Minutes

Moved by Vice-Chairman Gross, seconded by Commissioner Gingell to **approve** both sets of minutes as presented. **Motion carried**

4. AGENDA REVIEW AND APPROVAL

Moved by Vice-Chairman Gross, seconded by Trustee 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

A. PC-22-33, Peninsula Agriculture LLC., Ord. 154 Class C Grower Application, location 210 W. Silverbell Rd., (parcel 09-26-300-012).

Chairman Reynolds said that he wanted to disclose that Peninsula Agriculture has been a client of his employer AKA Architects, but he had no involvement in this application. He asked if anyone had an issue with that. No one had any issues.

Chairman Reynolds asked if anyone had any questions regarding the #154 application. There were not.

Moved by Trustee Urbanowski, seconded by Secretary St. Henry, that the Planning Commission grants **approval** of the application, as required per Ord. #154, for PC-22-33, Peninsula Agriculture LLC, for a Class “C” growing facility, located at 210 W. Silverbell Rd. (parcel 09-26-300-012) based on the following findings of fact that the operation does meet the following requirements: it is located in an IP zoning district; it is located in a building that meets all the distance requirements shown in Ord. 154; the location received a waiver from the Board of Trustees to be located in a building that has an ingress/egress road with greater than 6,000 vehicles/day; is located in a building that has an ingress/egress road that does not serve as a road that also serves for residential zoning. The motion is conditioned upon the applicant meeting 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 Marihuana Licensing Board.

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

B. PC-22-34, Peninsula Agriculture LLC., Ord. 154 Class C Grower Application, located at 210 W. Silverbell Rd. (parcel 09-26-300-012).

Chairman Reynolds said he wanted to disclose a potential conflict of interest. He asked if anyone had an issue with something different with this one, please speak up. No one had an issue.

Moved by Secretary St. Henry, seconded by Vice-Chairman Gross, that the Planning Commission grant **approval** of the application, as required per Ord. #154, for PC-22-34, Peninsula Agriculture LLC, for a Class “C” growing facility, located at 210 W. Silverbell Rd. (parcel #09-26-300-012) based on the findings 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 shown in Ord. 154; the location received a waiver from the Board of Trustees to be located in a building that has an ingress/egress road with greater 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 motion is based on the conditions: 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 Marihuana Licensing Board.

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

C. PC-22-35, Township Initiated Text Amendment to Zoning Ord. #78, Article XXX, Section 30.09, Performance Guarantees.

Chairman Reynolds said if everyone recalls in their Joint Meeting last year, they formulated a handful of committees and one of which was to explore Performance Guarantees. He added that Performance Guarantees are provided on all projects and currently as the ordinance is written right now is requiring either cash or an irrevocable line of credit. Other communities surrounding them also entertain the idea of a bond. The bond can be called upon to essentially provide the same guarantee, but as another avenue for applicants to provide them the guarantee but not have either cash or a line of credit tied up. They did as a committee take a look at this and they have been working through it for the past eight months. In front of them tonight are the amendments that have been proposed by the committee. For the most part, what they will see is the idea of introducing the bond along with a handful of other amendments

within the bigger picture that just speak to some languages that they have taken from other communities, and their lawyer has reviewed this. There is no action this evening it is more of a heads up because there will be a formal hearing on this, it does need to be advertised because they are modifying their ordinance. He asked if there were any questions. He added that if they don't have an answer, they can bring those answers to their next meeting.

Vice-Chairman Gross asked if there were any developers involved in the committee. Chairman Reynolds replied that they did end up having himself as an architect, and Gary Roberts who does work with them with developments, so he had some input. There was a lot of discussion about what parts is this going to influence, and the bigger picture of it. Their efforts here were they looked at the surrounding neighborhoods and said what languages would be something good to pull into. He was aware and that was probably why it was brought to their attention at the joint meeting was it was a section that they were hearing applicants say that they can't proceed with their project because they are tying up too much of their cash or credit line and if they could do a bond. Technically they did not allow what other communities do. This is a direct result of that, they still have the ability to call on the bond, they are still allowing all of that to occur, and they still have the guarantee. In so many ways they did have their input as they developed this.

Chairman Reynolds stated that there is no action needed just a heads up. He thought in their first meeting in October they would be taking a look at this so look forward to a public hearing publish date in the near future.

8. UNFINISHED BUSINESS

None.

9. PUBLIC COMMENTS

None.

10. COMMUNICATIONS

None.

11. PLANNERS REPORTS

None.

12. COMMITTEE REPORTS

None.

13. PUBLIC HEARINGS

None.

14. CHAIRMAN'S COMMENTS

Chairman Reynolds said he would not be at the next couple of meetings because he is getting married.

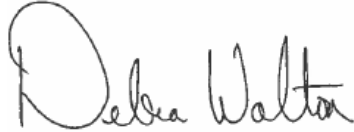
15. COMMISSIONERS' COMMENTS

Trustee Urbanowski stated that the Culvers on Brown Rd. across from Costco, there will be a groundbreaking ceremony on September 13th at 11:30 a.m. and everyone is invited to come to that.

16. ADJOURNMENT

Moved by Trustee Urbanowski, seconded by Commissioner Gingell, to adjourn the meeting at 7:10 p.m. **Motion carried.**

Respectfully submitted,



Debra Walton
PC/ZBA Recording Secretary
Charter Township of Orion

October 5, 2022

Planning Commission Approval Date