

**CHARTER TOWNSHIP OF ORION PLANNING COMMISSION PUBLIC HEARING MINUTES
PC-23-42, SHEETZ CONDITIONAL REZONE
REQUEST FROM SINGLE-FAMILY RESIDENTIAL (R-3) AND GENERAL BUSINESS (GB) TO
GENERAL BUSINESS (GB) WITH CONDITIONS
WEDNESDAY, NOVEMBER 1, 2023**

The Charter Township of Orion Planning Commission held a Public Hearing on Wednesday, November 1, 2023, at 7:05 p.m. at the Orion Township Municipal Complex Board Room 2323 Joslyn Road, Lake Orion, MI 48360.

PLANNING COMMISSION MEMBERS PRESENT:

Scott Reynolds, Chairman	James Cummins, Commissioner
Don Gross, Vice Chairman	Joe St. Henry, Secretary
Kim Urbanowski, BOT Rep to PC	Jessica Gingell, Commissioner
Don Walker, PC Rep to ZBA	

PLANNING COMMISSION MEMBERS ABSENT:

None

CONSULTANTS PRESENT:

John Enos (Township Planner) of Carlisle Wortman Associates, LLC
Mark Landis (Township Engineer) of Orchard, Hiltz, and McCliment, Inc.
Tiffany Sanders, Township Planning & Zoning Specialist

OTHERS PRESENT:

Derick Riba	Ashley Natha	Nancy Standish	Scott Armstrong
David Bruckelmeyer	John Gaber	Mike Timlin	Scott Kelley
Scott Gabriel	Robert Smith	Manav Mittal	Destin Bagwell
Rob Mceachern	Joseph Loussia	Heather Dixon	Karen Barteau
Kalenea Spence	Vern Larson	Catherine Kitchen	Mac Hall
Dan White	Matt Gates	Matt Hazinakis	Dana Spears
Christina L. Wise	Amelia R. Wise	Kathryn Kennedy	Sam Alia
Sarmand Maizi	Lynn Hargrave	Kate DeMattia	Caryn Sutton
Morgan Walker	Sheri Chmura	Evan Grzecki	Tom Correll
Dave Tucker	Mark Gleason	Brian Kelly	Jim Earhart
Jason Earhart	Tom Cairo	Nicole Allen	Brienne Murphy
Amy Byrd	Elizabeth Schultz	Kurt D. Zeile	Kathy Gregg

PC-23-42, Sheetz Conditional Rezone, located at 681 S. Lapeer Rd. (parcel #09-11-430-004), 677 S. Lapeer Rd. (parcel #09-11-430-021), vacant parcel #09-11-430-005, 55 Golden Gate Ave. (parcel #09-11-430-014), 71 Golden Gate Ave. (parcel #09-11-430-015), and vacant parcels #09-11-430-006 and #09-11-430-007, from Single-Family Residential (R-3) and General Business (GB) to General Business (GB).

Chairman Reynolds asked the applicant to step up to the podium to make a brief overview of their request.

Mr. Derick Riba with Skilken Gold, 4270 Morris Rd., Columbus, OH, presented.

Mr. Riba said he was with Skilken Gold, they are a developer based out of the Columbus, OH region. They are a family-owned business and have been operating for over 100 years. The most valuable thing Skilken as a developer, is they take the time to reach out to the community ahead of these hearings to make sure they are responding to their wants, and doing what they can to make this an improvement to the community overall. They will see some of that today in their presentation. The feedback from the residents when they went door to door, and for the immediate residents they also held a neighborhood meeting where they invited everyone who was notified of this meeting.

Mr. Riba stated that today he had a couple of members from Sheetz with him, David Bruckelmeyer, and Scott Armstrong. They have their Civil Engineer here today, Nancy Standish, their Land Use attorney

John Gaber, and also from Skilken they have their VP of Development Scott Kelley, and another Project Manager Ashely Nathan.

Mr. David Bruckelmeyer 30300 W. 12 Mile Rd., Farmington Hills, presented.

Mr. Bruckelmeyer said they were very new to the market, they thought they would take a few minutes and just introduce who their brand is, who they are as Sheetz.

Mr. Bruckelmeyer stated that Sheetz was started in central Pennsylvania in 1952 as a family-run family-operated deli and convenience store chain. Into the 70s Sheetz expanded into fuel. Sheetz has always been in the deli carryout convenience business, and they still hold true to that today. They are still family-run and family-operated, they do any kind of franchising, so any store that they operate will always be corporately owned and operated, and they have no plans to go public. They intend to stay family-owned and operated.

Mr. Bruckelmeyer showed the Planning Commission some renderings of the building. He added that it is a good-looking building with stone, with all kinds of different architectural aspects going on, they are full brick sections. They really do a nice job building these buildings and they are built to last. They are not coming in here with a low-quality building they are coming in with a really nice building.

Mr. Bruckelmeyer showed the Planning Commission some renderings of the inside of their store. They have fresh take-and-go food. All of the finishes are standard on the inside. They have a nice offering of premium beverages and all kinds of premium convenience items. They also have sit-down dining for all of their made-to-order customers. They make full made-to-order food and thought there were a million options of different ways they could order food 24/7 365 days a year.

Mr. Bruckelmeyer stated what makes them different is how they take care of their employees. For all of their in-store employees they are offered full benefits and competitive wages and benefits include health insurance, dental, vision, 401K, and a slew of other awesome perks that people get to take advantage of as employees. They are not a company that just comes in hires labor for minimum wage and does not provide benefits, they go the extra mile to provide excellent benefits for all of their employees as if they were family members.

Mr. Bruckelmeyer said that Sheetz does a really good job of giving back to the community. The day they open they cut a check to Special Olympics, typically the local Special Olympics for \$2,500. Then they cut another check to a local food bank or other nonprofit organization that is in need in the area, specifically in their community they would cut a check. Sheetz continually gives back over the life of their stores, so those are not the last checks. They, typically every year sponsor sports teams and things like that. They would like to reinvest in the community, and they would see that and as they get to know their brand a little bit more in the area, they will get to know them.

Ms. Nancy Standish 1025 E. Maple Birmingham, MI, presented.

Ms. Standish showed the Planning Commission the aerial of the existing site. The area in red is the portion of the site that operates the dealership along with a lot for storage of vehicles. The areas in green and blue are the two single-family lots, one is currently vacant, and the other one has a single-family house that is vacant as well. In looking at a site layout to accommodate the Sheetz, they wanted to do what they could to mitigate any impact on the neighbors surrounding the property. Currently, half of the site is on Lapeer Rd. drains straight out into Lapeer Rd. and then the east half of the site drains out into Golden Gate Dr., all undetained, unstored, and untreated. They wanted to also help accommodate that. It was their understanding that there are some drainage issues out there so with this they are going to take care of that issue as well.

Ms. Standish showed the Planning Commission some pictures of the existing site as it sits as a dealership. Looking at the site, again, they wanted to mitigate any impact on their neighbors. In doing so, they have pushed the building as close to Lapeer Rd. as they could, as well as the fuel canopies. They have also rotated the fuel canopies so that the headlights aren't facing the neighbors to the east. One side is going to their building, and the other side is facing the oil change station to the south. After placing those items, they are providing buffering along all of the roads and along the properties to the east. That area in blue is the location of the existing single-family-owned lots. They are proposing berming, landscaping, and a detention basin on the majority of those lots. Along with those berms will be trees, shrubs, and evergreens to screen the neighbors on the north, south, and east of the property, and even along Lapeer Road as well. They have worked with their landscape architect to provide multiple layers of shrubs both along the parking lot and on the berms, along with the trees. Along the east side of the property, there is a decent number of trees that exist that they are proposing to keep construction activity out of so they can save those to help buffer the neighbors that are there.

Ms. Standish said with the stormwater management along the southeast side and the southern side of the property they are proposing a detention basin where the onsite drainage will be stored. Along with that, they will have a storm sewer system with pretreatment which will take out oils, gases, debris, so that it does not enter into the basin, and it doesn't enter into the storm sewer system where they will be discharging. At this time, they are planning on discharging into the storm sewer system on Lapeer Rd. Any water that is currently draining into Lapeer Rd. or out into Golden Gate will be captured onsite and will help to mitigate any problems that they have there.

Ms. Standish stated that they also took a look at some sections of the site again to figure out elevations and some of the berming along Lapeer Rd. and then the western portions of Summer St. and Golden Gate they will be providing a 2–3-foot berm. Along the east side, it will be a 4–7-foot berm depending on where they are. There is a large grade drop at the southeast corner which will also help shield the neighbors from their development. There is another section along the north half of the site, on the right side there is the neighbor to their east and the 4-5 berm with evergreens and trees on top of it. She showed them the larger grade drop, there is probably about a 7-foot difference between the top of their detention basin and the neighbor's property.

Ms. Standish showed the Planning Commission elevations with brick and stone. There is no drive-through proposed on the site. They have eliminated that to eliminate any issues that could be caused or come up with the neighbors with that.

Ms. Standish showed the Planning Commission elevation of the fuel canopies. They have six pumping stations for a total of 12 fueling stations. She also showed them a typical photometric plan for Sheetz. They are going to adhere to Township ordinances which include shielding and directing the light downward with .3 or less footcandles at the property line so they don't have light pollution on their neighbors.

Ms. Standish showed the Planning Commission some renderings looking from Summers St. and east of the Sheetz development, looking toward Sheetz and Lapeer Rd. The landscaping and the berming help to shield the adjacent property owners. She showed another rendering looking at Lapeer and Summer St. looking at the building, and another one from Summer St. looking towards Lapeer.

Ms. Standish said the rendering on the left at Lapeer and Golden Gate they could see the berming along the road with the landscaping on top. Then a rendering looking from their neighbor on the southeast corner of the property, and then again seeing the 7-foot grade difference that they have between the top of the basin and the neighbor's property.

Ms. Standish showed two more renderings, one on Golden Gate along the detention basin and then an overall site rendering.

Mr. John Gaber 380 N. Old Woodard Ave., Birmingham, the attorney for Sheetz, presented.

Mr. Gaber said he was going to go over some of the legal aspects, the zoning code, and why they think rezoning is merited by the facts that have been shown to them applying the ordinance criteria. He thought it would be beneficial if they addressed it. He asked why a rezoning is needed on this site. The first reason is that the setbacks are too restrictive without a rezoning. The commercial development really will not infringe on the (R-3) lots, they are currently zoned residential. The (R-3) lots will be used primarily for a detention basin and buffering purposes, there was a small portion of pavement but over 100 ft. from the east property line will be landscaped and detention basins. The 100 ft. buffer that he mentioned is on the south side. The (R-3) parcels, unfortunately, cannot be used for setback purposes per the ordinance. Where they have General Business (GB) that they are trying to develop and a residential classification they can't use the residential property for their setbacks. Their setbacks have to be measured from the residential property and unfortunately, they are too restrictive in their case. They are trying to move the active development as close to Lapeer Rd and to the west as they possibly can. To do so with the two lots zoned residential means they would have to measure the setbacks from the property line. The canopy setback for the fuel pump has to be 50 ft. from that property line. The 50 ft. line they can't meet because the canopy encroaches within that setback. Similarly, the building has to be 100-ft. from the (R-3) property line. He added that the building setback line, the 100-ft. line, can't fit the building outside of that setback. Therefore, these setbacks can't be met without rezoning the (R-3) lots to (GB).

Mr. Gaber stated that the second reason that rezoning is needed is because the property owner can't develop the property as a cohesive single development because while most of the property is zoned (GB) those two lots are residential. They believe that the property owner should have the right to develop their property as a single development but are precluded from doing so because of this mixed zoning. Essentially the (R-3) parcels cannot be developed and used for commercial purposes, likewise, the (GB) parcels cannot be developed and used for residential purposes.

Mr. Gaber said let's talk about the rezoning conditions, they mentioned those, and those were submitted with their application. These conditions are offered voluntarily by the applicant. They have eight conditions, and the purpose is really to mitigate the potential detrimental effects on the surrounding properties. Most importantly the conditions do a couple of things they prohibit certain undesirable uses of the property that would otherwise be allowed in a general rezoning to (GB). They also restrict the development of the site to what is shown in the concept plans that Ms. Standish went through. The first condition prohibits certain uses, and these uses are taken out of the (GB) land use table.

Mr. Gaber said the second condition is that the property will be developed in accordance with approved site plans that are going to be in conformity with the concept plan that they have seen tonight. Obviously, they haven't developed site plans yet because this is the rezoning stage but that will come in the future.

Mr. Gaber stated that existing landscaping along the eastern boundary of the property will be retained in its current condition, and then the additional landscaping and berming will be installed as per the plans. The architectural material of the building will be in accordance with the elevations that they have seen, similarly, the fuel pump canopy will be as well. One of the conditions they are offering is to pave Summers St. to the east boundary line of the property, which is basically the rear of their property on the east side. It is currently paved to just beyond the Kroger driveway to Summer, and they would extend that further by he thought the width of a lot probably about 60 feet.

Mr. Gaber said there shouldn't be any right turns permitted from the north driveway onto Summer St. They will put signage and pavement markings and will install to preclude people from going in that direction.

Mr. Gaber stated that the zoning criteria in the Master Plan, were highlighted in their Planning consultant's report. Essentially, they look at the objectives of the Master Plan, existing uses of property in the area, the zoning of the property in the area, and the suitability of the property in question with the surrounding area.

Also, one of the characteristics or criteria is the trend of development in the general area of the property, so they have to look at that as well. Then there are four standards under the Conditional Rezoning Ordinance, the first is compatibility with the policies and uses designated for the land and the area, in the Master Plan or a deviation from the Master Plan if the development is compatible with the area. The second condition talks about compatibility given the offered conditions. Third is the adequacy of public services, and then the fourth is the advancement of public interest. They believe that the zoning is compatible with the policies and uses of the Master Plan or the deviations from the Master Plan for the following reasons: these are taken from the Master Plan. One of the policies is that the general commercial plan along Lapeer Rd. and intended for commercial uses to supply a larger and more diversified number of goods than those in neighboring commercial. Another Master Plan policy is to promote the redevelopment of obsolete sites. A third is to expand the Township's economy and tax base with new businesses. The fourth is adapting commercial corridors for the future, seeking redevelopment, and expanding the mixture of uses. Obviously, most of them will agree if not all of them that this is an obsolete site in need of redevelopment. He was sure they knew the site much better than they did.

Mr. Gaber said further the rezoning they believe is consistent with the trend of development which includes changes in the zoning. He showed the Planning Commission their Zoning Map showing the zoning classifications of the project. The trend of the zoning and use of the property deviated from the Master Plan with the rezoning of these two (R-3) parcels on Summer St. to (GB). The property could be developed as a cohesive commercial development if this "L" shaped zoning could be squared off as a rectangle between Golden Gate and Summer. Good planning practices would dictate this. Such reconfiguration of the zoning would allow a layout of a potential development of the property to be more efficient and to provide more buffering to the east which was what they showed them in their concept plan. Basically, that whole area is a detention pond and buffering, and a lot of the area to the north as well. The development without including the (R-3) lots would leave this as a (R-3) nodge for single-family homes which would be boarded on two sides by commercial property which is not ideal for single-family residents. The Zoning Ordinance criteria states that such a deviation from the Master Plan is allowed if the development is compatible.

Mr. Gaber stated why they believe the development is compatible with surrounding properties. If they look at the site, they have Lapeer Rd. as the major commercial corridor within the Township. They have the Kroger Fuel station directly to the north on Lapeer Rd., they have the Valvoline Oil Change directly to the south on Lapeer Rd., and to the west they have a shopping center, car wash, Taco Bell, other commercial uses. So, obviously, their proposed development is compatible with the surrounding uses in these areas, all being commercial to service a consumer's base. If they look at the north-south residential, the properties that are north of Summer are kind of behind the Kroger Fuel station and then go to the east. On the south side, south of Golden Gate the properties to the east as well. From their perspective, they believe that there is compatibility as well. They are screened by landscaping and distance. They have the street and the buffer areas that they are providing. On the south side, they have the trees and shrubs that will be planted on a berm to be installed at the property line with a detention basin inside of that area. Providing a substantial buffer and as he mentioned a 100-ft. of coverage with greenspace. On the northside, they are going to have the berm with all of the landscaping which includes evergreen trees, deciduous trees, shrubs, and such, which be planted to offer this type of protection and obviously will be more aesthetically pleasing than the current chain link fence and a used car lot.

Mr. Gaber said looking at the properties directly to the east they have a property on Summer on the north side and the property on Golden Gate to the south side. These are the properties that are most directly impacted because they adjoin their site. They are protected by topography and buffering. The adjacent lots are at grade level, particularly on the south side which is several feet below the grade of their property, so the elevation difference will help screen. If they are standing in the front yard of that property and looking straight across, they are basically going to see a berm and landscaping. Their site will be elevated from that further to the west.

Mr. Gaber stated that the property will be built up on the southeast side with a grade differential it has to increase and go uphill to facilitate the detention pond from the east property line. Then they are going to have substantial buffering to the properties to the east including evergreen shrubs to protect against headlight glare. The existing vegetation at the east property line to be preserved will be supplemented by more vegetation to provide those ample buffers, as they saw in the renders that were shown earlier. Also, they are going to have a 3-foot-high berm in addition to the grade difference to be installed all the way along the southern, eastern, and northern boundary of the property as well. The width of these buffers will be a minimum of 50 feet, probably more like 60 plus from the parking spaces closest to that property line. On the south side, they have over 100 feet before they hit the pavement from the east property line. He added that the two lots being rezoned from (R-3) to (GB) will be almost exclusively used for screening purposes as will the eastern lot on the eastern side of the property.

Chairman Reynolds asked citizens to step up for their comments and questions. He asked them to provide their name and address for the record and to speak clearly into the mic, so they are on the record.

Chairman Reynolds said there were a number of letters that they received and those will be admitted into the record for the public hearing. If there are similar comments, they want to have everyone have their opportunity to speak but at the same time to keep the process moving along too.

Ms. Katheryn Kennedy 690 Rochester Rd., said she would like to bring to their attention part 3.03 of Act 451, Wetlands Protection. The Township seems to have forgotten about that. However, regulated wetlands are defined in association and the definition applies to public and private lands regardless of zoning or ownership. In addition, wetlands regulated by the State cannot be one of the following: connected to or located within 500 ft. of an inland lake, pond, river, or stream, and they also can't be in an area where there is a documented presence of an endangered or protected species. She actually got the map from the State of Michigan EGLE Wetlands website. On this site they are proposing to put a gas station which they certainly don't need any more gas stations, they already have three gas stations in that single mile. This is a truck stop because the Master Plan which the citizens didn't have input on properly changes Lapeer to a highway. They don't have room for a highway, the Village would be whipped out. They have a lake on the other side which has a lot of protected species, in fact. If anyone would like to see the map, they can see this site is directly between the Clinton River, which would be protected by this definition, and Buck Horn Lake right across the street. She didn't know how the other station was there in the first place. There is a federal law that is called the Migratory Birds Act it is actually an international treaty with North America including Canada, Mexico, America, and Russia. Just the birds that she has seen in Orion herself are the blackbird, bluebird, cardinal, black-capped chickadee, sandhill crane, crow, mourning dove, wood duck, bald eagles, egret, finch, house finch, flicker, goldfinch, Canadian goose, grackle, northern harrier, copper's hawk, redtail hawk, great blue heron, hummingbird, blue jay, kingfisher, mallard, purple martin which actually there is a nest on Buckhorn Lake, Baltimore oriole also on Buckhorn Lake, bullocks oriole, barn owl, pigeon, robin, sparrow, barn swallow, trumpeter swan they have quite a few of those, chimney swift, tufted titmouse, warbler, woodpecker, downy, hairy, and red pecker. These are all protected species under 50 CFR 10.13, that is the Federal Wildlife and Fisheries Title 50 Act. She didn't understand how this Township was developing any of these things like they were. She believed that the development of these wetlands violates the International Treaty of the Federal Migratory Birds Act.

Mr. Matt Hazinakis 74 Summer St., the house that will be boarding them. He said they addressed traffic concerns with cut-throughs through the sub. He understood putting in a no righthand turn sign, but they all know that realistically people are still going to make the righthand turn because Lapeer Rd. is as backed up as it is over there it is bumper to bumper day and night. He was curious about what the Township was going to do as far as that. He also wanted to point out that they already have a 24-hour gas station. He wasn't opposed necessarily to Sheetz, but do they have to 24 hours? He noticed at the Speedway when he went to get gas at 5 a.m. that there was graffiti on their pumps, which he has seen on multiple occasions now. They talk about the drainage on the Golden Gate side but what about the Summer Street side? They do have drainage issues on all of those streets and the bottom of the street floods. With the fact that he lives right there that dumpster is 60-ft. from his bedroom window. He didn't want to smell trash

every day, and just like the parking lot that would shine right into his house. He felt as a tax-paying citizen it was not fair to him and opposed that. At this point those were his concerns, if they can put a buffer on the Golden Gate side why can't they do it on their side too?

Ms. Kalenea Spence 87 Summer St., said the only negative thing that she did have to say was that Milosch is there, the lights shine right into her house. She can't even walk through her house without thinking someone is going to see her because she feels like everyone can see her inside her house with all the lights. Other than that, she loves Sheetz, she travels out of state to go to Sheetz. Anytime she leaves Michigan she has to go to Sheetz. She lived in Pennsylvania for a really long time and that was her favorite place to go. She loves the food, the service, and the atmosphere that they just get from walking into Sheetz. She knew it was different from what Michigan is used to because it is not here in Michigan but felt that people should be able to open their minds because she knew that change was scary. Also, any change with something that they don't know about is even more scary. She thought that Sheetz was amazing.

Derek Koza 378 S. Broadway said he understood that Sheetz is a great company they have 700 locations they are a big corporate company, independently owned, but he wasn't sure. They are here to say the traffic is ridiculous on M-24, there are already a lot of accidents. The neighbors are not going to be happy when this gas station is built it is 24 hours. He has been in the city for 21 years. It is kind of ridiculous that they want to go next to a Kroger that has 40 pumps, and they are going to add another 12 pumps right next door. He thought there were going to be a lot of conflicts. What people don't understand is that there are going to be tankers coming in here maybe once or twice a day because these Sheetz are very busy, but they are not telling you that. Also, the dumpsters and the orders, he thought that Sheetz might get two orders a day because they are considered like a truck stop, and they get multiple orders a day and these are big trucks coming into these neighborhoods. Also, they are going to be drilling in and putting in maybe 20,000 gallons underground in this area. It just is getting over-saturated with these high-volume convenience stores. They just put in a Meijer, it is beautiful, and a great development. He didn't think that they needed any more 24-hour business. Nothing against them, he just thought it was in the wrong location and was going to cause a lot of damage to M-24, and that is a dirt road, on both sides, so there is going to be nothing but dirt coming into M-24. The rezoning is getting ridiculous, he wasn't against it but when is it going to end, when are they going to stop rezoning these properties and getting them rezoned for something else? It is very hard to get residential rezoned to what they are trying to do, and they know that these guys are not amateurs they know they are taking a big risk doing that. Nothing against the development, he just thought that it was in the worst location ever. Even when he saw the sign, he wasn't expecting anything like this to come to Orion Township, the city doesn't need it. They have nine gas stations from Silverbell, and they just approved another gas station, Red Barn, which is going to be 8,000 sq. ft. They are going to have nine stations within three to four miles, do they need any more gas stations? Nobody wants it. If she is complaining about Milosch's lights, get ready for Sheetz lights.

Mr. Robert Smith 734 Markdale, said they have a good concept, that place is a dump now and needs to be cleaned up, and they do have a nice concept. Their biggest concern in that neighborhood, and he has lived there for over 30 years, is the traffic that it brings on those dirt roads. He understood their concept of putting no right turn onto Summer. If anybody has been at Clarkston and M-24 at the Speedway they know that they don't pay any attention to those signs over there, they turn left into there all the time off of Clarkston Rd. and then turn left out of it. They don't need more traffic in the John Winter subdivision and that is what it is going to create. These truckers will cut in and out they don't care. He has seen tankers go out of Kroger's and go down Summer, that is the biggest thing. And then having a 24-hour restaurant there are going to be people coming south going to work in the morning they are going to pull in there and they are going to try to get back out onto M-24 turning left there and that is already a mess with McDonald's up there. He hates to say it, but he is against that for those reasons, not because they want to do it because he thought they made a good proposal but didn't think it was a good site for that type of operation. Like others have said all of those gas stations along there.

Ms. Morgan Walker 132 Summers St. and stated she was opposed to the rezoning of Milosch. She has similar concerns to what many people have already brought up tonight. The increase in traffic is making it increasingly difficult to pull out of their neighborhood. She doesn't even turn left with her kids in the car usually. It is also becoming difficult to turn into her neighborhood because other drivers need to use the turning lane as a way to merge onto M-24. This gas station will only increase the congestion and accidents that they already have. The solution is that people are going to use their street as a cut-through. Cars already fly down and are not on the lookout for kids. Even the ones that do hardly tap their breaks. The plans for a no-right turn will not stop people. Sheetz just stated that they are a family-run and family-owned business. However, she didn't think they had taken into account the families and children that live on their street because they have 23 children that live on Summer St. They have nine Middle Schoolers and High Schoolers. The other 14 children are 10, 8, 6, three 5-year-olds, five 3-year-olds, two 1-year-olds, and a baby that lives on Summer St. and they play outside every day. And like kids do, with reminders they tell them don't run into the street, but they get excited when they see their neighbor friends out. As kids do, they run into the street after the ball without thinking. She doesn't want the lights or the traffic, and she is most concerned for the children, but most of all she is most concerned for the children that live in her neighborhood. She asks that they put the Sheetz somewhere else that it will fit it because it certainly does not fit in with anything with M-24. There are no 24-hour 365 days a year businesses.

Ms. Elizabeth Schultz 250 Golden Gate said like other people she strongly opposed this. They mentioned being part of the Master Plan she didn't think that the Township Master Plan was to make M-24 as ugly as possible with literally so many gas stations, it is unnecessary. She did share environmental concerns as well, she is a naturalist, she works for another Township and so it is just something she was aware of as well. Golden Gate drains directly into the Clinton River right down the road, and runoff is already a problem. She wanted to know how Sheetz will play to monitor their berms, they look nice in a diagram, but she would like to see an active plan to make sure that pollution isn't happening. A year, 5 or 10 years from now.

Mr. Scott Gabriel 941 Joslyn Rd. said he does own a Sheetz credit card. He does hotshot driving which means he has a large truck and a 42-foot trailer. Sheetz is typically a place he would go into because he can fit. Even though he can fit in the Kroger, there is no other gas station out of the nine that he can fit into with that trailer and get a decent meal. Kroger has no food. He can go into Sheetz he can wash his hands, get real food, and he can have a decent break versus nothing, there is no other anything up and down M-24 where they have the total package. Sheetz is unique in this aspect. He totally understands the neighborhood concerns. He lives on Joslyn Road it is commercial zoned across from him and he lives in terror of the day they put a gas station across from him but when it happens it happens.

Mr. Tom Cairo 147 Parkview Blvd. stated that his biggest concern for the people who live near where this is proposed is the trash. He acknowledges that the business is going to do what it can to mitigate what is going to blow out of the lot. People who exit restaurants are not always careful about their napkins or whatever else they are carrying when they exit. He lives directly across the street from Skalne Ford in spite of the fence and the trees and everything else he's got he picks trash out of his yard regularly from his lot. It was worse when the Orion House was still open as a restaurant, now that it is basically his paint shop, he gets less restaurant trash out of his yard. He still gets the regular Skalne stuff, but he was concerned for the people who live over there because of the light pollution and the garbage.

Mr. Joseph Loussia 811 Trenton said his perspective is a little bit different than most people up here. He is a business owner in Lake Orion and a building owner of multiple businesses and a building. Why does he love Lake Orion Township because of the people that are here, the Township that it is, and the safety that is here. What is this going to bring to the city being 24 hours, bigger trucks that could fit in here serving food all night, bringing people in from neighboring towns and cities just to get a bit to eat at 2 or 3 in the morning? A lot of them know who those people are coming in at that time and where they are coming from. Another objection that he has is being a business owner and a building owner he could easily go to properties directly behind him and come to them and say, hey, you have already spot-zoned for Sheetz now he wants to present to make his business or building bigger, and I need this property

behind me. It will make it hard for the city to turn that away if they allow a company like Sheetz to come in and do it.

Ms. Amy Byrd 75 Summer St. is a homeowner in Lake Orion, her family has been property owners here since the 70s. She is also a business owner in downtown Lake Orion. She shared the same concerns as the gentleman here, and what keeps her from also expanding her business and doing the same thing of rezoning residential properties. She has a long list of concerns, she has four children who have been through Lake Orion school, two have graduated, and she has two more going through the Lake Orion school system. They have no sidewalks on their bus route which means that they have to go up and down walking through the streets because they have no sidewalks. Bringing the Sheetz brings transient traffic through their neighborhood. They have 23 kids on her street on Summer Ave. alone. The Street that she lives on this Sheetz will be directly across the street from her house. She can tell them when the Kroger gas station came in, she was not pleased. There is a fence there and she regularly picks trash up out of her yard on a daily basis from both Taco Bell and the Kroger Gas Station. It was her understanding that there would not be fencing around this property which means there is going to be not just garbage and debris from the gas station but also from the fast-food restaurant now blowing into her yard with all of the other garbage blowing in from Taco Bell and from Kroger Gas Station. It is a mess, and she spends a lot of money trying to keep up and manage her property. It is not fair to them to have more trash blowing into their neighborhood. Plus, the people that walk down their streets and just dump their garbage down their streets as they hike down the road. Also, they have no light on that street, and trying to get in and out of their neighborhood is harrowing. When she was a little girl, she watched her mother almost get killed right on that street and M-24 right in front of her. She watched the jaws of life tear her out of that car in front of her. Now, as a grownup, she was pregnant for her youngest daughter got into a head-on collision with somebody pulling out of Taco Bell almost killed her when she was pregnant right in that same spot. She has had four of her guests get hit right in that spot. She has also had many of the people in the neighborhood get in traffic accidents right in that spot because there is no traffic light. They have Taco Bell, and Auto Zone, which people are coming in and out of that, it is an exit, it is not an entrance but there is no sign there so people use it that same turn lane is used regularly by Kroger Gas Station, Don Milosch, by residents on their street and also now also possibly by Sheetz. That is insane to think that many people are going to use that one-turn lane. It was her understanding they had no plans to put a light in there. She asked them when they came into her house, she asked if they had done a traffic study, and they told them that they did. If they did how would they not know that there weren't numerous accidents in that location? There is no light plan there. She implores them that if they decide to let this go forward, they at least put a traffic light in there because somebody is going to be killed out there. She can't believe that the Township would even consider it without putting a light there.

Ms. Kathy Gregg 98 Golden Gate, which is fairly close to this proposed event is going to take place. Most of her sentiments have already been expressed and they are all negative. She is a realist; she doesn't care how many trees and shrubs they put up on this berm it is not going to stop anything. They are going to suffer from the lights, fumes, and the noise. Whatever is going to happen there 24 hours there is not going to be good stuff 24 hours and there will be people wandering through their neighborhood. She is so against it because it is such a nice quiet community. They are oversaturated with restaurants, gas stations, and convenience stores, it is so unnecessary she didn't know how anybody could think this was a good idea.

Mr. Carlo Koza 1010 S. Lapeer Rd. said besides the obvious that this is in no way part of Lake Orion's Master Plan to have six gas stations within two miles, one adjacent to a Kroger Gas Station. Rezoning another residential is unheard of to rezone residential to make a gas station where there is no need for another gas station. Kroger is a multi-billion-dollar company, Speedway is a multi-billion-dollar company, and people don't understand that when Sheetz comes into town Kroger and Speedway don't like people messing with their money and they will go into gas wars and will cause more traffic than anyone in this town could ever imagine. Once Sheetz comes in Kroger will not let them take a dollar from them, and they will cause traffic onto Lapeer Rd. way worse than it was when Kroger first opened a couple of years ago when they had to get Oakland County Sheriff to regulate the traffic on Lapeer Rd. Sheetz is beautiful, they

know that but there is zero need for this in this town. They have enough gas stations they have enough fast food. Rezoning residential that is unheard of for a gas station, there is no need for this. A lot of people stated the obvious reasons but one thing they don't see is the gas wars that are going on and cause even more traffic. Some of these accidents could lead to deaths.

Ms. Christina Wise 2667 Pineridge Ct., stated she lives on this side of Lake Orion. She is hoping to move back to the other side of Lake Orion. She grew up in Lake Orion her whole life, it is not the same, it is changing so fast. They have so many pizza places, and so many gas stations already. They are losing their little village, their little town. She doesn't see this helping at all. Also, she works the midnight shift, she works in Lake Orion, and she sees the people that come in from other towns just to be anywhere that is open 24 hours and it is not the kind of people that you would want in your community. She feels it is not a good fit for them, and maybe something else maybe would be better.

Mr. Anthony Panos 378 S. Broadway St. said he operates the Shell Gas Station in Lake Orion and has for the last 12 years. He speaks with hundreds of people every day, once they found out about this proposal, he asked honestly the perspective of the people and he didn't get one person telling him that that this was a great idea, we needed another gas station. It was the exact opposite, another gas station in Lake Orion, do we need this, absolutely not. He spoke with not just everyday people he spoke with police officers and all types of people. Police Officers were against it they are not here today for political reasons, but they don't want another 24-hour gas station with all the lights, garbage trucks, and trash. As a person who operates a small business, not a family business that has 700 gas stations, 700 stores, and non-Michigan based. If they didn't know in 2022 the State of Michigan had the highest foreclosure rates of small businesses in the whole country. Do they need a non-Michigan company coming here trying to lower the value of their real actual small businesses, devalue their businesses, and possibly have some vacant gas stations next to the Sheetz because all of a sudden, they have big dog Sheetz in town and now these little guys actual small business is out of business? Do they need to have that happening in their hometown of Michigan, they do not need a non-Michigan company here coming and trying to put out actual small business owners in Michigan who will keep the profits in the community and in the state where they will take their profits to Pennsylvania, Ohio, and all of these other states. As you see they have their backing with them today they are not small they are big. Let's try to understand the value of an everyday person.

Ms. Heather Dixon 682 Pleasant Ridge stated that is the corner of Summer St. and Pleasant Ridge. She did write a long letter, so she won't reproduce much of that. She did want to comment on the flooding. She knew there were some good solutions for the Golden Gate flooding but all of the water that comes down Summer Street pools in her front yard, it pools across the road, and into her neighbor's yard across the street. Her yard has been unusable for numerous days after every storm. She just sees the impervious surfaces being added to this plan making this worse. Aside from that she has a few comments on the proposal and what they have heard today already. She heard that there was a neighborhood meeting on this topic, and for those who were notified unfortunately she couldn't attend because she wasn't notified. No one came to her door, no one sent her a letter. She is eight houses away from this, from her backyard and will be looking at a gas station canopy. She looks out her window now she sees Milosch lights that will be replaced with a canopy. It certainly does not create a warm and inviting backyard feeling. One of the other arguments for this rezoning is that the business owner and property owner should be able to use their property, it was their choice to purchase residential properties in the hopes of maybe one day converting them to business. No one told them they had to buy those properties. That is not a reason to rezone residential properties. There were also a couple of comments about the Master Plan, and she wanted to leave them with this comment which is also in the Master Plan. It states under the economic development section, to achieve a balanced variety of neighborhood community and regionally oriented facilities that will meet the shopping and service needs of the community and nearby metropolitan areas without unnecessary duplication. A gas station right next to a gas station, a convenience store right next to and across from a convenience store that feels pretty duplicative to her.

Mr. Tom Correll 250 Golden Gate said he was generally opposed to this project. Credit to Sheetz it seems like a nice plan in general but was opposed to the encroachment and rezoning. 24-hour is a problem,

obviously, it is a big major throughway, and it is not a freeway but if they want to turn it into a freeway even more than it already is open up one of these 24-hour gas stations. He didn't think that was what anyone really wanted.

Ms. Dana Spears 244 Golden Gate said she was 61 years old and never in her life had come to speak about something like this, it is not what she does. Many things have already been said she will not repeat a lot of those. She came mostly in support of her neighbors. She was just one house past the corner, so she gets all the flooding, and the garbage, it is an eyesore there now. After listening to the proposal and after chuckling about the lawyer saying they don't think it was fair that Milosch can't sell his business the way he wants, let's be real the lawyer doesn't care about Milosch the lawyer cares about getting that property for his client, so that was disingenuous. Trying to make a left for her obviously onto Golden Gate is very difficult. What she hasn't heard anybody say anything about tonight was she gets her gas at the Marathon Station. They are going to have Sheetz, they have Kroger, and they have Marathon, they have three gas stations within two blocks. She does occasionally venture out when there is no traffic, she is usually one of two or three cars at the Marathon, it is not full, and she has gone depending on when her appointments are day or night, especially on weekends. She didn't realize this was a truck stop. She had to make an emergency run to Florida last year. These are the types of places she stopped along the way. There wasn't a residential place in sight. She thinks it is immoral to take residential places away from homes that could be there that are not there because of Milosch. To take that away from potential homeowners and turn it into a truck stop. Now that she understands it is going to be more of a truck stop; she tried really hard to have an open mind, she was a little less panicked coming in until she heard the proposal from them. Please, if you decide you are going to do this anyway put some sort of decorative fence on three corners all the way around that, you can mix your trees in and out. The neighbors do not deserve the garbage, the noise, and the people that come in at three have a few drinks, and wander the neighborhood at least a fence, and trees are not going to stop them from wandering down the street, a fence might. They can make it pretty, she made hers pretty. Please, try to protect their neighborhood. She has lived in that neighborhood since 1998 and lived in Lake Orion since 1980. She felt her opinion matters here because she has lived here a long time. She asked them to take care of their residents.

Mr. Mark Gleason 757 Pleasant Ridge and lives right down the street from the proposed development. He agreed with his neighbors on this and wanted to put his two cents in. He wanted to remind the Planning Commission that they went through this when Skalneck wanted to rezone and take some of their homes in their neighborhood and reassess those as (GB), and they were able to convince the Planning Commission that they bought into a residential neighborhood because they want neighbors, they don't want businesses. Over the years it has grown quite a bit. They probably have twice the traffic that they did when he moved in 2000. The neighbors are correct it is a very dangerous place to try to get in and out of. You have to get down to the light at Clarkston Road, which is another disaster down there, the roads are a mess back there, and nobody can do anything about it. The Road Commission points to others when it comes time to take care of the roads. There is a huge erosion issue dumping right into Paint Creek which goes into the Clinton River, all that runoff is a problem. Adding another business and additional traffic to their neighborhood is not wanted by the neighbors. He appreciated them listening to their concerns and hoped they would find in favor of the residents in the John Winters neighborhood.

Mr. Brian Kelly 461 Parkview Ct. has lived in that house for over 30 years. He was also there to support his neighbors. He believed that converting residential lots in their neighborhood into a business was the wrong direction. It is disrespectful to the people that are living in that neighborhood. Like the site plan had said not turning into the neighborhood from that side entrance, if somebody has to go south on Lapeer and it is during rush hour, they are never going to get out of that gas station. The only choice they have is to cut through their neighborhood and get over to Clarkston and then they can use that to go around Michigan left and get going south. They are going to direct a lot of traffic through that neighborhood whether they have a sign up or not. He felt all the kids that are living in that neighborhood, the roads are all dirt roads, there are no sidewalks so the kids during that time period when they are coming from the bus stop have to walk through that whole neighborhood and they are just going to add additional traffic. He believed it was incompatible with this neighborhood and didn't believe they should be rezoning this out

of respect for the people that live in this neighborhood. He encouraged them to reflect on that and hopefully make the right decision here.

Mr. Jason Earhart 1057 River Valley said he has been an Orion Township resident for over 40 years, and he grew up at 54 Golden Gate which is right across from this proposed plan and where his dad currently resides. This is a great plan. It looks great and felt they put a lot of thought into it, and some effort. His thing that goes with the whole Master Plan is what is that strategic vision and what is the right place for these businesses. He gets change happens Lake Orion has progressed a lot in the 40 years he has lived here. He knows that some say it is negative and some say it is for the good, for the most part, he sees it for the good but at the same time this one seems like there is a vacant site it is open it doesn't look great let's plop a gas station here. He thought there might be a better area where Sheetz should go where it makes more sense. And then all of the other points that are brought up, light pollution is a big deal. His father tells him all the time that he has that light from Milosch coming through his window. He knew there was going to be shrubbery and seven-foot-tall berms but there is still going to be light pollution that is going to be cascading around that area and that neighborhood. Another thing is noise pollution, his big thought was initially at 2 a.m. the nightlife in Lake Orion is pretty good, a lot of people are still going to want to have some food, that is his biggest thing is the thought people are going to be hanging out listening to music in the parking lot and causing trouble. That is a big deal, the safety of his father. Traffic enforcement he lives over on River Valley which is off of Orion Road he personally hasn't driven up M-24 in the last five years because it is so busy, he is fortunate enough to go up Orion Road, and that hurts businesses because he is not going to drive up M24 and spend his money because it is just overly congested. Just a more thought-out plan and making sure people can get through the city, spend their money wisely, and have it more strategic is the key. There are a lot of new neighborhoods popping up and new families coming in which is great, house values are high, but this is a great neighborhood with a lot of pride. He grew up there, and his father still lives there. It matters that is part of their community, and they don't want to send a message that money and commercial businesses supersedes and the resident's move off to the side.

Mr. Jim Earhart 54 Golden Gate stated he had a letter from Joseph Jenkins who was his neighbor and was sick and couldn't come in (the letter was given to the PC). He added that the house next door to him faces the house that is there right now that is vacant, and they are going to tear it down. He was wondering about the property that is on the other side of the street because he doesn't ever remember them making that business property that was residential too, he just put a fence around it and uses it to park all of his snowmobile trailers and all his other cars there. When they had all the rain the last two summers, the ditches wouldn't take the water, the water came down and jumped the ditch and went across his driveway and straight across the street. He had a ditch full of water and people were running up and down the street doing 60 MPH and hitting that thing. One guy bounced into the ditch and almost totaled his truck out. There is a noise abatement. Anybody can park their car over there, come in, attack the people in the neighborhood, escape back through there, jump in their car, and get going. They should have a sound abatement wall. A sound abatement wall is a concrete wall. He has one next to his house now for the oil change and the Detroit Bar, and it is 10 feet tall. He hasn't seen the sunlight in maybe 15 years since they built that wall. Then they are going to have to put a sound abatement wall around that Sheetz Gas Station where there is going to be another 10-foot wall all the way around the whole thing and that is just to keep the sound out. It reminds me of the song "Stuck in the Middle with you, I got walls on the left of me, I got walls on the right, where are you going to be". He gets a kick out of sitting at his computer and watching the cars go by. When they leave M-24 they get to his house, and he is the very first house they are doing 60 MPH. The school bus comes down through there and he is 40 MPH. They have a manhole cover and when they hit that manhole cover it shakes his whole house. He would like to know if the property on the next block that he is using for a parking lot is residential, it should be. There should be four lots right there that are residential, and he didn't know how they were getting away with this, putting a business in a residential area. Like his son said they got a used car lot there, and they have a light up there that is very wide and very tall, and it shines 24 hours a day right into his living room and he has to keep his blinds closed. He thinks it is a very bad idea that they are putting this thing in.

Ms. Katie DeMattia lives on Lochmoor and was reading a letter on behalf of Monica Shumate she lives at 97 Summer St. She stated that she has lived in this neighborhood for 11 years and has raised 6 children in this house, two are still at home. Will there be a light at the end of their street, it is already a nightmare trying to get onto Lapeer Rd. For 11 years she has watched a lot of businesses in Lake Orion open and close. The last thing they need to do is add another restaurant and gas station backing up to a residential neighborhood. Why put this at the end of our street, take it to the other side of Clarkston Rd. maybe over by Meijers, why make more congestion on Lapeer Rd. What about our power outages? They have several power outages throughout the year, what is going to be done about the lack of a grid to power this area? Their children, these kids play on the sidewalks, there are more younger children than there are high schoolers on the street. They already have to deal with the overflow of cars from the Kroger Gas Station cars zip down their road paying no attention to the children who are out running around and playing. On her street alone they have 19 children, and they have families that are building their lives here, their street is like one big family because they all watch out for each other. Putting a gas station and a convenience store or a restaurant at the end of their street is absolutely ridiculous. Between Clarkston Rd. and Atwater there would be six gas stations in a mile. She and her husband Jeff Shumate oppose this.

Ms. Katie DeMattia stated that she thought it was ridiculous and thought that they were going to get unwanted clientele with a 24-hour business like this is not needed.

Chairman Reynolds asked Secretary St. Henry to read a summary of the letters of support and opposition into the record.

Secretary St. Henry stated that the Township received 15-20 letters over the course of the last couple of weeks summarizing the concerns that were expressed in these letters some of them have been expressed already but he will read them. There are concerns regarding the business encroachment into the neighborhood and negatively impacting the quality of life in the community. Concerns with increased traffic, specifically pointing out the fact that more cars will use it as a cut-through. General concerns with the potential noise, lighting issues, 24/7 operation of the facility, and the clientele that it could attract. All of these contribute to concerns with the property values of homeowners in that community. In addition, there were environmental concerns specifically related to the flooding that takes place in the area when they have bad storms.

Secretary St. Henry said in addition, there were signature documents provided there were nearly 600 signatures on these documents. Not surprisingly the vast majority of them were in opposition to this development. He did want to point out however that after taking a look at the petitions and where the people come from that have signed them and noticeably a number of those folks did not live in Orion Township; they lived across the state and as far away as California.

Chairman Reynolds asked the applicant to step back up to the podium. They have heard a number of comments and questions this evening, this is the opportunity to address some of those comments or questions. Whoever is making comments that address the public hearing is to be directly towards himself, even as the applicant. A number of the comments that were brought forth this evening were about the concern of traffic. Again, with the site they are considering a Conditional Rezone with the site plan as submitted and recorded. There was concern with the truck traffic, safety to the neighborhood, lighting, and how it was going to bleed over into the neighborhood. How is safety of the neighborhood going to be addressed, for example, vandalism from visitors from the 24/7 store? How is trash going to be handled and the concerns with the location of the dumpster? Is there going to be motoring or maintenance of the property along with regular site cleanup? There were some concerns with smells, flooding, and power outages.

Mr. Gaber said he was going to hit a couple of issues and then David is going to hit most of the issues which are really operational issues that they are talking about. A couple of the issues in terms of drainage he wanted to make it clear because he thought they glossed over this. Essentially, they are concerned

about flooding on Summer and Golden Gate in particular. What is going to happen with this essentially is that he understood that a lot of the site drains toward Golden Gate and further toward the east. What is going to happen with the change in grade here and the addition of the detention basin is that all of the water that is on that site currently sheet drains, so it drains into Lapeer Rd., and into Summer, and into Golden Gate currently. What is going to happen is they will put in a detention system with those detention ponds. All of the water that hits those impervious surfaces all over that site is going to go through the pretreatment facility first to clean it out to make sure there are no chemicals, oils, debris, or anything like that, it is going to be released into that large detention pond. From the detention pond, it is going to be released at a certain rate into the Lapeer Rd. public drains. It is going to make drainage better from that site instead of the current sheet draining that goes all over, it is going to be managed and all of the drainage is going to go into Lapeer Rd.

Mr. Gaber stated the one other point that he wanted to mention is that this is a Conditional Rezoning and because of the fact that they are proposing a fuel station and 24-hour use this has to go through Special Land Use approval as well. They have offered eight different conditions here and were open to considering other issues but also thought it was approved for rezoning. This will come back to them on a Special Lane Use basis too, to address a number of these issues which are site plan-type issues.

Mr. Bruckelmeyer said they have heard some of their concerns, and obviously, residents have shown up tonight to express some of their concerns. He would like to bring up a couple of points just to clarify their proposed development and some of the things they are going to provide. He thought one of the biggest things he heard today was safety. Sheetz can't control traffic, and there is not much they can do to control that, especially off of their site. From a safety perspective, one of the things that they do is provide a substantial number of security cameras that are actively monitored by Sheetz employees 24/7 365. This site would probably have roughly 40 cameras, high definition, really good cameras that routinely work with law enforcement in every state that they operate in. They do a very good job of policing some of the things that go on their lot. Often times their employees in central Pennsylvania call the police before their store managers know anything is going on. They really do a good job in making a huge investment in cameras and monitoring to try to make their site as safe as possible understanding that they are operating 24/7 365. The other thing that they are very willing and open to doing is a fence on the east and part of the north and south sides of the site. He thought they would be willing to make that a condition of their approval. Obviously, there are a lot of details to work through with that and would be willing to work with staff to make sure that they provide something that works well with the community and would be happy to offer that up in addition to the heavy landscaping buffering.

Mr. Bruckelmeyer stated that as far as some of the operational concerns with trash and things like that their typical staffing at one of these stores is 30-40 employees. Their largest shift today is roughly 7-8. They routinely have the staff do parking lot checks and that doesn't just include the pavement. That would be all areas of the site including the perimeter, trash pickup, all the trash gets cleared out of the trashcans and obviously, the routine maintenance of the trash cans is going to improve what trash gets out. If they routinely keep on top of that it is going to help a lot, and they do that, they routinely do lot checks.

Mr. Bruckelmeyer said one of the other big concerns he hears is this is a truck stop. He wanted to wholeheartedly say that they have no intention of operating this as a truck stop. The site can accommodate large trucks and that is just for the need to get deliveries, fuel, and things like that. They have no intention of having large trucks from customers park long-term on the site. They won't be able to stop them from coming on the site, but they don't have parking, showers, or anything like that to count this as a truck stop. They don't intend to operate it that way. From an environmental standpoint he wanted to point out that Sheetz does a really good job of cleaning up sites that they find that are already contaminated they do extra work environmentally to clean up sites that are not necessarily required. Then on top of that, they install one of the best underground containment systems that the market has. They buy some of the best tanks and they have a very robust monitoring program that is run by in-house Sheetz employees. They routinely monitor all of these USTs, and they very rarely have issues because they monitor, and they do a really good installation. He just wanted to point out that some of the things they are

doing here are really premium quality and they don't mess around. He thought that some of the people in the audience said tonight that they are big dogs, the answer is they do have pretty good backing, and thought it provided and thought that provided some value. They are able to maintain things and they do have the financial backing to maintain their property including all of their pump systems and their underground containment systems.

Ms. Standish said that as far as traffic goes there was a traffic study prepared for the site. It was actually prepared with an older layout which had more pumps and a drive-through. Even at that time, it did not warrant any off-site improvements. They have been working with MDOT on that as well, as Lapeer Road is under their jurisdiction, they have to follow their rules and regulations. They have also submitted preliminary plans to the Road Commission which has the jurisdiction of Summer and Golden Gate Streets received some of their comments and addressed some of their concerns. One option they could look into as far as the right turnout is to put some sort of curbing to prevent people from turning right into the subdivision.

Mr. Bruckelmeyer said he forgot to mention lighting. He thought that in the current conditions, there were some floodlights that were pointing off of the property that exists now. They would install no floodlights of any kind back onto the property. They would meet all the lighting code ordinances. They really do a good job of placing lights and they have a third-party lighting designer that makes sure that they model all of their lighting correctly so that it meets all of the lighting codes, so they minimize any impact to other residential and commercial users.

Chairman Reynolds closed the public hearing at 8:36 p.m.

Respectfully submitted,

Debra Walton
PC/ZBA Recording Secretary
Charter Township of Orion

November 15, 2023

Planning Commission Approval Date