

**CHARTER TOWNSHIP OF ORION PLANNING COMMISSION PUBLIC HEARING MINUTES  
PC-23-52, KPMF EXPANSION, REQUEST FOR SPECIAL LAND USE APPROVAL FOR OUTDOOR  
STORAGE OF CONTAINERS CONTAINING POTENTIALLY HAZARDOUS MATERIALS  
WEDNESDAY, DECEMBER 6, 2023**

The Charter Township of Orion Planning Commission held a Public Hearing on Wednesday, December 6, 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:**

Lucas Driesenga

PC-23-52, KPMF Expansion, requesting Special Land Use approval for outdoor storage of containers containing potentially hazardous materials, located at 67 Kay Industrial Dr. (parcel #09-35-200-035).

Chairman Reynolds asked the petitioner to step up to the podium and make a brief presentation of their request.

Sam Ashley with Cunningham-Limp along with Josh Flood with KPMF presented.

Mr. Ashley stated that their submittal was two pieces but under one heading. They have a request for new outdoor storage. As they were closing out the addition of the building, some site plan modifications were also submitted as part of that. He understood that they were only talking about the public hearing for the outdoor storage. Mr. Ashley explained that the building itself was added on roughly over 100,000 square feet to the existing 36,000 square feet. As part of that, it is an industrial manufacturing facility. As part of their process, there are industrial adhesives that are brought on-site. The outdoor storage is to accommodate the empty return bins. The outdoor storage was submitted for a footprint of 15 feet by 15 feet via a concrete pad with a secondary containment curve on it. As they submitted those plans, those were submitted on November 7, 2023. There was some feedback provided from the Township. Mr. Ashley stated that they issued a response letter on November 28, 2023, to address many of the comments. There was a sighting of a structure that would be placed over this area for outdoor storage. The plans Mr. Ashley presented were emailed to the Township. However, it was not included in the Planning Commission packet because the plans were emailed out end of last week. One of the questions that was related here was, what is being stored out here? Mr. Ashley clarified these are return bins. These are empty polycarbonate bins. They have a crush-resistant barrier, that is the cage around that. The size of these are roughly four feet by four feet wide, about the size of a palette, and three and a half feet tall. He emphasized again that they are empty. The area of the 15 by 15 footprint is designated to hold approximately 8 to 10 units. Based on the low volume of what is used at this operation, the return on it is based on unscheduled return. It is a low-volume usage. The third-party trucking group, it is a traditional open-bed box truck that comes and picks them up. It is unscheduled in the sense that when it is convenient to them when they are in the area, they come and pick it up. The frequency of that happens about once a month but again it is unscheduled. They will likely pick them up when it is convenient for

them, which means sometimes non-business hours. That is really the primary reason why these are not located within the building, but they are kept outside. Mr. Ashley mentioned that the formal footprint is within that 15 by 15-foot area under a pergola structure that is fenced, locked, gated, and controlled access by the client, the owner of the building as well as the group that comes in to pick those up to take them off site.

Mr. Ashley pointed to an image that was displayed on the screen. He said that on the site plan, there were a bunch of red highlights. He was only going to focus on the one on the right-hand side of the page which is the located area for this outdoor storage use. It is on the east side of the property, east of the building as built. To the north is the restaurant, Palazzo di Bocce. To the east not showing up on this plan is an additional three acres that KPMF bought from the Township which was originally part of the Heron Springs Park. The Heron Springs Park which is passive recreation use is further to the east. To the south is the affiliate company site Kay Automotive. Mr. Ashley felt that was properly located based on where it is at. There is a field of parking that separates this location from the former property line to the east. The pergola structure that would go over this footprint is fenced in. It is an 8-foot fence going around all four sides. On the one side of it to the north, its four-foot leaves open up as a bi-fold leaf, which is a locked accommodation. The structure is being put in place to limit the amount of rainwater and snow melt that would fall into that footprint. Again, these are empty bins. Mr. Ashley said that there was not a code requirement to put a roof on outdoor storage. However, because of their risk management plan, they are adding the benefit of putting a roof on it. That roof would also naturally limit the amount of stacking storage that could occur in their long-time use down the road. He mentioned it as a secondary containment curb that is put in place. It is very similar to what was installed at the oxidizer location at the south end of the addition that was put on. It is a controlled mechanism that allows any water that goes there before discharging outbound into the stormwater system. It is controlled in which operations will come out, sample that, make sure there are no containments before they manually open the valve to allow it to discharge outward into the stormwater system. Mr. Ashley pointed to the image on the screen of what the structure was going to look like.

Chairman Reynolds asked the petitioner to step away from the podium and asked if any citizens would like to step up for their comments and questions. There were none. There were no citizen letters submitted. He asked the Planning Commission members if they had any comments or questions about the public hearing process. There were none.

Chairman Reynolds closed the public hearing at 7:12 p.m.

Respectfully submitted,

Courtney Keisman  
PC/ZBA Clerk  
Charter Township of Orion

December 20, 2023

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Planning Commission Approval Date