

PLANNING COMMISSION MEETING

JANUARY 8, 2020

Commissioners present: Derek Babcock, Mike Koshar, Donna Romanak, Joe Wooding, Georgette Peterson, Annie Davidson-Funke (alternate)

Other Attendees: Ken Detloff, Ted Swanson, Ron Klein, Suzanne Klein, Dan Higgs, Chris Passmore, Judy Daniels, Bill Cybulski, Steve Denenberg, Kyle Holland, Barry Roeloff

Meeting was called to order by Derek Babcock (Chair) at 6:03 PM,

Pledge of Allegiance was recited.

Roll Call was taken. All Commissioners present.

A motion was made by Mike and supported by Donna to approve the minutes of the December 4, 2019 PC meeting. All in favor. **Motion carried.**

NEW BUSINESS

Special Use Permit Renewal Reviews

Derek and Mike reviewed the Site Plans and visited the following properties on Friday, January 3, 2020. All entities have sent in the renewal applications and fees.

Re: 54343 M43 /Ground Control Michigan LLC/ DBA Waypoint Processing/owner Steve Denenberg: Still under construction. All criteria for renewal have been met and there have been no complaints. There was discussion about the possibility of the address possibly being 54341; however, the parcel number is correct in either case. A motion was made by Georgette and supported by Donna to **Recommend renewal of the SUP for 54343 M-43 to the Township Board.** All in favor. **Motion carried.**

Re: 34280 56th Street Kula Farms LLC/owner Kyle Holland. This is a grow and processing property. Derek noted that the site plan shows trees and hedges which aren't there yet. Kyle reported that other things are to be done yet. Derek reported there have been no issues or complaints. A motion was made by Mike and supported by Donna to **Recommend renewal of the SUP for 34280 56th Street to the Township Board.** All in favor. **Motion carried.**

Re: 130 Hastings Court /Ground Control Michigan LLC/DBA Cure of the Earth Farm/owner Steve Denenberg. There have been no complaints or issues. A motion was made by Joe, supported by Donna to **Recommend renewal of the SUP for 130 Hastings Court to the Township Board.** All in favor. **Motion carried.**

Re: 52981 28th Ave./Grow Arlington LLC/owner Mr. Dandino. Derek reported it is still under construction and we have a site plan. He added that environmental studies have been done. Annie asked about the status of stacking licenses stating the original was for 6; then on May 31, 2019, 3 additional were requested; she asked if they have to come back in May for the additional licenses. Derek noted we have Ken's memo of 8/10/2019 and Annie replied the memo doesn't address it. Mr. Dandino stated they are constructing an indoor grow and there will also be an outdoor operation. Derek reported the use matches the Site Plan and the use on file. Donna made a motion, supported by Georgette to

Recommend renewal of the SUP for 52981 28th Ave. to the Township Board. All in favor. **Motion Carried.**

Re: 50680 28th Ave./Ventures, LLC/owner Michael Moore. Derek reported both a process and grow license was applied for. Then there were more licenses applied for, making the total 10. Nothing has been done on this property. He stated we now have an updated plan. There was a question about the property size which was deemed to be about 40 acres. Mike made a motion supported by Joe to **Table the renewal recommendation.** All in favor. **Motion carried.**

OLD BUSINESS

Re: 24958 CR 215/Pelican Farms, LLC (Harvest of Michigan, LLC). The public hearing took place on December 4, 2019. The Commission recommended approval to the Township Board with stipulations. The Board sent it back to the PC. Derek met with the owners to discuss moving back from 100 feet off CR 215 to 300 feet and to double the set back on the sides. The Plan is ready for Ken's review. Ken stated that when a set back is decreased, it requires approval but it generally doesn't if it is increased. In addition, on the new Plan, the building space is the same, however, the buildings have been made smaller and there are more of them. Donna made a motion, supported by Mike to **Recommend approval of the SUP for 24958 CR 215 with the set back and building changes to the Township Board.** All in favor. **Motion carried.**

Re: 27035 CR 215/Property Patrons LLC. Derek reported we did not have a Site Plan but we now have a new one which is being updated. Derek also noted that with any future Site Plans, we are now requesting topography maps.

Re: Special Use Applications that have been withdrawn. 52000 52nd Street Inc. and 54347 28th Ave., Inc, Derek reported there were 2 of these. Per memo from Brian Knotek (Township Attorney), dated January 8, 2020 @ 12:29 PM, he spoke with Attorney Nick Calkins, who is now handling matters previously handled by Mr. DiLaura, on Monday, January 6, 2020 at which time he indicated that he was aware of the withdrawal and that he is taking no action with regard to these applications. He added that given Mr. DiLaura having withdrawn those applications and the current attorney indicating that withdrawal "was fine" those applications are no longer pending before the PC. As such, Brian has requested that Jacque (Township Supervisor) forward a letter indicating that the provisional MMF licenses awarded to those properties have been revoked.

PUBLIC COMMENT

Ted Swanson noted that it was mentioned that the set back was from the center of the road and he thought it was from the property line. Derek confirmed that it is from the property line.

Ron Klein noted that per the ordinance, the set back is 20 feet.

Suzanne Klein questioned why, on the 24958 CR 215 property, there is now a big set back from the front and not so big on the sides. Derek explained that it is because of where the neighbors are as well as the tree lines. He added it also allows harvest of the corn field to the line and the neighbors were taken into account.

Dan Higgs commented that in these cases, all are in compliance or under construction and noted that if an applicant is not in compliance, all these things will be taken into consideration. He asked,

hypothetically speaking, if there were violations outside the Site Plan, why would it be renewed? Derek responded they would be considered if the PC was made aware of them. Chris Passmore noted there is no consideration to present these things to the PC. He asked, would it be the honor system, or when under review should there be something like a phone call system? Derek noted this is a great idea but we don't have the means to do so. Derek added when he and Mike did the site visits, they asked each person. Mike asked if it would be possible for the growers/processors to bring that information to the Commission to which Chris replied he definitely would if it was required. Derek stated we will look into this.

Judy Daniels asked why a task force can't be set up to check every so often and suggested using some of the money we are getting for this. Derek replied that he and Mike are going out and that, he, in his other position (as Fire Chief) goes out to these sites regularly.

Mr. Klein commented that what is being talked about is an oath and questioned having an affidavit.

Barry Roeloff noted they get a document from the MRA and an entity can ask OSHA to audit them.

Bill Cybulski asked if all are being surveyed. Derek responded in the affirmative and noted there is a survey stake in the ground.

Meeting was adjourned at 7:00 PM.

Respectfully Submitted,

Georgette Peterson