

LENOX TOWNSHIP
REGULAR MEETING PLANNING COMMISSION
MONDAY JANUARY 25, 2021 6:30 PM

This meeting was held virtually.

1. Call to order: 6:30 pm
Members Present: Clifford, Vennard, Turchi, Marino, Gennette
Planner: Cassin
2. **PLEDGE OF ALLEGIANCE** – N/A
3. **APPROVAL OF PREVIOUS MINUTES** – DECEMBER 9, 2020, DECEMBER 21, 2020
Motion: Clifford Support: Vennard
Motion to approve the minutes of December 9, 2020 and December 21, 2020 as written. All Ayes. Motion carried.
4. **APPROVAL OF AGENDA**
Chairman Gennette wondered if item **5A** should be tabled as no information was provided.
Township Planner Steve Cassin said that David Karana is present and may be able to address it.
Motion: Clifford Support: Turchi
Motion to approve the Agenda as presented. All Ayes. Motion carried.
5. **UNFINISHED BUSINESS**
 - a. **SPECIAL LAND USE REQUEST**
19-06-12-300-006, Chornaya, Andy Karana, 65295 Gratiot Avenue
Township Planner Cassin stated that this was tabled from last month but has not received anything from the petitioner. Karana reported that they plan to use the existing building and resubmit new plans.
Cassin explained that it would need to go back to the Board of Trustees as it is not in compliance with the Provisionary Certificate that was issued.
Karana explained that they want to make changes to the building in the back and not the front. He said the cost of the water main is so high that they would like to develop the site in phases, in a year or so.
Cassin explained that would be a decision for the Township Board and not the Planning Commission. He requested him to send a letter to the Clerk explaining what he would like to do.
Township Engineer Sermed Saif remarked that this morning he received one updated plan showing the Fire Truck access simulation but did not feel there was enough time to review and make a recommendation to the Planning Commission. There are still several other items that have not been addressed.
Gennette says to table until they resubmit plans to the board.
Marino encouraged the petitioner to meet with Steve Cassin for guidance on what to submit to the Board.
Cassin explained that there is not adequate time for this to be put on the Board Agenda for February.
Motion: Marino Support: Clifford
Motion to table until further notice of the petitioner but no longer than four months.
Turchi requested several changes and also wondered if the plans have been reviewed by a fire inspector.
Cassin remarked that a fire inspector had reviewed the plans.
Roll Call: Marino- Aye, Clifford- Aye, Vennard- Aye, Turchi- Aye, Gennette- Aye. Motion carried.
 - b. **REZONING REQUEST**
19-06-27-200-009, 28 Gratiot, LLC, vacant Gratiot Avenue from Commercial General to Industrial Restricted.
Motion: Turchi Support: Clifford
Motion to Open the Public Hearing; Clifford read the Public Hearing Notice aloud.
Cassin recommended approval of Motor City Electric to develop an office and storage yard.

Roll Call: Turchi - Aye, Clifford- Aye, Vennard- Aye, Marino- Aye, Gennette- Aye. Motion passes.

Motion: Turchi Support: Vennard

Motion to close the Public Hearing.

Roll Call: Turchi- Aye, Vennard- Aye, Clifford- Aye, Marino- Aye, Gennette- Aye. Motion passes.

Motion: Marino Support: Turchi

Motion to approve the request from 28 Gratiot, LLC, to rezone the parcel from General Commercial to Industrial Restricted.

Roll Call: Marino- Aye, Turchi- Aye, Clifford- Aye, Vennard- Aye, Gennette- Aye. Motion passes.

6. NEW BUSINESS

A. PUBLIC HEARING

SPECIAL LAND USE REQUEST – 19-06-27-200-008, 60695 GRATIOT AVE, LLC.

Motion: Clifford Support: Vennard

Motion to Open the Public Hearing at 6:49 PM; Clifford read the Public Hearing Notice aloud.

Roll Call: Clifford- Aye, Vennard- Aye, Turchi- Aye, Marino- Aye, Gennette- Aye. Motion passes.

Cassin stated this was previously approved by the Township Board for a Provisionary Certificate provided they received Special Land Use approval. That certificate was granted to allow a processing, grow, and dispensary on the subject property. The Township is currently confirming if the site is compliant with Township Ordinances and with the existing neighborhood; the Planning Commission has the prerogative to add additional requirements.

There are several outstanding issues:

1. Site plan needs to show a five-foot sidewalk along Gratiot
2. Site plan does not show signage, upon Planning Commission approval, Building Department permit necessary
3. The Planning Commission and Board of Trustees has the right to approve business name
4. Site plan does not indicate where the processing would take place and must be shown.
5. Several Engineering and Fire Department issues that must be resolved before final approval

Motion: Clifford Support: Vennard

Motion to close Public Hearing at 6:53 PM.

Roll Call: Clifford- Aye, Vennard- Aye, Turchi- Aye, Marino- Aye, Gennette- Aye. Motion passes.

Township Engineer Sermed Saif stated that there are three major issues which have not seen updates: (1) Water Main Extension (2) Fire Truck Access simulation, and (3) storm water detention. These issues may change the site geometry and layout and must be shown before approval is recommended. A fire truck would have a difficult time accessing the site.

Turchi had concerns about verbiage that needs to be changed, as well as landscaping, lights, venting, and security.

Andy Andre said that after one year, landscaping would be the owner's responsibility; LED lighting is proposed, motion-censored at night, ramping up slowly. The lights would not spill out onto adjacent properties or the road. He explained that the security plan includes restricted access inside the buildings for authorized employees as well as a security guard present during hours of operation. Venting is done by activated carbon measures in both the cultivation building and the dispensary building. The existing pole barn would be utilized for cultivation and processing, which on the site plan is indicated in room #8. There would be two separate buildings as well as an addition onto the existing pole barn, then construct the dispensary side on its own. It would be integrated from the retail side to the processing to the cultivation. They are prepared to move forward with the public water main extension. He agreed that the site is tight and would look into the fire vehicle circulation. The storm detention is designed in accordance with MDOT Guidelines and would work with the Township. He is comfortable with addressing all items at the Engineering Phase. A brand-new brick and stone building is proposed and the barn would be resurfaced to match the new construction. The existing building would be framed out to make a flat roof structure.

Clifford inquired about front parking and wonders if there would be issues with trucks entering and leaving.

Andre explained that the largest items entering would be fertilizer and supplies. The large equipment would already be on site. Deliveries would be at off peak hours; there would not be any semi-trucks; he feels comfortable that they would be able to maneuver around the site.

Saif voiced concerns of the tight radius access for fire trucks as well as the storm detention. Lenox Ordinances would have to be followed to size the pond. It would be allowable to outlet to MDOT, however, everything on site would need to be designed according to Lenox Ordinances. Two inches over site is approximately 7,000 cubic feet, currently they only have 700 cubic feet.

Andre explained that he would make the turning radius work, expanding it to meet current criteria. They would meet detention requirements and keep it underground and construct a discharge to MDOT per their standard. Saif stated that if he could make that work, the Township would need to see a Maintenance Agreement. Cassin explained that a fence is not required for this development. Saif added that a 10-foot easement would be required with the adjacent neighbor and wants to make ensure the property owner is satisfied with the plan.

Andre answered that his attorney spoke to him.

Motion: Clifford Support: Vennard

Motion to approve the Special Land Use request based on the recommendations of the Township Planner and Township Engineer.

Roll Call: Clifford- Aye, Vennard- Aye, Turchi- Aye, Marino- Aye; Gennette- Aye. Motion carried.

B. PUBLIC HEARING

SPECIAL LAND USE REQUEST – 19-06-23-300-011, LOGICROPS, LLC, DENISE WOODS

Motion: Clifford Support: Marino

Motion to open the Public Hearing at 7:13 PM; Clifford read the Public Hearing Notice aloud.

Roll Call: Clifford- Aye; Marino- Aye; Turchi- Aye; Vennard- Aye; Gennette- Aye. Motion passes.

Planner Cassin summarized that the Township Board granted a Provisionary Certificate to this property owner, now they are bringing in their site plans and asking for Special Land Use approval. It must meet Lenox Township's Zoning Ordinance and Medical Marihuana Ordinance. There are several outstanding Planning issues:

1. Must have a five-foot sidewalk shown along Gratiot
2. Signage, permits are mandatory, would be reviewed for location and size
3. Proposed name- Lenox township reserves the right to review and approve
4. Where the processing will take place as all three (dispensary, processing, and grow) be undertaken on the site.
5. The grow building has a dome type roof that would allow sunlight in. If this is the case, Lenox would need architect or builder certification to show that it could be converted into an all-purpose structure.
6. Fire Department review approval

Motion: Clifford Support: Vennard

Motion to close the Public Hearing at 7:16 PM.

Roll call: Clifford- Aye, Vennard- Aye, Turchi- Aye, Marino- Aye, Gennette, Aye. Motion carried.

Marino inquired details on the polycarbonate material and wondered how thick and durable the plastic is and if this material has an architectural rating.

John Monte from Project Control Engineering, introduces himself, John Else, owner, and Lee Imamola, the Architect Imamola says that two architectural firms would be used to engineer the building; Arc Solar is constructing the shell of the grow building and would be responsible for the polycarbonate roof, which is approximately 1 inch, consisting of several layers similar to a safety glass, designed for light to come through.

Imamola reported they are very solid and also comply with Michigan Building Code. The building is solid and substantial with a 50-foot clear span.

Else stated that the paneling is similar to metal roof material - very durable and heavy duty.

Turchi questioned why the site plan shows a future house. She voiced concerns of landscaping, lighting, venting, and security as well as setbacks and the possible Macomb County restructuring of Lowe Plank Road.

Monte explained that he is not sure of the new house, it may have been put on for potential future building. He is not sure of the County restructuring plans of Lowe Plank Road but notes that the buildings are expandable.

Else stated that he is required by the State of Michigan to have a security plan that includes 30-day video and alarms. On site security would be discussed. Processing would be done in the first phase, in the first 6000 square foot building and meets Township requirements.

Monte said that cultivation/processing plans were created first before being allowed to open the dispensary. They would try to build them simultaneously, but the first occupancy would be going to the processing area.

Imamola said that the lighting would be done remotely by sensors.

Else explained that there would be a curtain system that is 100% blackout, 14 feet above the walls with smart controls. It will be LED, when the curtain is open, the lights will not be on. It is very efficient and green and there would be no light pollution. No outside air would come inside and the air going out would be scrubbed and neutralized.

Monte stated that a sidewalk is shown on the site plan.

Saif explained that there are two properties shown on this project and sees several issues:

1. The North parcel shows all the proposed activities, and the South parcel shows future buildings as well as the pond. He inquired if both properties are owned by the same party. An easement for storm discharge must be shown.
2. The future drive-thru seems very tight and he does not think it will work; a design revision is highly recommended.
3. The public water main extension minimum is 12 inches and must be extended on both Gratiot Avenue and Lowe Plank Road if both are to be developed. International Transmission Company must approve as it shows the sewer going into their property. If that is not addressed, the pond would have to be relocated.
4. A sanitary sewer service needs a public extension - one lead per building and a mandatory manhole which could be addressed in the Engineering Phase.
5. The fire suppression shows a line to be six inches and wonders if it could handle it if the two buildings were combined. Lenox Township Public Safety Director Jeff White reported that one of the fire hydrants would be relocated to the north side of the drive.

Saif stated that he could take care of moving it when he is able to see the ultimate usage. Everything else would be addressed during Engineering.

Monte asked Saif to send him the Water Main information and the estimate of what is required to get started on with the watermain.

Gennette inquired if the Special Land Use request is for both parcels.

Cassin said he is not sure if they have been combined yet.

Monte explained that the owners had one parcel and split it to two and then rezoned the north parcel. The property to the south would be used to get an easement to put the storm water outlet there. He stated that they are not intending to develop that piece other than the storm water detention.

Motion: Marino Support: Clifford

Motion to approve the Special Land Use Request for Logicrops, LLC/Denise Woods, contingent upon meeting the Engineering, Fire Department, and Building Code requirements for Lenox Township as well as sign permits and name approval by the Board of Trustees.

Roll Call: Marino- Aye, Clifford- Aye, Vennard- Aye, Turchi- Aye, Gennette, Aye. Motion carried.

C: ELECTION OF OFFICERS

Current Officers are as follows: Gennette- Chairman, Vennard- Co-chairperson, Clifford- Secretary.

Motion: Turchi Support: Vennard

Motion to reappoint the same Officers for the year 2021.

Roll Call: Turchi- Aye, Vennard- Aye; Clifford- Aye, Marino- Aye, Gennette- Aye. Motion carried.

7. CITIZENS COMMENTS

N/A

8. COMMUNICATIONS PRESENTED

Marino remarked that the Public Meeting requests are not showing that they are zoom meetings. The notices should include possible zoom meetings in the letters that go out to the public.

9. TOWNSHIP PLANNER

Cassin stated that the Board of Trustees granted a six-month extension for Medical Marihuana Provisionary Certificate holders at their last meeting due to COVID. This would be the extension; everyone must get their plans in or would lose their licenses. He reported that there may be two or three more petitioners in the next few months.

10. ADJOURNMENT

Motion: Marino Support: Vennard

Motion to adjourn at 7:50 PM. All Ayes. Motion passes.