

# ALMONT TOWNSHIP PLANNING COMMISSION REGULAR MEETING

AUGUST 11, 2021

The regular meeting of the Almont Township Planning Commission was called to order at 7:02 P.M. by Planning Commission Chairperson, Bryan Zender, at the Almont Township/Village Hall, 819 N. Main Street, Almont, Michigan 48003. Pledge of Allegiance was recited. Roll call taken.

**MEMBERS PRESENT:** Andrea Bara, Brad Bletch, Jeremy Yarbrough, James Gostomski, Steve Hoffa, Kim Streeter, and Bryan Zender. Also present, Planner Caitlyn Habben from ROWE Professional Services and Cory Mabery, PE, of Davis Land Surveying and Engineering, PC.

**MEMBERS ABSENT:** None

**PRESENT:** 17 guests

**MINUTES: MOVED BY BARA AND SUPPORTED BY BLETCH TO APPROVE THE MINUTES FROM JULY 14, 2021 AS PRESENTED. MOTION CARRIED.**

**CORRESPONDENCE:** Received.

**PUBLIC COMMENTS:** No comments from the audience were received.

**LATE AGENDA ITEM:** New Business – Special Election – Vice Chairperson.

Pursuant to the Planning Commission's Rules and Procedures, Article 6 (VI) upon the resignation of the Chair, the Vice-chairperson becomes the Chair for the balance of the Chairmanship. The Chair then calls for a special election to fill in the vacant Vice-chairperson position.

Commissioner Streeter noted that on behalf of the Planning Commission she would like to thank Mr. Francis for his many years of service to the community. Commissioner Streeter noted that Mr. Francis' development knowledge/experience and ability to be able to add historical references regarding the community would be missed by the Planning Commission.

**INTRODUCTION:** Mr. Jeremy Yarbrough, an Almont Township resident and Village of Almont business owner, was introduced to the Commissioners and audience. Commissioner Yarbrough will fill the vacancy left by Mr. Francis until December 31, 2023.

**PUBLIC HEARING:** Proposed text amendments to Zoning Ord. 39, as amended, Article 2, sections, 2.21, 2.29, Article 8, and Article 14.

The proposed amendment to the Zoning Ordinance would limit the legal growing of Medical Marijuana to Almont Township Industrial zoned districts only. Planner Habben noted that the text amendment language was provided by Almont Township's legal counsel. Planner Habben also explained that the text amendment, if approved, would prohibit any new Medical Marijuana Primary Caregivers from growing in any Agricultural/Residential zoned districts. All current MMPC who are legally registered

**PUBLIC HEARING:** Proposed text amendments to Zoning Ord. 39, as amended, Article 2, sections, 2.21, 2.29, Article 8, and Article 14, continued:

with Almont Township may continue with their grow facilities providing they are, and continue to be, compliant with Almont Township's Zoning Ordinance.

Chairman Zender asked for comments from the Commissioners before opening the hearing to the public. Comments from the Commissioners noted that other communities were or had already made the change to Industrial. Commissioner Zender suggested that under subsection D, on page three, the language be amended to read "*any Local, County or State Police*" instead of the proposed "Almont Police Department and Lapeer County Sheriff's Department".

Chairman Zender opened the hearing to public comments at 7:36 p.m.

Comments were heard from the audience regarding location of existing grow facilities, law enforcement procedure, and general township policies. Residents were urged to contact the Township Supervisor if they had any concerns or questions on procedures.

Not hearing any new comments, Chairman Zender closed the hearing to further public comments at 7:59 p.m.

**MOVED BY BARA, AND SUPPORTED BY HOFFA TO RECOMMEND APPROVAL TO THE TOWNSHIP BOARD OF THE TEXT AMENDMENT TO SECTIONS 2.21, 2.29, 8.6, AND ARTICLE 14 AND REVISE SECTION 8.5 TO INCLUDE: ANY LOCAL, COUNTY OR STATE LAW ENFORCEMENT; AND BECAUSE IT MEETS STANDARD D IN SECTION 13.7.C.1 AS THE CHANGE IS NECESSARY TO IMPROVE ADMINISTRATION OF THE ORDINANCE OR TO BETTER SERVE THE COMMUNITY. ROLL CALL: BARA – YEA, HOFFA – YEA, YARBROUGH – YEA, STREETER – YEA, GOSTOMSKI – YEA, BLETCH – YEA, ZENDER – YEA. MOTION CARRIED 7- YEAS, 0- NAYS.**

Chairman Zender called for a break at 8:07 p.m. Chair Zender called the meeting back into order at 8: 13 p.m.

**NEW BUSINESS: N/A**

**OLD BUSINESS:** Annual Reviews

1. Ray Shavers – 4081 Van Dyke

Mr. Shavers was present and requested a time extension to his site plan.

**MOVED BY GOSTOMSKI, AND SUPPORTED BY STREETER, TO APPROVE A ONE YEAR EXTENSION FOR RAY SHAVERS LOCATED AT 4081 VAN DYKE UNTIL AUGUST 12, 2022 BECAUSE THE PROJECT WILL COMPLETE THE PHYSICAL IMPROVEMENTS SHOWN IN THE APPROVED SITE PLAN WITH THE EXTENDED PERIOD OF TIME AND THERE HAVE BEEN NO SIGNIFICANT CHANGES TO THE ZONING ORDINANCE THAT WOULD IMPACT THE PROJECT'S COMPLIANCE WITH THE ZONING ORDINANCE. MOTION CARRIED. 7 – YEAS, 0- NAYS.**

**OLD BUSINESS:**      Annual Reviews Continued:

2. 1<sup>st</sup> Choice Maintenance – 3645 Van Dyke

It was noted that Mr. Saintonge was not present at the Planning Commission meeting nor had he submitted a request in writing for a time extension to his site plan.

MOVED BY GOSTOMSKI AND SUPPORTED BY HOFFA TO DENY ANY EXTENSION FOR 1<sup>ST</sup> CHOICE MAINTENANCE LOCATED AT 3645 VAN DYKE ROAD BECAUSE THE PROJECT WILL NOT COMPLETE THE PHYSICAL IMPROVEMENT WITH THE EXTENDED PERIOD OF TIME. Discussion followed on the motion. Commissioner Streeter questioned the denying of an extension, as the desire of the Planning Commission is to see that projects are completed properly and in a timely manner. As the Engineer's report stated, there were only four items that needed to be addressed to complete the site, perhaps it would be better to postpone making a decision for 30 days. This would hopefully provide the owner with the opportunity to correct any remaining issues, and complete the site plan. This would also avoid closing the site plan and having the project classified as an ongoing violation, thereby requiring the owner to reapply and resubmit his entire project back to the Planning Commission for review and approval. Engineer's Mabery's email of July 16, 2021 was briefly discussed noting that Mr. Saintonge could submit a revised site plan noting the dumpster location as future, providing information on the exterior lighting, noting the reoriented temporary structure, and re-planting the 8 trees. Engineer Mabery also noted that he would conduct another site visit. Commissioner Gostomski and Hoffa agreed to withdraw their motion. A letter will be sent to the applicant notifying him of the importance of the timely completion of his project. Also, that his appearance is requested at the September 8, 2021 Planning Commission meeting and/or an email or letter be provided by Mr. Saintonge to the Planning Commission prior to September 8, 2021 stating his intentions as to an extension and an "as-built" submittal.

**MOVED BY STREETER AND SUPPORTED BY BARA TO POSTPONE A DECISION ON THE SITE PLAN EXTENSION FOR 1<sup>ST</sup> CHOICE MAINTENANCE LOCATED AT 3645 VAN DYKE UNTIL SEPTEMBER 8, 2021. MOTION CARRIED, 6- YEAS, 1- NAY.**

3. Superior Contracting – 3044 Van Dyke

Mr. George Tencza of Superior Contracting was present to request an extension and to modify his proposed revised site plan.

Planner Habben and Engineer Mabery went through their reviews. Engineer Mabery noted that the concrete bins need to be moved further north than shown on the proposed revised set of plans and recommended a larger fence-in area than noted on the revised plans. Planner Habben noted that a cross section on the berms were required and that the Planning Commission would need to decide if the proposed changes are considered "increases (in) scope of potential for off-

1. Superior Contracting – 3044 Van Dyke Continued:  
site impacts”. If the Planning Commission decides that the revisions are not within the scope of the special land use approval than the applicant will need to hold another public hearing to amend the special land use request.

**MOVED BY BARA, AND SUPPORTED BY HOFFA, TO APPROVE THE SITE PLAN AMENDMENT FOR SUPERIOR CONTRACTING GROUP LOCATED AT 3044 VAN DYKE ROAD, BECAUSE THE PROJECT IS COMPLIANT WITH THE REGULATION IN THE ZONING ORDINANCE CONTINGENT UPON: THE REVISED SITE PLAN ADDRESSES ALL OUTSTANDING CONCERNS NOTED IN THE JULY 26, 2021, AND AUGUST 8, 2021 REVIEW LETTERS. APPLICANT TO ADD ADDITIONAL BERM AND TREES ON THE NORTH AND SOUTH SIDES, AND TO INCLUDE PHASE 2 FUTURE FENCE, NORTH TO SOUTH ON THE EAST LINE. IN ADDITION, RELOCATE CONCRETE BLOCK STORAGE BINS TO MEET MINIMUM SET BACK REQUIREMENT. MOTION CARRIED, 7- YEAS, 0- NAYS.**

**MOVED BY BARA, SUPPORTED BY HOFFA, TO APPROVE THE SITE PLAN EXTENSION FOR SUPERIOR CONTRACTING GROUP LOCATED AT 3044 VAN DYKE ROAD UNTIL AUGUST 12, 2022, BECAUSE THE PROJECT WILL COMPLETE THE PHYSICAL IMPROVEMENTS SHOWN IN THE APPROVED SITE PLAN WITH THE EXTENDED PERIOD OF TIME, AND THERE HAVE BEEN NO SIGNIFICANT CHANGES TO THE ZONING ORDINANCE THAT WOULD IMPACT THE PROJECTS’ COMPLIANCE WITH THE ZONING ORDINANCE. MOTION CARRIED, 7 – YEAS, 0- NAYS.**

**SPECIAL ELECTION – VICE CHAIRPERSON**

**MOVED BY HOFFA, AND SUPPORTED BY BLETCH, TO OPEN NOMINATIONS THEN CLOSE NOMINATIONS AND UNANIMOUSLY ELECT ANDREA BARA FOR THE OFFICE OF VICE CHAIRPERSON. MOTION CARRIED, 7 – YEAS, 0- NAYS.**

**REPORTS:**

Planner – the upcoming fall seminar invitation will be sent soon.  
Engineer – still working with DTE  
Zoning Board of Appeals – NA  
Zoning & Building Report – possible public hearing scheduled for September  
Planning Commission General Comments -  
Agenda – September 8, 2021

**ADJOURNMENT: MOVED BY GOSTOMSKI, AND SUPPORTED BY STREETER TO ADJOURN. MOTION CARRIED. MEETING ADJOURNED AT 9:37 P.M.**

Respectfully,

*Ida L. Lloyd*

Ida L. Lloyd, Recording Secretary

