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CHARTER TOWNSHIP OF WATERFORD  
NOTICE OF PLANNING COMMISSION REGULAR MEETING  
TUESDAY, APRIL 27, 2021 and 4:30 P.M.

Due to the COVID-19 epidemic declared by the Director of the Michigan Department of Health and Human Services, **this meeting will be held by electronic remote access that provides 2-way telephone or video conferencing** as permitted by and in accordance with the Open Meetings Act as amended by Public Act No. 228 of 2020.

**Planning Commission Pre-meeting - 4:00**

Agenda Review

**Planning Commission Meeting - 4:30**

- I. Call the Meeting to Order  
Chairperson Werth called the meeting to order at 4:32 p.m.
  
- II. Roll Call  
Present: Sandra Werth, Chairperson, remote from Waterford, MI  
Colleen Murphy, Commissioner, remote from Waterford, MI  
Matt Ray, Secretary, remote from Waterford, MI  
Tony Bartolotta, Commissioner, remote from Waterford, MI  
Dave Kramer, Commissioner, remote from Waterford, MI  
  
Absent: Scott Sintkowski, Commissioner  
Steve Reno, Commissioner  
  
Also Present: Jeffrey Polkowski, Superintendent/ Planning  
Scott Alef, Planner II  
Amy Williams, Departmental Aide  
Rob Merinsky, Director/Engineering  
Gary Wall, Township Supervisor  
  
Public Present: Approximately 20-25
  
- III. Approve the Agenda of the April 27, 2021, regular meeting of the Planning Commission as printed.

**MOTION AND VOTE**

*Moved by Bartolotta*

*Supported by Murphy: Resolved to **Approve** the April 27, 2021 Planning Commission*

*Meeting Agenda.*

**MOTION CARRIED UNANIMOUSLY BY ROLL CALL VOTE  
( 5-0 )**

IV. Approve the Minutes of the March 23, 2021, regular meeting of the Planning Commission.

**MOTION AND VOTE**

*Moved by Murphy*

*Supported by Kramer: Resolved to **Approve** the March 23, 2021 Planning Commission Meeting Minutes as corrected.*

**MOTION CARRIED UNANIMOUSLY BY ROLL CALL VOTE  
( 5-0 )**

V. Approve the Consent Agenda

**MOTION AND VOTE**

*Moved by Bartolotta*

*Supported by Murphy: Resolved to **Approve** the Consent Agenda.*

**MOTION CARRIED UNANIMOUSLY BY ROLL CALL VOTE  
( 5 -0 )**

VI. Site Plans and Public Hearings

**1. Site Plan No. PSP 21-1353-A, JLG Property – RE-REVIEW OF LANDSCAPING ONLY**

**Parcel I.D. No. 13-18-100-008**, T3N, R9E, SEC 18 PART OF NW 1/4 BEG AT PT DIST S 00-05-37 W 125.23 FT & N 89-54-23 W 60 FT FROM N 1/4 COR, TH S 00-05-37 W 1357.11 FT, TH N 89-57-13 W 547.95 FT, TH N 00-06-38 E 736.11 FT, TH ALG CURVE TO RIGHT, RAD 630 FT, CHORD BEARS N 41-29-08 E 828.38 FT, DIST OF 903.95 FT TO BEG 15.19 A 10-28-19 FR 007

**Requesting:** Site Condominium Development – Landscape plan review only  
**Property Location:** Northeast corner of N Williams Lake Rd. and Hatchery Rd.  
**Property Zoned:** PL, Public Lands (Rezone to R-1C)  
**Applicant:** JLG Property

Applicant or representative present: Joseph Loriccio, JLG Property

**Board member Ray** commented that he was disappointed that the applicant did not take more consideration to green space in the middle of the property.

**Board member Kramer** agreed and added a few more comments regarding the same.

**Mr. Loriccio** addressed this by stating that they adjusted the plans from comments at the last meeting where site plan was approved. He did not understand why they were going over this again. JLG Property added 22 white pines to the landscape plan based on board member Kramer’s comments at the last meeting.

**MOTION AND VOTE***Moved by Bartolotta**Supported by Murphy: Resolved to **Approve** the updated Landscape Plan for Site Plan PSP #21-1353-A for JLG, located at the northeast corner of N Williams Lake Rd and Hatchery Rd.***MOTION CARRIED UNANIMOUSLY BY ROLL CALL VOTE  
(5-0)****2. Special Approval Request No. PRSA 21-04-01 – Commercial Kennel**

**Parcel I.D. No. 13-22-476-019**, T3N, R9E, SEC 22 PART OF SE 1/4 BEG AT PT DIST N 01-30-00 E 920.95 FT & N 42-40-00 W 710.05 FT FROM SE SEC COR, TH N 42-40-00 W 337.88 FT, TH S 47-20-00 W 240.00 FT, TH S 42-40-00 E 104.76 FT, TH S 88-30-00 E 334.58 FT TO BEG 1.22 A

**Requesting:** Special Approval for a Kennel in a C-3, Zoning District  
**Property Location:** 4175 Highland Rd. South side of Highland Rd east of Pontiac Lake Rd  
**Property Zoning:** C-3, General Business  
**Applicant:** Companions Pet Lodge, LLC

Applicant or representative present: William Lawrence

**Mr. Polkowski** gave a brief summary. The applicant is seeking to open a pet boarding/kennel facility on the subject property. This project is conditioned on the Text Amendment PZ 21-03-05 heard on March 23, 2021 being approved and adopted by the Township Board.

During the public portion of the meeting, the following spoke against this request.

**Christine Lemmick** of 4080 Woodstock said that her property backs up to the proposed kennel and she has concerns regarding noise from dogs barking and reduction of her property value.

**Mr. Polkowski** reminded the residents and board members that if approved, any complaints that might come up, could have this brought back before the planning commission.

**Board member Bartolotta** brought up that this is a good use and fit to re purpose a currently vacant building.

**Board member Murphy** questioned the applicant if they would be more of a day care, or if the dogs would be staying overnight.

**Mr. Lawrence** said that based on demographics, he feels this will be mostly a day care, but they will be set up for and available for overnight stays as well. The facility is well insulated for noise and they dim the lights at night. He does not foresee noise to be a problem.

**MOTION AND VOTE***Moved by Kramer**Supported by Murphy: Resolved to **Approve with conditions** the request for special approval in Case No. PRSA 21-04-01 Commercial Kennel, based on the following*

*findings and conclusions under the Ordinance review criteria and considerations, which are based on assessment of the information and statements presented in this case by or for the Township Staff, Applicant, and members of the public.*

**Findings:**

- A. *The proposed use is in accordance with the objectives of the Master Plan and with future land use plans for the area as adopted or maintained by the Planning Commission.*
- B.1 *The proposed use will be compatible with adjacent uses of land in terms of building and activity location, scope of activity, character, hours of operation, and compliance with the performance standards required under ARTICLE II, Division 2-2.*
- B.2 *The proposed use will not have an adverse effect on the environment or adjacent properties beyond the normal effects of permitted principal uses in the same zoning district.*
- B.3 *The proposed use will not result in an impairment, pollution, and/or destruction of air, water, natural resources and/or the public trust therein.*
- C. *The proposed use is not located in any Special Approval use service areas identified and adopted by the Planning Commission.*
- D. *The proposed use will not impose an unreasonable burden upon public services and utilities.*
- E. *The proposed use will be in compliance with the regulations of the Zoning District in which it is proposed to be located.*

**Conclusions:**

- A.1 *The proposed use is of such location, size and character as to be compatible with the orderly development of the Zoning District in which it is proposed to be situated.*
- A.2 *The proposed use will be compatible with the orderly development or use of adjacent zoning lots.*
- A.3 *Pedestrian circulation will not be hindered by the proposed use.*
- A.4 *Outdoor operations and display in connection with the proposed use will not burden and/or disrupt uses on adjacent properties.*
- A.5 *The natural and surrounding environment will not be negatively impacted by the proposed use.*
- B. *The proposed use will be within the capacity limitations of the existing or proposed public services and facilities which serve its proposed location.*
- C. *The proposed use will be conducive to fulfilling a gap in the geographic coverage of such services to Township residents.*

**Conditions:**

*The conditions of this approval, which have considered the Planning Commission's ability to impose reasonable restrictions to ensure compliance with the performance standards established in the Zoning Ordinance, are as follows:*

- a. *A Final Site Plan, satisfying all requirements by the various departments, will be required prior to final approval.*
- b. *A landscape plan indicating existing landscaping is required.*
- c. *Existing landscaping is to be maintained and replaced as necessary.*
- d. *Text Amendment PZ 21-03-05 must be adopted by the Township Board.*
- e. *The Planning Commission reserves the right to modify this approval or impose additional regulations or requirements subject to safety concerns or complaints that may arise during operation.*

**MOTION CARRIED UNANIMOUSLY BY ROLL CALL VOTE  
(5 -0 )**

**3. Special Approval Request No. PRSA 21-04-02 – Elks Club**

**Parcel I.D. No. 13-11-376-005**, T3N, R9E, SEC 11 PART OF SW 1/4 BEG AT PT ON NLY LINE OF 120 FT US-10 HWY DIST N 02-47-00 W 239.14 FT & N 72-15-00 W 548.85 FT FROM S 1/4 COR, TH N 72-15-00 W 220 FT, TH N 17-45-00 E 200 FT, TH S 72-15-00 E 220 FT, TH S 17-45-00 W 200 FT TO BEG 1.01 A W175E

**Requesting:** Special Approval for an Institutional Facility (Private Club) in a C-3, Zoning District

**Property Location:** 3650 Dixie Hwy; North side of Dixie Hwy between Hatchery Rd. and Watkins Lake Rd

**Property Zoning:** C-3, General Business

**Applicant:** Kurt Mason

Applicant or representative present: Kurt Mason

**Mr. Polkowski** gave a brief summary. The applicant is seeking to utilize the existing 3,428 sqft. Building as a Private Club (Elk's Lodge) The building is intended to be utilized as a private bar for members only with regular meetings being held inside. Eventually, this will include utilizing the finished basement area.

**Chairperson Werth** questioned the location of the dumpster in the parking lot.

**Mr. Polkowski** replied that this is a normal placement and meets SPBL Design Standards.

**MOTION AND VOTE**

*Moved by Bartolotta; Supported by Kramer; to **approve with conditions** the request for special approval in Case No. PRSA 21-04-02, Elks Club, based on the following findings and conclusions under the Ordinance review criteria and considerations, which*

are based on assessment of the information and statements presented in this case by or for the Township Staff, Applicant, and members of the public.

**Findings:**

- A. *The proposed use is in accordance with the objectives of the Master Plan and with future land use plans for the area as adopted or maintained by the Planning Commission.*
- B.1 *The proposed use will be compatible with adjacent uses of land in terms of building and activity location, scope of activity, character, hours of operation, and compliance with the performance standards required under ARTICLE II, Division 2-2.*
- B.2 *The proposed use will not have an adverse effect on the environment or adjacent properties beyond the normal effects of permitted principal uses in the same zoning district.*
- B.3 *The proposed use will not result in an impairment, pollution, and/or destruction of air, water, natural resources and/or the public trust therein.*
- C. *The proposed use is not located in any Special Approval use service areas identified and adopted by the Planning Commission.*
- D. *The proposed use will not impose an unreasonable burden upon public services and utilities.*
- E. *The proposed use will be in compliance with the regulations of the Zoning District in which it is proposed to be located.*

**Conclusions:**

- A.1 *The proposed use is of such location, size and character as to be compatible with the orderly development of the Zoning District in which it is proposed to be situated.*
- A.2 *The proposed use will be compatible with the orderly development or use of adjacent zoning lots.*
- A.3 *Pedestrian circulation will not be hindered by the proposed use.*
- A.4 *Outdoor operations and display in connection with the proposed use will not burden and/or disrupt uses on adjacent properties.*
- A.5 *The natural and surrounding environment will not be negatively impacted by the proposed use.*
- B. *The proposed use will be within the capacity limitations of the existing or proposed public services and facilities which serve its proposed location.*
- C. *The proposed use will be conducive to fulfilling a gap in the geographic coverage of such services to Township residents.*

**Conditions:**

*The conditions of this approval, which have considered the Planning Commission's ability to impose reasonable restrictions to ensure compliance with the performance standards established in the Zoning Ordinance, are as follows:*

- a. A Final Site Plan, satisfying any and all requirements by the various departments, will be required prior to final approval**
- b. A landscape plan indicating existing landscaping is required.**
- c. The Planning Commission reserves the right to modify this approval or impose additional regulations or requirements subject to concerns or complaints that may arise during operation.**

**MOTION CARRIED UNANIMOUSLY BY ROLL CALL VOTE  
(5 -0 )**

**4. Site Plan No. PSP 21-1367, Marihuana Caregiver Facility**

**Parcel I.D. No. 13-26-326-026**, T3N, R9E, SEC 26 PART OF NE 1/4 OF SW 1/4 BEG AT PT DIST N 88-51-00 W 1011.56 FT FROM CEN OF SEC, TH S 01-09-45 W 457 FT, TH N 88-51-00 W 199 FT, TH N 01-09-45 E 457 FT, TH S 88-51-00 E 199 FT TO BEG 2.09 A 7/20/88 FR 015

**Requesting:** Marihuana Caregiver Establishment  
**Property Location:** 3751 Elizabeth Lake Rd.  
**Property Zoning:** M-1, Light Industrial  
**Applicant:** Heather Matty

Applicant or representative present: Azher Matty

**Mr. Polkowski** gave a brief summary and provided department comments and conditions. The applicant is seeking to convert the rear warehouse into four identical Marihuana Caregiver suites.

**MOTION AND VOTE**

*Moved by Bartolotta*

*Supported by Murphy: Resolved to **Approve** the Site Plan PSP #21-1367 for Heather Matty, located at 3751 Elizabeth Lake Rd. subject to satisfying all department comments and conditions.*

**MOTION CARRIED UNANIMOUSLY BY ROLL CALL VOTE  
(5 -0 )**

**5. Site Plan No. PSP 21-1368, Marihuana Caregiver Facility**

**Parcel I.D. No. 13-09-251-022**, T3N, R9E, SEC 9 WILLIAMS LAKE ROAD INDUSTRIAL PARK LOT 10

**Parcel I.D. No. 13-09-251-023**, T3N, R9E, SEC 9 WILLIAMS LAKE ROAD INDUSTRIAL PARK LOT 9

**Requesting:** Marihuana Caregiver Establishment  
**Property Location:** 4525 Perry Dr.

**Property Zoning:** M-1, Light Industrial  
**Applicant:** Gumma Group

Applicant or representative present:

**Mr. Polkowski** gave a brief summary and provided department comments and conditions. The applicant is seeking to convert units 108 and 110 toward the western end of the building into (2) caregiver suites each (4 total).

### **MOTION AND VOTE**

*Moved by Bartolotta*

*Supported by Kramer: Resolved to **Approve** the Site Plan PSP #21-1368 for Gumma Group, located at 4525 Perry Dr. subject to satisfying all department comments and conditions.*

**MOTION CARRIED UNANIMOUSLY BY ROLL CALL VOTE**

**(5 -0 )**

### **6. Site Plan No. PSP 21-0290-A, Nursery Investors 1, LLC Marihuana Caregiver Facility**

**Parcel I.D. No. 13-26-176-029**, T3N, R9E, SEC 26 PART OF NE 1/4 OF SW 1/4 BEG AT PT DIST N 88-51-00 W 1011.56 FT FROM CEN OF SEC, TH S 01-09-45 W 457 FT, TH N 88-51-00 W 199 FT, TH N 01-09-45 E 457 FT, TH S 88-51-00 E 199 FT TO BEG 2.09 A 7/20/88 FR 015

**Requesting:** Marihuana Caregiver Establishment  
**Property Location:** 3714 Elizabeth Lake Rd.  
**Property Zoning:** M-1, Light Industrial  
**Applicant:** Nursery Investors 1, LLC

Applicant or representative present:

**Mr. Polkowski** gave a brief summary and provided staff comments and conditions. The applicant is seeking to convert the rear building into a single medical marihuana caregiver facility.

### **MOTION AND VOTE**

*Moved by Bartolotta*

*Supported by Murphy: Resolved to **Approve** the Site Plan PSP #21-0290A for Nursery Investors 1, LLC, located at 3714 Elizabeth Lake Rd. subject to satisfying all department comments and conditions and submittal of an updated landscaping and utility plan.*

**MOTION CARRIED UNANIMOUSLY BY ROLL CALL VOTE**

**(5 -0 )**

### **7. Site Plan No. PSP 21-1374, Hopewell Baptist Church**

**Parcel I.D. No.** 13-33-126-001 & 13-28-378-002  
**Requesting:** Site Condominium Approval



**Property Location:** 5438 & 5446 Cooley Lake Rd  
**Property Zoning:** R-1C  
**Applicant:** Hopewell Baptist Church

Applicant or representative present: Terrance Garrett

**Mr. Polkowski** gave a brief summary and provided staff comments and conditions. The applicant is seeking to establish an 8-unit site condominium utilizing the rules of the Dwelling Unit Condominium. The proposed development is located on two parcels with a total area of 4.3 acres. A substantial portion of that area is wetland and does not qualify as a buildable area.

Board members asked questions regarding the units.

### **MOTION AND VOTE**

*Moved by Bartolotta*

*Supported by Murphy: Resolved to **Approve** the Site Plan PSP #21-1374 for Hopewell Baptist Church, located at 5438 & 5446 Cooley Lake Rd. subject to satisfying all department comments and conditions.*

**MOTION CARRIED UNANIMOUSLY BY ROLL CALL VOTE**

**(5 -0 )**

VII. Discussions

VIII. All Else

IX. Adjourn the Meeting

Chairperson Werth adjourned the meeting at 5:33p.m.

The public may participate in each meeting through GoToMeeting by computer, tablet or smart phone using the following link: <https://global.gotomeeting.com/join/142685181>

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Members of the public will only be able to speak during the during the public comment period at the end each public comment agenda item and such comments will be limited to three minutes per person. To provide for orderly public participation, a person wishing to speak must first state their name and request to be recognized by the Chairperson of the meeting. The Chairperson will recognize all persons wishing to speak during the public comment period. Prior to the meeting, members of the public may contact the members of the Planning Division to provide input or ask questions by email or mail to the Township employee/official and at the addresses listed below. Persons with disabilities in need of accommodations to be able to participate in the meeting should provide at least 24-hour advance notice to the listed Township employee by phone, email, or mail and an attempt will be made to provide reasonable

accommodations.

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