

BOARD MEMBERS PRESENT:

Gary Wall, Supervisor
Kim Markee, Clerk
Steve Thomas, Treasurer
Anthony Bartolotta, Trustee
Marie E. Hauswirth, Trustee
Janet Matsura, Trustee
Mark Monohon, Trustee

OTHERS PRESENT:

David George
Robert Matsura
Joe Frase

Aaron Geyer
Arik Klar
Joellen Shortly

Joseph Aiello
Jeffrey Polkowski

Supervisor Gary Wall called the meeting to order at 6:00 p.m. and asked for a moment of silence remembering the brave men and women who have served our Country and led the Pledge of Allegiance.

Roll call vote was taken. All board members were present.

1. APPROVE AGENDA
1.1 July 27, 2023

Moved by Markee,
Seconded by Hauswirth, RESOLVED, to approve the July 27, 2023, agenda, as printed. A roll call vote was taken.

Ayes: Wall, Markee, Thomas, Bartolotta, Hauswirth, Matsura and Monohon
Nays: None
Absent: None

Motion carried unanimously.

2. NEW BUSINESS

2.1 Planning Commission Recommendation On Change Of Use For Parcel #13-04-127-022, 5806 Dixie Hwy

2.1.1 Adult Use Establishment Application, 5806 Dixie Hwy

The following was the Staff Report from Justin Daymon, of the Planning and Zoning Department.

Project Summary

The applicant is proposing to change from a licensed Medical Marihuana Provisioning Center to a mixed use Medical Marihuana Provisioning Center and Licensed Marihuana Retailer. This would allow them to offer retail sales of marihuana, marihuana products, and accessories to adults, 21 years of age or older, without requiring them to be registered medical marihuana patients.

Zoning District Compatibility

Per Section 3-705.3.R. & U., Medical Marihuana Provisioning Centers and Licensed Adult Use Marihuana Retailers that comply with the applicable regulations in Section 2-605 are a principle permitted uses within this district.

The approved site plan for the subject zoning lot possesses the parking capacity needed to serve the proposed change of use, and provides appropriate buffering and screening between the subject property and adjacent uses.

The site is in compliance with the requirements for landscaping, non-motorized pathways, lighting, parking, and protected property distance established by its site plan. These requirements were reviewed as part of the property's previous site plan review.

MOTION TEMPLATE FOR PLANNING COMMISSION CASE NO. PCR 23-020, Proposed Change of Use of 5806 Dixie Hwy from:

A Licensed Medical Marihuana Provisioning Center to a Mixed Use Medical Marihuana Provisioning Center and Licensed Marihuana Retailer

Motion:

I move to forward a favorable/unfavorable [**Strike One**] recommendation in Case No. PCR 23-020 on to the Township Board, to allow the subject parcel # 13-04-127-022 to change use from a Licensed Medical Marihuana Provisioning Center to a Mixed Use Medical Marihuana Provisioning Center and Licensed Marihuana Retailer based on the following findings and conclusions under the Ordinance approval recommendation guidelines 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.1. There is / is not a Township approved site plan for the zoning lot.
- A.2. Physical expansions or substantial improvements are not / are being proposed to the buildings, structures, or use areas on the zoning lot.
- A.3. Use of the zoning lot is / is not proposed to be changed from the permitted use classification identified in the approved site plan to another permitted use classification.

Conclusions:

- A.1. The subject zoning lot does / does not possess the parking capacity needed to serve the proposed change of use.
- A.2. The subject zoning lot does / does not provide the appropriate buffering and screening between the proposed change of use and adjacent uses.

2.1.2 Final Decision Resolution Approving Adult Use Marihuana Establishment License

CHARTER TOWNSHIP OF WATERFORD
FINAL DECISION RESOLUTION APPROVING
ADULT USE MARIHUANA ESTABLISHMENT LICENSE APPLICATION
AND PLANNING DIVISION CHANGE OF USE APPLICATION

RECITALS:

A. This Resolution is adopted as a Final Decision by the Charter Township of Waterford ("Township") Board of Trustees ("Board") on an application for a Township Adult Use Marihuana Establishment License ("License") under the Township Adult Use Marihuana Establishment Licensing Ordinance codified as Sections 10-310 through 10-329 in Division 13 of Article III in Chapter 10 of the Waterford Charter Township Code, with all references to Sections in this Resolution being to Sections of that Code.

B. This Final Decision is for the following Adult Use Marihuana Establishment License Application ("Application"):

License Applied For:	Retail Establishment
Named Applicant:	Golden Rockies
Establishment Location:	5770 & 5806 Dixie Highway
Filing Date:	7/19/2023

C. The Applicant has a Township Medical Marihuana Facility License. The Application for an Adult Use Marihuana Establishment was reviewed by Township personnel as provided in Section 10-321(a).

D. Based on the reviews and determinations made by the Clerk, the Public Works Official, the Treasurer, Assessor and Code Enforcement Officer, the Application was in compliance with the minimum requirements of Section 10-318(3) and (4).

E. Based on these determinations, the Clerk's Office notified the Zoning Official that the Planning Commission could proceed with a site plan review of the Planning Division application for a change of use as provided in Zoning Ordinance Section 4-004.1.

F. The Planning Commission completed their review of the Golden Rockies, Planning Division application on July 25, 2023, and provided their recommendation to the Board of Trustees to approve the change of use for the subject parcel #13-04-127-022 from a sole Medical Marihuana Provisioning Center to a mixed-use Medical Marihuana Provisioning Center and Adult Use Marihuana Establishment. The Board of Trustees agreed with the findings and conclusions of the Planning Commission under the Zoning Ordinance and on July 27, 2023, approved the change of use request.

G. By a motion passed by the Board on July 27, 2023, the Application was approved, and the Board adopted this Resolution as its written Final Decision on the Application.

IT IS THEREFORE RESOLVED that the Application is approved with all standards, terms, and conditions in Section 10-325 to be incorporated by reference, and that a License may be granted by the Clerk if the Applicant demonstrates compliance with the requirements in Section 10-322(h) within the required timeframe.

Final Decision Resolution Approving Adult Use Marihuana Establishment License Continued.

IT IS THEREFORE RESOLVED that the change of use request for subject parcel #13-04-127-022, made pursuant to Section 4-004 of the Zoning Ordinance, is granted.

IT IS FURTHER RESOLVED that after certifying the adoption of this Final Decision Resolution including the vote on the Board's motion to do so, the Township Clerk shall provide a copy to the Named Applicant's representative for acceptance.

CERTIFICATION

I hereby certify that this Resolution was adopted by the Charter Township of Waterford Board of Trustees at a regular meeting of that Board on July 27, 2023.

_____ Date

_____ Kimberly Markee, Township Clerk

ACCEPTANCE OF FINAL DECISION

The Named Applicant, by its authorized representative whose name and title is printed below his or her signature, acknowledges receipt and an understanding of this Final Decision Resolution Approving the Named Applicant's Adult Use Marihuana Establishment License Application and accepts and agrees to the stated conditions.

GOLDEN ROCKIES, INC.

July __, 2023

_____ Name: Joesph Aiello
Title: Owner

Mr. Aaron Geyer, Compliance Officer for Golden Rockies, LLC, addressed the Board of Trustees.

Township Attorney Ms. Shortley addressed the Board of Trustees and answered their questions.

Mr. Jeffrey Polkowski, Superintendent of Planning and Zoning addressed the Board of Trustees.

Mr. Joseph Aiello and Mr. Aaron Geyer answered questions from the Township Board.

Moved by Markee,
Seconded by Hauswirth, RESOLVED, to approve final decision Resolution Approving Adult Use Marihuana Establishment License Application and Planning Division Change of Use Application for Golden Rockies, LLC, dba Moses Roses, at 5806 Dixie Highway. A roll call vote was taken.

Ayes: Wall, Markee, Thomas, Bartolotta, Hauswirth, Matsura and Monohon
Nays: None
Absent: None

Motion carried unanimously.

2.2 Planning Commission Recommendation On Change Of Use For Parcel #13-18-376-005, 1700 Tull Ct

2.2.1 Adult Use Establishment Application, 1700 Tull Ct

The following was the Staff Report from Justin Daymon, of the Planning and Zoning Department.

Project Summary

The applicant is proposing to change from a licensed Medical Marihuana Provisioning Center to a mixed use Medical Marihuana Provisioning Center and Licensed Marihuana Retailer. This would allow them to offer retail sales of marihuana, marihuana products, and accessories to adults, 21 years of age or older, without requiring them to be registered medical marihuana patients.

Zoning District Compatibility

Per Section 3-704.3.L. & N., Medical Marihuana Provisioning Centers and Licensed Adult Use Marihuana Retailers that comply with the applicable regulations in Section 2-605 are a principle permitted uses within this district.

The approved site plan for the subject zoning lot possesses the parking capacity needed to serve the proposed change of use, and provides appropriate buffering and screening between the subject property and adjacent uses.

The site is in compliance with the requirements for landscaping, non-motorized pathways, lighting, parking, and protected property distance established by its site plan. These requirements were reviewed as part of the property's previous site plan review.

MOTION TEMPLATE FOR PLANNING COMMISSION CASE NO. PCR 23-020,

Proposed Change of Use of 1700 Tull Ct from:

A Licensed Medical Marihuana Provisioning Center to a Mixed Use Medical Marihuana Provisioning Center and Licensed Marihuana Retailer

Motion:

I move to forward a favorable/unfavorable [**Strike One**] recommendation in Case No. PCR 23-022 on to the Township Board, to allow the subject parcel # 13-18-376-005 to change use from a Licensed Medical Marihuana Provisioning Center to a Mixed Use Medical Marihuana Provisioning Center and Licensed Marihuana Retailer based on the following findings and conclusions under the Ordinance approval recommendation guidelines 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.1. There is / is not a Township approved site plan for the zoning lot.
- A.2. Physical expansions or substantial improvements are not / are being proposed to the buildings, structures, or use areas on the zoning lot.
- A.3. Use of the zoning lot is / is not proposed to be changed from the permitted use classification identified in the approved site plan to another permitted use classification.

Conclusions:

- A.1. The subject zoning lot does / does not possess the parking capacity needed to serve the proposed change of use.
- A.2. The subject zoning lot does / does not provide the appropriate buffering and screening between the proposed change of use and adjacent uses.

2.2.2 Final Decision Resolution Approving Adult Use Marihuana Establishment License

CHARTER TOWNSHIP OF WATERFORD
FINAL DECISION RESOLUTION APPROVING
ADULT USE MARIHUANA ESTABLISHMENT LICENSE APPLICATION
AND PLANNING DIVISION CHANGE OF USE APPLICATION

RECITALS:

A. This Resolution is adopted as a Final Decision by the Charter Township of Waterford ("Township") Board of Trustees ("Board") on an application for a Township Adult Use Marihuana Establishment License ("License") under the Township Adult Use Marihuana Establishment Licensing Ordinance codified as Sections 10-310 through 10-329 in Division 13 of Article III in Chapter 10 of the Waterford Charter Township Code, with all references to Sections in this Resolution being to Sections of that Code.

B. This Final Decision is for the following Adult Use Marihuana Establishment License Application ("Application"):

License Applied For:	Retail Establishment
Named Applicant:	Quality Roots
Establishment Location:	1700 Tull Court
Filing Date:	7/19/2023

C. The Applicant has a Township Medical Marihuana Facility License. The Application for an Adult Use Marihuana Establishment was reviewed by Township personnel as provided in Section 10-321(a).

D. Based on the reviews and determinations made by the Clerk, the Public Works Official, the Treasurer, Assessor and Code Enforcement Officer, the Application was in compliance with the minimum requirements of Section 10-318(3) and (4).

E. Based on these determinations, the Clerk's Office notified the Zoning Official that the Planning Commission could proceed with a site plan review of the Planning Division application for a change of use as provided in Zoning Ordinance Section 4-004.1.

F. The Planning Commission completed their review of the Quality Roots Planning Division application on July 25, 2023, and provided their recommendation to the Board of Trustees to approve the change of use for the subject parcel #13-18-376-005 from a sole Medical Marihuana Provisioning Center to a mixed-use Medical Marihuana Provisioning Center and Adult Use Marihuana Establishment. The Board of Trustees agreed with the findings and conclusions of the Planning Commission under the Zoning Ordinance and on July 27, 2023, approved the change of use request.

G. By a motion passed by the Board on June 27, 2023, the Application was approved, and the Board adopted this Resolution as its written Final Decision on the Application.

IT IS THEREFORE RESOLVED that the Application is approved with all standards, terms, and conditions in Section 10-325 to be incorporated by reference, and that a License may be granted by the Clerk if the Applicant demonstrates compliance with the requirements in Section 10-322(h) within the required timeframe.

IT IS THEREFORE RESOLVED that the change of use request for subject parcel #13-18-376-005, made pursuant to Section 4-004 of the Zoning Ordinance, is granted.

Final Decision Resolution Approving Adult Use Marihuana Establishment License Continued.

IT IS FURTHER RESOLVED that after certifying the adoption of this Final Decision Resolution including the vote on the Board’s motion to do so, the Township Clerk shall provide a copy to the Named Applicant’s representative for acceptance.

CERTIFICATION

I hereby certify that this Resolution was adopted by the Charter Township of Waterford Board of Trustees at a regular meeting of that Board on July 27, 2023.

Date

Kimberly Markee, Township Clerk

ACCEPTANCE OF FINAL DECISION

The Named Applicant, by its authorized representative whose name and title is printed below his or her signature, acknowledges receipt and an understanding of this Final Decision Resolution Approving the Named Applicant’s Adult Use Marihuana Establishment License Application and accepts and agrees to the stated conditions.

QUALITY ROOTS, INC.

July __, 2023

Name: Aric Klar
Title: Owner

Mr. Craig Aranoff and Mr. Arik Klar addressed the Board of Trustees and answered their questions. Clerk Markee stated that she received the CRA’s approval for Quality Roots.

Mr. Jeffrey Polkowski, Superintendent of Planning and Zoning addressed the Board of Trustees addressed the Board of Trustees.

Township Attorney addressed the Board of Trustees

Trustee Hauswirth requested that the Board of Trustees unanimously approve her from abstaining to voting on the due to a family member that was disclosed in the medical application.

Moved by Bartolotta,
Seconded by Markee, **RESOLVED**, to allow Trustee Hauswirth to abstain from voting on the Quality Roots Final Decision Resolution. A roll call vote was taken.

Ayes: Wall, Markee, Thomas, Bartolotta, Matsura and Monohon
Nays: None
Absent: None

Motion carried unanimously.

Moved by Markee,
Seconded By Monohon, Resolved, to approve final decision Resolution Approving Adult Use Marihuana Establishment License Application and Planning Division Change of Use Application for Quality Roots at 1700 Tull Road. A roll call vote was taken.

Ayes: Wall, Markee, Thomas, Bartolotta, Matsura and Monohon

Nays: None

Abstain: Hauswirth

Motion carried unanimously.

2.3 Planning Commission Recommendation On Change Of Use For Parcel #13-22-176-001, 4641 Highland Rd

2.3.1 Adult Use Establishment Application, 4641 Highland Rd

The following was the Staff Report from Justin Daymon, of the Planning and Zoning Department.

Project Summary

The applicant is proposing to change from a licensed Medical Marihuana Provisioning Center to a mixed use Medical Marihuana Provisioning Center and Licensed Marihuana Retailer. This would allow them to offer retail sales of marihuana, marihuana products, and accessories to adults, 21 years of age or older, without requiring them to be registered medical marihuana patients.

Zoning District Compatibility

Per Section 3-705.3.R. & U., Medical Marihuana Provisioning Centers and Licensed Adult Use Marihuana Retailers that comply with the applicable regulations in Section 2-605 are a principle permitted uses within this district.

The approved site plan for the subject zoning lot possesses the parking capacity needed to serve the proposed change of use and provides appropriate buffering and screening between the subject property and adjacent uses.

The site is in compliance with the requirements for landscaping, non-motorized pathways, lighting, parking, and protected property distance established by its site plan. These requirements were reviewed as part of the property's previous site plan review.

MOTION TEMPLATE FOR PLANNING COMMISSION CASE NO. PCR 23-016,

Proposed Change of Use of 4641 Highland Rd from:

A Licensed Medical Marihuana Provisioning Center to a Mixed Use Medical Marihuana Provisioning Center and Licensed Marihuana Retailer

Motion:

I move to forward a favorable/unfavorable [**Strike One**] recommendation in Case No. PCR 23-016 on to the Township Board, to allow the subject parcel # 13-22-176-001 to change use from a Licensed Medical Marihuana Provisioning Center to a Mixed Use Medical Marihuana Provisioning Center and Licensed Marihuana Retailer based on the following findings and conclusions under the Ordinance approval recommendation guidelines 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.

Adult Use Establishment Application, 4641 Highland Rd Continued.

Findings:

- A.1. There is / is not a Township approved site plan for the zoning lot.
- A.2. Physical expansions or substantial improvements are not / are being proposed to the buildings, structures, or use areas on the zoning lot.
- A.3. Use of the zoning lot is / is not proposed to be changed from the permitted use classification identified in the approved site plan to another permitted use classification.

Conclusions:

- A.1. The subject zoning lot does / does not possess the parking capacity needed to serve the proposed change of use.
- A.2. The subject zoning lot does / does not provide the appropriate buffering and screening between the proposed change of use and adjacent uses.

2.3.2 Final Decision Resolution Approving Adult Use Marihuana Establishment License

CHARTER TOWNSHIP OF WATERFORD
FINAL DECISION RESOLUTION APPROVING
ADULT USE MARIHUANA ESTABLISHMENT LICENSE APPLICATION
AND PLANNING DIVISION CHANGE OF USE APPLICATION

RECITALS:

A. This Resolution is adopted as a Final Decision by the Charter Township of Waterford ("Township") Board of Trustees ("Board") on an application for a Township Adult Use Marihuana Establishment License ("License") under the Township Adult Use Marihuana Establishment Licensing Ordinance codified as Sections 10-310 through 10-329 in Division 13 of Article III in Chapter 10 of the Waterford Charter Township Code, with all references to Sections in this Resolution being to Sections of that Code.

B. This Final Decision is for the following Adult Use Marihuana Establishment License Application ("Application"):

License Applied For:	Retail Establishment
Named Applicant:	D & R Investment Group, LLC
Establishment Location:	4641 Highland
Filing Date:	7/24/2023

C. The Applicant has a Township Medical Marihuana Facility License. The Application for an Adult Use Marihuana Establishment was reviewed by Township personnel as provided in Section 10-321(a).

D. Based on the reviews and determinations made by the Clerk, the Public Works Official, the Treasurer, Assessor and Code Enforcement Officer, the Application was in compliance with the minimum requirements of Section 10-318(3) and (4).

E. Based on these determinations, the Clerk's Office notified the Zoning Official that the Planning Commission could proceed with a site plan review of the Planning Division application for a change of use as provided in Zoning Ordinance Section 4-004.1.

Final Decision Resolution Approving Adult Use Marihuana Establishment License Continued.

F. The Planning Commission completed their review of the D&R Investment Group, LLC.'s Planning Division application on July 25, 2023, and provided their recommendation to the Board of Trustees to approve the change of use for the subject parcel #13-22-176-001 from a sole Medical Marihuana Provisioning Center to a mixed use Medical Marihuana Provisioning Center and Adult Use Marihuana Establishment. The Board of Trustees agreed with the findings and conclusions of the Planning Commission under the Zoning Ordinance and on July 27, 2023, approved the change of use request.

G. By a motion passed by the Board on July 27, 2023, the Application was approved and the Board adopted this Resolution as its written Final Decision on the Application.

IT IS THEREFORE RESOLVED that the Application is approved with all standards, terms, and conditions in Section 10-325 to be incorporated by reference, and that a License may be granted by the Clerk if the Applicant demonstrates compliance with the requirements in Section 10-322(h) within the required timeframe.

IT IS FURTHER RESOLVED that the change of use request for subject parcel #13-22-176-001, made pursuant to Section 4-004 of the Zoning Ordinance, is granted.

IT IS FURTHER RESOLVED that after certifying the adoption of this Final Decision Resolution including the vote on the Board's motion to do so, the Township Clerk shall provide a copy to the Named Applicant's representative for acceptance.

CERTIFICATION

I hereby certify that this Resolution was adopted by the Charter Township of Waterford Board of Trustees at a regular meeting of that Board on July 27, 2023.

Date

Kimberly Markee, Township Clerk

ACCEPTANCE OF FINAL DECISION

The Named Applicant, by its authorized representative whose name and title is printed below his or her signature, acknowledges receipt and an understanding of this Final Decision Resolution Approving the Named Applicant's Adult Use Marihuana Establishment License Application and accepts and agrees to the stated conditions.

D & R INVESTMENT GROUP, LLC.

July __, 2023

Name: David Thomas George
Title: Owner

Final Decision Resolution Approving Adult Use Marihuana Establishment License Continued.

Mr. Jeffrey Polkowski, Superintendent of Planning and Zoning addressed the Board of Trustees.

Mr. David George and Mr. Justin Dunaskiss addressed the Board of Trustees and answered their questions.

Township Attorney Ms. Shortley addressed the Board of Trustees and stated that they met all of the requirements

Moved by Monohon,
Seconded by Markee, RESOLVED, to Approve Final Decision Resolution Approving Adult Use Marihuana Establishment License Application and Planning Division Change of Use Application for D&R Investment at 4641 Highland Road. A Roll Call Vote Was Taken.

Ayes: Wall, Markee, Thomas, Bartolotta, Hauswirth, Matsura and Monohon
Nays: None
Absent: None

Motion carried unanimously.

2.4 Banner Permit - Waterford School District

The Waterford School District submitted a request to hang banners

Moved by Bartolotta,
Seconded by Markee, RESOLVED, to approve the banner permit for the Waterford School District to place banners on the Pontiac Lake Road Overpass near the Senior Center, M-59 Overpass near Lynn St, Walton Blvd. Overpass near Mason Middle School, and Williams Lake Road; furthermore to direct the Clerk to apply for the necessary permits. A roll call vote was taken.

Ayes: Wall, Markee, Thomas, Bartolotta, Hauswirth, Matsura and Monohon
Nays: None
Absent: None

Motion carried unanimously.

2.5 Public Comments limited to Three (3) Minutes per Speaker

No one addressed the Board of Trustees.

ADJOURNMENT

Moved by Markee,
Seconded by Bartolotta, RESOLVED, to adjourn the meeting at 6:41 p.m. A roll call vote was taken.

Ayes: Wall, Markee, Thomas, Bartolotta, Hauswirth, Matsura and Monohon

Nays: None

Absent: None

Motion carried unanimously.

Kim Markee, Clerk

Gary Wall, Supervisor