

Vassar Township Planning Commission June 13th 2024 Meeting Minutes AS AMENDED

Meeting was called to order at 7:00 PM, with Chair D. Foether leading the pledge.

Roll call was conducted:

Ben Partridge – Present
Bob Reil (Co-Chair) – Present
Devin Foether (Chair & Acting Secretary) – Present
Orville Hartung – Present
Todd Aymer – Present
Sam Tester – Present

Chair D. Foether moved to approval May 9th minutes. D. Foether asked for comments or changes. No further discussion.

Motion by Partridge to approve May 9th minutes as written. Seconded by Tester.

Motion passed by unanimous voice vote.

D. Foether moved to approval of May 23rd minutes. D. Foether made note that Reil was actually excused from meeting and would correct roll call from Present to Excused. D. Foether asked is there were any other corrections or comments. No further discussion.

Motion by D. Foether to approve May 23rd minutes as amended. Seconded by Aymer.

Motion passed by unanimous voice vote.

D. Foether noted missing agenda item for public hearings before moving to liaison reports.

Motion by D. Foether to add agenda items 6a. Open public hearing for 664 Vassar LLC Medical & Adult-Use Provisioning Center Special Land Use Permit Renewal, 6b. Close public hear for 664 Vassar LLC Medical & Adult-Use Provisioning Center Special Land Use Permit Renewal, and 20a. Planning Commission action and discussion on for 664 Vassar LLC Medical & Adult-Use Provisioning Center Special Land Use Permit Renewal. Seconded by Reil.

Motion passed by unanimous voice vote.

D. Foether moved to liaison reports and started with Marijuana Coordinator (MC) Report. D. Foether asked for comments on report. Reil asked what pictures in packet were for. D. Foether indicated that they were for the renewals that were on the agenda. No further discussion.

D. Foether moved to Zoning Administrator (ZA) report. D.Foether pointed out that ZA included several printouts of correspondence between the ZA and the Township Attorney. Partridge indicated that he would have question if ZA was present to answer. General discussion around citations. Partridge asked if correspondence should be brought to the Board of Trustees (the Board). D. Foether to ask if ZA will present correspondence will be given to the Board.

Partridge did not have a Trustee's report. D. Foether asked if there was anything that the Planning Commission (PC) should know about. Indication that there was nothing positive to report, but nothing requiring action.

D. Foether held Parks & Recreation Committee (P&R) report to agenda item 31.

D. Foether indicated that lack of letter from MC means no public hearings need to be set.

D. Foether opened the public hearing for 664 Vassar LLC's Medical & Adult-Use Provisioning Center Special Land Use Permit Renewals at 7:18 PM. D.Foether asked for public comment. No public comment given.

D. Foether closed public hearing for 664 Vassar LLC's Medical & Adult-Use Provisioning Center Special Land Use Permit Renewals at 7:19 PM

D. Foether opened the public hearing for Star Budz Provisioning Center Millington LLC's Medical & Adult-Use Provisioning Center Special Land Use Permit Renewals at 7:19 PM. D.Foether asked for public comment. No public comment given.

D. Foether closed the public hearing for Star Budz Provisioning Center Millington LLC's Medical & Adult-Use Provisioning Center Special Land Use Permit Renewals at 7:20 PM.

D. Foether opened the public hearing for Smokie Ridge Cannabis LLC's Medical Class A and Adult-Use Class C Special Land Use Permit Renewals at 7:20 PM. D.Foether asked for public comment. No public comment given.

D. Foether closed the public hearing for Smokie Ridge Cannabis LLC's Medical Class A and Adult-Use Class C Special Land Use Permit Renewals at 7:22 PM.

D. Foether opened the public hearing for Vassar Greenhouse LLC's Adult-Use Class B Special Land Use Permit Renewal at 7:22 PM. D.Foether asked for public comment. No public comment given.

D. Foether closed the public hearing for Vassar Greenhouse LLC's Adult-Use Class B Special Land Use Permit Renewal at 7:23 PM.

D. Foether opened the public hearing for Express One D Adult-Use Class B Special Land Use Permit Renewal at 7:23 PM. D.Foether asked for public comment. No public comment given.

D. Foether closed the public hearing for Express One D Adult-Use Class B Special Land Use Permit Renewal at 7:24 PM.

D. Foether opened the public hearing for Walker Wade Labs' Adult-Use Class B Special Land Use Permit Application at 7:24 PM. D.Foether asked for public comment. No public comment given.

D. Foether closed the public hearing for Walker Wade Labs' Adult-Use Class B Special Land Use Permit Application at 7:25 PM.

D. Foether opened the public hearing for Ace Cannabis LLC's Medical Class C Special Land Use Permit Application at 7:25 PM. D.Foether asked for public comment. No public comment given.

D. Foether closed the public hearing for Ace Cannabis LLC's Medical Class C Special Land Use Permit Application at 7:26 PM.

D. Foether opened the public hearing for Ace Cannabis LLC's 3 Adult-Use Class C Special Land Use Permit Applications at 7:26 PM. D.Foether asked for public comment. No public comment given.

D. Foether closed the public hearing for Ace Cannabis LLC's 3 Adult-Use Class C Special Land Use Permit Applications at 7:27 PM.

D. Foether moved to PC discussion and action on 664 Vassar LLC's Medical & Adult-Use Provisioning Center Special Land Use Permit Renewals at 7:27 PM. Representative from 664 indicated that they no longer had the State Medical license. D. Foether informed the representative that they were still required to carry the township special land use permit (SLUP) to participate in the Adult-Use industry. D. Foether said the application would need the boxes for the Medical renewal checked if master copy was not already corrected.

Partridge read MC letter saying that all mailing and postings were completed as required and that there were no formal complaints filed against any applicants on the agenda.

Motion by D. Foether to conditionally approve 664 Vassar LLC's Medical & Adult-Use Provisioning Center Special Land Use Permit Renewals with applicant updating master renewal application to reflect renewal of both Medical and Adult-Use Special Land Use Permits. Seconded by Tester.

Roll Call Vote: Sam Tester – Yes
Ben Partridge – Yes
Todd Aymer – Yes
Bob Reil – Yes
Orville Hartung – Yes
Devin Foether – Yes

Motion passed unanimously.

D. Foether moved to PC discussion and action on Star Budz Provisioning Center Millington LLC's Medical & Adult-Use Provisioning Center SLUP Renewals. As there were new SLUPs approved at the same site with different ownership, question if MC filed paperwork with state indicating new permits approved and existing license would cease to exist. Partridge talked to MC recently about situation, but did not think to ask about this scenario.

Motion by Reil to table approval of Star Budz Provisioning Center Millington LLC's Medical & Adult-Use Provisioning Center SLUP Renewals until clarity on application at state level cleared up. Seconded by Aymer.

Motion passed by unanimous voice vote.

D. Foether moved to PC discussion and action on Smokie Ridge Cannabis LLC Medical Class A and Adult-Use Class C SLUP Renewals at 7:42 PM. Question if both can be approved jointly because they were renewals, D. Foether said yes. D. Foether indicated that MC had included images of site. D. Foether asked representative if drive next to site was access for other properties or drive for access on site only. Representative said it was for other properties. D. Foether indicated that he has no way to know what current state of property was, but based on images from 6/6 supplied by MC, the owner needs to mow the property and maintain it in accordance with township blight ordinance.

Motion by D. Foether to approve Smokie Ridge Cannabis LLC's Medical Class A and Adult-Use Class C Special Land Use Permit Renewals as presented. Seconded by Hartung.

Roll Call Vote: Bob Reil – Yes
Devin Foether – Yes
Orville Hartung – Yes
Ben Partridge – Yes
Sam Tester – Yes
Todd Aymer – Yes

Motion passed unanimously.

D. Foether moved to PC discussion and action on Vassar Greenhouse LLC's Adult-Use Class B Special Land Use Permit Renewal at 7:50 PM. D. Foether indicated that MC supplied pictures of the site as well. D. Foether indicated that images presented shown that yard needed to be mowed. No further discussion.

Motion by Partridge to approve Vassar Greenhouse LLC's Adult-Use Class B Special Land Use Permit Renewal as presented. Seconded by Tester.

Roll Call Vote: Devin Foether – Yes
Sam Tester – Yes
Bob Reil – Yes
Orville Hartung – Yes
Todd Aymer – Yes
Ben Partridge – Yes

Motion passed unanimously.

D. Foether made notice that he missed another public hearing on the agenda and needed to add Emerald Thumb Cannabis Co LLC to the agenda as well.

Motion by D. Foether to add agenda items 23a. Open public hearing for Emerald Thumb Cannabis Co LLC's Medical Class C Special Land Use Permit Renewal, 23b. Close public hearing for Emerald Thumb Cannabis Co LLC's Medical Class C Special Land Use Permit Renewal, and 23c. Planning Commission discussion and action on Emerald Thumb Cannabis Co LLC's Medical Class C Special Land Use Permit Renewal. Seconded by Partridge.

Motion passed unanimously by voice vote.

D. Foether opened the public hearing for Emerald Thumb Cannabis Co LLC's Medical Class C Special Land Use Permit Renewal at 7:57 PM. D. Foether asked if anyone in attendance would like to speak about the renewal. No comment was made.

D. Foether closed the public hearing for Emerald Thumb Cannabis Co LLC's Medical Class C Special Land Use Permit Renewal at 7:58 PM.

D. Foether moved to PC discussion and action on Emerald Thumb Cannabis Co LLC's Medical Class C Special Land Use Permit Renewal at 7:58 PM. D. Foether indicated that the MC had supplied pictures of the site, and the representative indicated that the lawn was mowed. Question about why the permit looks so small, and it was indicated that it was because of how it was emailed to the MC. No further comments.

Motion by D. Foether to approve Emerald Thumb Cannabis Co LLC's Medical Class C Special Land Use Permit Renewal as presented. Seconded by Aymer.

Roll Call Vote: Ben Partridge – Yes
Orville Hartung – Yes
Bob Reil – Yes
Devin Foether – Yes
Todd Aymer – Yes
Sam Tester – Yes

Motion passed unanimously.

D. Foether moved to PC discussion and action on Express One D Adult-Use Class B Special Land Use Permit Renewal at 8:02 PM. D. Foether indicated that the MC had supplied pictures and that the site needs to be mowed. Partridge asked why Medical and Adult-Use not renewed on same day. Discussion around needing to prorate if the applicant wished to have both renew at the same time. Suggest updating the permit application with date of last renewal for both Medical and Adult-Use to help ensure Medical is still on record when approving Adult-Use.

Motion by Partridge to approve Express One D's Adult-Use Class B Special Land Use Permit Renewal as presented. Seconded by Reil.

Roll Call Vote: Bob Reil – Yes
Ben Partridge – Yes
Sam Tester – Yes
Todd Aymer – Yes
Orville Hartung – Yes
Devin Foether – Yes

Motion passed unanimously.

D. Foether moved to discussion and action on Walker Wade Labs' Adult-Use Class B Special Land Use Permit Application. D. Foether ask the representatives if they would be acting in accordance with what was already approved for the Medical license and if there were any changes. The representatives said

they would follow what was approved and that they had not made changes. Hartung asked if this was adding Adult-Use and D. Foether confirmed that is was. No further discussion.

Motion by D. Foether to approve Walker Wade Labs' Adult-Use Class B Special Land Use Permit Application as presented. Seconded by Hartung

Roll Call Vote: Devin Foether – Yes
Orville Hartung – Yes
Ben Partridge – Yes
Sam Tester – Yes
Bob Reil – Abstained
Todd Aymer – Yes

Motion passed 5-0 with one abstaining.

D. Foethe moved to PC discussion and action on Ace Cannabis LLC's Medical Class C Special Land Use Permit Application. D. Foether pointed out that all members must sign the SLUP application, book is missing the article of incorporation from LARA, there is no well & septic permit, missing the list of chemicals to be housed on-site, site plan is potentially missing other building that is within 100' of the property line, site plan would need to be updated to show well & septic locations based on permitting from health department. Partridge asked if the building was already on the site, representative said it was not. Tester asked about the lighting and D. Foether requested that they install lighting with irises or some other means to focus the light down on the site itself. Partridge asked about additional signatures on the business plan and D. Foether indicated that those were of the managers and not the owners. Reil indicated that all his concerns were addressed. No futher discussion.

Motion by D. Foether to table approval of Ace Cannabis LLC's Medical Class C and 3 Adult-Use Class C Special Land Use Permit Application until required documentation & corrections are supplied for review. Seconded by Tester.

Motion passed unanimously by voice vote.

D. Foether moved to PC discussion on site plan change for Green J&J. Discussion around connecting to existing well, and septic.

Motion by D. Foether to conditionally approve new site plan for Green J&J with presentation of septic permitting to Marijuana Coordinator for the official record. Seconded by Hartung.

Motion passed unanimously by voice vote.

D. Foether read and offered Resolution 2024-02 to set the PC regular meetings for the 2024/2025 fiscal year. Resolution was supported by Partridge. Full resolution attached to end of minutes.

Roll Call Vote: Orville Hartung – Yes
Todd Aymer – Yes
Sam Tester – Yes
Devin Foether – Yes
Ben Partridge – Yes

Bob Reil – Yes

Resolution declared adopted by Chair D. Foether.

D.Foether presented the drafts of the PC budget request letter and year-end review letter. Asked if there was anything members would like to add or subtract from the letters. No comments were made other than they looked good.

Motion by D. Foether to submit budget request for 2024/2025 fiscal year & year-end review letters to Board of Trustees for Annual Meeting of Electors. Seconded by Hartung.

Motion passed unanimously by voice vote.

PC had discussion on budget request for Aug 3rd event planned by the Event Coordinator. Question about what \$1000 would cover for the food truck. Question if rental of basketball game would be better because of potential quality difference.

Motion by D. Foether to approve up to \$1500 for activities & supplies for August 3rd events based on inventory lists provided to Planning Commission. Seconded by Tester

Motion passed unanimously by voice vote.

Motion by D. Foether to tentatively recommend approval of food truck for August 3rd events pending further cost breakdown from Event Coordinator. Seconded by Aymer.

Motion passed unanimously by voice vote.

Motion by D. Foether to amend the word of the first motion for August 3rd events to say “recommend approval of expense”. Seconded by Tester

Motion passed unanimously by voice vote.

PC discussion on budget sent by P&R for review. P&R liaison report figure for itemized purchases was approximately \$27,000 short from full request of \$40,000. Aymer supplied additional paperwork that had a total closer to \$50,000. Reil explained \$8,500 for parking lot stoning should or could come from 2023/2024 budget if Board acted on it quickly. Question about if full amount should be put on P&R budget as it sounded like this was required to install new hall and not for benefit of the park. Clarity given that needed for parking lot extension already approved, but level of stoning for use should be considered for how budget burden should fall.

D. Foether explained he heard about some of the budget requests prior to PC meeting and requested the playground maintenance and compliance book be provided to him. He explained that initial figure for ADA-compliant surface around ADA swings was too small for what is required, that several pieces of equipment exceeded the fall height of the loose fill chosen for the playground, and that saddle swings are too close to the currently defined edge of playground. He explained that most of the budget request from the P&R may need to be used to bring playground into minimum compliance. Suggest that township may need to completely replace all the sand to come into minimum fall safety compliance, may need to go to rubber based on height of slide. Comment by Partridge that he'd rather fall into sand than the rubber. D. Foether said it wasn't matter of what we would rather fall on, it is a matter of what

is required. D.Foether said that book does not rule out using sand, but to have any loose fill surfaces, including sand, and be ADA-accessible requires much more intensive maintenance. Also asked if any equipment that has been installed had a certified inspector clear it for use as outlined in handbook.

Motion by Reil to recommend approval of \$40,000 budget request by Parks & Recreation Committee for 2024/2025 fiscal year and \$8500 for ~~retaining~~ *restoring* park parking lot extension to come out of 2023/2024 fiscal year budget. Seconded by Aymer.

Motion passed unanimously by voice vote.

Chairman D. Foether moved to **public comment**.

No public comment

Motion by D. Foether to adjourn meeting. Seconded by Reil.

Motion passed by unanimous voice vote.

Meeting adjourned at 9:53 PM.

A handwritten signature in black ink, appearing to read 'Devin Foether', written over a horizontal line.

Devin Foether, Acting Planning Commission Secretary

Resolution PC 2024-02
Vassar Township Planning Commission
Resolution to Adopt Dates, Times, & Locations of Regular Meetings

RESOLUTION: Adoption of the 2024-2025 Vassar Township Planning Commission Meeting Schedule

WHEREAS, according to the Open Meetings Act, a township planning commission must post within 10 days after the first board meeting of the township’s fiscal year a public notice stating the dates, times, and places of its regular meetings,

AND WHEREAS, Vassar Township has established the second Thursday of the month as the regular schedule for its meeting,

NOW, THEREFORE, BE IT RESOLVED That the Vassar Township Planning Commission approves the following dates for its regular Meetings for the 2024-2025 fiscal year. Each meeting will be at 7:00 PM and located at Vassar Township Hall, 4505 W. Saginaw Rd. Vassar, Michigan 48768. Phone: (989)823-3541

Thursday, July 11, 2024
Thursday, August 8, 2024
Thursday, September 12, 2024
Thursday, October 10, 2024
Thursday, November 14, 2024
Thursday, December 12, 2024

Thursday, January 9, 2025
Thursday, February 13, 2025
Thursday, March 13, 2025
Thursday, April 10, 2025
Thursday, May 15, 2025
Thursday, June 12, 2025

The foregoing resolution was offered by Chair Devin Foether and supported by Ben Partridge.

Upon roll call vote, the following voted “Aye”: Orville Hartung, Todd Aymer, Sam Tester, Devin Foether, Ben Partridge, Bob Reil

“Nay”:

Absent:

The Chair declared the resolution adopted.

CERTIFICATE

I, Devin Foether, the duly appointed Acting Secretary and Chair of the Vassar Township Planning Commission, hereby certify that the forgoing resolution was adopted by the Planning Commission of the regular meeting of said Board held on June 13, 2024, at which meeting a quorum was present, by roll call vote of said members as hereinbefore set forth; that said ordered resolution was to take immediate effect.

Devin Foether
Vassar Township Planning Commission Acting Secretary & Chair