

**ROSE TOWNSHIP PLANNING COMMISSION
REGULAR MEETING**

**AGENDA
October 7, 2021**

1. **Call the meeting to order**
2. **Roll Call:** Stanczyk, Holton, Brooks, Bolan, Noble, Jung, Lynn
3. **Approval of Agenda**
4. **Minutes: Additions, corrections and/or approval**
 - A. Regular Meeting September 2, 2021
5. **Public comments on agenda items (excluding Public Hearing)**
6. **Communications**
7. **Committee Reports**
8. **Public Hearings (Notification as required by State law)**
9. **New Business**
 - A. Site Plan Seasonal Property Maintenance 690 Rose Street, 06-02-101-002
10. **Unfinished Business**
 - A. Caregiver Ordinance
11. **Tabled Items**
12. **Discussion Items**

Announcements

 - A. Rose Township Board report-Glen Noble
 - B. Comments by Township Planner.
 - C. Next Regular Planning Commission Meeting November 4, 2021, 7:00 PM Rose Twp. Offices, 9080 Mason Street, Holly, Michigan (tentative).
 - D. Next Regular N.O.C.F.A. Meeting, October 19, 2021, 3:00 PM Rose Township.
 - E. Next Regular Township Board Meeting October 13, 2021, 7:00 PM
 - F. Zoning Board of Appeals, October 5, 2021, 7:00 PM, Rose Township Hall. (tentative)
14. **Open the meeting to the public**
15. **Adjournment** A. Motion _____ B. Time _____ PM



ROSE TOWNSHIP

9080 Mason Street ♦ Holly, Michigan 48442 ♦ (248) 634-7551 ♦ FAX (248) 634-6888

CHECK 3212
\$1200 APP
3218
\$1500 ESCROW

Site Plan Review Application

1. Identification

Project Name Seasonal Property Maintenance

Applicant Name Trevor Allen

Address 3420 Belford Road
Holly, MI 48442

Phone (248) 875-4942 **Fax** () 248 531 0436

Email Address seasonalpropertymaintenance@gmail.com

Interest in the Property (e.g. fee simple, land option, etc.) Land Contract

Property Owner (if other than applicant) Trevor Allen and Kyle Allen

Address 3420 Belford Road
Holly, MI 48442

Phone (248) 875-4942 **Fax** ()

Email Address seasonalpropertymaintenance@gmail.com

2. Property Information

Property Street Address 690 E. Rose Street, Holly, MI 48442

Permanent Parcel Number 06-02-101-002

Legal Description of Property

That part of Northwest fractional 1/4 of Northwest fractional 1/4 of Section 2, Town 4 North, Range 7 East, Township of Rose, County of Oakland, State of Michigan, lying Northeasterly of DGH&M Railroad right of way except beginning at point distant South 01 degrees 11 minutes 00 seconds East 60 feet and East 243 feet from Northwest section corner; thence South 150 feet; thence East 75 feet; thence North 150 feet; thence West 75 feet to beginning.

Zoning District M-1 Industrial District

Area 35.1952 acres **Width** 1,322.90 ft **Depth** 1,398.15 feet (maximum)

Current Use(s) No Existing Building - Site Used for Mulching of Wood and Landscaping Supply

Zoning District of Adjacent Properties to the:

North * South AG/RP East RPS West R-1B

* Village of Holly - R-1B Single Family Residential Zoning
Rose Township ♦ Site Plan Review Application

- 3. Site Plan Information.** Consult *Chapter 38 Zoning, Section 38-111 Scope of application* to determine if your project requires a full site plan review. Some projects qualify for an administrative Sketch Plan Review or are altogether exempt from the review process. Uses that are exempt from site plan review and sketch plan review still require a land use permit. The site plan for the proposed development shall include all of the following information when required (refer to *Chapter 38 Zoning, Section 38-113*):

Note: If any of the following information is not applicable or required, a written explanation of the reasons why it is not applicable or required must be provided.

SITE PLAN DATA	Check (✓) if provided
A. Application Form: The application form shall contain the following:	
1. Name and address of the applicant and property owner	✓
2. Address and common description of property and, when appropriate, legal description	✓
3. Total acreage	✓
4. Zoning of the site	✓
5. Description of proposed project or use, type of building or structures, and name of proposed development, if applicable	✓
6. Name and address of firm or individual who prepared the plan	✓
7. Notarized evidence of property ownership or written power of attorney when the applicant is acting as an agent of the property owner	N/A
B. Site Plan Descriptive and Identification Data:	
1. Site plans shall consist of an overall plan for the entire development, drawn to an engineer's scale of not less than 1 inch = 50 feet for property less than 3 acres, or 1 inch = 100 feet for property 3 acres or more in size. Sheet size shall be at least 24 x 36 inches. If a large development is shown in sections on multiple sheets, then one overall composite sheet shall be included	✓
2. Title block with sheet number/title name, address and telephone number of the applicant and firm or individual who prepared the plans and date(s) of submission and any revisions (month, day, year)	✓
3. Scale and north-point	✓
4. Location map drawn to a separate scale with north-point, showing surrounding land, water features, zoning and streets within a quarter mile	✓
5. Legal and common description of property	✓
6. Identification and seal of architect, engineer, land surveyor, or landscape architect who prepared drawings	✓

SITE PLAN DATA	Check (✓) if provided
7. Zoning classification of petitioner's parcel and all abutting parcels	<input checked="" type="checkbox"/>
8. Proximity to section corner and major thoroughfares	<input checked="" type="checkbox"/>
9. Net acreage (minus rights-of-way) and total acreage	<input checked="" type="checkbox"/>
C. Site Data:	
1. Existing lot lines, building lines, structures, parking areas and other improvements on the site and within 100 feet of the site	<input checked="" type="checkbox"/>
2. Topography on the site and within 100 feet of the site at two (2) foot contour intervals, referenced to a U.S.G.S. benchmark	<input checked="" type="checkbox"/>
3. Site conditions plan showing location of existing drainage courses, floodplains, lakes, streams, wetlands and woodlands	<input checked="" type="checkbox"/>
4. Proposed lot lines, lot dimensions, property lines, setback dimensions, structures, and other improvements on the site and within 100 feet of the site	<input checked="" type="checkbox"/>
5. All existing and proposed easements	<input checked="" type="checkbox"/>
D. Building and Structure Details:	
1. Location, height, and outside dimensions of all proposed buildings or structures	<input checked="" type="checkbox"/>
2. Building floor plans and total floor area	<input checked="" type="checkbox"/>
3. Details on accessory structures and any screening	<input checked="" type="checkbox"/>
4. Size, height and method of shielding for all site and building lighting	<input checked="" type="checkbox"/>
5. Location, size, height, and lighting of all proposed site and wall signs	<input checked="" type="checkbox"/>
6. Location, size, height and material of construction for all obscuring wall(s) or berm(s)	<input checked="" type="checkbox"/>
7. Building facade elevations for all sides, drawn at an appropriate scale	<input checked="" type="checkbox"/>
8. Description of exterior building materials and colors (samples may be required)	<input checked="" type="checkbox"/>
E. Access and Circulation:	
1. Dimensions, curve radii and centerlines of existing and proposed access points, roads and road rights-of-way or access easements	<input checked="" type="checkbox"/>
2. Dimensions of acceleration, deceleration, and passing lanes None Required	<input type="checkbox"/>
3. Opposing driveways and intersections within 250 feet of site	<input checked="" type="checkbox"/>

SITE PLAN DATA	Check (✓) if provided
4. Cross section details of proposed roads, driveways, parking lots, and non-motorized paths illustrating materials and thickness	<input checked="" type="checkbox"/>
5. Dimensions of parking spaces, islands, circulation aisles and loading zones	<input checked="" type="checkbox"/>
6. Calculations for required number of parking and loading spaces	<input checked="" type="checkbox"/>
7. Designation of fire lanes	<input checked="" type="checkbox"/>
8. Traffic regulatory signs and pavement markings	None Required <input type="checkbox"/>
9. Location of existing and proposed sidewalks/pathways within the site or right-of-way	No Existing or Proposed Sidewalks <input type="checkbox"/>
10. Location, height, and outside dimensions of all storage areas and facilities.	<input checked="" type="checkbox"/>
F. Landscape Plans:	
1. General location and canopy outline of all existing woodlands, with an identification of materials to be removed and materials to be preserved	<input checked="" type="checkbox"/>
2. Description of methods to preserve existing landscaping	<input checked="" type="checkbox"/>
3. Location of existing and proposed lawns and landscaped areas	<input checked="" type="checkbox"/>
4. Landscape plan, including location and type of all proposed shrubs, trees, and other live plant material	<input checked="" type="checkbox"/>
5. Planting list for proposed landscape materials with caliper size or height of material, botanical and common names, and quantity	<input checked="" type="checkbox"/>
G. Information Concerning Utilities, Drainage and Related Issues:	
1. Location of existing and proposed septic systems or sanitary sewers	<input checked="" type="checkbox"/>
2. Location and size of existing and proposed well sites, water service and fire suppression systems	<input checked="" type="checkbox"/>
3. Fire safety access	<input checked="" type="checkbox"/>
4. Storm water drainage and retention/detention calculations	<input checked="" type="checkbox"/>
5. Site grading, drainage patterns and other storm water management measures	<input checked="" type="checkbox"/>
6. Storm water retention and detention ponds, including grading, side slopes, depth, high water elevation, volume and outfalls	<input checked="" type="checkbox"/>
7. Location and size of underground storm sewers and drains	None proposed <input type="checkbox"/>
8. Location of above and below ground gas, electric and telephone lines, existing and proposed	Existing Only <input checked="" type="checkbox"/>

SITE PLAN DATA	Check (✓) if provided
9. Location of transformers and utility boxes None Required	<input type="checkbox"/>
10. Site lighting, including locations and details for lighting fixtures	<input checked="" type="checkbox"/>
11. Waste receptacle enclosure location and details None	<input type="checkbox"/>
12. Locations and storage containment details for any hazardous materials or chemicals, if applicable None	<input type="checkbox"/>
H. Additional information required for Residential Development	
1. The number and location of each type of residential unit	<input type="checkbox"/>
2. Density calculations by type of residential unit (dwelling units per acre)	<input type="checkbox"/>
3. Garage and/or carport locations and details, if proposed	<input type="checkbox"/>
4. Mailbox clusters	<input type="checkbox"/>
5. Location, dimensions, floor plans and elevations of common building(s) (e.g., recreation, laundry, etc.), if applicable	<input type="checkbox"/>
6. Location and size of recreation and open space areas and an indication of type of recreation facilities proposed for recreation area	<input type="checkbox"/>
7. Common use riparian access lots (keyholes) including any easements for lake access	<input type="checkbox"/>
I. Additional information submitted by Applicant (please specify)	

4. **Application Procedure.** The completed site plan, with all elements to be turned in to the Township Zoning Administrator to commence the review process, shall include all of the following information:

- Completed Site Plan.** A completed site plan including all elements specified above as required for proposed development and property.
- Applications, Form and Fees.** A completed application form and an application fee; check to see if a separate escrow deposit is required for administrative charges to review the site plan submittal.
- Proof of Ownership.** Current proof of ownership of the land to be utilized or evidence of a contractual ability to acquire such land.
- Project Schedule.** A narrative indicating the period of time in which the project will be completed.

- Sheet Size.** For properties of twenty (20) acres or less, an engineer's scale of one inch equals twenty feet (1" = 20'). Properties larger than twenty (20) acres require a scale of one inch equals one hundred feet (1" = 100') or less.
- Copies.** Twelve (12) folded copies of Plans and accompanying documentation, including completed application(s), submitted to the Zoning Administrator at least thirty (30) days prior to the Planning Commission meeting.

I, Trevor Allen (applicant),

do hereby swear that the information given herein is true and correct.

Trevor Allen
Signature of Applicant Date

Trevor Allen
Printed Name of Applicant

Trevor Allen
Signature of Property Owner (if different) Date

Trevor Allen
Printed Name of Property Owner (if different)

I, Trevor Allen (property owner), hereby give permission for Rose Township officials, staff, and consultants to go on the property for which the above referenced site plan is proposed for purposes of verifying information provided on the submitted application.

For Zoning Administrator Use:			
Fee: _____	Consultant Retainer (Est.): _____	Total Fee Received: _____	File No.: _____
Signature of Zoning Administrator: _____		Date: _____	
Additional Comments: _____			



September 22, 2021

Planning Commission
Rose Township
9080 Mason Street
Holly, MI 48442

Attention:	Dave Plewes, Zoning Administrator
Subject:	Seasonal Property Maintenance – Site Plan Review #1
Location:	690 East Rose Street – south side of East Rose Street, at its easterly terminus
Zoning:	M-1 Industrial District

Dear Commissioners:

At the Township’s request, we have reviewed the site plan submittal (site plan dated 8/20/21; building drawings dated 7/28/21) from Seasonal Property Maintenance for development of landscaping contractor’s office and storage yard on a 35.19-acre property.

We have reviewed the proposal for compliance with the applicable provisions of the Rose Township Zoning Ordinance. Areas in need of attention or additional discussion are underlined below to ease navigation through this review letter.

Proposal/Process

The applicant proposes construction of a 4,480 square foot building with a 1,280 square foot covered (but unenclosed) storage area. The building includes office and related space, as well as a large storage area accessed by 2 overhead doors.

The subject site is within the M-1 District, which allows contractors offices, buildings and yards, including outdoor storage of contractor’s equipment and supplies as principal permitted uses (Table 38-307). As such, site plan review is the only process necessary, and Planning Commission has review and approval authority.

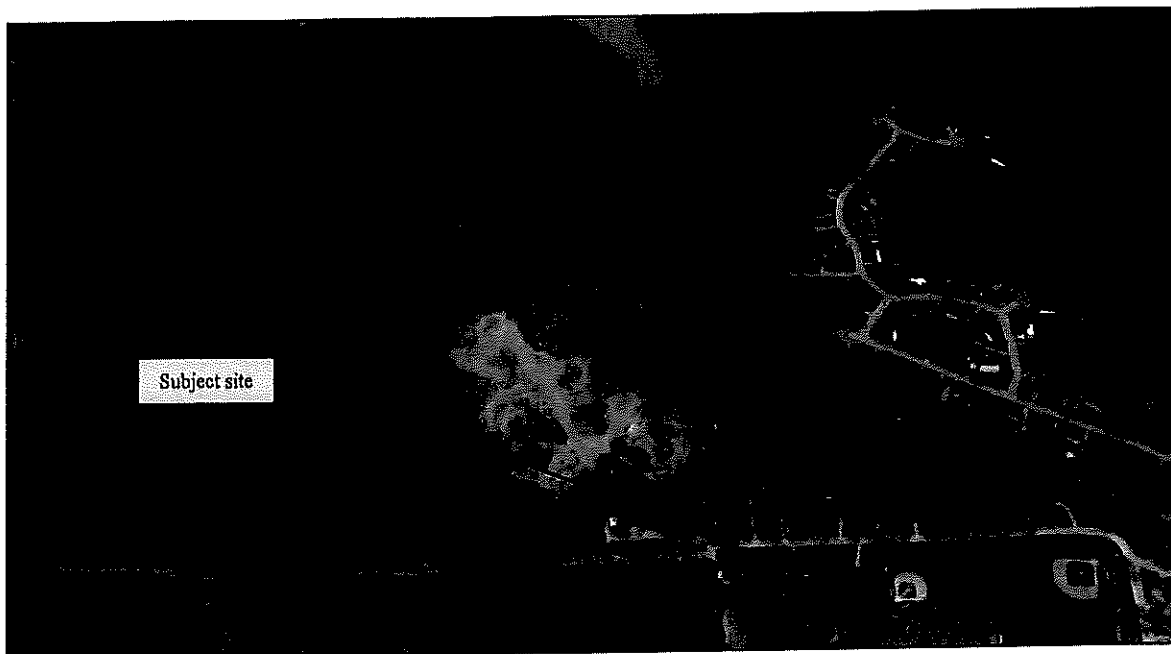
The Commission may approve, approve with conditions, deny, or table the request for additional information/plan revisions.

Site Plan Review

- 1. Dimensional Requirements.** The proposed site plan demonstrates compliance with the dimensional requirements of the M-1 District (Table 38-308).
- 2. Building Elevations.** The submittal includes building elevation drawings, which depict a 100% metal building (siding and roof).

Section 38-444 allows a maximum of 25% metal siding for the front façade.

The applicant must either revise the building materials to meet Ordinance requirements, or the Commission may use its discretion to waive these requirements, per Footnote (d).



Aerial view of site and surroundings (looking south)

3. **Parking and Loading.** Section 38-440 requires 15 parking spaces for the proposed development, while 15 are provided (including 1 barrier-free space).

Spaces are all 9' x 18', and are accessed by drive aisles of at least 24' in width, per Section 38-441.

Parking spaces and drive aisles appear to be surfaced with gravel, as an existing condition. Paragraph 10 of Section 38-441 requires asphalt or concrete surfacing, the Commission may allow alternative paving materials with the recommendation of the Township engineering consultant.

Sheet C-3 includes a note identifying the applicant's request for the use of gravel, along with their rationale.

Lastly, the site plan includes a 10' x 50' loading space at the rear of the building, per Section 38-442.

4. **Pedestrian Circulation.** As an industrial property, public sidewalks are neither provided nor required. The plan includes a short segment of 5' wide sidewalk between the barrier-free parking space and front building entrance.

5. **Landscaping.** The landscape plan (Sheet C-9) has been reviewed for compliance with the requirements of Section 38-443, as follows:

Location	Requirements	Proposed	Comments
Greenbelt (along street frontage)	20' width 33 canopy trees	20' (plus) width Existing wooded area	<u>PC may allow existing vegetation in lieu of new plantings</u>
Buffer Zone "A" (along west side)	50' width 4.5' wall OR 4' berm 40 canopy trees 80 evergreen trees 160 shrubs	50' (plus) width 4' berm 24 canopy trees 48 evergreen trees 96 shrubs	<u>Deficient by 16 canopy trees, 32 evergreen trees, and 64 shrubs</u>
Parking lot	2 canopy trees Hedgerow	None	<u>Deficient by 2 canopy trees, and hedgerow along north side of front parking spaces</u>

The Commission may waive or modify the above requirements based on the existing conditions of the site and area (Paragraph 15 of Section 38-443).

6. **Exterior Lighting.** Neither the site plan nor the building elevation drawings identify any exterior site lighting.

If proposed, the applicant must provide a lighting plan, including fixture details and photometric readings, per Section 38-445.

7. **Waste Receptacle.** The site plan does not include a waste receptacle and enclosure. As such, we request the applicant explain to the Commission how refuse/recycling removal will be handled.

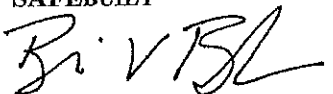
8. **Signs.** Neither the site plan nor the building elevation drawings identify any signage.

If proposed, the applicant should include details for the Commission's consideration, per Article VI of the Zoning Ordinance.

9. **Grading, Drainage, and Utilities.** We defer technical review of site engineering elements to the Township's engineering consultant.

Should you have any questions concerning this matter, please do not hesitate to contact our office.

Respectfully,
SAFEBUILT


Brian V. Borden, AICP
Michigan Planning Manager

Sec. 38-403. - Home occupation.

(a) It is the intent of this section to allow for and regulate the establishment of home occupations that are compatible with the neighborhood in which they are located and which will preserve the peace, quiet, and domestic tranquility within all residential districts in the township. Home occupations shall be permitted subject to the following conditions:

- 1) No more than 20 percent of the usable floor area of the principal and accessory buildings shall be dedicated to the occupation.
- 2) There shall be no significant traffic volume increase associated with the occupation.
- 3) No storage of materials, goods, supplies or equipment related to the occupation shall be visible from the outside of any structure located on the premises or adjacent premises.
- 4) There shall be no change in the outside appearance of the building or premises, no structural alterations, or visible evidence of the conduct of such occupation.
- 5) No equipment or process shall be used in such occupation, which creates noise, vibration, glare, fumes, toxic/hazardous substances, odors, or electrical interference. No equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises.
- 6) No more than two clients or customers shall visit the premises at any one time.
- 7) Any need for parking shall be met off the street and in other than the front yard.
- 8) There shall be no exterior advertising.
- 9) These regulations shall not apply to farms or other nonresidential uses allowed in the district.

(b) Medical marihuana home occupation regulations.

- 1) Intent. It is the intent of this section to give effect to the intent of the Michigan Medical Marihuana Act, Initiated Law 1 of 2008, MCL 333.26421 et seq. (hereinafter "Act") as approved by the electors and not to determine and establish an altered policy with regard to marihuana. These provisions are designed to recognize the fundamental intent of the Act to allow the creation and maintenance of a private and confidential patient-caregiver relationship to facilitate the statutory authorization for the limited cultivation, storage, distribution and use of marihuana for medical purposes; and to regulate this fundamental intent in a manner that does not conflict with the Act so as to address issues that would otherwise expose Rose Township and its residents to significant adverse conditions.

In consideration of this concern, local regulations enumerated below generally provide that: the primary caregiver must reside on the property where his/her medical marihuana is cultivated and/or stored; medical marihuana primary caregiver activity only occur within a single-family dwelling and/or accessory building, as authorized by the Township; and, the distribution and use of medical marihuana occur on the lot occupied by the qualifying patient. Nothing in this

section shall be construed as allowing persons to engage in conduct that endangers other or causes a public nuisance, or to allow the use, cultivation, growth, possession or control of marihuana not in strict accordance with the express authorizations of the Act and these regulations; and nothing in this section shall be construed to undermine or provide immunity from federal and state law as it may be enforced by the federal or state government relative to the cultivation, storage, distribution or use of marihuana.

2) *Definitions.* The following definitions shall apply for the purposes of this section:

Collective ingestion facility means a facility that allows multiple qualifying patients to consume or ingest medical marihuana upon the premises. This term does not encompass the consumption or ingestion of medical marihuana by a qualifying patient at his/her residence or at a hospital or hospice at which the qualifying patient is receiving care.

Dispensary means any operation where marihuana is distributed to a qualifying patient by someone other than his/her designated primary caregiver.

Enclosed locked facility means a closet, room, or other comparable, stationary, and fully enclosed area contained within the primary residence accessible only from its interior by means of passage through a doorway equipped with secured locks or other security devices which permits access only by a registered primary caregiver or qualifying patient. The growing of marihuana plants outdoors is expressly prohibited.

Marihuana means the substance defined as such in Section 7106 of the Public Health Code, 1076 PA 368, MCL 333.7106.

Michigan Medical Marihuana Act or Act means the Michigan Initiated Law 1 of 2008, MCL 333.26421, et seq.

Primary caregiver means a primary caregiver as defined under MCL 333.26423(h) of the Act, and who has been issued and possesses a registry identification card under the Act.

Qualifying patient means a qualifying patient as defined under MCL 333.26423(i) of the Act, and who has been issued and possess a registry identification card under the Act.

Registry identification card means the document defined as such under MCL 333.26423(j) of the Act and which is issued by the State of Michigan to identify a person as a registered qualifying patient or registered primary caregiver.

3) *Remainder of article; effect of permit approval.* In recognition of the unique nature of the medical marihuana home occupation provided for hereunder, the conditions and requirements set forth in paragraph (a) above for home occupations shall not be applicable to medical marihuana home occupations. In addition, the issues of a medical marihuana home occupation permit hereunder shall relieve the applicant from any obligation of site plan review or a land use permit for the activity authorized thereunder.

4) *Regulations.*

1) Medical marihuana home occupation permit requirement.

- a. The cultivation, storage and/or distribution of marihuana by a primary caregiver conducted in accordance with the Act shall be allowed as a permitted use on a conforming lot and within a conforming building (principal or accessory) in the AG/RP agricultural and rural preserve district subject to the terms and conditions set forth in this section. Except as set forth in subsection (e) below, no such cultivation, storage and/or distribution shall be lawful in Rose Township unless and until the location of the premises in which such primary caregiver activity is conducted has received a medical marihuana home occupation permit under this section.
- b. The requirement of this section is to require a permit for a location and not to license persons. A confidential application for a medical marihuana home occupation permit on a form approved by the Township Board shall be submitted to the Zoning Administrator. An application shall:
1. Not require the name, home address or date of birth of a qualifying patient.
 2. Include the name of the primary caregiver (or medical marihuana home occupation permit holder, if different), and the address of the premises.
 3. Describe the enclosed locked facility in which any and all cultivation of marihuana is proposed to occur or where marihuana will be stored, with such description including the location of the facility in the building.
 4. For safety and other code inspection purposes, describe and provide detailed specifications of equipment proposed to be used to facilitate the cultivation and harvesting of marihuana plants including, but not limited to, lighting, HVAC, electrical service, and plumbing.
 5. Include a description of the odor mitigation systems and a ventilation plan that provides for adequate ventilation so as to prevent pesticides, insecticides or other chemicals used in the cultivation of marihuana from being dispersed or released outside of the building.
 6. Include an operations plan that addresses water use, water discharge, and the disposal of waste, as well as a description of type, quantity, location and method of containment for any herbicides, pesticides, or fertilizers that will be used for growing, cultivating, and harvesting marihuana.
 7. Demonstrate that the applicant holds a valid registry identification card.
 8. Contain such other information as the Township Board determines is needed for the administration of this section or to ascertain satisfaction of the standards for the granting of a permit hereunder.
- c. No application for a permit hereunder shall be approved without payment of a non-refundable application fee to help defer a portion of the cost of administering and enforcing this section. The application fee shall be set by resolution of the Township Board and may be adjusted from time to time thereafter as the Township Board deems appropriate.
- d. It is the intent of this section that the information acquired through the permitting procedure prescribed herein shall be accessible to the Zoning Administrator, Michigan Construction Code, fire code enforcement officials, and law enforcement officials and

their support personnel, in the performance of their duties and shall otherwise remain confidential and not subject to public disclosure except as otherwise required by law.

2. Requirements and standards for approval of permit and for the activity permitted.

a. There shall be not more than one primary caregiver operating upon the lot for which a permit is requested. The primary caregiver shall reside within the dwelling located upon the lot for which a permit is requested. A primary caregiver may assist not more than five qualifying patients with their medical use of marihuana.

b. The lot for which a permit is requested shall not be located:

1. Within 1,000 feet of a public or private elementary or secondary school, public or private preschool or licensed daycare facility.

2. Within 300 feet of public park or public recreational area.

3. Within 1,500 feet of another lot for which a medical marihuana home occupation permit has been issued pursuant to this section.

Measurements for purposes of this subsection shall be made from the lot line to the public park, public recreational area, or a lot which previously received a medical marihuana home occupation permit.

c. Subject to the exceptions set forth in subsection (f) below, the medical marihuana primary caregiver activity shall occur only within a single-family dwelling or approved accessory building. The primary caregiver activity shall at all times be subordinate and incidental to the use of the dwelling as a residence.

d. The primary caregiver shall be allowed to cultivate not more than 12 marihuana plants for each of his/her qualifying patients. All marihuana and marihuana plants shall be contained inside the main residential structure or an approved accessory building, except when being delivered by the primary caregiver to a qualifying patient off-site.

e. That portion of the single-family dwelling unit used for the growing, processing, or storage of medical marihuana shall not exceed a gross floor area of 150 square feet.

f. All medical marihuana must be kept in an enclosed locked facility to which only the registered patient and/or primary caregiver have access.

g. The primary caregiver shall not distribute or allow the use of marihuana by the qualifying patients he/she is designated to serve upon the lot for which a permit is issued hereunder unless the qualifying patient resides therein.

h. If a residential room with windows is utilized as a marihuana growing location, any lighting methods that exceed usual residential use between the hours of 10:00 p.m. and 6:00 a.m. shall employ shielding methods to prevent ambient light spillage that causes or creates a distraction or nuisance to any adjacent residential properties.

i. No equipment or process shall be used in growing, processing, or handling marihuana which creates additional noise, vibration, glare, light, fumes, odors or electrical interference detectable to the normal senses at or beyond the property line of the property. In case of electrical interference, no equipment or process shall be used which creates visual or audible interference with any radio, television, broadband, or similar receiver off the premises or cause fluctuation in line voltage off the premises.

j. All necessary building, electrical, plumbing and mechanical permits shall be obtained for any portion of a premises in which electrical wiring, lighting and/or watering devices are located, installed or modified that support the cultivation or harvesting of marihuana. Prior to a permit issued hereunder taking effect and the commencement of primary caregiver activities, the premises shall be inspected for compliance with applicable provisions of the Michigan Construction Code and the Michigan Fire Code. The premises shall be inspected annually thereafter for continued compliance with all applicable Zoning Ordinance and construction code and fire code requirements.

Furthermore, the applicant shall submit a load sheet to the Planning, Design and Engineering Department of the applicable energy provider.

The load sheet will determine load limits and capability of the electrical system, and set safety standards such that the growing operation does not impact the electrical service for surrounding properties.

The applicant must include approval of the load sheet from the energy provider as part of its application for an electrical permit. A permit will not be issued without this approval.

The applicant shall be responsible for any costs associated with the preparation and submittal of this information, which is not included in the review fee established by the Township Board for a medical marihuana home occupation permit.

k. There shall be no sign identifying the premises as a site at which medical marihuana is cultivated, harvested or distributed.

l. The primary caregiver activities conducted on the premises for which a medical marihuana home occupation permit is granted hereunder shall be in conformance with the application approved hereunder, the Act, and the administrative rules promulgated pursuant to the Act.

m. Nothing in this section shall be deemed to allow dispensaries or collective ingestion facilities, which are hereby strictly prohibited.

e. *Disclaimer of immunity.* Nothing in this section shall be construed as allowing the use, cultivation, distribution or possession of marihuana not in strict compliance with the express provisions of the Act and the provisions of this section. Further, nothing in this section shall be construed to undermine or provide immunity from federal or state law as it may be enforced by the federal or state government relative to the use, cultivation, distribution or possession of marihuana or to prevent prosecution thereunder.

f. Exceptions. This section shall not be deemed to prohibit or restrict or require a permit for the following:

- 1) The cultivation, storage and/or use of marihuana by a qualifying patient solely for his/her personal use at his/her residence or at a hospital or hospice at which he/she is received care and in accordance with the provisions of the Act and the administrative rules adopted thereunder.
- 2) The cultivation, storage and/or distribution of marihuana in accordance with the Act by a primary caregiver solely to provide services to not more than one qualifying patient who is a member of the primary caregiver's household and whose residence is shared with the primary caregiver.
- 3) The provision of assistance to a qualifying patient by his/her designated primary caregiver relating to medical marihuana use, including distribution or other assistance, in accordance with the Act and the administrative rules adopted thereunder, at the residence of the qualifying patient or at a hospital or hospice at which the qualifying patient is receiving care.

g. Enforcement. Any violation of this section shall be considered a civil infraction.

Sec. 38-403. - Home occupation.

(a) It is the intent of this section to allow for and regulate the establishment of home occupations that are compatible with the neighborhood in which they are located and which will preserve the peace, quiet, and domestic tranquility within all residential districts in the township. Home occupations shall be permitted subject to the following conditions:

- 1) No more than 20 percent of the usable floor area of the principal and accessory buildings shall be dedicated to the occupation.
- 2) There shall be no significant traffic volume increase associated with the occupation.
- 3) No storage of materials, goods, supplies or equipment related to the occupation shall be visible from the outside of any structure located on the premises or adjacent premises.
- 4) There shall be no change in the outside appearance of the building or premises, no structural alterations, or visible evidence of the conduct of such occupation.
- 5) No equipment or process shall be used in such occupation, which creates noise, vibration, glare, fumes, toxic/hazardous substances, odors, or electrical interference. No equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises.
- 6) No more than two clients or customers shall visit the premises at any one time.
- 7) Any need for parking shall be met off the street and in other than the front yard.
- 8) There shall be no exterior advertising.
- 9) These regulations shall not apply to farms or other nonresidential uses allowed in the district.

(b) Medical marihuana home occupation regulations.

- 1) *Intent.* It is the intent of this section to give effect to the intent of the Michigan Medical Marihuana Act, Initiated Law 1 of 2008, MCL 333.26421 et seq. (hereinafter "Act") as approved by the electors and not to determine and establish an altered policy with regard to marihuana. These provisions are designed to recognize the fundamental intent of the Act to allow the creation and maintenance of a private and confidential patient-caregiver relationship to facilitate the statutory authorization for the limited cultivation, storage, distribution and use of marihuana for medical purposes; and to regulate this fundamental intent in a manner that does not conflict with the Act so as to address issues that would otherwise expose Rose Township and its residents to significant adverse conditions.

In consideration of this concern, local regulations enumerated below generally provide that: the primary caregiver must reside on the property where his/her medical marihuana is cultivated and/or stored; medical marihuana primary caregiver activity only occur within a single-family dwelling and/or accessory building, as authorized by the Township; and, the distribution and use of medical marihuana occur on the lot occupied by the qualifying patient. Nothing in this

section shall be construed as allowing persons to engage in conduct that endangers other or causes a public nuisance, or to allow the use, cultivation, growth, possession or control of marihuana not in strict accordance with the express authorizations of the Act and these regulations; and nothing in this section shall be construed to undermine or provide immunity from federal and state law as it may be enforced by the federal or state government relative to the cultivation, storage, distribution or use of marihuana.

2) *Definitions.* The following definitions shall apply for the purposes of this section:

Collective ingestion facility means a facility that allows multiple qualifying patients to consume or ingest medical marihuana upon the premises. This term does not encompass the consumption or ingestion of medical marihuana by a qualifying patient at his/her residence or at a hospital or hospice at which the qualifying patient is receiving care.

Dispensary means any operation where marihuana is distributed to a qualifying patient by someone other than his/her designated primary caregiver.

Enclosed locked facility means a closet, room, or other comparable, stationary, and fully enclosed area contained within the primary residence accessible only from its interior by means of passage through a doorway equipped with secured locks or other security devices which permits access only by a registered primary caregiver or qualifying patient. The growing of marihuana plants outdoors is expressly prohibited.

Marihuana means the substance defined as such in Section 7106 of the Public Health Code, 1076 PA 368, MCL 333.7106.

Michigan Medical Marihuana Act or Act means the Michigan Initiated Law 1 of 2008, MCL 333.26421, et seq.

Primary caregiver means a primary caregiver as defined under MCL 333.26423(h) of the Act, and who has been issued and possesses a registry identification card under the Act.

Qualifying patient means a qualifying patient as defined under MCL 333.26423(i) of the Act, and who has been issued and possess a registry identification card under the Act.

Registry identification card means the document defined as such under MCL 333.26423(j) of the Act and which is issued by the State of Michigan to identify a person as a registered qualifying patient or registered primary caregiver.

3) *Remainder of article; effect of permit approval.* In recognition of the unique nature of the medical marihuana home occupation provided for hereunder, the conditions and requirements set forth in paragraph (a) above for home occupations shall not be applicable to medical marihuana home occupations. In addition, the issues of a medical marihuana home occupation permit hereunder shall relieve the applicant from any obligation of site plan review or a land use permit for the activity authorized thereunder.

4) *Regulations.*

1) *Medical marihuana home occupation permit requirement.*

- a. The cultivation, storage and/or distribution of marihuana by a primary caregiver conducted in accordance with the Act shall be allowed as a permitted use on a conforming lot and within a conforming building (principal or accessory) in the AG/RP agricultural and rural preserve district subject to the terms and conditions set forth in this section. Except as set forth in subsection (e) below, no such cultivation, storage and/or distribution shall be lawful in Rose Township unless and until the location of the premises in which such primary caregiver activity is conducted has received a medical marihuana home occupation permit under this section.
- b. The requirement of this section is to require a permit for a location and not to license persons. A confidential application for a medical marihuana home occupation permit on a form approved by the Township Board shall be submitted to the Zoning Administrator. An application shall:
 1. Not require the name, home address or date of birth of a qualifying patient.
 2. Include the name of the primary caregiver (or medical marihuana home occupation permit holder, if different), and the address of the premises.
 3. Describe the enclosed locked facility in which any and all cultivation of marihuana is proposed to occur or where marihuana will be stored, with such description including the location of the facility in the building.
 4. For safety and other code inspection purposes, describe and provide detailed specifications of equipment proposed to be used to facilitate the cultivation and harvesting of marihuana plants including, but not limited to, lighting, HVAC, electrical service, and plumbing.
 5. Include a description of the odor mitigation systems and a ventilation plan that provides for adequate ventilation so as to prevent pesticides, insecticides or other chemicals used in the cultivation of marihuana from being dispersed or released outside of the building.
 6. Include an operations plan that addresses water use, water discharge, and the disposal of waste, as well as a description of type, quantity, location and method of containment for any herbicides, pesticides, or fertilizers that will be used for growing, cultivating, and harvesting marihuana.
 7. Demonstrate that the applicant holds a valid registry identification card.
 8. Contain such other information as the Township Board determines is needed for the administration of this section or to ascertain satisfaction of the standards for the granting of a permit hereunder.
- c. No application for a permit hereunder shall be approved without payment of a non-refundable application fee to help defer a portion of the cost of administering and enforcing this section. The application fee shall be set by resolution of the Township Board and may be adjusted from time to time thereafter as the Township Board deems appropriate.
- d. It is the intent of this section that the information acquired through the permitting procedure prescribed herein shall be accessible to the Zoning Administrator, Michigan Construction Code, fire code enforcement officials, and law enforcement officials and

their support personnel, in the performance of their duties and shall otherwise remain confidential and not subject to public disclosure except as otherwise required by law.

2. *Requirements and standards for approval of permit and for the activity permitted.*

- a. There shall be not more than one primary caregiver operating upon the lot for which a permit is requested. The primary caregiver shall reside within the dwelling located upon the lot for which a permit is requested. A primary caregiver may assist not more than five qualifying patients with their medical use of marijuana.
- b. The lot for which a permit is requested shall not be located:
 1. Within 1,000 feet of a public or private elementary or secondary school, public or private preschool or licensed daycare facility.
 2. Within 300 feet of public park or public recreational area.
 3. Within 1,500 feet of another lot for which a medical marijuana home occupation permit has been issued pursuant to this section.

Measurements for purposes of this subsection shall be made from the lot line to the public park, public recreational area, or a lot which previously received a medical marijuana home occupation permit.

- c. Subject to the exceptions set forth in subsection (f) below, the medical marijuana primary caregiver activity shall occur only within a single-family dwelling or approved accessory building. The primary caregiver activity shall at all times be subordinate and incidental to the use of the dwelling as a residence.
- d. The primary caregiver shall be allowed to cultivate not more than 12 marijuana plants for each of his/her qualifying patients. All marijuana and marijuana plants shall be contained inside the main residential structure or an approved accessory building, except when being delivered by the primary caregiver to a qualifying patient off-site.
- e. That portion of the single-family dwelling unit used for the growing, processing, or storage of medical marijuana shall not exceed a gross floor area of 150 square feet.
- f. All medical marijuana must be kept in an enclosed locked facility to which only the registered patient and/or primary caregiver have access.
- g. The primary caregiver shall not distribute or allow the use of marijuana by the qualifying patients he/she is designated to serve upon the lot for which a permit is issued hereunder unless the qualifying patient resides therein.
- h. If a residential room with windows is utilized as a marijuana growing location, any lighting methods that exceed usual residential use between the hours of 10:00 p.m. and 6:00 a.m. shall employ shielding methods to prevent ambient light spillage that causes or creates a distraction or nuisance to any adjacent residential properties.

- i. No equipment or process shall be used in growing, processing, or handling marihuana which creates additional noise, vibration, glare, light, fumes, odors or electrical interference detectable to the normal senses at or beyond the property line of the property. In case of electrical interference, no equipment or process shall be used which creates visual or audible interference with any radio, television, broadband, or similar receiver off the premises or cause fluctuation in line voltage off the premises.
- j. All necessary building, electrical, plumbing and mechanical permits shall be obtained for any portion of a premises in which electrical wiring, lighting and/or watering devices are located, installed or modified that support the cultivation or harvesting of marihuana. Prior to a permit issued hereunder taking effect and the commencement of primary caregiver activities, the premises shall be inspected for compliance with applicable provisions of the Michigan Construction Code and the Michigan Fire Code. The premises shall be inspected annually thereafter for continued compliance with all applicable Zoning Ordinance and construction code and fire code requirements.

Furthermore, the applicant shall submit a load sheet to the Planning, Design and Engineering Department of the applicable energy provider.

The load sheet will determine load limits and capability of the electrical system, and set safety standards such that the growing operation does not impact the electrical service for surrounding properties.

The applicant must include approval of the load sheet from the energy provider as part of its application for an electrical permit. A permit will not be issued without this approval.

The applicant shall be responsible for any costs associated with the preparation and submittal of this information, which is not included in the review fee established by the Township Board for a medical marihuana home occupation permit.

- k. There shall be no sign identifying the premises as a site at which medical marihuana is cultivated, harvested or distributed.
 - l. The primary caregiver activities conducted on the premises for which a medical marihuana home occupation permit is granted hereunder shall be in conformance with the application approved hereunder, the Act, and the administrative rules promulgated pursuant to the Act.
 - m. Nothing in this section shall be deemed to allow dispensaries or collective ingestion facilities, which are hereby strictly prohibited.
- e. *Disclaimer of immunity.* Nothing in this section shall be construed as allowing the use, cultivation, distribution or possession of marihuana not in strict compliance with the express provisions of the Act and the provisions of this section. Further, nothing in this section shall be construed to undermine or provide immunity from federal or state law as it may be enforced by the federal or state government relative to the use, cultivation, distribution or possession of marihuana or to prevent prosecution thereunder.

f. *Exceptions.* This section shall not be deemed to prohibit or restrict or require a permit for the following:

- 1) The cultivation, storage and/or use of marihuana by a qualifying patient solely for his/her personal use at his/her residence or at a hospital or hospice at which he/she is received care and in accordance with the provisions of the Act and the administrative rules adopted thereunder.
- 2) The cultivation, storage and/or distribution of marihuana in accordance with the Act by a primary caregiver solely to provide services to not more than one qualifying patient who is a member of the primary caregiver's household and whose residence is shared with the primary caregiver.
- 3) The provision of assistance to a qualifying patient by his/her designated primary caregiver relating to medical marihuana use, including distribution or other assistance, in accordance with the Act and the administrative rules adopted thereunder, at the residence of the qualifying patient or at a hospital or hospice at which the qualifying patient is receiving care.

g. *Enforcement.* Any violation of this section shall be considered a civil infraction.

**ROSE TOWNSHIP PLANNING MEETING
REGULAR MEETING
September 2, 2021**

DATE: Thursday, September 2, 2021
TIME: 7:03 p.m.
PLACE: 9080 Mason St, Holly, MI 48442

PRESENT: Darlene Stanczyk Jim Holton
 Mark Bolan Glen Noble, Trustee
 Maura Jung Theresa Lynn, Co-Chair

ABSENT: Michael Brooks, Chair (excused)

OTHER(S) PRESENT AND GUESTS SIGNED IN:

 Brian Borden (Township Planner) Dave Plewes (Zoning Administrator)
 Debbie Miller (Township Clerk) Renee Kraft (Recording Secretary)
 Dianne Scheib-Snider (Supervisor) Irish Watters

1. CALL TO ORDER:

 Co-Chair Lynn called a regular meeting of the Rose Township Planning Commission to order at 7:03 p.m.

2. ROLL CALL:

 Board Members Present: Stanczyk, Holton, Bolan, Noble, Jung, Lynn
 Board Members Absent: Brooks (excused)

3. APPROVAL OF AGENDA:

 Motion by Noble to approve the agenda as submitted. Seconded by Stanczyk.

VOTE: **YES:** Jung, Lynn, Holton, Noble, Stanczyk, Bolan
 NO: None
 ABSENT: Brooks

4. APPROVAL OF MINUTES:

 Motion by Jung to approve the minutes as submitted. Seconded by Stanczyk.

VOTE: **YES:** Lynn, Holton, Noble, Stanczyk, Bolan, Jung
 NO: None
 ABSENT: Brooks

5. BRIEF PUBLIC COMMENTS – AGENDA ITEMS ONLY: (limit comments to 3 minutes)

 None

6. COMMUNICATIONS:

None

7. COMMITTEE REPORTS:

None

8. PUBLIC HEARINGS: (Notification as required by State law)

None

9. NEW BUSINESS:

A. Introduction of Jim Holton, newest Planning Commission member.

He moved to Rose Township in 2019. He is a health and safety representative for UAW.

B. Caregiver Ordinance

Dave Plewes: Legal decisions have been made to allow local jurisdictions to set specific standards on the regulations of Caregivers in their community, dealing mostly with zoning. There have been several inquiries for Caregiver Ordinances. Planning Commission will set up standards so they know what rules to follow. They will be enforceable. Application fee, process to follow and set up with DTE and will have to approve for appropriate electrical. There will be inspections.

Brian Borden: Only focusing on Primary Caregivers, home occupation permit. Home occupation was upheld by the Michigan Supreme Court. They have to be licensed by the State of Michigan to be a Primary Caregiver, then get the local permit. This ordinance can add a local permit. Section 38.403 - Home occupation. Section (a) will be for subsection stands alone for all other home occupations and will not apply to Section (b). Section (b) will be for Medical Marijuana/Primary Caregiver home occupation permits. This is the starting point. He discussed 1) intent; 2) definitions; 3) remainder of article-effect of permit approval; 4) regulations. These are drafted right now to allow this only in the AG/RP zoning district, but it can be expanded beyond that if that is what the commission wants and township board. There is no minimum acreage added at this time confined to AG/RP districts. Exclusion for non-conforming properties can be considered.

Spacing requirements were added (schools, parks, etc.). Suggestions open to buildings other than single family homes. Could amend to include detached accessory buildings. 150 sq. ft. maximum allowance for space occupied grow/processing room. Power supply is a big issue in other Townships. Suggested they must get authorization from the energy provider to show sufficient capacity before a permit would be given.

Plewes discussed AG/RP 10 acre minimum, RP 5 acre minimum, setbacks, safety, nonconforming provisions. 72 plants are maximum.

The discussion below pertains to future caregivers, not those grandfathered in.

38-403: Line-Item Discussion:

- (1) INTENT: There are at least two home caregivers in Rose Twp that Dave Plewes is aware of. He will contact the State of Michigan to find out all the home caregivers. Paragraph 2: Jung discussion on if it should state "owner occupied." Borden suggests speaking with Attorney Mulvihill to answer that. Borden states the person with the caregiver license must live there in order to get the permit from Rose Township was the intent. Questions if Owners should be aware if leaser has the license. Must show driver's license and voter registration. Borden stated they will clean up paragraph 2.

DEFINITIONS: Enclosed Locked Facility - Jung would like "not to be visible without the use of binoculars" added. Borden states if it is in the regulations it doesn't need to be added to the definition.

Noble skipped to page 4 with a question on ancillary products and a comment on a large (acres) hemp growing operation in Rose Township. Borden suggests defining what it means or getting rid of the sentence. Qualifying Patient - Lynn suggests clarification, possibly repeating words from "Primary Caregiver" and also processes a registry patient card under the act.

- (2) REMAINDER OF ARTICLE; EFFECT OF PERMIT APPROVAL.

- (3) REGULATIONS: 1) Medical Marihuana Home Occupation Permit Requirement - Bolan questions if permits only in AG/RP, if that would be discriminatory? Plewes stated no, because we allow it in our district but under State Rule and Regulation rule out the zone uses within certain areas.

Bolan went back to page 1 with question on 38-403 (a)(9). Borden and Plewes responded to the existing ordinance question.

1a) The cultivation - Questions regarding districting of land and permitted uses in AG/RP, with R1R not being included. Lynn questioned if it should be stipulated that nonconforming lots in this zoning district (AG/RP) would not be able to do this activity? Borden will clean up the wording.

1b) The requirement - #6 Noble suggests to delete word "wastewater." Rose Township does not have any sewer systems. Health department will have jurisdiction on certain aspects of this. #7 gives the Township Board the ability to add discretionary items to the ordinance.

1c) No application - Noble had questions regarding the application fee. Plewes stated the RT Board will deal with both the application and inspection fees.

1d) No comments

2) Requirements and Standards for Approval for Permit and for the Activity Permitted- Noble questioned "site condominium" and suggested it be removed. Borden will change it.

2a) Plewes suggests adding "and in addition to yourself" at end of sentence.

2b) Lot dimensions- #3 suggested bumping up from 500 feet to 1,500 feet.

2c) Allowance for an accessibility building will be added.

2e) Brooks (via email) questions 150 sq ft to 20% in 38-403(a)(1). Decided to stick with 150 sq. ft. for Medical Marihuana.

Will there be fire suppression? Plewes stated no.

2i) Brooks (via email) thinks this lighting requirement wouldn't be enforceable. We can't regulate what they are doing inside their house. Borden stated we can if the light shows to the outside. They will probably be violating State laws (visibility) if you can see the light from outside.

2h) Distribution of Ancillary products. Borden will research the phrase "ancillary product" and maybe just remove that statement. Bolan suggested leaving it in. Plewes says we can define as "provided only for patient."

2k) under first paragraph. DTE has been struggling with loads on their system; they will review property to make sure it doesn't impact other communities. Under paragraph "Furthermore..." suggestion it should state energy provider and not be limited to DTE and Consumers Energy. Discussion on Solar.

e. Disclaimer of Immunity- (bottom page 5) No comments

f. Exceptions- No comments

g. Enforcement- No comments

Holton discussed traffic volume increasing. Borden doesn't think it will be a problem. Questioned bringing in employees. Plewes stated he doesn't think State law allows employees.

Moving to Draft 3 revisions based on discussion and will be re-written.

10. Unfinished Business:

None

11. Tabled Items:

None

12. Discussion Items:

None

13. Announcements:

A. Rose Township Board Report-Glen Noble: None

B. Comments by Township Planner-Brian Borden: None

C. Next Regular Planning Commission Meeting: October 7, 2021, 7:00pm Rose Twp Offices

D. Next Regular N.O.C.F.A. Meeting: September 21, 2021, 3:00pm at Holly Twp offices

E. Next Regular Township Board Meeting: September 8, 2021, 7:00pm

F. Zoning Board of Appeals: Cancelled

14. Open the Meeting to the Public:

Resident – Questioned if we know a neighbor is not a resident but know they are growing marijuana, will they be made inactive or have to pay fees? Plewes responded that they will be allowed because they were set up before any regulations. She questioned upkeep standards? Plewes stated they can't violate ordinances. Questioned why do they get

privacy? HIPPA laws. Questioned random inspections and load sheets. Employees have no vested interest in community. Can they parcel out to add more plants? No.

15. Adjournment: 8:55pm

Motion to adjourn by Lynn. Seconded by Holton. All said aye.

Approved/Corrected

Debbie Miller, MMC, MiPMC II
Rose Township Clerk

NORTH OAKLAND COUNTY
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FIRE AUTHORITY

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mweil@nocfa.com

Asst. Fire Chief
Matthew J. Weil

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Rose Township Planning Commission
Chairman Michael Brooks
9080 Mason Street Holly, Mi. 48442
C/O David Plews Zoning Administrator

October 7, 2021

Dear Chairman and Planning Commission Members.

This department has conducted a preliminary review, the plans were requested and received on 10/6/2021- only after seeing this on your meeting agenda. I apologize for the haste in completing this review.

This review is for the proposed project presented by the applicant and its agents Seasonal Property Maintenance at 690 East Rose Street Holly, Mi. 48442.

This site plan in general is very accommodating for FD access, as they have many large pieces of equipment that traverse the property regularly. The site plan needs to address the fire department access lane(s) and signage. Further a KNOX box key safe will be required on the building for afterhours access, If there is a gate a suitable means for afterhours access shall be supplied.

There are a few very concerning issues as I looked at the proposed plan in greater detail. The building proposed exceeds the allowable square footage for a S1 use- which is a repair facility and/or a building that will house commercial vehicles- without an automatic fire suppression system (sprinkler system) and other supporting equipment, further explanation follows.

The building is classified by the applicant as a business usage, however, the multiple large 14' garage doors and overall size of the garage area (pole barn) are sufficient to accommodate commercial vehicles for storage and/or repair. These vehicles are present on the stie. Therefore, the more restrictive classification of S1 is applied to the building. The lean-to shares a common roof as the rest of the building and is considered in the fire area calculation, which is 5,780 feet squared. The Fire Code allows for up to 5000 Foot Square fire area without sprinklers.

There is no indication of fire separations, or other features of the building including the lean-to- understanding these are NOT construction prints but an overview of the building being proposed. However, some of this detail would or could otherwise limit the area for the calculation.

The solid fuel (wood) furnace is cause for pause as well, especially with the implied use for storage and repair in the garage area. With the amount of wood on site, this is a very responsible choice for heating, however, with the inability to shut it off quickly like a gaseous fuel appliance in

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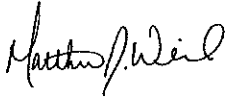
an emergency, I question its use in a commercial building of this type- which is why I defer this to other disciplines, mainly the building department.

There are significant challenges involved to support a fire suppression system where municipal infrastructure is not present or accessible. The site plan is void of any solution for this requirement as presented.

The issue of hogged wood product production and storage on site that has not been formally addressed, nor did I see it noted on the site plan. While this is an approved use of the property, there shall be a plan in place for the storage and handling of that material that meets the Fire Code requirements.

In conclusion, this department cannot support this site plan and building project until the above issues are addressed.

Respectfully yours,



Matt Weil CFI
Assistant Fire Chief

Cc; File FD; building department