

**MUSKEGON CHARTER TOWNSHIP  
PLANNING COMMISSION MINUTES  
PC-20-2  
February 10, 2020**

**CALL TO ORDER**

**Chairperson Bouwman called the meeting to order at 7:00 p.m.**

**ROLL**

**Present: Hower, VandenBosch, Hughes, Singerling, Frein,  
Bouwman**

**Absent: None**

**Excused: Borushko**

**Also present: Planning and Zoning Administrator Brian  
Werschem, Recording Secretary Andria Muskovin,  
Fire Marshal Mark Nicolai, Fire Chief Dave Glotzbach  
Supervisor Hodges, Treasurer Thiele and 5 guests.**

**Approval of Agenda**

**Motioned by Singerling supported by Hower to approve the February 10,  
2020 agenda with the correction on F-1 to be MS not I1.**

**Motion carried.**

**Approval of Minutes**

**Motioned by Singerling supported by Hower to approve the January 13,  
2020 as presented with the correction that Joe Singerling is the Vice-Chair,  
not Co-Chair.**

**Motion carried.**

**Communications**

**Board Minutes for January 6, 2020 & January 20, 2020 provided no  
questions or discussion.**

**Staff Report acknowledged Singerling commented that Brian has done an  
excellent job communicating everything to the PC. Chairman Bouwman  
agreed and Thanked Brian for an outstanding job.**

## **Unfinished business -**

**None**

## **New Business**

1. PC 20-02      Site Plan

**Name:**            Muskegon County Central Dispatch  
**Address:**        1750 Stebbins  
**PP#**                61-10-015-300-0004-00  
**Zoning:**          MS - Municipal School

**Purpose:**          Install 300 Foot Self-support Tower for Central Dispatch  
                          911 Communication System

Muskegon County Central Dispatch proposes to acquire a piece of Muskegon Charter Township property to construct a 300 Foot Self-supporting communication tower to improve the communication link across the County for 911 services.

This is a small portion of a larger piece of property on Stebbins Road across from the ISD building zoned Light Industrial (I1). Because of its intended use it is a Site Plan only and not a Special Use. If colocation were to occur this will require a Special Use Permit application to the Township.

Chief Glotzbach spoke on behalf of Central Dispatch. He stated that this is an engineered site and will allow communication throughout the state. This will allow good coverage along with 4 new and 2 existing towers. This will be the prime site for Muskegon. He stated that the property came from L-3 for public assistance use in 2009. Since then, they had been pushing for Central Dispatch to own this site.

PC Hughes asked when they will start with project. Chief Glotzbach stated that they will be clearing trees in the next couple of weeks and once the weather breaks, they will start with the tower.

PC Singerling asked if it falls, will it stay on the property, and will the area be fenced in. Chief Glotzbach stated that yes, it will be contained on this site, and it will be fenced in. The rest of the property will remain the same with trees.

PC VandenBosch asked if it would go beyond the 300' if it fell? Chief Glotzbach stated no, it would not.

***The following are the standards for Site Plan approval. Staff comments are indicated in italic:***

(b) Each site plan shall conform to all applicable provisions of the zoning chapter and the following standards:

- (1) All elements of the site plan shall be designed to take into account the site's topography, the size and type of the lot, the character of adjoining property and the type and size of

buildings. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this chapter.

*PC determined the overall topography on this lot is altered so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this chapter.*

- (2) The landscape shall be preserved in its natural state, insofar as practical, by removing only those areas of vegetation or making those alterations to the topography which are reasonably necessary to develop the site in accordance with the requirements of this chapter. Landscaping shall be preserved and/or provided to ensure that proposed uses will be adequately buffered from one another and from surrounding public and private property.

*PC determined that very little of the overall natural landscaping is impacted.*

- (3) Storm water and erosion protection.

- a. Appropriate measures shall be taken to ensure that removal of surface waters will not adversely affect neighboring properties, the public storm water drainage system, or nearby bodies of water.

*PC determined the slope to the natural areas around the tower site accommodates any and all storm water that may accumulate on the property.*

- b. Provisions shall be made to accommodate storm water, prevent erosion and the formation of dust.

*PC determined adequate measures have been taken to accommodate storm water, prevent erosion and the formation of dust.*

- c. The use of detention/retention ponds may be required.

*PC determined that detention ponds are not necessary.*

- d. Surface water on all paved areas shall be collected at locations so that it will not obstruct the flow of vehicular or pedestrian traffic or create standing water that may interfere with this traffic.

*PC determined that surface water will not obstruct the flow of vehicular or pedestrian traffic or create*

*standing water that may interfere with this traffic as it currently exists.*

- e. Areas of natural drainage such as swales, wetlands, ponds, or swamps shall be protected and preserved insofar as practical in their natural state to provide areas for natural habitat, preserve drainage patterns and maintain the natural characteristics of the land.

*PC determined that this project, as proposed, will have no effect on the natural drainage such as swales, wetlands, ponds, or swamps.*

- f. Catch basins or other protective measures may be required to contain oil filters or traps to prevent contaminants from being discharged to the natural drainage system. Other provisions may be required to contain runoff or spillage from areas where hazardous materials are stored, or proposed to be stored.

*PC determined adequate measures have been taken to accommodate runoff and spillage.*

- g. Compliance with the requirements of [section 58-487](#) shall also be demonstrated.

*Section 58-47 provisions shall apply to all businesses and facilities, including private and public facilities, which use, store or generate hazardous substances and polluting materials in quantities greater than 100 kilograms per month, equal to about 25 gallons or 220 pounds, and which require site plan review under the provisions of this article or other township ordinances. This project will produce no additional hazardous beyond the existing measures of protection.*

- (4) The site plan shall provide reasonable, visual and sound privacy for all dwelling units located therein. Fences, walks, barriers and landscaping shall be used, as appropriate, for the protection and enhancement of property and for the privacy of its occupants.

*PC determined that the landscape plan and layout does provide for this privacy. No dwelling units located therein.*

- (5) Every structure or dwelling unit shall have access to a public street, unless otherwise provided in an approved PUD.

*PC determined that public street access proposed is adequate.*

- (6) A pedestrian circulation system which is insulated as completely as reasonably possible from the vehicular circulation system shall be provided.

*PC determined that no pedestrian circulation system is necessary.*

- (7) Safe, convenient, uncongested, and well-defined vehicular and pedestrian circulation within the site shall be provided. Drives, streets and other elements shall be designed to promote safe and efficient traffic operations within the site and at its access points.

*PC determined that no pedestrian nor vehicular circulation system is necessary.*

- (8) The arrangement of public or common ways for vehicular and pedestrian circulation shall be connected to existing or planned streets and pedestrian or bicycle pathways in the area.

*PC determined the single drive access adequate.*

- (9) All streets shall be developed in accordance with [chapter 42](#), subdivisions and the county road commission specifications.

*PC determined no streets proposed as part of this application. Not applicable.*

- (10) All buildings or groups of buildings shall be arranged so as to permit necessary emergency vehicle access as required by the fire and police departments.

*PC determined this is existing and adequate. Approved by the Fire inspector.*

- (11) The site shall be adequately served by water supply and sewage collection and/or treatment.

*PC determined no water supply or sewage collection required.*

- (12) All loading or unloading areas and outside storage areas, including refuse storage stations, shall be screened from view of the street and/or adjacent properties by a vertical screen consisting of structural or plant materials.

*PC determined the proposed is adequate.*

- (13) Exterior lighting shall be arranged so that it is deflected away from adjacent properties and so that it does not impede the vision of traffic along adjacent streets.

*PC determined all exterior lighting proposed remains onsite and no light trespass is occurring onto neighboring properties.*

- (14) Site plans shall conform to all applicable requirements of state and federal statutes and approval must be conditioned on the applicant receiving necessary state and federal permits before final site plan approval or an occupancy permit is granted.

*PC determined this will be a condition of approval.*

**Motion by Singerling seconded by VandenBosch to approve site plan for 1750 Stebbins parcel number 61-10-015-300-0004-00 having met all the site plan standards of Section 58-486 of the Muskegon Charter Township Code of Ordinances contingent upon all federal, state, county and local ordinances and regulations being met.**

**Yeas: Hower, VandenBosch, Hughes, Singerling, Frein, Bouwman**

**Nays: None**

**Motion Passed**

**2. PC 20-02 Site Plan**

**Name:** Root Weaver, LLC  
**Address:** 3129 E. Laketon  
**PP#** 61-10-035-200-0009-20  
**Zoning:** Light Industrial (I1)

**Purpose:** 11,000 Square Foot Industrial Marihuana Grow Facility for One (1) Class C Medical Grow and One (1) Class C Adult Use Grow

Root Weaver LLC has acquired 10.64 acres of land on the south side of Laketon Ave. between Walker and Dangl located within the approved commercial marihuana overlay area. The property is zoned Light Industrial (I1). They propose to construct an 11,000 square foot industrial building for the purpose of a marihuana grow operation in accordance with Muskegon Charter Township Marihuana Ordinances and Michigan Marihuana Laws.

This site plan application is accompanied by a Medical Marihuana Class C Grow Application as well as a Recreational Marihuana Class C Grow Application. A medical class c grow would consist of up to 1,500 plants. A recreational class c grow would consist of up to 2,000 plants. Our ordinance and state law allows for multiple licenses being authorized within a single facility (stacking).

Mark Weaver of Root Weaver, LLC, 3129 E Laketon Ave stated that they are going to build an 11,000 sq. ft building with 5 grow rooms, 1 flowering room, offices, and a vault. Every door will require a card to get through. No one will be allowed to just walk around the building. He stated that there will be lots of cameras, that it will be very secure, meeting all the States requirements.

PC Hower asked how many employees he will have, and will someone be there all the time? Mr. Weaver stated that he will have 4-5 employees, and that their hours would be 7am - 7 pm. He said there would not be anyone there after hours unless they were there to check on things. He also stated that he will not have any outside lights that will be shining to bother anyone that lives or works around there. He wants to keep things as quiet as possible.

PC Frein asked if he would have any signs on the building and Mr Weaver stated that he would not. He would rather people not know what the building is for. PC Frein also asked about the water retention. Mr. Weaver stated that there is very little water runoff and what they would have would be contained in a retention pond rather than the drain. If Drain Commissioner had to get involved, it would delay everything by about 6-8 months.

PC Hower asked Mr. Weaver if he had done one of these before. Mr. Weaver stated that he had not. He had started the process on the East side of the state, and the County opted out after he had spent quite a bit of money.

PC Frein asked when he would be starting. Mr. Weaver stated that he would be in business on May 22 2020. He will have 2 harvests by the end of the year. He stated that you have to clone the plants and it takes time to fill up the building. Mr Weaver stated that the Exhaust will go through carbon filters so that no smell will go outside of the building. Chairman Bouwman asked if that was a requirement and Mr. Weaver stated that it was not.

Zoning Administrator Werschem stated that Steven Sheldon, Building official will work with interior design during construction.

PC Singerling asked about the Fire road that needed adjustment because of the powerlines. Fire Marshal Nicolai stated that it had all been taken care of and that he was pleased with the changes. A sidewalk has been added for employees if they needed to escape the building from the emergency exit to the roadway as means of egress to a common way.

(b) Each site plan shall conform to all applicable provisions of the Zoning chapter and the following standards:

- (1) All elements of the site plan shall be designed to take into account the site's topography, the size and type of the lot, the character of adjoining property and the type and size of buildings. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this chapter.

*PC determined all elements of the site plan are designed to take into account the site's topography, the size and type of the lot, the character of adjoining property and the type and*

*size of buildings and that the site is being developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted.*

- (2) The landscape shall be preserved in its natural state, insofar as practical, by removing only those areas of vegetation or making those alterations to the topography which are reasonably necessary to develop the site in accordance with the requirements of this chapter. Landscaping shall be preserved and/or provided to ensure that proposed uses will be adequately buffered from one another and from surrounding public and private property.

*PC determined that the added landscaping features proposed helps improve the natural state insofar as practical considering the property is currently open and rather barren.*

- (3) Storm water and erosion protection.

- h. Appropriate measures shall be taken to ensure that removal of surface waters will not adversely affect neighboring properties, the public storm water drainage system, or nearby bodies of water.

*PC determined appropriate measures have been taken to ensure that removal of surface waters will not adversely affect neighboring properties, the public storm water drainage system, or nearby bodies of water.*

- i. Provisions shall be made to accommodate storm water, prevent erosion and the formation of dust.

*PC determined the storm water system to be accurate and measures are in place to prevent erosion and dust.*

- j. The use of detention/retention ponds may be required.

*PC determined that a detention/retention pond is required. The retention basin proposed is deemed adequate.*

- k. Surface water on all paved areas shall be collected at locations so that it will not obstruct the flow of vehicular or pedestrian traffic or create standing water that may interfere with this traffic.

*PC determined that surface water will not obstruct the flow of vehicular or pedestrian traffic or create standing water that may interfere with this traffic as proposed.*

- l. Areas of natural drainage such as swales, wetlands, ponds, or swamps shall be protected and preserved insofar as practical in their natural state to provide areas for natural habitat, preserve drainage patterns and maintain the natural characteristics of the land.

*PC determined that this project, as proposed, will have no effect on the natural drainage such as swales, wetlands, ponds, or swamps.*

- m. Catch basins or other protective measures may be required to contain oil filters or traps to prevent contaminants from being discharged to the natural drainage system. Other provisions may be required to contain runoff or spillage from areas where hazardous materials are stored, or proposed to be stored.

*PC determined no hazardous materials are produced so this section is not applicable.*

- n. Compliance with the requirements of [section 58-487](#) shall also be demonstrated.

*Section 58-47 provisions shall apply to all businesses and facilities, including private and public facilities, which use, store or generate hazardous substances and polluting materials in quantities greater than 100 kilograms per month, equal to about 25 gallons or 220 pounds, and which require site plan review under the provisions of this article or other township ordinances. This project will produce no hazardous so this standard is not applicable.*

- (4) The site plan shall provide reasonable, visual and sound privacy for all dwelling units located therein. Fences, walks, barriers and landscaping shall be used, as appropriate, for the protection and enhancement of property and for the privacy of its occupants.

*PC determined that the landscape plan and layout does provide for this privacy. No dwelling units located therein.*

- (5) Every structure or dwelling unit shall have access to a public street, unless otherwise provided in an approved PUD.

*PC determined that public street access proposed is adequate.*

- (6) A pedestrian circulation system which is insulated as completely as reasonably possible from the vehicular circulation system shall be provided.

*PC determined the pedestrian circulation system proposed is adequate.*

- (7) Safe, convenient, uncongested, and well-defined vehicular and pedestrian circulation within the site shall be provided. Drives, streets and other elements shall be designed to promote safe and efficient traffic operations within the site and at its access points.

*PC determined that the site plan accommodates safe, convenient, uncongested, and well-defined vehicular and pedestrian circulation within the site and the drives, streets and other elements are designed to promote safe and efficient traffic operations within the site and at its access points.*

- (8) The arrangement of public or common ways for vehicular and pedestrian circulation shall be connected to existing or planned streets and pedestrian or bicycle pathways in the area.

*PC determined this is adequate as proposed.*

- (9) All streets shall be developed in accordance with [chapter 42](#), subdivisions and the county road commission specifications.

*PC determined this is adequate. Muskegon County Road Commission approval is always required.*

- (10) All buildings or groups of buildings shall be arranged so as to permit necessary emergency vehicle access as required by the fire and police departments.

*PC determined the building is arranged so as to permit necessary emergency vehicle access as required by the fire and police departments. Approved by the Fire inspector.*

- (11) The site shall be adequately served by water supply and sewage collection and/or treatment.

*PC determined the site is required to be served by municipal water and sewer collection as proposed on the site plan.*

- (12) All loading or unloading areas and outside storage areas, including refuse storage stations, shall be screened from view of the street and/or adjacent properties by a vertical screen consisting of structural or plant materials.

*PC determined this is adequate as proposed.*

- (13) Exterior lighting shall be arranged so that it is deflected away from adjacent properties and so that it does not impede the vision of traffic along adjacent streets.

*PC determined all exterior lighting proposed remains onsite and no light trespass is occurring onto neighboring properties.*

- (14) Site plans shall conform to all applicable requirements of state and federal statutes and approval must be conditioned on the applicant receiving necessary state and federal permits before final site plan approval or an occupancy permit is granted.

*PC determined this will be a condition of approval.*

**Motion by Singerling seconded by Hower to approve 2/10/2020 revision of site plan for 3129 E. Laketon parcel number 61-10-035-200-0009-20 having met all the site plan standards of Section 58-486 of the Muskegon Charter Township Code of Ordinances contingent upon all federal, state, county and local ordinances and regulations being met. Further the Planning Commission recommends approval of the requested Medical Marihuana Class C Grow License and Recreational Marihuana Class C Grow License to the Township Board.**

**Yeas: Hower, Singerling, Frein, Bouwman**

**Nays: None**

**Abstained: Vandebosch, Hughes**

**Motion Passed**

**Public comment – None**

**Next meeting The next scheduled meeting for the Planning Commission is on March 9, 2020 at 7:00 pm in the Board Room at Town Hall.**

**Adjournment**

**Motioned by Hower supported by Singerling to adjourn at 7:21 pm.**

**Motion carried.**

**Respectfully submitted by,**

**Sandra Frein  
Secretary**

**ajm**