

BOARD MEMBERS PRESENT:

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

BOARD MEMBERS ABSENT:

Steve Thomas, Treasurer

OTHERS PRESENT:

Robert Matsura
Crystal McCready
Steve McCready
Donna Wall
Joan Rogers
Angela Arason

Trevor Arason
Frank Roye
Sharon Thomas
Matthew Covey
Robert Palawski
Grant Smith

Mary Humphries
Barb Miller
Andrea Roy
Shelly Roye
Joellen Shortley

Supervisor Gary Wall called the meeting to order at 6:01 p.m. and asked for a moment of silence for the brave men and women who have served our Country and lead the Pledge of Allegiance.

Roll call vote was taken. All board members were present except Treasurer Thomas.

1. APPROVE AGENDA
1.1 March 28, 2022

Moved by Markee,
Seconded by Bartolotta, RESOLVED, to amend the agenda by removing New Business Item 6.2, Library Resolution. A roll call vote was taken.

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

Motion carried unanimously.

Moved by Bartolotta,
Seconded by Markee, RESOLVED, to approve the March 28, 2022, agenda, as amended. A roll call vote was taken.

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

Motion carried unanimously.

2. ANNOUNCEMENTS

- 2.1 The Absentee ballots have been mailed! Do not mistake them for junk mail or unofficial mail. Look for a blue and white envelope to arrive in your mailbox by April 4, 2022. Place your ballot in the gold envelope, place that inside of the green and white envelope, and return it as soon as possible. You must sign the green and white envelope. Please call the Clerk's office with any questions at 248-674-6266 or e-mail elections@waterfordmi.gov.
- 2.2 Stop by the Library for the weekly Knitting Group meeting on Wednesdays from 10:00 am – 12:00 pm. Share patterns, exchange ideas, show off your projects, and socialize while you knit! No registration is required. Email Liz with questions: ewaun@waterfordmi.gov
- 2.3 Budapest: Pearl of the Danube will be presented by Mariya Fogarasi on Thursday, April 7, 2022, from 6:30 p.m. to 8:00 p.m. in the Library Community Room. Hungary's capital city has long been acclaimed as one of Europe's most beautiful, with its parliament building frequently highlighted on advertisements for Danube river cruises. Come and travel through one of the Roman Empire's Northern provinces and experience three cities that merged in 1873 to form the popular tourist destination we know today. Registration required.
- 2.4 Meet the Hiking Gardener will be on Wednesday, April 13, 2022, from 7:00 p.m. to 8:30 p.m. in the Library Community Room. Ms. Celia Ryker, Author of *Walking Home: Trail Stories*, is a retired professional gardener and Master Woodland Steward. She will take us along the Long Trail, which continues the Appalachian Trail 200 miles through Vermont and other hikes to see what is there to inform and entertain the gardener in the wild. Be prepared for fun! Both novice and experienced gardeners are welcome.
- 2.5 Earth Day Shredding will occur on Saturday, April 23, 2022, from 10:00 a.m. to 1:00 p.m. at the Township Civic Center Campus. Documents should be in boxes or paper bags in the trunk of your vehicle for easier access and flow of traffic. We will remove the boxes, empty the documents into the container for shredding and return the empty box to the resident. Please limit boxes to three (3) per household. This event is sponsored by the Preserve at All Saints.
- 2.6 Join us for the 7th Annual Waterford Township Earth Day Cleanup event on Saturday, April 23, 2022, from 8:00 a.m. until 2:00 p.m. Volunteers will be out in the community doing their part to collect and clean up rubbish along roadways in some of the most visible areas of the Township. Students, adults, families, individuals, and groups are encouraged to participate! Community service hours available. Just a few hours is all it takes to make a real difference! Sign up in advance online at www.waterfordmi.gov/earthday or call 248-674-6201.
- 2.7 The Waterford Township Neighborhood Preservation Corps is seeking volunteers for the 2022 season to help with identifying and reporting basic nuisance violations and blight conditions in the Township. For more information or to volunteer, please visit the NPC website at www.waterfordmi.gov/npc or contact the Supervisor's office at 248-674-6201.
- 2.8 Check out a Michigan Activity Pass for one of Michigan's cultural destinations or state parks and recreation areas, including Castle Museum of Saginaw County (Saginaw), Michigan History Center (Lansing), and the American Arab National Museum (Dearborn). More details are available at michiganactivitypass.info.

3. Consent Agenda

Board Members may remove items from the Consent Agenda for discussion purposes or for the purpose of voting in opposition. Public comment for items removed from the consent agenda may be received in the same manner immediately following the Consent Agenda.

- 3.1 March 14, 2022, Meeting Minutes
- 3.2 March 28, 2022, Bill Payment
- 3.3 Receive the Clerk's Office December 2021 Preliminary Report
- 3.4 Receive the 51st District Court February 2022 Report
- 3.5 Receive the Fire Department's 2021 Annual Report and February 2022 Report
- 3.6 Receive the Treasurer's Office February 2022 Report

Moved by Bartolotta,

Seconded by Monohon, RESOLVED, to approve consent agenda items 3.1 through 3.6. A roll call vote was taken.

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

Nays: None

Absent: Thomas

Motion carried unanimously.

4. Board Liaison Reports (Verbal)

Trustee Bartolotta

The Cable Commission meeting was held on March 15, 2022. The Board approved a new generator for the truck.

Van Norman Lake Board will have survey and the first treatment in May.

Clerk Markee

The Library has a children's reading program on Tuesdays and Thursdays. Please check out the Library's web-site for more information.

Clerk Markee stated she is happy that we have paper ballots. Please return your ballot as soon as possible.

Trustee Hauswirth

The Drayton Plains Nature Center meeting was held March 15, 2022. The Escapades Camp: There will be one week of Nature Camp at Drayton Plains Nature Center from July 25, 2022 – July 28, 2022, for 6 - 10 year olds. Farm science and sports camps will also be offered. Volunteer Day's will be held on Saturday April 23, 2022. Finally, Ian Ableson, Six Rivers Land Conservancy will facilitate two hikes one in the morning and one in the afternoon.

A Garlic Mustard Pull is scheduled for Friday, May 20, 2022 at 9 a.m. until noon at the Drayton Plains Nature Center.

The Interpretive Building will reopen May 13, 2022, through October 2, 2022, Fridays, 1:00 p.m. to 5:00 p.m., Saturdays, and Sundays 10:00 a.m. – 2:00 p.m. Make sure you visit the center.

The Management Plan Review was approved.

Trustee Monohon

SEMCOG – is doubling money for Transportation Alternative Programs. Parks and Recreation programs are ramping up.

Supervisor Wall

Sue Camilleri and Supervisor Wall are working with County Commissioner Joliat and the Head of Oakland County Parks to get funding to complete the River Walk.

5. Open Business

5.1 Possible Adoption of Zoning Ordinance 2022-Z-001, Zoning Ordinance Map Amendment, for 3130 Dixie Hwy from O-1, Local Office District, to R-1A, Single-Family Residential District

The following memo was received from Mr. Jeffrey Polkowski, Superintendent of Planning and Zoning.

The applicant is seeking to rezone the property to residential in order to occupy it as a principle residence and operate a medical office Home Occupation out of it. The subject parcel is defined as Single Family within the Master Plan. The proposed zoning is in-line with the objectives of the Master Plan. Registered home occupancies are permitted in the R-1A Single Family Residential zoning district provided that they do not occupy more than 20% of the dwelling.

The subject property exceeds the minimum requirements for an R-1A zoning lot. Additionally, this lot and the adjacent property to the west are zoned for office in the midst of several residential lots. Converting this to residential would reduce the inconsistent spot zoning of the area.

Planning Commission Recommendation and Findings

The Planning Commission reviewed this proposed Rezoning at the regularly scheduled meeting on February 22, 2022 and resolved unanimously, to forward a favorable recommendation to the Township Board.

Motions

Based upon the Planning Commission’s favorable recommendation at the February 22, 2022 regular meeting for this rezoning case, should the Board want to consider adopting the requested rezoning to R-1A Single Family Residential, the appropriate motion would be to introduce the attached Ordinance and schedule it for possible adoption at the March 28, 2022 meeting.

However, if the Board does not want to adopt the requested rezoning, the appropriate motion would be to not introduce the Ordinance and deny the rezoning.

Staff will be available at Monday’s meeting for any questions on this case. However, if you have any questions in advance of the meeting, please contact this office.

STATE OF MICHIGAN
COUNTY OF OAKLAND
CHARTER TOWNSHIP OF WATERFORD
ORDINANCE NO. 2022-Z-001
ZONING ORDINANCE MAP AMENDMENT

An ordinance to amend the Waterford Township Zoning Ordinance by rezoning a parcel of property with conditions on its use and development as authorized by MCL 125.3405 and amending the Zoning Map.

THE CHARTER TOWNSHIP OF WATERFORD ORDAINS:

Possible Adoption of Zoning Ordinance 2022-Z-001, Zoning Ordinance Map Amendment, for 3130 Dixie Hwy from O-1, Local Office District, to R-1A, Single-Family Residential District Continued.

Section 1 of Ordinance

The portion of the parcel of property that is assigned tax parcel number 13-34-427-030, legally described below, with current address of 3130 Dixie Highway, is rezoned from **O-1, Local Office District, to R-1A, Single-Family Residential District** with the Zoning Map that is adopted by and made part of the Waterford Township Zoning Ordinance in Section 3-101, to be changed and amended to reflect this rezoning.

Section 2 of Ordinance

The effective date of this ordinance shall be on the 8th day after publication, or a later date as provided in the Michigan Zoning Enabling Act for when a petition for voter referendum on this Ordinance and/or a notice of intent to submit such a petition is timely filed with the Township Clerk.

CERTIFICATION

I certify that this Zoning Ordinance Map Amendment Ordinance was adopted by a majority vote of the members of the Board of Trustees of the Charter Township of Waterford at a meeting duly called and held on_____.

CHARTER TOWNSHIP OF WATERFORD

Date

Kimberly Markee, Township Clerk

LEGAL DESCRIPTION ATTACHMENT TO ORDINANCE 2022-Z-001

T3N, R9E, SEC 11 LAKES VIEW SUB SLY 222 FT OF LOT 10 EXC THAT
PART TAKEN FOR DIXIE HWY 3-2-95 FR 007

Moved by Bartolotta,
Seconded by Hauswirth, RESOLVED, to adopt Zoning Ordinance 2022-Z-001, Zoning Ordinance Map Amendment, for 3130 Dixie Hwy from O-1, Local Office District, to R-1A, Single-Family Residential District. A roll call vote was taken.

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

Nays: None

Absent: Thomas

Motion carried unanimously.

5.2 **Possible Adoption of Ordinance No. 2022-Z-002, Zoning Ordinance Map Amendment, for 4667 Dixie Hwy from HT-Z, High Tech Industrial and Office District, to C-3, General Business District**

The following memo was received from Mr. Jeffrey Polkowski, Superintendent of Planning and Zoning.

The applicant is seeking to rezone the property from HT-2, High Tech Industrial and Office to C-3, General Business. No specifics were given as to the reason for the request though the C-3 district generally has a substantially more inclusive use list and Staff speculates that the rezoning was requested to make the property more marketable. A proposed use is not required to be declared when seeking a rezoning. The subject parcel is defined as Community Business within the Master Plan. The proposed zoning is in-line with the objectives of the Master Plan.

Staff is supportive of this zoning change as it moves the trend for this region from an industrial to commercial focus. Those undesirable uses that are allowed within the C-3 zoning district typically require Special Approval and may be further reviewed by the Planning Commission.

Planning Commission Recommendation and Findings

The Planning Commission reviewed this proposed Rezoning at the regularly scheduled meeting on February 22, 2022 and resolved unanimously, to forward a favorable recommendation to the Township Board.

Motions

Based upon the Planning Commission’s favorable recommendation at the February 22, 2022 regular meeting for this rezoning case, should the Board want to consider adopting the requested rezoning to C-3 General Business, the appropriate motion would be to introduce the attached Ordinance and schedule it for possible adoption at the March 28, 2022 meeting.

However, if the Board does not want to adopt the requested rezoning, the appropriate motion would be to not introduce the Ordinance and deny the rezoning.

Staff will be available at Monday’s meeting for any questions on this case. However, if you have any questions in advance of the meeting, please contact this office.

STATE OF MICHIGAN
 COUNTY OF OAKLAND
 CHARTER TOWNSHIP OF WATERFORD
 ORDINANCE NO. 2022-Z-002

ZONING ORDINANCE MAP AMENDMENT

An ordinance to amend the Waterford Township Zoning Ordinance by rezoning a parcel of property with conditions on its use and development as authorized by MCL 125.3405 and amending the Zoning Map.

THE CHARTER TOWNSHIP OF WATERFORD ORDAINS:

Section 1 of Ordinance

The portion of the parcel of property that is assigned tax parcel number 13-34-427-030, legally described below, with current address of 3130 Dixie Highway, is rezoned from **HT-2, High Tech Industrial and Office District, to C-3, General Business District** with the Zoning Map that is adopted by and made part of the Waterford Township Zoning Ordinance in Section 3-101, to be changed and amended to reflect this rezoning.

Ordinance No. 2022-Z-002, Zoning Ordinance Map Amendment, for 4667 Dixie Hwy from HT-Z, High Tech Industrial and Office District, to C-3, General Business District Continued.

Section 2 of Ordinance

The effective date of this ordinance shall be on the 8th day after publication, or a later date as provided in the Michigan Zoning Enabling Act for when a petition for voter referendum on this Ordinance and/or a notice of intent to submit such a petition is timely filed with the Township Clerk.

CERTIFICATION

I certify that this Zoning Ordinance Map Amendment Ordinance was adopted by a majority vote of the members of the Board of Trustees of the Charter Township of Waterford at a meeting duly called and held on _____.

CHARTER TOWNSHIP OF WATERFORD

Date

Kimberly Markee, Township Clerk

LEGAL DESCRIPTION ATTACHMENT TO ORDINANCE 2022-Z-002

T3N, R9E, SEC 10 FAIRPLAINS SUB LOTS 25 & 26 EXC THAT PART TAKEN FOR RD 9-28-11 FR 073 & 074

Moved by Monohon,
Seconded by Hauswirth, RESOLVED, to adopt Ordinance No. 2022-Z-002, Zoning Ordinance Map Amendment, for 4667 Dixie Hwy from HT-Z, High Tech Industrial and Office District, to C-3, General Business District. A roll call vote was taken.

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

Motion carried unanimously.

Trustee Bartolotta inquired, with Mr. Polkowski, if this property would be eligible to be a Medical Marihuana Facility location. Mr. Polkowski stated they missed any dates for a Medical Marihuana Facility location and stated that C-3, General Business would be a better use for that area.

5.3 Possible Adoption of Ordinance No. 2022-Z-003, Text Amendment to the Zoning Ordinance

The following memo was received from Mr. Jeffrey Polkowski, Superintendent of Planning and Zoning.

Attached for your review and consideration, please find a proposed Zoning Ordinance Text Amendment. This proposed Zoning Ordinance Text Amendment removes all Commercial Storage Establishments as a Permitted Principal Use and adds it to the list of Permitted Uses after Special Approval within the M-1 Light Industrial District and the M-2 General Industrial District. This would establish the Planning Commission as the review and approval authority for all commercial storage establishments within the M-1 Light Industrial District and the M-2, General Industrial District in accordance with Section 4-006 of the Zoning Ordinance.

Possible Adoption of Ordinance No. 2022-Z-003, Text Amendment to the Zoning Ordinance Continued.

After due consideration, Planning Staff has recognized an abundance of commercial storage establishments due to their higher than average ROI when compared to office, industrial, retail, residential, or other real estate investments. Although necessary, these uses are considered unattractive and undesirable to a community when developed in large concentrations.

In an effort to incentivize more desirable industrial developments, this ordinance amendment upholds the intent of the 2003-2023 Master Plan vision for Industrial Districts in order to “create an economic climate conducive to the attraction, retention, and expansion of business within Waterford,” and “improve the physical appearance and functional character of the commercial corridors.”

Modifying commercial storage establishments to be a Permitted Uses after Special Approval within the M-1 and M-2 zoning districts also ensures that the public be notified and that effective site development practices are established so that the quality of life in adjacent residential areas are not adversely affected.

Section 1-007 of the Zoning Ordinance defines Commercial Storage Establishments as:

COMMERCIAL STORAGE ESTABLISHMENTS. A commercial establishment engaged in the indoor or outdoor storage of vehicles in good repair, equipment, materials, goods, products, or machinery. Commercial storage establishments shall be classified based upon the intensity and scope of the items to be stored and shall be defined as follows, including but not limited to:

Cold Storage Warehouse Establishment. A commercial storage establishment engaged in the storage of frozen products.

Commercial Storage Garage Establishment. A commercial storage establishment engaged in the indoor storage of motor vehicles in good repair.

Commercial Outdoor Storage Establishment. A commercial storage establishment engaged in the outdoor storage of supplies, equipment, vehicles in good repair, or the seasonal outdoor storage of recreational vehicles.

Self-Service Storage Establishment. A commercial storage establishment that provides indoor rental space in a building or group of buildings divided into individual, small, self-contained units that are leased or owned for the storage of business and household goods or contractors supplies on a self-service basis.

Warehouse Establishment. A commercial storage establishment engaged in the wholesale storage and distribution of goods, wares, merchandise, substances or articles as a principal use where the warehousing use by nature requires greater frequency of deliveries to and from the storage location.

Planning Commission Recommendation and Findings

The Planning Commission reviewed this proposed Zoning Ordinance amendment at the regularly scheduled meeting on February 22, 2022 and resolved unanimously, to forward a favorable recommendation to the Township Board.

Motions

Based upon the Planning Commission’s favorable recommendation at the February 22, 2022 regular meeting for this rezoning case, should the Board want to consider adopting the requested Zoning Ordinance amendment, the appropriate motion would be to introduce the attached Ordinance and schedule it for possible adoption at the March 28, 2022 meeting. However, if the Board does not want to adopt the requested rezoning, the appropriate motion would be to not introduce the Ordinance and deny the rezoning.

Possible Adoption of Ordinance No. 2022-Z-003, Text Amendment to the Zoning Ordinance Continued.

I have attached a map identifying all affected properties. Staff will be available at Monday's meeting for any questions on this case. However, if you have any questions in advance of the meeting, please contact this office.

Moved by Bartolotta,

Seconded by Monohon, RESOLVED, to adopt Zoning Ordinance Amendment 2022-Z-003, Text Amendment to the Zoning Ordinance. A roll call vote was taken.

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

Nays: None

Absent: Thomas

Motion carried unanimously.

5.4 **Possible Adoption of Zoning Ordinance Text Amendment 2022-Z-004; Text Amendment the Zoning Ordinance C-UB, Urban Business and C-UL, Union Lake Business**

The following memo was received from Mr. Jeffrey Polkowski, Superintendent of Planning and Zoning.

This proposed Zoning Ordinance Text Amendment allows for the establishment of 'Lofts,' which are mixed-use residential developments in the C-UB and C-UL zoning districts. Please note that this only allows for the establishment of residential on the second floor of the C-UB and C-UL zoning districts as to not disrupt the precious resource that is commercial space with immediate pedestrian and automobile accessibility.

With the adoption of the Waterford Township 135-A Zoning Ordinance in February of 2010, these two zoning districts were established with the intention of creating an economic climate conducive to the attraction, retention, and expansion of business within Waterford, improve the physical appearance and functional character of the commercial corridors, and to retain, enhance, and promote Waterford's unique character, sense of community, and identity, by permitting a mixture of commercial, office, and residential land uses on zoning lots properly scaled and designed to enhance and improve the traditional urban neighborhood characteristics contained within these zoning districts. Ultimately, these goals have not yet been realized due to a lack of regular zoning ordinance amendments to allow for such uses that have been described in both the Zoning Ordinance and the Master Plan. This amendment seeks to correct this by, for the first time, allowing mixed-use residential uses in two commercially zoned districts within the Township.

This ordinance also seeks to reduce the spread of multi-family developments within historically single-family residential zoning districts by making these highly sought after developments easier to build where they are more desired by those who wish to rent in Waterford Township, allowing for rentals that enabling pedestrian mobility, providing a sense of place

Additionally, this ordinance amendments also satisfies two Redevelopment Ready Communities RRC certification Best Practices

1. Concentrated Development

Allowing for areas of context-sensitive concentrated development provides myriad benefits including enabling pedestrian mobility, providing a sense of place, generating fiscal stability for communities, and leveraging existing infrastructure. The ordinance allows mixed-use buildings by-right in designated areas of concentrated development.

Possible Adoption of Zoning Ordinance Text Amendment 2022-Z-004, Text Amendment the Zoning Ordinance C-UB, Urban Business and C-UL, Union Lake Business Continued.

2. Housing Diversity

Having an ordinance, which clearly allows for diverse housing types creates unique neighborhoods, provides lifestyle options for residents of all ages and income levels, helps attract talent, and provides flexibility for meeting market demand.

The proposed definition for a Loft is:

DWELLING, LOFT. A dwelling containing one (1) or more dwelling units on the second floor of buildings in which the first floor is occupied by commercial uses that are permitted principal uses, permitted uses after wellhead protection compliance, or permitted uses after special approval.

Planning Commission Recommendation and Findings

The Planning Commission reviewed this proposed Zoning Ordinance amendment at the regularly scheduled meeting on February 22, 2022 and resolved unanimously, to forward a favorable recommendation to the Township Board.

Motions

Based upon the Planning Commission’s favorable recommendation at the February 22, 2022 regular meeting for this Zoning Ordinance amendment, should the Board want to consider adopting the requested Zoning Ordinance amendment, the appropriate motion would be to introduce the attached Ordinance and schedule it for possible adoption at the March 28, 2022 meeting. However, if the Board does not want to adopt the requested Zoning Ordinance amendment, the appropriate motion would be to not introduce the Ordinance and deny the amendment.

I have attached a map identifying all affected properties. Staff will be available at Monday’s meeting for any questions on this case. However, if you have any questions in advance of the meeting, please contact this office.

STATE OF MICHIGAN
 COUNTY OF OAKLAND
 CHARTER TOWNSHIP OF WATERFORD
 ORDINANCE NO. 2022-Z-004

TEXT AMENDMENT TO ZONING ORDINANCE

An Ordinance to amend the Waterford Township Zoning Ordinance No. 135-A (“Zoning Ordinance”) Definitions, C-UB and C-UL Districts, Section 3-900 Table of Zoning Lot and Section 3-901 Footnotes Governing Zoning Lot, Area, and Bulk Regulations to allow Loft Dwellings on the second floor of buildings where the first floor is occupied for commercial purposes.

THE CHARTER TOWNSHIP OF WATERFORD ORDAINS:

Section 1 of Ordinance

The definition of Dwelling, Loft shall be added to Section 1-007 of the Zoning Ordinance to read as follows:

DWELLING, LOFT. A dwelling containing one (1) or more dwelling units on the second floor of buildings in which the first floor is occupied by commercial uses that are permitted principal uses after wellhead protection compliance, of permitted used after special approval.

Possible Adoption of Zoning Ordinance Text Amendment 2022-Z-004, Text Amendment the Zoning Ordinance C-UB, Urban Business and C-UL, Union Lake Business Continued.

Section 2 of Ordinance

Section 3-707.3 of the Waterford Township Zoning Ordinance that lists permitted principal uses in the C-UB, Urban Business District, is amended to add a new subsection Q to read as follows:

3-707.3. Permitted Principal Uses. The following uses shall be permitted as principal uses in the C-UB district:

Q. Lofts on the second floor of buildings in which the first floor is occupied by commercial uses that are permitted principal uses, permitted uses after wellhead protection compliance, or permitted uses after special approval in the C-UB, Urban Business zoning district (See **Dwelling, Loft** in [Section 1-007](#)).

Section 3 of Ordinance

Section 3-708.3 of the Waterford Township Zoning Ordinance that lists permitted principal uses in the C-UL, Union Lake District, is amended to add a new subsection S to read as follows:

3-708.3. Permitted Principal Uses. The following uses shall be permitted as principal uses in the C-UL district:

S. Lofts on the second floor of buildings in which the first floor is occupied by commercial uses that are permitted principal uses, permitted uses after wellhead protection compliance, or permitted uses after special approval in the C-UB, Urban Business zoning district (See **Dwelling, Loft** in [Section 1-007](#)).

Section 4 of Ordinance

Section 3-900 Table of Zoning Lot, Area, and Bulk Regulations of the Waterford Township Zoning Ordinance is amended to add a Maximum Dwelling Units Per Buildable Acres in the C-UB Urban Business and C-UL Union Lake Business:

DIVISION 3-9 SCHEDULE OF REGULATIONS
SECTION 3-900. TABLE OF ZONING LOT, AREA, AND BULK REGULATIONS
(Amended effective 04/03/2019)

ZONING DISTRICT (Refer to Footnote 1)	MAXIMUM DWELLING UNITS PER BUILDABLE ACRES	MAXIMUM IMPERVIOUS SURFACE (In Percent) (Refer to Footnote 2)	MINIMUM LOT AREA AND WIDTH	
			Area (in Sq. Ft.) (Refer to Footnotes 5, 6, and 8)	Width (In Ft.) (Refer to Footnote 8 where noted below)
R-1 Single-	1	30	43,560	120
R-1A Single-	4	30	9,800 ⁸	70 ⁸
R-1B Single-	5	30	Refer to Footnote	
R-1C Single-	5	30	Refer to Footnote 3	
R-1D Duplex (Two	5	30	15,000	90
R-1E Single-	5.4	30	43,560 ⁶	150
R-M1 Low Density	8	50	43,560 ⁶	150
R-M2 Multiple-Family (Refer	10	50	43,560 ⁶	150
R-MH Mobile Home Park	6	n/a	435,600 (per park) 5,500	500 (per park) 50 (per unit)
O-1 Local Office	n/a	40	15,000	70
O-2 General	n/a	40	43,560 ⁵	100

C-1	<i>n/a</i>	50	7,500	60
C-2 Small	<i>n/a</i>	50	9,000	70
C-3 General	<i>n/a</i>	50	24,000	90
C-4 Extensive	<i>n/a</i>	50	87,120^{8,6}	150
C-UB Urban	<i>15</i>	50	43,560⁵	100
C-UL Union Lake	<i>15</i>	50	21,780	90
PL Public Lands	<i>n/a</i>	50	<i>n/a</i>	
CR Commercial	<i>n/a</i>	50	43,560	150
A-1 Airport	<i>Shall conform to the Airport Master Plan, all federal and state aviation regulations, and all Township Engineering Standards regulating</i>			
HT-1 High Tech	<i>n/a</i>	50	21,780	100
HT-2 High Tech	<i>n/a</i>	50	43,560⁵	120
M-1 Light	<i>n/a</i>	50	43,560⁵	150
M-2 General	<i>n/a</i>	50	130,680^{5 & 6}	150

Section 5 of Ordinance

Section 3-901 of the Waterford Township Zoning Ordinance that lists Footnotes Governing Zoning Lot, Area, and Bulk Regulations, is amended in Footnote 9 to replace subsection B with a new subsection B and make the prior subsection B as a new subsection C with changes to read as follows:

Footnote 9

- A. unchanged
- B. Dwelling until within developments in the C-UB, Urban Business and C-UL, Union Lake Business zoning districts shall possess the following minimum floor area requirements:

Dwelling Unit Type	<u>Total Floor Area (sq. ft.)</u>
Efficiency unit	<u>Two-hundred fifty (250)</u>
One bedroom unit	<u>Four-hundred-fifty (450)</u>
Two-bedroom unit	<u>Six-hundred (600)</u>
Three bedroom or more unit	<u>Seven-hundred-fifty (750)</u>
Four or more bedroom unit	Seven-hundred-fifty (750) plus one-hundred-twenty
	(120) per bedroom above three (3)

- C. The length of each individual building within developments in the C-UB, Urban Business, C-UL, Union Lake Business, R-M1, Low Density Multiple Family and R-M2, Multiple Family zoning districts shall not exceed the maximum length established by the Fire Chief and Building Official for purposes of fire safety.

Section 6 of Ordinance

Possible Adoption of Zoning Ordinance Text Amendment 2022-Z-004, Text Amendment the Zoning Ordinance C-UB, Urban Business and C-UL, Union Lake Business Continued.

The effective date of this Ordinance shall be on the 8th day after publication, or a later date as provided in the Michigan Zoning Enabling Act for when a petition for voter referendum on this Ordinance and/or a notice of intent to submit such a petition is timely filed with the Township Clerk.

CERTIFICATION

I certify that this Zoning Ordinance Text Amendment was adopted by a majority vote of the members of the Board of Trustees of the Charter Township of Waterford at a meeting duly called and held on _____, 2022.

Date

Kimberly Markee, Township Clerk

Moved by Markee,
Seconded by Bartolotta, RESOLVED, to adopt Zoning Ordinance Text Amendment 2022-Z-004, Text Amendment the Zoning Ordinance C-UB, Urban Business and C-UL, Union Lake Business. A roll call vote was taken.

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

Motion carried unanimously.

5.5 Possible Adoption of Zoning Ordinance Text Amendment 2022-Z-005; Text Amendment to the Zoning Ordinance, Applications and Procedures

The following memo was received from Mr. Jeffrey Polkowski, Superintendent of Planning and Zoning.

This proposed Zoning Ordinance Text Amendment significantly modifies the Major Site Plan review process by removing the Conceptual Plan Review step and brings the applicant right to the Preliminary Plan Review step that is administratively reviewed by planning, fire, engineering, and DPW staff.

This ordinance amendment has been proposed in order to streamline development, reduce wait time for building permits, and draw less resources on Township staff and appointed officials by reducing the need for a Planning Commission hearing on any use that is considered a Principal Permitted Use in their respective zoning districts.

The purpose of a Permitted Principal Uses is to establish uses in each zoning district that are not considered sensitive in that Zoning District. This will allow the Planning Commission to focus its resources on proposed developments that may significantly impact the quality and harmony of a community (i.e. Permitted Uses After Special Approval, Rezoning, and Zoning Ordinance Text Amendments).

Possible Adoption of Zoning Ordinance Text Amendment 2022-Z-005; Text Amendment to the Zoning Ordinance, Applications and Procedures Continued.

Please note that this ordinance amendment does still list Major Site Plan review applications as Consent Agenda Items for the Planning Commission's review, as well as give the Zoning Official authority to bring forward a Major Site Plan Review application to the Planning Commission for review and approval.

Additionally, this ordinance amendment works to address a Redevelopment Ready Communities (RRC) certification Best Practice:

Development Review

Evaluates the community's development review policies and procedures to ensure they integrate predictability throughout. Unnecessary steps or unclear instructions increase time and expenses associated with development. Community leaders should look to simplify and clarify policies and increase efficiency to create an inviting development climate that is vital to attracting investment. To do this, sound internal procedures need to be in place and followed. Making information on the development review process and resources readily available assists developers of all sizes and experience levels in understanding what they'll need to know as they invest in the community.

Planning Commission Recommendation and Findings

The Planning Commission reviewed this proposed Zoning Ordinance amendment at the regularly scheduled meeting on February 22, 2022 and resolved unanimously, to forward a favorable recommendation to the Township Board.

Motions

Based upon the Planning Commission's favorable recommendation at the February 22, 2022 regular meeting for this Zoning Ordinance amendment, should the Board want to consider adopting the requested Zoning Ordinance amendment, the appropriate motion would be to introduce the attached Ordinance and schedule it for possible adoption at the March 28, 2022 meeting. However, if the Board does not want to adopt the requested Zoning Ordinance amendment, the appropriate motion would be to not introduce the Ordinance and deny the amendment.

STATE OF MICHIGAN
COUNTY OF OAKLAND
CHARTER TOWNSHIP OF WATERFORD
ORDINANCE NO. 2022-Z-005

TEXT AMENDMENT TO ZONING ORDINANCE

An Ordinance to amend the Waterford Township Zoning Ordinance No. 135-A ("Zoning Ordinance") to have major site plan review conducted by the Zoning Official instead of the Planning Commission, which will still be responsible for initial site plan review.

THE CHARTER TOWNSHIP OF WATERFORD ORDAINS:

Section 1 of Ordinance

Article IV- Application and Procedures of Section 4-002- Development Review Procedures of the Zoning Ordinance shall be modified to remove Conceptual Site Plan Review as a component of Major Site Plan Review and shall read as follows:

Possible Adoption of Zoning Ordinance Text Amendment 2022-Z-005; Text Amendment to the Zoning Ordinance, Applications and Procedures Continued.

Article IV - Applications and Procedures Section 4-002 - Development Review Procedures

DEVELOPMENT REVIEW PROCEDURE		REQUIRED REVIEW COMPONENTS	SECTION	PAGE LOCATION
Site Plan Review	Change of Use Review	<ul style="list-style-type: none"> ● Change of Use Review 	Section 4-004.1	Page IV-5
	Minor Site Plan Review	<ul style="list-style-type: none"> ● Preliminary Plan Review ● Final Site Plan Review ● Construction Review 	Section 4-004.2	Pages IV-6
	Major Site Plan Review	<ul style="list-style-type: none"> ● Preliminary Plan Review ● Final Site Plan Review ● Construction Review 	Section 4-004.3	Pages IV-7

The Rest of the table remains unchanged.

Section 2 of Ordinance

Section 4-004.3 of the Waterford Township Zoning Ordinance that lists Major Site Plan Review, Submission and Review Process shall be modified to change a concept plan to a preliminary plan and to modify the process for the review of site plans and shall read as follows:

4-004.3. B. Submission and Review Process.

(1)-(3) Unchanged.

(4) The applicant submits completed application forms, preliminary plan, the preliminary review fee, and related documentation in the quantity specified by the Zoning Official.

(5) Unchanged

(6) Once the preliminary review fee is paid and a complete set of application materials are received, the Zoning Official shall review the preliminary plan for compliance with the goal and objectives of the Master Plan, and prepare an analysis of how the preliminary plan meets the Master Plan goals and objectives for use by the Planning Commission in making its determination of compliance.

(7) Once a complete set of application materials are received, the Zoning Official and Township Engineer shall calculate the review fees for the submitted application.

(8) The applicant(s) will be notified in writing of the required fee total. It shall be the responsibility of the applicant(s) to ensure that the required fees are paid in full. No progress beyond this step will occur until the applicant(s) pays the fees in full. The application process will also be stopped if the fee payment is rejected for such a reason as insufficient funds, and will not be restarted until all fees and insufficient funds penalties are paid in full by secured funds.

(9) All major site plan reviews shall be placed on the Planning Commission consent agenda. The Planning Commission may, at its discretion, request to review and comment on any major site plan request prior to the issuance of approval by the Zoning Official.

Possible Adoption of Zoning Ordinance Text Amendment 2022-Z-005; Text Amendment to the Zoning Ordinance, Applications and Procedures Continued.

(10) The Zoning Official shall be responsible for reviewing the preliminary plan to determine the plan's compliance with the Master Plan and make any other determinations allowed or required by this Zoning Ordinance. If the Zoning Official finds that the preliminary plan complies with the Master Plan, it shall approve the preliminary plan without modifications. If the Zoning Official finds that the preliminary plan does not comply with the Master Plan in full or in part, it shall specifically identify where the preliminary plan is deficient in achieving the Master Plan goals and objectives. In those cases where the Zoning Official finds that the preliminary plan does not comply with the Master Plan, it may require the applicant(s) to prepare and submit one (1) or more components of a development impact analysis report along with a revised preliminary plan for Planning Commission review and consideration before a final decision is made. Nothing in this subsection shall prevent the Zoning Official from approving a preliminary plan that does not comply with the Master Plan.

(11) The Zoning Official, Township Engineer, Public Works Official, Fire Chief, and all other required government agencies identified by the Zoning Official shall conduct a preliminary plan review; the Zoning Official may require Planning Commission review of a preliminary plan to complete this step of the process.

(12) The Zoning Official shall collect and transmit to the applicant(s) all revisions and comments recommended and received from the Township and other governmental agencies. The applicant(s) shall be responsible for ensuring that the revised preliminary plan contains all required revisions. This step shall be repeated until the Zoning Official confirms that the preliminary plan is in such form as to undergo final site plan review.

(13) Zoning Official approval of a preliminary plan shall be valid for a period of one (1) year, within which final site plan approval must be obtained.

(14) The Zoning Official and Township Engineer shall conduct a final site plan review.

(15) The applicant(s) may obtain construction plan review application and fee requirements from the office of the Building Official and submit for construction plan review by the Building Official at this step or any step hereafter. However, final approval of a construction plan cannot be given or building permits issued until after the Zoning Official issues the approved final site plan.

(16) The Zoning Official and Township Engineer verify that the final site plan complies with all Zoning Ordinance requirements.

(17) The Zoning Official approves the final site plan, stamps it approved, shall keep one copy for the record, and provide one copy to the applicant(s).

(18) Upon receipt of the approved final site plan, the applicant(s) shall complete all construction plan approvals and obtain all required building permits in accordance with **Section 4-017**.

Section 3 of Ordinance

Section 4-004.5 Open Space Preservation of the Waterford Township Zoning Ordinance that provides for the Open Space Preservation option shall be modified to change a concept plan to a preliminary plan and shall replace the Planning Commission with the Zoning Official as part of the Open Space Preservation review process Density Calculation in Section D, Design Requirements and Restrictions in Section E, Open Space Maintenance and Preservation requirements in Section F shall be modified to read as follows

Possible Adoption of Zoning Ordinance Text Amendment 2022-Z-005; Text Amendment to the Zoning Ordinance, Applications and Procedures Continued.

4-004.5. Open Space Preservation.

A-C. Unchanged.

D. *Density Calculation.* The density of dwelling units shall not exceed the density customarily developable in the R-1A Single Family Residential zoning district when developed with a conventional layout and with all applicable laws and ordinances being observed.

(1) A proposed open space preservation preliminary plan and a parallel preliminary plan shall be submitted in order to establish the maximum permitted density. The parallel preliminary plan shall depict development of the R-1 zoning lot under the conventional standards of the R-1A zoning district and the requirements of all other applicable state and municipal regulations and standards. The proposed open space preservation preliminary plan shall depict the proposed arrangement of dwelling units on the R-1 zoning lot with building envelopes of sufficient size, taking into consideration sanitary sewage disposal capacity (*only on property where there is a question of soil capacity will it be necessary to undertake actual soil analysis or County review*), topography, easements or encumbrances, drainage retention/detention areas, along with all necessary streets and street access ways, without impacting natural areas and features required to be preserved under applicable law and ordinance. All unbuildable areas and areas with limitations to development must be accurately identified on both the parallel preliminary plan and the proposed open space preservation preliminary plan, including, but not limited to, wetlands, watercourses, drains, floodplains, steep slopes, woodlands and similar features. It is not the intent of this provision to generally require detailed engineering in the preparation of this plan, however, it must be a realistic plan of development, taking into consideration the actual assets and constraints of the property.

(2) The Zoning Official shall make the determination that a proposed open space preservation preliminary plan is acceptable once it meets all applicable Township ordinance requirements and, based on the comparative review of the parallel preliminary plan and proposed open space preservation preliminary plan, determine the number of units permitted under the open space preservation option provided in this subsection.

E. *Design Requirements and Restrictions.* The following design and application requirements shall apply to a proposed open space preservation development under this subsection. The design requirements shall be incorporated into a preliminary plat, if the land is proposed to be developed in accordance with the procedures established in the **Waterford Code of Ordinances, Subdivision and Land Management Regulations**, and otherwise incorporated into a site plan in accordance with the requirements of *Section 4-004.3*.

(1)- (2) Unchanged.

Possible Adoption of Zoning Ordinance Text Amendment 2022-Z-005; Text Amendment to the Zoning Ordinance, Applications and Procedures Continued.

(3) The applicant(s) for an open space preservation development shall be entitled to an approval under this subsection; provided, the following aspects of the proposed development plan shall be reviewed for approval by the Planning Commission:
The bulk regulations established by the Zoning Official for the dwellings in an open space preservation development shall be reasonable and rationally related to the standards, requirements and intent of single-family residential development permitted under this Zoning Ordinance to the maximum extent feasible. Factors to be considered in determining the reasonableness of the area, width and setback

Moved by Bartolotta,
Seconded by Matsura, RESOLVED, to adopt Zoning Ordinance Text Amendment 2022-Z-005; Text Amendment to the Zoning Ordinance, Applications and Procedures. A roll call vote was taken.

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

Motion carried unanimously.

5.6 **Final Decision Resolution Denying Medical Marihuana Facility License Application for Main Property Holdings, LLC, at 7265 Highland Rd, Application No. 2**

CHARTER TOWNSHIP OF WATERFORD
FINAL DECISION RESOLUTION DENYING
MEDICAL MARIHUANA FACILITY LICENSE APPLICATION

RECITALS:

A. This Resolution is adopted as a Final Decision by the Charter Township of Waterford ("Township") Board of Trustees ("Board") under the Township Medical Marihuana Facility Licensing Ordinance codified as Sections 10-291 through 10-309 in Division 12 of Article III in Chapter 10 of the Waterford Charter Township Code, with all references to Sections in this Resolution being to Sections of that Code.

B. This Final Decision is for the following Medical Marihuana Facility License Application ("Application"):

License Applied For: Provisioning Center
Named Applicant: Main Property Holdings, LLC
Facility Location: 7265 Highland
Initial Filing Date: 01/04/2021
Supplemental Filing: 10/18/2022
Application Number: 2

C. The Application with any subsequent amendments or supplements needed for administrative completeness was reviewed by Township personnel as provided in Section 10-302 and by the Township Attorney as directed by the Board on May 24, 2021 ("Reviews").

D. Based on the Reviews and determinations made by the Board on June 14, 2021, the Application was substantively complete.

Final Decision Resolution Denying Medical Marihuana Facility License Application for Main Property Holdings, LLC, at 7265 Highland Rd, Application No. 2 Continued.

E. The Application was denied by the Township Board on July 26, 2021, pursuant to Sections 10-303(c) and 10-303 (d)(3) because there were no additional available licenses remaining for that type of license.

F. On October 12, 2021, the Township Board amended the MMFL Ordinance to increase the number of provisioning center licenses by four (4) and to allow for the acceptance of Supplemental Applications to update and rely on a previously denied Application. The Applicant filed a timely Supplemental Application by the due date, which was reviewed as required under Section 10-302 and was determined to be administratively complete.

G. The Application was one of many competing applications filed for the four (4) provisioning center licenses authorized by Section 10-298(a).

H. Section 10-303(c) provides that, "If as a result of the Board approving an application, there are no remaining authorized licenses for that type of licenses for that type of facility under Section 10-298, the remaining applications for that type of license shall be denied for that reason.", and Section 10-303(d)(3) provides that an application shall be denied if the type of facility license applied for is not available as a result of prior Township Board unexpired approvals.

I. Based on motions passed on February 25, 2022, and on March 14, 2022, the Board adopted Final Decision Resolutions Conditionally Approving four (4) of the competing applications for the available provisioning center licenses, prior to which the Named Applicants on those competing applications had accepted the Township's approval conditions.

J. A copy of this Final Decision Resolution was emailed by the Township Clerk to the Named Applicant's representative with Notice it would be considered for adoption by the Board at its March 28, 2022, 6:00 PM meeting.

K. At its meeting on March 28, 2022, the Board approved a motion to adopt this Resolution as its written Final Decision on the Application.

IT IS THEREFORE RESOLVED that as required by Sections 10-303(c) and 10-303(d)(3), the Application is denied because there are no remaining authorized provisioning center licenses.

IT IS FURTHER RESOLVED that if the Ordinance is amended in the future to authorize one (1) or more additional provisioning center licenses, or if a license becomes available due to expiration of a prior approval, surrender or revocation or other reason, this denial shall not apply to or prevent an application by the Named Applicant for such a license as provided in the Ordinance as amended.

IT IS FURTHER RESOLVED that after certifying the adoption of this Final Decision Resolution including the vote on the Board's motion to do so, the Township Clerk shall email a copy to the Named Applicant's representative as provided in Section 10-303(f).

CERTIFICATION

I hereby certify that this Resolution was adopted by the Charter Township of Waterford Board of Trustees at a regular meeting of that Board on March 28, 2022.

Date

Kimberly Markee, Township Clerk

Final Decision Resolution Denying Medical Marihuana Facility License Application for Main Property Holdings, LLC, at 7265 Highland Rd, Application No. 2 Continued.

Moved by Bartolotta,
Seconded by Matsura, RESOLVED, to deny the Medical Marihuana Facility License Application for Main Property Holdings, LLC, at 7265 Highland Road, Application No. 2; the application is denied because there are no remaining authorized provisioning center licenses. A roll call vote was taken.

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

Motion carried unanimously.

5.7 **Final Decision Resolution Denying Medical Marihuana Facility License Application for DNVK 1, LLC, at 6744 Highland Rd, Application No. 4**

CHARTER TOWNSHIP OF WATERFORD
FINAL DECISION RESOLUTION DENYING
MEDICAL MARIHUANA FACILITY LICENSE APPLICATION

RECITALS:

A. This Resolution is adopted as a Final Decision by the Charter Township of Waterford ("Township") Board of Trustees ("Board") under the Township Medical Marihuana Facility Licensing Ordinance codified as Sections 10-291 through 10-309 in Division 12 of Article III in Chapter 10 of the Waterford Charter Township Code ("Ordinance"), with all references to Sections in this Resolution being to Sections of that Code.

B. This Final Decision is for the following Medical Marihuana Facility License Application ("Application"):

License Applied For:	Provisioning Center
Named Applicant:	DNVK 1, LLC
Facility Location:	6744 Highland
Initial Filing Date:	01/04/2022
Supplemental Filing:	11/17/2022
Application Number:	4

C. The Application with any subsequent amendments or supplements needed for administrative completeness was reviewed by Township personnel as provided in Section 10-302 and by the Township Attorney as directed by the Board on May 24, 2021 ("Reviews").

D. Based on the Reviews and determinations made by the Board on June 14, 2021, the Application was substantively complete.

E. The Application was denied by the Township Board on July 26, 2021, pursuant to Sections 10-303(c) and 10-303 (d)(3) because there were no additional available licenses remaining for that type of license.

Final Decision Resolution Denying Medical Marihuana Facility License Application for DNVK 1, LLC, at 6744 Highland Rd, Application No. 4 Continued.

F. On October 12, 2021, the Township Board amended the MMFL Ordinance to increase the number of provisioning center licenses by four (4) and to allow for the acceptance of Supplemental Applications to update and rely on a previously denied Application. The Applicant filed a timely Supplemental Application by the due date, which was reviewed as required under Section 10-302 and was determined to be administratively complete.

G. The Application was one of many competing applications filed for the four (4) provisioning center licenses authorized by Section 10-298(a).

H. Section 10-303(c) provides that, "If as a result of the Board approving an application, there are no remaining authorized licenses for that type of licenses for that type of facility under Section 10-298, the remaining applications for that type of license shall be denied for that reason.", and Section 10-303(d)(3) provides that an application shall be denied if the type of facility license applied for is not available as a result of prior Township Board unexpired approvals.

I. Based on motions passed on February 25, 2022, and on March 14, 2022, the Board adopted Final Decision Resolutions Conditionally Approving four (4) of the competing applications for the available provisioning center licenses, prior to which the Named Applicants on those competing applications had accepted the Township's approval conditions.

J. A copy of this Final Decision Resolution was emailed by the Township Clerk to the Named Applicant's representative with Notice it would be considered for adoption by the Board at its March 28, 2022, 6:00 PM meeting.

K. At its meeting on March 28, 2022, the Board approved a motion to adopt this Resolution as its written Final Decision on the Application.

IT IS THEREFORE RESOLVED that as required by Sections 10-303(c) and 10-303(d)(3), the Application is denied because there are no remaining authorized provisioning center licenses.

IT IS FURTHER RESOLVED that if the Ordinance is amended in the future to authorize one (1) or more additional provisioning center licenses, or if a license becomes available due to expiration of a prior approval, surrender or revocation or other reason, this denial shall not apply to or prevent an application by the Named Applicant for such a license as provided in the Ordinance as amended.

IT IS FURTHER RESOLVED that after certifying the adoption of this Final Decision Resolution, the Township Clerk shall email a copy to the Named Applicant's representative as provided in Section 10-303(f).

CERTIFICATION

I hereby certify that this Resolution was adopted by the Charter Township of Waterford Board of Trustees at a regular meeting of that Board on March 28, 2022.

Date

Kimberly Markee, Township Clerk

Final Decision Resolution Denying Medical Marihuana Facility License Application for DNVK 1, LLC, at 6744 Highland Rd, Application No. 4 Continued.

Moved by Bartolotta,
Seconded by Matsura, RESOLVED, to deny the Medical Marihuana Facility License Application for DNVK 1, LLC, at 6744 Highland Rd, Application No. 4; The application is denied because there are no remaining authorized provisioning center licenses. A roll call vote was taken.

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

Motion carried unanimously.

5.8 **Final Decision Resolution Denying Medical Marihuana Facility License Application for DNVK 1, LLC, at 7766 Highland Rd, Application No. 8**

CHARTER TOWNSHIP OF WATERFORD
FINAL DECISION RESOLUTION DENYING
MEDICAL MARIHUANA FACILITY LICENSE APPLICATION

RECITALS:

A. This Resolution is adopted as a Final Decision by the Charter Township of Waterford (“Township”) Board of Trustees (“Board”) under the Township Medical Marihuana Facility Licensing Ordinance codified as Sections 10-291 through 10-309 in Division 12 of Article III in Chapter 10 of the Waterford Charter Township Code, with all references to Sections in this Resolution being to Sections of that Code.

B. This Final Decision is for the following Medical Marihuana Facility License Application (“Application”):

License Applied For: Provisioning Center
Named Applicant: DNVK 1, LLC
Facility Location: 7766 Highland
Initial Filing Date: 1/4/2021
Supplemental Filing: 11/17/2021
Application Number: 8

C. The Application with any subsequent amendments or supplements needed for administrative completeness was reviewed by Township personnel as provided in Section 10-302 and by the Township Attorney as directed by the Board on May 24, 2021 (“Reviews”).

D. Based on the Reviews and determinations made by the Board on June 14, 2021, the Application was substantively complete.

E. The Application was denied by the Township Board on July 26, 2021, pursuant to Sections 10-303(c) and 10-303 (d)(3) because there were no additional available licenses remaining for that type of license.

Final Decision Resolution Denying Medical Marihuana Facility License Application for DNVK 1, LLC, at 7766 Highland Rd, Application No. 8 Continued.

F. On October 12, 2021, the Township Board amended the MMFL Ordinance to increase the number of provisioning center licenses by four (4) and to allow for the acceptance of Supplemental Applications to update and rely on a previously denied Application. The Applicant filed a timely Supplemental Application by the due date, which was reviewed as required under Section 10-302 and was determined to be administratively complete.

G. The Application was one of many competing applications filed for the four (4) provisioning center licenses authorized by Section 10-298(a).

H. Section 10-303(c) provides that, "If as a result of the Board approving an application, there are no remaining authorized licenses for that type of licenses for that type of facility under Section 10-298, the remaining applications for that type of license shall be denied for that reason.", and Section 10-303(d)(3) provides that an application shall be denied if the type of facility license applied for is not available as a result of prior Township Board unexpired approvals.

I. Based on motions passed on February 25, 2022, and on March 14, 2022, the Board adopted Final Decision Resolutions Conditionally Approving four (4) of the competing applications for the available provisioning center licenses, prior to which the Named Applicants on those competing applications had accepted the Township's approval conditions.

J. A copy of this Final Decision Resolution was emailed by the Township Clerk to the Named Applicant's representative with Notice it would be considered for adoption by the Board at its March 28, 2022, 6:00 PM meeting.

K. At its meeting on March 28, 2022, the Board approved a motion to adopt this Resolution as its written Final Decision on the Application.

IT IS THEREFORE RESOLVED that as required by Sections 10-303(c) and 10-303(d)(3), the Application is denied because there are no remaining authorized provisioning center licenses.

IT IS FURTHER RESOLVED that if the Ordinance is amended in the future to authorize one (1) or more additional provisioning center licenses, or if a license becomes available due to expiration of a prior approval, surrender or revocation or other reason, this denial shall not apply to or prevent an application by the Named Applicant for such a license as provided in the Ordinance as amended.

IT IS FURTHER RESOLVED that after certifying the adoption of this Final Decision Resolution including the vote on the Board's motion to do so, the Township Clerk shall email a copy to the Named Applicant's representative as provided in Section 10-303(f).

CERTIFICATION

I hereby certify that this Resolution was adopted by the Charter Township of Waterford Board of Trustees at a regular meeting of that Board on March 28, 2022.

Date

Kimberly Markee, Township Clerk

Final Decision Resolution Denying Medical Marihuana Facility License Application for DNVK 1, LLC, at 7766 Highland Rd, Application No. 8 Continued.

Moved by Bartolotta,
Seconded by Matsura, RESOLVED, to deny the Medical Marihuana Facility License Application for DNVK 1, LLC, at 7766 Highland Rd, Application No. 8. The application is denied because there are no remaining authorized provisioning center licenses. A roll call vote was taken.

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

Motion carried unanimously.

5.9 **Final Decision Resolution Denying Medical Marihuana Facility License Application for Attitude Wellness, LLC, at 3455 Highland Rd, Application No. 12**

**CHARTER TOWNSHIP OF WATERFORD
FINAL DECISION RESOLUTION DENYING
MEDICAL MARIHUANA FACILITY LICENSE APPLICATION**

RECITALS:

A. This Resolution is adopted as a Final Decision by the Charter Township of Waterford ("Township") Board of Trustees ("Board") under the Township Medical Marihuana Facility Licensing Ordinance codified as Sections 10-291 through 10-309 in Division 12 of Article III in Chapter 10 of the Waterford Charter Township Code ("Ordinance"), with all references to Sections in this Resolution being to Sections of that Code.

B. This Final Decision is for the following Medical Marihuana Facility License Application ("Application"):

License Applied For: Provisioning Center
Named Applicant: Attitude Wellness, LLC
Facility Location: 3455 Highland
Initial Filing Date: 1/4/2021
Supplemental Filing: 11/17/2021
Application Number 12

C. The Application with any subsequent amendments or supplements needed for administrative completeness was reviewed by Township personnel as provided in Section 10-302 and by the Township Attorney as directed by the Board on May 24, 2021 ("Reviews").

D. Based on the Reviews and determinations made by the Board on June 14, 2021, the Application was substantively complete.

E. The Application was denied by the Township Board on July 26, 2021, pursuant to Sections 10-303(c) and 10-303 (d)(3) because there were no additional available licenses remaining for that type of license.

Final Decision Resolution Denying Medical Marihuana Facility License Application for Attitude Wellness, LLC, at 3455 Highland Rd, Application No. 12 Continued.

F. On October 12, 2021, the Township Board amended the MMFL Ordinance to increase the number of provisioning center licenses by four (4) and to allow for the acceptance of Supplemental Applications to update and rely on a previously denied Application. The Applicant filed a timely Supplemental Application by the due date, which was reviewed as required under Section 10-302 and was determined to be administratively complete.

G. The Application was one of many competing applications filed for the four (4) provisioning center licenses authorized by Section 10-298(a).

H. Section 10-303(c) provides that, "If as a result of the Board approving an application, there are no remaining authorized licenses for that type of licenses for that type of facility under Section 10-298, the remaining applications for that type of license shall be denied for that reason.", and Section 10-303(d)(3) provides that an application shall be denied if the type of facility license applied for is not available as a result of prior Township Board unexpired approvals.

I. Based on motions passed on February 25, 2022, and on March 14, 2022, the Board adopted Final Decision Resolutions Conditionally Approving four (4) of the competing applications for the available provisioning center licenses, prior to which the Named Applicants on those competing applications had accepted the Township's approval conditions.

J. A copy of this Final Decision Resolution was emailed by the Township Clerk to the Named Applicant's representative with Notice it would be considered for adoption by the Board at its March 28, 2022, 6:00 PM meeting.

K. At its meeting on March 28, 2022, the Board approved a motion to adopt this Resolution as its written Final Decision on the Application.

The application is denied because there are no remaining authorized provisioning center licenses **IT IS THEREFORE RESOLVED** that as required by Sections 10-303(c) and 10-303(d)(3), the Application is denied because there are no remaining authorized provisioning center licenses.

IT IS FURTHER RESOLVED that if the Ordinance is amended in the future to authorize one (1) or more additional provisioning center licenses, or if a license becomes available due to expiration of a prior approval, surrender or revocation or other reason, this denial shall not apply to or prevent an application by the Named Applicant for such a license as provided in the Ordinance as amended.

IT IS FURTHER RESOLVED that after certifying the adoption of this Final Decision Resolution including the vote on the Board's motion to do so, the Township Clerk shall email a copy to the Named Applicant's representative as provided in Section 10-303(f).

CERTIFICATION

I hereby certify that this Resolution was adopted by the Charter Township of Waterford Board of Trustees at a regular meeting of that Board on March 28, 2022.

Date

Kimberly Markee, Township Clerk

Final Decision Resolution Denying Medical Marihuana Facility License Application for Attitude Wellness, LLC, at 3455 Highland Rd, Application No. 12 Continued.

Moved by Bartolotta,
Seconded by Matsura, RESOLVED, to Deny the Medical Marihuana Facility License Application for Attitude Wellness, LLC, at 3455 Highland Road, Application No. 12. The application is denied because there are no remaining authorized provisioning center licenses. A roll call vote was taken.

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

Motion carried unanimously.

5.10 **Decision Resolution Denying Medical Marihuana Facility License Application for Revolution Strains, LLC, 3432 at Highland Rd, Application No. 16**

CHARTER TOWNSHIP OF WATERFORD
FINAL DECISION RESOLUTION DENYING
MEDICAL MARIHUANA FACILITY LICENSE APPLICATION

RECITALS:

A. This Resolution is adopted as a Final Decision by the Charter Township of Waterford ("Township") Board of Trustees ("Board") under the Township Medical Marihuana Facility Licensing Ordinance codified as Sections 10-291 through 10-309 in Division 12 of Article III in Chapter 10 of the Waterford Charter Township Code, with all references to Sections in this Resolution being to Sections of that Code.

B. This Final Decision is for the following Medical Marihuana Facility License Application ("Application"):

License Applied For: Provisioning Center
Named Applicant: Revolution Strains, LLC
Facility Location: 3432 Highland
Initial Filing Date: 1/4/2021
Supplemental Filing: 11/17/2021
Application Number: 16

C. The Application with any subsequent amendments or supplements needed for administrative completeness was reviewed by Township personnel as provided in Section 10-302 and by the Township Attorney as directed by the Board on May 24, 2021 ("Reviews").

D. Based on the Reviews and determinations made by the Board on June 14, 2021, the Application was substantively complete.

E. The Application was denied by the Township Board on July 26, 2021, pursuant to Sections 10-303(c) and 10-303 (d)(3) because there were no additional available licenses remaining for that type of license.

Decision Resolution Denying Medical Marihuana Facility License Application for Revolution Strains, LLC, 3432 at Highland Rd, Application No. 16 Continued.

F. On October 12, 2021, the Township Board amended the MMFL Ordinance to increase the number of provisioning center licenses by four (4) and to allow for the acceptance of Supplemental Applications to update and rely on a previously denied Application. The Applicant filed a timely Supplemental Application by the due date, which was reviewed as required under Section 10-302 and was determined to be administratively complete.

G. The Application was one of many competing applications filed for the four (4) provisioning center licenses authorized by Section 10-298(a).

H. Section 10-303(c) provides that, "If as a result of the Board approving an application, there are no remaining authorized licenses for that type of licenses for that type of facility under Section 10-298, the remaining applications for that type of license shall be denied for that reason.", and Section 10-303(d)(3) provides that an application shall be denied if the type of facility license applied for is not available as a result of prior Township Board unexpired approvals.

I. Based on motions passed on February 25, 2022, and on March 14, 2022, the Board adopted Final Decision Resolutions Conditionally Approving four (4) of the competing applications for the available provisioning center licenses, prior to which the Named Applicants on those competing applications had accepted the Township's approval conditions.

J. A copy of this Final Decision Resolution was emailed by the Township Clerk to the Named Applicant's representative with Notice it would be considered for adoption by the Board at its March 28, 2022, 6:00 PM meeting.

K. At its meeting on March 28, 2022, the Board approved a motion to adopt this Resolution as its written Final Decision on the Application.

IT IS THEREFORE RESOLVED that as required by Sections 10-303(c) and 10-303(d)(3), the Application is denied because there are no remaining authorized provisioning center licenses.

IT IS FURTHER RESOLVED that if the Ordinance is amended in the future to authorize one (1) or more additional provisioning center licenses, or if a license becomes available due to expiration of a prior approval, surrender or revocation or other reason, this denial shall not apply to or prevent an application by the Named Applicant for such a license as provided in the Ordinance as amended.

IT IS FURTHER RESOLVED that after certifying the adoption of this Final Decision Resolution including the vote on the Board's motion to do so, the Township Clerk shall email a copy to the Named Applicant's representative as provided in Section 10-303(f).

CERTIFICATION

I hereby certify that this Resolution was adopted by the Charter Township of Waterford Board of Trustees at a regular meeting of that Board on March 28, 2022.

Date

Kimberly Markee, Township Clerk

Decision Resolution Denying Medical Marihuana Facility License Application for Revolution Strains, LLC, 3432 at Highland Rd, Application No. 16 Continued.

Moved by Bartolotta,
Seconded by Matsura, RESOLVED, to deny Medical Marihuana Facility License Application for Revolution Strains, LLC, 3432 at Highland Rd, Application No. 16. The application is denied because there are no remaining authorized provisioning center licenses. A roll call vote was taken.

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

Motion carried unanimously.

5.11 **Final Decision Resolution Denying Medical Marihuana Facility License Application for Galaxy Farms Group, LLC, at 3560 Elizabeth Lake Rd**

CHARTER TOWNSHIP OF WATERFORD
FINAL DECISION RESOLUTION DENYING
MEDICAL MARIHUANA FACILITY LICENSE APPLICATION

RECITALS:

A. This Resolution is adopted as a Final Decision by the Charter Township of Waterford (“Township”) Board of Trustees (“Board”) under the Township Medical Marihuana Facility Licensing Ordinance codified as Sections 10-291 through 10-309 in Division 12 of Article III in Chapter 10 of the Waterford Charter Township Code, with all references to Sections in this Resolution being to Sections of that Code.

B. This Final Decision is for the following Medical Marihuana Facility License Application (“Application”):

License Applied For: Provisioning Center
Named Applicant: Galaxy Farms Group, LLC
Facility Location: 3560 Elizabeth Lake Road
Initial Filing Date: 1/4/2021
Supplemental Filing: 11/15/2021
Application Number: 18

C. The Application with any subsequent amendments or supplements needed for administrative completeness was reviewed by Township personnel as provided in Section 10-302 and by the Township Attorney as directed by the Board on May 24, 2021 (“Reviews”).

D. Based on the Reviews and determinations made by the Board on June 14, 2021, the Application was substantively complete.

E. The Application was denied by the Township Board on July 26, 2021, pursuant to Sections 10-303(c) and 10-303 (d)(3) because there were no additional available licenses remaining for that type of license.

Final Decision Resolution Denying Medical Marihuana Facility License Application for Galaxy Farms Group, LLC, at 3560 Elizabeth Lake Rd Continued.

F. On October 12, 2021, the Township Board amended the MMFL Ordinance to increase the number of provisioning center licenses by four (4) and to allow for the acceptance of Supplemental Applications to update and rely on a previously denied Application. The Applicant filed a timely Supplemental Application by the due date, which was reviewed as required under Section 10-302 and was determined to be administratively complete.

G. The Application was one of many competing applications filed for the four (4) provisioning center licenses authorized by Section 10-298(a).

H. Section 10-303(c) provides that, "If as a result of the Board approving an application, there are no remaining authorized licenses for that type of licenses for that type of facility under Section 10-298, the remaining applications for that type of license shall be denied for that reason.", and Section 10-303(d)(3) provides that an application shall be denied if the type of facility license applied for is not available as a result of prior Township Board unexpired approvals.

I. Based on motions passed on February 25, 2022, and on March 14, 2022, the Board adopted Final Decision Resolutions Conditionally Approving four (4) of the competing applications for the available provisioning center licenses, prior to which the Named Applicants on those competing applications had accepted the Township's approval conditions.

J. A copy of this Final Decision Resolution was emailed by the Township Clerk to the Named Applicant's representative with Notice it would be considered for adoption by the Board at its March 28, 2022, 6:00 PM meeting.

K. At its meeting on March 28, 2022, the Board approved a motion to adopt this Resolution as its written Final Decision on the Application.

IT IS THEREFORE RESOLVED that as required by Sections 10-303(c) and 10-303(d)(3), the Application is denied because there are no remaining authorized provisioning center licenses.

IT IS FURTHER RESOLVED that if the Ordinance is amended in the future to authorize one (1) or more additional provisioning center licenses, or if a license becomes available due to expiration of a prior approval, surrender or revocation or other reason, this denial shall not apply to or prevent an application by the Named Applicant for such a license as provided in the Ordinance as amended.

IT IS FURTHER RESOLVED that after certifying the adoption of this Final Decision Resolution including the vote on the Board's motion to do so, the Township Clerk shall email a copy to the Named Applicant's representative as provided in Section 10-303(f).

CERTIFICATION

I hereby certify that this Resolution was adopted by the Charter Township of Waterford Board of Trustees at a regular meeting of that Board on March 28, 2022.

_____ Date

_____ Kimberly Markee, Township Clerk

Final Decision Resolution Denying Medical Marihuana Facility License Application for Galaxy Farms Group, LLC, at 3560 Elizabeth Lake Rd Continued.

Moved by Bartolotta,
Seconded by Matsura, RESOLVED, to deny the Medical Marihuana Facility License Application for Galaxy Farms Group, LLC, at 3560 Elizabeth Lake Rd Continued. The application is denied because there are no remaining authorized provisioning center licenses. A roll call vote was taken.

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

Motion carried unanimously.

5.12 **Final Decision Resolution Denying Medical Marihuana Facility License Application for Holistic Vibes Flint, LLC, at 2135 Dixie Hwy, Application No. 23**

CHARTER TOWNSHIP OF WATERFORD
FINAL DECISION RESOLUTION DENYING
MEDICAL MARIHUANA FACILITY LICENSE APPLICATION

RECITALS:

A. This Resolution is adopted as a Final Decision by the Charter Township of Waterford (“Township”) Board of Trustees (“Board”) under the Township Medical Marihuana Facility Licensing Ordinance codified as Sections 10-291 through 10-309 in Division 12 of Article III in Chapter 10 of the Waterford Charter Township Code, with all references to Sections in this Resolution being to Sections of that Code.

B. This Final Decision is for the following Medical Marihuana Facility License Application (“Application”):

License Applied For: Provisioning Center
Named Applicant: Holistic Vibes Flint, LLC
Facility Location: 2135 Dixie
Initial Filing Date: 2/11/2021
Supplemental Filing: 11/17/2021
Application Number 23

C. The Application with any subsequent amendments or supplements needed for administrative completeness was reviewed by Township personnel as provided in Section 10-302 and by the Township Attorney as directed by the Board on May 24, 2021 (“Reviews”).

D. Based on the Reviews and determinations made by the Board on June 14, 2021, the Application was substantively complete.

E. The Application was denied by the Township Board on July 26, 2021, pursuant to Sections 10-303(c) and 10-303 (d)(3) because there were no additional available licenses remaining for that type of license.

Final Decision Resolution Denying Medical Marihuana Facility License Application for Holistic Vibes Flint, LLC, at 2135 Dixie Hwy, Application No. 23 Continued.

F. On October 12, 2021, the Township Board amended the MMFL Ordinance to increase the number of provisioning center licenses by four (4) and to allow for the acceptance of Supplemental Applications to update and rely on a previously denied Application. The Applicant filed a timely Supplemental Application by the due date, which was reviewed as required under Section 10-302 and was determined to be administratively complete.

G. The Application was one of many competing applications filed for the four (4) provisioning center licenses authorized by Section 10-298(a).

H. Section 10-303(c) provides that, "If as a result of the Board approving an application, there are no remaining authorized licenses for that type of licenses for that type of facility under Section 10-298, the remaining applications for that type of license shall be denied for that reason.", and Section 10-303(d)(3) provides that an application shall be denied if the type of facility license applied for is not available as a result of prior Township Board unexpired approvals.

I. Based on motions passed on February 25, 2022, and on March 14, 2022, the Board adopted Final Decision Resolutions Conditionally Approving four (4) of the competing applications for the available provisioning center licenses, prior to which the Named Applicants on those competing applications had accepted the Township's approval conditions.

J. A copy of this Final Decision Resolution was emailed by the Township Clerk to the Named Applicant's representative with Notice it would be considered for adoption by the Board at its March 28, 2022, 6:00 PM meeting.

K. At its meeting on March 28, 2022, the Board approved a motion to adopt this Resolution as its written Final Decision on the Application.

IT IS THEREFORE RESOLVED that as required by Sections 10-303(c) and 10-303(d)(3), the Application is denied because there are no remaining authorized provisioning center licenses.

IT IS FURTHER RESOLVED that if the Ordinance is amended in the future to authorize one (1) or more additional provisioning center licenses, or if a license becomes available due to expiration of a prior approval, surrender or revocation or other reason, this denial shall not apply to or prevent an application by the Named Applicant for such a license as provided in the Ordinance as amended.

IT IS FURTHER RESOLVED that after certifying the adoption of this Final Decision Resolution including the vote on the Board's motion to do so, the Township Clerk shall email a copy to the Named Applicant's representative as provided in Section 10-303(f).

CERTIFICATION

I hereby certify that this Resolution was adopted by the Charter Township of Waterford Board of Trustees at a regular meeting of that Board on March 28, 2022.

Date

Kimberly Markee, Township Clerk

Final Decision Resolution Denying Medical Marihuana Facility License Application for Holistic Vibes Flint, LLC, at 2135 Dixie Hwy, Application No. 23 Continued.

Moved by Bartolotta,
Seconded by Matsura, RESOLVED, to deny Medical Marihuana Facility License Application for Holistic Vibes Flint, LLC, at 2135 Dixie Hwy, Application No. 23. The application is denied because there are no remaining authorized provisioning center licenses. A roll call vote was taken.

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

Motion carried unanimously.

5.13 **Final Decision Resolution Conditionally Approving Medical Marihuana Facility License Application - Misty Mee, LLC, At 5325 Dixie Hwy, Application No. 26**

CHARTER TOWNSHIP OF WATERFORD
FINAL DECISION RESOLUTION CONDITIONALLY APPROVING
MEDICAL MARIHUNA FACILITY LICENSE APPLICATION

RECITALS:

- A. This Resolution is adopted as a Final Decision by the Charter Township of Waterford ("Township") Board of Trustees ("Board") on an application for a Township Medical Marihuana Facility License ("License") under the Township Medical Marihuana Facility Licensing Ordinance codified as Sections 10-291 through 10-309 in Division 12 of Article III in Chapter 10 of the Waterford Charter Township Code, with all references to Sections in this Resolution being to Sections of that Code.
- B. This Final Decision is for the following Medical Marihuana Facility License Application ("Application"):

License Applied For:	Processor
Named Applicant:	Misty Mee, LLC
Facility Location:	5325 Dixie Hwy
Application Filing Date:	11/17/2021
Application Number:	26
- C. The Application was reviewed by Township personnel as provided in Section 10-302 ("Reviews").
- D. Based on the Reviews and determinations made by the Board on February 28, 2022, the Application was substantively complete.
- E. By a motion passed by the Board on March 14, 2022, the Application was approved with one (1) condition in addition to those in Section 10-306 that are part of every approved License.
- F. A copy of this Resolution was emailed by the Township Clerk to the Named Applicant's representative with notice that it would be considered for adoption by the Board as its final decision at its March 28, 2022, 6:00 PM meeting.

Final Decision Resolution Conditionally Approving Medical Marihuana Facility License Application - Misty Mee, LLC, At 5325 Dixie Hwy, Application No. 26 Continued.

G. At its meeting on March 28, 2022, the Board adopted this Resolution as its written Final Decision on the Application.

IT IS THEREFORE RESOLVED that the Application is approved with all standards, terms, and conditions in Section 10-306 to be incorporated by reference in and requirements of the License that is issued based on this approval.

IT IS FURTHER RESOLVED that this approval is with the following additional condition that must be accepted in writing by the Named Applicant within 10 business days of the Township Clerk sending this certified Resolution to the Named Applicant:

The Site and Building Plans submitted for Zoning and Construction Code approvals being modified from what was submitted with the Application as necessary to fully comply with all Ordinance and Code requirements without variances.

IT IS FURTHER RESOLVED that the following requirements and guidelines shall apply in determining compliance with the times to start and complete construction in the Application:

1. The periods of time before, between, and after any actual dates used in the Application shall be controlling over those dates.
2. If a time in the Application is stated by reference to the date of a Township approval or permit, that shall be the date this Resolution is adopted or the date of Township Planning Commission conceptual site plan approval if that approval is applied for within 60 days of the date of this Resolution and thereafter diligently pursued by the Named Applicant.

IT IS FURTHER RESOLVED that after certifying the adoption of this Final Decision Resolution including the vote on the Board's motion to do so, the Township Clerk shall email a copy to the Named Applicant's representative as provided in Section 10-303(f).

CERTIFICATION

I hereby certify that this Resolution was adopted by the Charter Township of Waterford Board of Trustees at a regular meeting of that Board on March 28, 2022.

Date

Kimberly Markee, Township Clerk

Moved by Bartolotta,
Seconded by Monohon, RESOLVED, to approve Final Decision Resolution Conditionally Approving Medical Marihuana Facility License Application - Misty Mee, LLC, At 5325 Dixie Hwy, Application No. 26. A roll call vote was taken.

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

Motion carried unanimously.

6. Open Business
6.1 MMRMA Settlement – 6005 Highland Road, Ste. A

Moved by Bartolotta,
Seconded by Monohon, RESOLVED, that the Township Board approve the settlement agreement as recommended by counsel and as previously discussed in closed session on Friday, February 25, 2022, in the matter of MWT, Waterford, LLC v. Waterford Township. In addition, I move that we amend the water-sewer budget line item: 59044-86600 (Legal Settlements) in the amount of \$33,387.39 to financially accommodate this settlement. A roll call vote was taken.

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

Motion carried unanimously.

Supervisor Wall stated there was a faulty meter that was not reading properly.

6.2 Library Millage Resolution

This item was removed from the agenda.

6.3 Purchase of New Fire Hydrant Service Truck/Budget Amendment Request

The following memo was received from Justin Westlake, DPW director.

Please see the attached quotes for the purchase of a new Fire Hydrant Service Truck for the Water Department from Lafontaine Automotive Group, and the addition of the crane, air compressor, and cabinetry from Knapheide.

The new truck will be used daily to repair Waterford's fire hydrants that need service. The truck will be equipped with a crane large enough to lift and set hydrants that need to have parts replaced, or ones that get hit by cars. The truck is large enough to store parts for the different types of hydrants we have in our distribution system. It also has a large bed to transport hydrants to our shop that cannot be worked on out in the field.

The DPW tries to buy a few vehicles every year and keep our fleet relatively updated so we do not get in a situation where we need to replace a large portion of our fleet in one year and put unnecessary strain on the budget. This truck will be replacing a hydrant repair truck that has been in service for us since 1999. Once we have the new truck, we will look to send the current one out to auction.

Lafontaine and Knapheide are offering Government pricing to us through the MiDeal contract (see attached email).

Purchase of New Fire Hydrant Service Truck/Budget Amendment Request

These purchases were Board approved budget items for 2022. The price did come in \$7,680 over the budgeted amount of \$130,000. We are requesting a budget amendment of \$7,680 to account number 59045-97136, which is where these purchases will be coded.

Requested Board Action:

Approve a budget amendment to account # 59045-97136 in the amount of \$7,860 and authorize the purchase of the 2022 Chevy Silverado from Lafontaine Automotive Group in the amount of \$58,384, and the listed additions from Knapheide in the amount of \$79,296.

Moved by Markee,

Seconded by Bartolotta, RESOLVED, to approve a budget amendment to account # 59045-97136 in the amount of \$7,860 and authorize the purchase of the 2022 Chevy Silverado from Lafontaine Automotive Group in the amount of \$58,384, and the listed additions from Knapheide in the amount of \$79,296. A roll call vote was taken.

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

Nays: None

Absent: Thomas

Motion carried unanimously.

6.4 DPW Pick-Up Truck Purchase/Budget Amendment Request

The following memo was received from Justin Westlake, DPW director.

Please authorize Waterford Township DPW to purchase a new pick-up truck from Lunghamer Chevrolet in Waterford Township in the amount of: \$52,565.

The new truck will be used daily as an administrative vehicle for the Treatment Department. Our Water Supply Coordinator will use this truck to check on the various water treatment facilities, interconnects, booster stations, and sampling sites.

The DPW tries to buy a few vehicles every year and keep our fleet relatively updated so we do not get in a situation where we need to replace a large portion of our fleet in one year and put unnecessary strain on the budget. This truck will not be replacing a truck. We added an extra person to the Water Supply Department last year and this truck will bring the fleet up to capacity.

Our department has tried to secure Government pricing for our vehicles but were not able to find a dealership to offer us discounted pricing on this vehicle. This is an issue that is becoming more widespread, and we do anticipate it coming up again.

This purchase was a Board approved budget item for 2022. The price did come in \$12,565 over the budgeted amount of \$40,000. We are requesting a budget amendment of \$12,565 to account number 59045-97136, which is where this purchase will be coded.

DPW Pick-Up Truck Purchase/Budget Amendment Request Continued.**Requested Board Action:**

Approve a budget amendment to account # 59045-97136 in the amount of \$12,565 and authorize the purchase of the 2022 Pick-up truck from Lunghamer Chevrolet in the amount of \$52,565

Trustee Monohon inquired if alternatives are looked into. Mr. Westlake stated that after use this will be moved to a work truck.

Supervisor Wall inquired if the truck will be available for use on Earth Day.

Clerk Markee inquired if this truck is replacing a vehicle. Mr. Westlake stated that it is replacing a 1999 Truck and it will be sold at auction.

Moved by Bartolotta,
Seconded by Markee, RESOLVED, to approve a budget amendment to account # 59045-97136 in the amount of \$12,565 and authorize the purchase of the 2022 Pick-up truck from Lunghamer Chevrolet in the amount of \$52,565. A roll call vote was taken.

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

Motion carried unanimously.

6.5 **Jack's Roadside BBQ Licensing Agreement**

The following memo was received from Jeff Polkowski,

The applicant is seeking to remodel and expand an existing 1,508 sq. ft. restaurant facility with a modified site and circulation design and the addition of a 639 sq. ft. building expansion. The entirety of the building improvements are on the subject property. However, in order to design this establishment in a safe and functional manner, the site entrance and several parking spaces are located on the adjacent Township owned Shell Park entrance.

The applicant has already received approval from the Planning Commission and Zoning Board of Appeals for this development as designed. The applicant is now seeking to enter a licensing agreement with the Township in order to make the portion of improvements on Township owned property.

Proposed terms of this licensing agreement include and upfront initial cost of \$2,100 with a monthly fee of \$175.00. There is a late fee of \$30 if payment is more than 15 days late. The terms of this contract are to last 5 years with an option to renew upon expiration.

Planning staff, Parks and Recreation Staff, and Legal Counsel have no objections to this proposal and feel that this license would not impede the functionality of Shell Park in any way.

Staff will be available at Monday's meeting for any questions on this case. However, if you have any questions in advance of the meeting, please contact this office.

Jack's Roadside BBQ Licensing Agreement Continued.**LICENSE AGREEMENT**

This License Agreement ("Agreement"), made and entered into on the date it has been signed by both Parties, is between the Charter Township of Waterford, a Michigan municipal corporation ("Township"), whose address is 5200 Civic Center Drive, Waterford, MI 48329, and Jack's Roadside BBQ ("Licensee"), whose Resident Agent is Trevor Aronson and registered office address and place of business 4355 Dixie Highway, Waterford, MI 48329 ("remises").

RECITALS:

- A. Licensee is the owner of the Premises, upon which it operates and maintains a restaurant establishment and building know as Jack's Roadside BBQ ("Jack's BBQ). At its southwest or rear property line, the Premises abuts a Township owned property

Lot 19 of "Supervisor's Plat No. 22" being a replat of Drayton Plains, Linbury's Add. To Drayton Plains and part of Section 10, T3N, R9E, Waterford Township, Oakland County, Michigan, according to the Plat thereof as recorded in Liber 34 of Plats, Pages 56 & 56A, Oakland County Records (Tax Parcel No. 13-10-326-002).

- B. Licensee would like to use a portion of Shell Park for a driveway access aisle to the Jack's BBQ building and for additional parking spaces in a portion of Shell Park abutting the Premises to the rear of the Jack's BBQ building.
- C. Licensee will make improvements to the area it wishes to use in Shell Park to address safety concerns of the Township which are described and depicted on the attached Exhibit A, ("Licensed Premises").
- D. Subject to the terms and conditions of this Agreement that Licensee has accepted and agreed to, the Township, by its Board of Trustees, has determined to grant License permission to use make improvements to the Licensed Premises.

IT IS THEREFORE AGREED:

1. Grant of License. Upon Licensee timely making the April 1, 2022, payment described in Section 2, the Township grants to Licensee a nonexclusive, revocable license to occupy, use, and make improvements to the Licensed Premises as depicted and described in Exhibit A, for the sole purpose of driveway access aisle to the Jack's BBQ building and to allow for additional parking and loading, subject to and in accordance with all terms and conditions of this Agreement. These use rights may be suspended at any time by the Township for any public purpose or public health, safety and welfare reason, including Parks and Recreation, Public Works, Police and/or Fire Department needs or operations. Licensee assumes all risk of damage to its improvements on the Licensed Premises that may be caused by such a suspension or Township activities on the Licensed Premises or Shell Park, and hereby waives and releases the Township from any claims for such damage. The Township shall retain all power and control of the Licensed Premises when not in use by the Licensee.
2. Compensation. Licensee shall pay the Township the sum of \$2,100.00 on or before April 1, 2022, and monthly license fees payable in advance in the amount of \$175.00 on or before the first day of each month during the term of this Agreement, beginning on April 1, 2022. Payments that are more than 15 days late shall include a late charge of \$30.00, and at the Township's option exercised by written notice to Licensee, shall allow for this Agreement and the license granted by it to be immediately revoked, or for all remaining payments to be accelerated and immediately due and payable.

Jack's Roadside BBQ Licensing Agreement Continued.

3. Construction, Use and Maintenance. The only improvements or structures Licensee is permitted to place on the Licensed Premises are those shown and described in Exhibit A. Licensee shall follow the Grading and Utility Plans shown and described in Exhibit B. The Licensed Premises shall not be used for storage of any kind, and Licensee shall be responsible for assuring that there is no deposit or release of any contaminated water, solvents, or hazardous substances onto the Licensed Premises. No additional improvements may be made until the Township has approved them. Licensee's use of and improvements to the Leased Premises shall comply with all Township and other governmental laws, codes, ordinances, permit, approval, and certificate requirements and conditions. Licensee shall maintain the Licensed Premises in a clean, safe, aesthetic, and good condition, shall repair or replace its improvements if determined necessary by the Township, and shall remove all debris and litter on a regular basis. Licensee shall be solely responsible for all costs and expenses of complying with the requirements of this Section.
4. Insurance. The Licensee shall maintain in full force and effect a commercial general liability insurance policy, with coverages in amounts acceptable to the Township, naming the Charter Township of Waterford as first additional insured, and shall provide the Township with Certificate(s) of Insurance confirming compliance with this Section at all times this Agreement is in effect.
5. Term, Termination, and Amendments. This Agreement does not grant Licensee a property interest in the Licensed Premises and shall be for a term that ends on March 31, 2027, upon revocation by the Township under Section 1, or upon a sale of the Premises or any part thereof by Licensee. Upon termination of this Agreement, the Township may retain, or require Licensee to remove, any improvements and restore the Licensed Premises and Shell Park to the same or better condition than that which existed on the date of this Agreement. This License may be amended or terminated at any time by mutual agreement of the parties.
1. Indemnification. Licensee shall defend, pay on behalf of, indemnify and hold harmless the Township, its elected and appointed officials, employees and volunteers, and other persons working on behalf of the Township, from and against any and all claims, demands, suits, or loss, including all costs and attorney fees connected therewith, and from any and all damages which may be asserted, claimed, or recovered for personal injury, including bodily injury or death and/or property damage, including loss of use thereof, arising out of or in any way connected or associated with this Agreement and improvements and activities on, or the use and maintenance of the Licensed Premises. The Township shall provide notice to Licensee within a reasonable time of the receipt of any claim arising under this Agreement or relating to the Licensed Premises.
2. No Third-Party Beneficiaries. This Agreement is not intended to confer any benefit on any person or entity that is not a Party, or a successor or assign, to this Agreement.
3. Notices. Notices may be given by personal or courier delivery or certified mail at the parties' addresses in this Agreement, with notices to the Township to be to the attention of the Township Supervisor and Parks and Recreation Superintendent.
4. Entire Agreement. This Agreement contains the entire agreement between the Parties for the use of the Licensed Premises and all prior uses, negotiations and agreements are merged herein.

Jack’s Roadside BBQ Licensing Agreement Continued.

Neither the Township nor its employees or officials have made any representations or commitments that are not contained in this Agreement.

CHARTER TOWNSHIP OF WATERFORD

By:

Gary Wall, Township Supervisors

STATE OF MICHIGAN)
) ss.
COUNTY OF OAKLAND)

This License Agreement was acknowledged before me on March__, 2022, by Gary Wall, Supervisor of the Charter Township of Waterford, for and on behalf of the Charter Township of Waterford.

Notary Public
Oakland County, Michigan
Acting in Oakland County, Michigan
My Commission Expires:

Moved by Bartolotta,
Seconded by Monohon, RESOLVED, to approve Jack’s Roadside BBQ Licensing Agreement. A roll call vote was taken.

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

Motion carried unanimously.

Mr. Polkowski addressed the Board regarding the agreement. He stated that there would be parking on Township Property.

6.6 Email Security Services

The following memo was received from Jared Black, IT Director.

In order to keep up with current cyber-security challenges, the IT Department has identified the need to make changes to the products we use to secure our email system.

We currently use a mix of on-premise and cloud-based products to fulfill the following purposes:

- Spam filtering: Barracuda on-premise “Email Firewall”
- Email Archiving: Barracuda on-premise “Email Archiver”
- Security Awareness Training: KnowBe4 cloud-based training modules
- Attachment Threat Prevention: Checkpoint “Threat Extraction” module on our firewall

Email Security Services Continued.

A document describing what each of these items means is attached. These products are employed to protect the Township network from cyber threats and fraud attempts that come in the form of email messages. One of these products provides also backups of email messages that can be used for both disaster recovery, as well as retrieval for FOIA requests and legal discovery.

When totaled together, these solutions have an annual budgeted cost of around \$25,000.

All but one of these products are “on-premise,” meaning that they require physical computer hardware and disk storage located within Township Hall. They also require maintenance by skilled employees, and physical resources within our buildings. They are also easily impacted by any conditions that would make the on-premise network unavailable, such as network problems at Township Hall, power outages, etc. “Cloud-based” services, on the other hand, means purchasing services from a company that will take care of these functions on the vendor’s networks and computer resources, rather than requiring Township-owned resources. This takes the load off internal IT staff, frees up internal computer resources, and in some cases can provide better security and availability.

We intend to move the Township’s email system itself to a cloud-based solution in the near future, and you will be hearing more from me about this later in the year. First, however, we need to move our email **security** solutions into the cloud as a way of preparing for this. The cloud-based security solution we are proposing will work with either on-premise or cloud-based email systems. Therefore, by moving the security solutions to the cloud now, we will see the benefits right away with our current email system, as well as smoothing the transition to a cloud-based email system later on.

Attached is a quote from CDWG for a product called “Barracuda E-Mail Protection Premium Plus”, which is a cloud-based email security solution that encompasses all of the above-listed functions, plus some additional features we do not currently have. This purchase would replace the \$25k cost detailed above with a single product that will perform all the above-listed security functions, plus:

- Data Loss Prevention
- Phishing and Impersonation Protection
- Account Takeover Protection
- Automatic Remediation
- Threat Hunting and Response
- Domain Fraud Protection
- Data Inspector
- Cloud-to-Cloud Backup

A document explaining each of these features is attached.

The attached quote is for \$33,525 (this is an annual cost). This is approximately \$8,000 more than what we are currently paying for the basic security protections mentioned at the beginning of this memo. However, the additional security features, and the benefits that go with it being cloud-based is worth the cost difference. For the 2021 budget year, this difference can be absorbed into the current budget, due to other products being less costly than originally anticipated, so no budget amendment is needed at this time.

This pricing is based on the Sourcewell pre-bid government contract. The Township procurement policy states that products on such contracts are exempt from competitive quote and sealed-bid requirements, but do require Township Board approval.

Email Security Services Continued.

At this time, I would like to request approval of the purchase of one year of "Barracuda E-Mail Protection Premium Plus" from CDWG on the Sourcewell contract for \$33,525, per the attached quote.

Feel free to contact me with any questions.

Mr. Black answered questions from the Board of Trustees regarding pricing and compatibility.

Moved by Bartolotta,

Seconded by Hauswirth, RESOLVED, to approve the purchase of one year of "Barracuda E-Mail Protection Premium Plus" from CDWG on the Sourcewell contract for \$33,525.00, per the attached quote. A roll call vote was taken.

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

Nays: None

Absent: Thomas

Motion carried unanimously.

6.7 Applications Administrator Staff Position

The following memo was received from Jared Black, IT Director.

In October of 2021, the IT Department position of Applications Administrator became vacant when the previous occupant left for other opportunities.

The Applications Administrator is responsible for maintaining and supporting enterprise-wide applications, including, but not limited to:

- ERP ("Enterprise Resource Planning" – in other words, the system used for accounting, financials, payroll, purchasing, receivables, and utility billing)
- Time and Attendance (i.e., tracking employee hours worked, absences, etc.)
- Permit and Licensing Systems
- GIS
- Public Works Asset Management/Work-Order systems
- Recreation Program Management
- Document Management
- IT Asset Management & Ticketing System

There are also numerous other specialized systems used by various departments that are also supported by the individual in this position. The occupant of this position is also expected to assist with many other general IT support issues in conjunction with other IT team members. From 2017 to 2021, the person who held this role was responsible for servicing 24% of the support tickets tracked in our ticketing system.

This staff position is very critical our operations as an IT Department, as well as to the Township as a whole. I and my staff have been doing the best we can to cover the gap in staffing levels. So far we have managed to keep things running, but sooner or later our level of service to the Township will begin to suffer if we do not get this position filled.

Applications Administrator Staff Position Continued.

We have been attempting to fill this position since November. Besides placing the job posting on the Township web site, we advertised on Dice.com, which is a well-known IT-specific job board. We used this service when we filled the Desktop Support Analyst position earlier in 2021, and were successful in hiring an employee who has so far worked out very well. However, when advertising the Applications Administrator position, we received very little interest. We only received one application after about a month-and-a-half of advertisement. We interviewed that applicant, but decided at the time that they were not the best fit. I also investigated promoting staff from within, but that ended up not working out either.

In order to make this job posting more attractive to potential applicants, I am proposing the following:

- Revise the job description, making it more concise, and reducing some of the skill level requirements.
- Advertise more aggressively.
- Raise the salary grade level from Grade 6 to Grade 7.

Raising the salary will require a budget amendment and approval by the Township Board, which is why I am bringing this forward at this time. Raising this position from Grade 6 to Grade 7 will result in approximately \$4,000 per year additional cost in the IT Department salaries line item (12550-7030), plus whatever related increase in fringe benefit line items may be necessary. Because we are part-way into the year, the increase in budget for the 2021 budget year will be minimal. Of the \$4,000 per-year increase, we can deduct approximately four months of salary, as I do not anticipate hiring anyone before May 1 at best (and in all likelihood it will be even later than that). This would result in a \$2,700 increase in the salary line item, plus benefits, for 2021. However, we need to keep in mind the subsequent increase for 2023 and beyond.

If these changes fail to attract sufficient interest in the position, we may have to look at a contract-to-hire company and/or make further changes to the job description and possibly outsource some aspects of it.

At this time, I would like to request approval of changing the Applications Administrator position from Grade 6 to Grade 7, and amending the IT Department salary budget to increase by \$2,700, plus whatever related increases in fringe benefits to be calculated by Payroll staff.

For your reference, I have attached a draft of the revised job description.

Moved by Markee,

Seconded by Matsura, RESOLVED, to approve of changing the Applications Administrator Staff Position for IT from Grade 6 to Grade 7. A roll call vote was taken.

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

Nays: None

Absent: Thomas

Motion carried unanimously.

6.8 Approval of Additional to Single Source Vendor List

The following memo was received from Barb Miller, Accounting & Budget.

The Board approved the Single Source Vendor List for 2022 at the February 25 meeting. I am requesting your approval to add Lockton Michigan to this list. Lockton Michigan is a company that provides benefit-consulting services. The representatives assigned to our account are Rob Vogelie and R.J. Cieslak. Rob and R.J. have worked with the Township on its health insurance and retiree health insurance programs for approximately six years, including cost saving measures for both programs. They have provided the Township with a high level of service and have a great deal of institutional knowledge concerning our health insurance programs.

Please contact me if you have any questions.

Moved by Markee,

Seconded by Bartolotta, RESOLVED, to approve the additional vendor to the Single Source Vendor List. A roll call vote was taken.

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

Nays: None

Absent: Thomas

Motion carried unanimously.

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

Mr. Grant Smith, Waterford Youth

The Youth Nomination will end on March 31st. If you have noticed a youth to be nominated, please visit Waterfordyouthassistance.com and complete a nomination form.

At the Great Lakes Restaurant on Thursday, March 31st, the Waterford Optimist Club will recognize students that submitted an essay, "How an Optimistic Mindset Will Change Your Future." Please join us to honor the students.

Mr. Robert Palawski, 6167 Grace K Drive

Mr. Palawski addressed the Board of Trustees and spoke against the potholes on Grace K Drive.

Trustee Bartolotta stated residents should start with a Special Assessment District and inquired if he submitted the bill to the Oakland County Road Commission.

Mr. David Hattie, 4857 Shoreline Drive

Mr. Hattie discussed local road conditions.

Supervisor Wall stated that there is some Tri-Party funding for "cut-through" funds. Supervisor Wall said he requested to use Tri-Party financing, but the RCOC denied the request.

ADJOURNMENT

Moved by Bartolotta,
Seconded by Markee, RESOLVED, to adjourn the meeting at 7:03 p.m. A roll call vote was taken.

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

Nays: None

Absent: Thomas

Motion carried unanimously.

Kim Markee, Clerk

Gary Wall, Supervisor