

**NEW BUFFALO TOWNSHIP PLANNING COMMISSION
REGULAR MEETING/PUBLIC HEARING
July 11, 2023 6:30 PM
17425 RED ARROW HIGHWAY,
NEW BUFFALO, MI 49117**

1. ROLL CALL & PLEDGE OF ALLEGIANCE

Roll Call: Armstrong, Arvanitis, Iazzetto, Lauricella, Levine, Nesci, Schmidt

Pledge of Allegiance

2. PUBLIC COMMENT (LIMITED TO 3 MINUTES EACH) –

3. PUBLIC HEARING – #1 Special Land Use Case Number 2023-07-01

The Planning Commission will hear comments on the request of CSAB Green LLC regarding Petition for Special Land Use to operate an Adult-Use (recreational) Marihuana Retail Establishment at 19253 M-239, New Buffalo, MI 49117 parcel 11-13-0015-0011-27-5.

PUBLIC HEARING CORRESPONDENCE (If any received)

PUBLIC COMMENT (LIMITED TO 3 MINUTES EACH) –

PUBLIC HEARING – #2 Special Land Use Case Number 2023-07-02

The Planning Commission will hear comments on the request of Covington Plaza Investors LLC regarding Petition for Special Land Use to operate an Adult-Use Marihuana Retail Establishment at 10168 US 12, New Buffalo, MI 49117 parcel 11-13-0012-0004-02-9.

PUBLIC HEARING CORRESPONDENCE (If any received)

PUBLIC COMMENT (LIMITED TO 3 MINUTES EACH) –

PUBLIC HEARING – #3 Special Land Use Case Number 2023-07-03

The Planning Commission will hear comments on the request of Simple AG New Buffalo LLC regarding Petition for Special Land Use to operate an Adult-Use Marihuana Retail Establishment and Processor at 13992 Grand Ave, New Buffalo, MI 49117 parcel 11-13-3100-0001-02-9 and 11-13-3100-0016-00-0.

PUBLIC HEARING CORRESPONDENCE (If any received)

PUBLIC COMMENT (LIMITED TO 3 MINUTES EACH) –

4. BUSINESS SECTION

The Special Land Use applications have been reviewed under the following standards from the New Buffalo Township Zoning Ordinance Article 6.3 Standards for Approval:

A. Adequacy of Information. The site plan shall include all required information in sufficiently complete and understandable form to provide an accurate description of the proposed uses and structures.

B. Site Design Characteristics. All elements of the site design shall be harmoniously and efficiently organized in relation to topography, the size and type of parcel, the character of adjoining land uses, and the type and size of buildings. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted by these regulations. Where boundary concerns are present, the Zoning Administrator may require a staked survey.

C. Appearance. Landscaping, earth berms, fencing, signs, walls, and other site features shall be designed and located on the site so that the proposed development is aesthetically pleasing and harmonious with nearby existing or future developments.

D. Compliance with district requirements. The site plan shall comply with the district requirements for minimum floor space, height of building, lot size, open space, density and all other requirements set forth in the Schedule of Dimensional Requirements, Section 2.2, unless otherwise provided in these regulations.

E. Emergency vehicle access. All buildings or groups of buildings shall be so arranged as to permit convenient and direct emergency vehicle access.

F. Ingress and egress. Every structure or dwelling unit shall be provided with adequate means of ingress and egress via public streets and walkways.

G. Pedestrian circulation. The site plan shall provide a pedestrian circulation system that is insulated as completely as is reasonably possible from the vehicular circulation system.

H. Vehicular and pedestrian circulation layout. The arrangement of public and common ways for vehicular and pedestrian circulation shall respect the pattern of existing streets or pedestrian ways in the vicinity of the site. The width of streets and drives shall be appropriate for the volume of traffic they will carry. In order to ensure public safety and promote efficient traffic flow and turning movements, the applicant may be required to limit street access points or construct a secondary access road.

I. Drainage. Grading and drainage shall comply with the Berrien County Drain Commission and all other applicable state and federal requirements.

J. Soil erosion and sedimentation. The proposed development shall include measures to prevent soil erosion and sedimentation during and upon completion of construction, in accordance with Berrien County Erosion Control Standards. Article 6 Site Plan Review New Buffalo Township Zoning Ordinance 126

K. Exterior lighting. Exterior lighting shall be designed so that it is deflected away from adjoining properties, visual glare is minimized, and so that it does not impede vision of drivers along adjacent streets, as specified in this ordinance.

L. Public services. Adequate services and utilities, including water, sanitary sewer, and stormwater control services, shall be available or provided, and shall be designed with sufficient capacity and durability to properly serve the development.

M. Screening. Off-street parking, loading and unloading areas, outside refuse storage areas, and other storage areas that are visible from adjacent homes or from public roads, shall be screened by walls or landscaping of adequate height as specified in this ordinance.

N. Danger from hazards. The level of vulnerability to injury or loss from incidents involving hazardous materials or processes shall not exceed the capability of the Township to respond to such hazardous incidents to prevent injury and loss of life and property. In making such an evaluation, the Township shall consider the location, type, characteristics, quantities, and use of hazardous materials or processes in relation to the personnel, training, equipment and materials, and emergency response plans and capabilities of the Township. Sites that include storage of hazardous materials or waste, fuels, salt, or chemicals shall be designed to prevent spills and discharges of polluting materials to the surface of the ground, groundwater, and public sewer system.

O. Health and safety concerns. Any use in any zoning district shall comply with applicable Federal, state, county, and local health and pollution laws and regulations with respect to noise; dust, smoke and other air pollutants; vibration; glare and heat; fire and explosive hazards; gases; electromagnetic radiation; radioactive materials; and toxic and hazardous materials.

P. Sequence of development. All development phases shall be designed in logical sequence to ensure that each phase will independently function in a safe, convenient, and efficient manner without being dependent upon subsequent improvements in a later phase or on other sites.

a. Special Land Uses

Special Land Use Case Number 2023-07-01; CSAB Green LLC

Findings of Fact:

_____The New Buffalo Township Zoning Administrator has received copy of all applicable applications required to obtain operating licenses and approval from LARA/CRA along with copy of any pre-approval letters.

_____The New Buffalo Township Engineering firm Wightman & Associates has conducted a site plan review in compliance with the above stated standards and submitted its findings to the Township.

Special Land Use Case Number 2023-07-02; Covington Plaza Investors LLC

Findings of Fact:

_____The New Buffalo Township Zoning Administrator has received copy of all applicable applications required to obtain operating licenses and approval from LARA/CRA along with copy of any pre-approval letters.

_____The New Buffalo Township Engineering firm Wightman & Associates has conducted a site plan review in compliance with the above stated standards and submitted its findings to the Township.

Special Land Use Case Number 2023-07-03; Simple AG New Buffalo LLC

Findings of Fact:

_____The New Buffalo Township Zoning Administrator has received copy of all applicable applications required to obtain operating licenses and approval from LARA/CRA along with copy of any pre-approval letters.

_____The New Buffalo Township Engineering firm Wightman & Associates has conducted a site plan review in compliance with the above stated standards and submitted its findings to the Township.

b. Excused Absences (if any)

c. Approve Minutes

5. CORRESPONDENCE

6. ADJOURNMENT