

**NEW BUFFALO TOWNSHIP BOARD
REGULAR BOARD MEETING
August 21st, 2023 4:00 P.M.
17425 Red Arrow Hwy. New Buffalo, MI 49117**

1. ROLL CALL

Roll Call: Heit, Iazzetto, Rahm, Rogers & Zabicki

Absent: None

Pledge of Allegiance

2. ITEMS TO LATE FOR THE PRINTED AGENDA

Add an invoice from Industrial Door for \$410 to the Consent Agenda

Add Ordinance #20230821B "An Ordinance adopting codification of NBT Ordinances".

3. APPROVE AGENDA

Rahm moved, Rogers supported to approve the agenda.

Roll Call Vote:

Heit	Yes
Iazzetto	Yes
Rahm	Yes
Rogers	Yes
Zabicki	Yes

Motion CARRIED

5. REPORTS

- Building
- Fire
- GRSD
- Library
- LRSB
- Marina
- NBARA
- Park

Pine Grove Cemetery
Pokagon Fund
Police

6. PUBLIC COMMENT

7. CONSENT AGENDA

Rogers moved, Heit supported to approve items on the consent agenda.

Minutes of the July 17th Meeting

Treasurer's Report

Bills

1. Building \$8,253.65
2. General \$33,686.70
3. LRSB Discretionary \$0
4. Marina \$5,120.72
5. Park Millage \$55,823.44
6. Payroll \$135,320.73
7. Public Safety Millage \$79,897.24
8. Sewer & Water \$134,217.68
9. Trust & Agency \$4,317.50

Approve Michigan Townships Association Emergency Services training in Frankenmuth, MI for Fire Chief Jamie Flick and Capt. Dan Mandalis in the amount of \$125.00 each, plus hotel and meals.

Approve annual GIS maintenance agreement with Wightman & Associates in the amount of \$4,000.00.

Approve annual insurance premium increase of \$1,450.00 for the Fire Truck Actual Replacement Coverage.

Approve bond payment to USDA in the amount of \$18,826.77 for Kruger & Glassman Water Assessment.

Approve Supervisor Michelle Heit to attend Michigan Township's Association of Supervisor's conference in the amount of \$365 plus mileage and lodging.

Approve hiring 'A Clean Getaway' to clean Townline Rd. Restrooms in Union Pier at a rate of \$100 per week, upon providing proof of Workman's Comp Insurance and a W-9.

Approve an Invoice from Industrial Door in the amount of \$410.00.

Roll Call Vote:

Heit	Yes
Iazzetto	Yes
Rahm	Yes
Rogers	Yes

Zabicki Yes

Motion CARRIED

8. NEW BUSINESS

a. Zoning Map Amendment

Zabicki moved, Rogers supported to approve rezoning the portion of land, 20 ft in width, located between US 12 Highway and Amtrak, parcel number 11-13-0001-0005-06-0 located at 10299 US12 from AGR to C-2 in order to be consistent with the zoning of surrounding properties which will correct an oversight when the zoning map was adopted.

Roll Call Vote:

Heit Yes

lazzetto Yes

Rahm Yes

Rogers Yes

Zabicki Yes

Motion CARRIED

b. SLU Approval-CSAB Green LLC

Heit moved, Zabicki supported to approve a preliminary approval of CSAB Green LLC for SLU case # 2023-07-01 to operate an Adult-Use-Marihuana Retail Establishment at 19253 M-239 being 11-13-0015-0011-27-5 based on the Findings of Fact obtained by the Planning Commission at their public hearing held on July 11th, 2023 with the condition that a parking variance be obtained through the Zoning Board of Appeals.

Roll Call Vote:

Heit Yes

lazzetto Yes

Rahm Yes

Rogers Yes

Zabicki Yes

Motion CARRIED

c. SLU Approval-Covington Plaza Investors LLC

Rahm moved, lazzetto supported to approve a preliminary approval of Covington Plaza

Investors LLC for SLU case # 2023-07-02 to operate an Adult-Use Marihuana Retail Establishment at 10168 US 12 being 11-13-0012-0004-02-9 based on the Findings of Fact obtained by the Planning Commission at their public hearing held July 11th, 2023 with the condition that a minimum setback waiver be obtained.

*The waiver has been received and recorded with the Berrien County Register of Deeds Office.

Roll Call Vote:

Heit	Yes
lazzetto	Yes
Rahm	Yes
Rogers	Yes
Zabicki	Yes

Motion CARRIED

d. SLU Approval-Simple AG New Buffalo LLC

Rogers moved, Zabicki supported to approve a preliminary approval of Simple AG New Buffalo LLC for SLU Case # 2023-07-03 to operate an Adult-Use Marihuana Establishment and Processor at 13992 Grand Ave being 11-13-3100-0001-02-9 & 11-13-3100-0016-00-0 based on the Findings of Fact obtained by the Planning Commission at their public hearing held July 11th, 2023.

Roll Call Vote:

Heit	Yes
lazzetto	Yes
Rahm	Yes
Rogers	Yes
Zabicki	Yes

Motion CARRIED

e. SLU Approval-El Dorado LLC

lazzetto moved, Rogers supported to approve a preliminary approval of El Dorado LLC for SLU Case # 2023-07-04 to operate an Adult-Use Marihuana Retail Establishment at 19281 US 12 being 11-13-2700-0008-00-0; 19285 US 12 being 11-13-2700-0007-00-3; 19291 US 12 being 11-13-2700-0006-00-7; and 13700 El Dorado Blvd being 11-13-2700-0009-00-6 based on the Findings of Fact obtained by the Planning Commission at their public hearing held on July 11th, 2023 with the condition that a parking variance be obtained through the Zoning Board of Appeals.

Roll Call Vote:

Heit	Yes
lazzetto	Yes
Rahm	Yes
Rogers	Yes
Zabicki	Yes

Motion CARRIED

f. SLU Approval-Jars Holdings LLC

Heit moved, Rogers supported to approve a preliminary approval of Jars Holdings LLC for SLU case # 2023-07-05 to operate an Adult-Use Marihuana Establishment at 19650 M-239 being 11-13-0023-0008-02-0 based on the Findings of Fact obtained by the Planning Commission at their public hearing held July 18th, 2023 with the condition that a parking variance be obtained through the Zoning Board of Appeals.

Roll Call Vote:

Heit	Yes
lazzetto	Yes
Rahm	Yes
Rogers	Yes
Zabicki	Yes

Motion CARRIED

g. SLU Approval-Jars Holdings LLC

Rahm moved, lazzetto supported to approve a preliminary approval of Jars Holdings LLC for SLU Case # 2023-07-06 to operate an Adult-Use Marihuana Establishment at 19799 US 12 being 11-13-0019-0007-01-7 based on the Findings of Fact obtained by the Planning Commission at their public hearing held July 18th, 2023 with the condition that a parking variance be obtained through the Zoning Board of Appeals.

Roll Call Vote:

Heit	Yes
lazzetto	Yes
Rahm	Yes
Rogers	Yes
Zabicki	Yes

Motion CARRIED

h. SLU Approval-Casey Kornoelje

Zabicki moves, Rogers supported to approve preliminary approval of Casey Kornoelje for SLU Case # 2023-07-09 to operate an Adult-Use Marihuana Retail Establishment at 19267 US 12 being 11-13-2700-0019-00-1; portions of 13713 El Dorado Blvd being 11-13-2700-0036-01-1; portions of 19251 US 12 being 11-13-2700-0021-00-6 based on the Findings of Fact Obtained by the Planning Commission at their public hearing held July 18th, 2023.

Roll Call Vote:

Heit	Yes
Iazzetto	Yes
Rahm	Yes
Rogers	Yes
Zabicki	Yes

Motion CARRIED

i. Outdoor Assembly Permit

Heit moved, Zabicki supported to approve an Outdoor Assembly Permit Application for Seeds Brewery at 16321 Red Arrow Highway, Union Pier, MI 49117 on October 7th, 2023.

Motion CARRIED

j. Land Division/Property Line Adjustment Application Fee

Zabicki moved, Heit supported to approve increasing the Land Division/Property Line Adjustment Application fee to \$200.00, effective August 22, 2023.

Motion CARRIED

k. 9 Days Early Voting Resolution

Heit resolved, Iazzetto supported to adopt Resolution 20230821A regarding 9 Days of Early Voting.

Resolution ADOPTED

l. Discussion: NBAS Affordable Housing Project

m. Discussion: Exit 4 Water & Sewer SAD

n. General Code Ordinance Resolution

Zabicki resolve, Heit supported to adopt Ordinance 20230821B, an Ordinance adopting a Codification and Revision of the Ordinances of New Buffalo Township, County of Berrien, State of Michigan.

Roll Call Vote:

Heit	Yes
Iazzetto	Yes
Rahm	Yes
Rogers	Yes
Zabicki	Yes

Resolution ADOPTED

9. BOARD COMMENTS

10. ADJOURNMENT

Rahm moved, Rogers supported to adjourn at 5:04 pm

Motion CARRIED

SUBMITTED BY

Judith H. Zabicki
New Buffalo Township Clerk