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June 19, 2024

**VIA EMAIL: [zoning@villageofpinckney.org](mailto:zoning@villageofpinckney.org)**  
**AND OVERNIGHT FEDEX**

Julie Durkin  
Village of Pinckney  
220 S. Howell  
Pinckney, MI 48169

**Re: The Means Project / 935 M-36, Pinckney, Michigan  
Special Land Use Permits – One Year Extension Request  
Marihuana Grower  
Marihuana Processor  
Marihuana Retailer  
Our File No.: 5903.1**

Dear Ms. Durkin:

As you are aware, our firm represents The Means Project, LLC (“The Means”) and The Means M.A.A.B. Partnership, LLC (“The Partnership”). The Partnership is the owner of the former Pinckney Elementary School, which is located at 935 M-36, Pinckney, Michigan 48169. On or about June 7, 2021, The Partnership received the Planning Commission’s approval of its Special Land Use Permit application. On or about June 14, 2021, The Partnership received the Village Council’s approval of its Special Land Use Permit application.

Subsequently, on June 16, 2021, The Means engaged B5 Contractor Services, LLC (“B5”) to service as the General Contractor for the convert the former Pinckney Elementary School, which is roughly 40,000 square feet, into a marihuana grower, processor, and retailer facility (“Project”). B5 immediately commenced its work on the Project and proceeded to engage numerous subcontractors to perform work on the Project. Unfortunately, in the spring of 2023, the Project came to a halt and there was roughly a year of litigation that followed between the various parties involved. The litigation has been resolved and all claims have been dismissed.

The Means and The Partnership appreciates the Village of Pinckney’s patience while working through the litigation. Now, The Means and The Partnership and looking to continue the Project, without the involvement of B5. The Means and The Partnership are in the process of interviewing potential contractors who have prior experience with constructing a marihuana facility. The Partnership is requesting that the Village of Pinckney extend its Special Land Use Permit, which will allow The Means to retain its three (3) marihuana licenses for the Project, (i) grower, (ii) processor, and (iii) retailer. The Means and The Partnership understand the

importance of extending the Special Land Use Permits (one for each of the marihuana licenses), to allow for the retention of these marihuana licenses for the Project.

The Means and The Partnership value their relationship with the Village of Pinckney. The original goal to revitalize the former Pinckney Elementary School remains intact. Now that the hurdles have been resolved, The Means and The Partnership are focused on engaging a contractor to complete the Project. The Means and The Partnership understand the importance of getting the Project operational to the Village of Pinckney and the employment opportunities it will have for the local community. Once fully operational, The Means intends to employ at least two (2) to four (4) dozen full time employees.

The Partnership is asking for a one-year extension of the three (3) Special Land Use Permits. This will allow The Partnership to engage a new contractor, pull the necessary permits, and resume construction in accordance with the previously approved Site Plan. Contemporaneous with this Special Land Use Permit application, The Partnership is also submitting for re-approval of its Final Site Plan.

Very Truly Yours,

DENEWETH, VITTIGLIO & SASSAK, P.C.

/s/ Jacob A. Kahn

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cc: Client (via email)

5903.1/061924 Ltr to Pinckney

Ms. Amy asked what the minimum is to be considered a playground. Durkin stated that the special land use was granted based on the site plan that she provided. We went a step further based on the Planner's recommendation that the details of the play equipment, etc. could be reviewed and approved administratively so that there would not be a need to come back before the Commission to work out the specific details. What is required is spelled out in our ordinance based on the number of children.

Discussion was held on when the approvals expire. It was stated that the deadline for the completion of the site work expires today. The site plan itself expires in November. Ms. Amy stated that she was not aware that she was suppose to provide a new site plan. Durkin stated again that all of the information was spelled out in her email. Ms. Amy asked if she is supposed to understands the Zoning Administrator's job through osmosis. Durkin stated that she could have called village hall or requested a meeting, etc. just as she has done in the past. Ms. Amy stated that she would prefer to communicate with President Lavey.

The question was asked what happens if the Commission does not grant an extension. Durkin stated that the Special Land Use expires today and she would not be able to continue using that site for this purpose.

Motion by Smith, supported by Hartman

To extend the completion of the conditions of the special land use until September 1, 2024

The question was asked if we should move that until October 1<sup>st</sup>. Durkin stated that the site plan expires November 1<sup>st</sup> which leaves very little time to accomplish everything. Ms. Amy indicated that she is fine with September 1. Durkin stated that again, if the applicant does not intend to complete the playground with fencing and landscaping, she will have to seek a variance through the Zoning Board of Appeals and then submit a revised plan accordingly. Public hearings will be required.

VOTE: Ayes: 7      Nays: 0      Absent: 1      MOTION CARRIED

## 2. Request for Extension of Special Land Uses (3)

Applicant: The Means  
Location: 935 W. Main Street (4714-22-300-003)  
Request: The applicant is requesting an extension of 3 Special Land Uses (Grower Class C, Process, Retailer)

ZA Durkin stated that she has laid out in her report what has taken place since the beginning of the project. The applicant is present to answer any questions. It has been roughly 14 months since construction ceased. Their site plan has expired and will require re-approval. Before that can happen, we need to consider the extension of the three special land uses for the grower, processor and retail. This should be in the form of a recommendation for approval or denial to the Village Council.

Jacob Kahn, Attorney for The Means Project explained the litigation that has taken place with the project over the past year and a half. That has since been resolved, and the partnership has changed slightly. They have applied for re-approval of the site plan which has remained unchanged. The owners are in the process of interviewing contractors who will post a new bond and proceed with pulling the necessary permits. They are asking for an extension on the special land use permits while they continue this process.

Motion by Hartman, supported by Gee

To recommend to Village Council approval of the one- year extension of the Special Land Use for The Means Project at 935 W. Main Street for the Marihuana Grower facility

ROLL CALL VOTE:      Gee – Yes  
                                 Hartman - Yes  
                                 Lavey - Yes  
                                 Smith - Yes  
                                 Wagner - Yes  
                                 Oliver – No

MOTION CARRIED      (1 absent)

Motion by Hartman, supported by Gee

To recommend to Village Council approval of the one- year extension of the Special Land Use for The Means Project at 935 W. Main Street for the Marihuana Processor facility

ROLL CALL VOTE:      Gee – Yes  
                                 Hartman - Yes  
                                 Lavey - Yes  
                                 Smith - Yes  
                                 Wagner - Yes  
                                 Oliver – No

MOTION CARRIED      (1 absent)

Motion by Hartman, supported by Gee

To recommend to Village Council approval of the one- year extension of the Special Land Use for The Means Project at 935 W. Main Street for the Marihuana Retail facility

ROLL CALL VOTE:      Gee – Yes  
                                 Hartman - Yes  
                                 Lavey - Yes  
                                 Smith - Yes  
                                 Wagner - Yes  
                                 Oliver – No

MOTION CARRIED      (1 absent)

- 3. Public Hearing - Special Land Use Application – 2024-001-SLU  
Public Hearing - Pinckney Development (Essence-Pinckney)  
Location:      1268 E. M-36 (4714-23-400-008)  
Request:      Applicant is seeking approval of both a Gas Station & Fast-Food Restaurant

Chairperson Oliver opened the public hearing at 7:29 p.m.

Mike Panczyk of 9484 Wendover Ct., Brighton stated that in addition to supporting the Police Chiefs comments, he would like to point out the fundamental difference between this proposal and the prior proposal, which is a single marihuana facility versus combing a marihuana facility with a gas station and restaurant. He further discussed the