

NELSON TOWNSHIP
Planning Commission Meeting
Nelson Township Municipal Building
2 Maple Street
Sand Lake, Michigan 49343

Wednesday, May 18, 2016
7:00 P.M.

MINUTES

Commissioners Present: Hoffman, Stolk, Wall, Litwinchuk, and Covell.

Commissioners Absent: Grifhorst, McKown.

Also Present: Zoning Administrator Jerry Gross, Township Attorney Ross Leisman.

Approval of Agenda: A motion was made by Hoffman to approve the May 18, 2016 agenda with the removal of 6c Review Capital Improvement Plan. Yes – 5, No – 0, Absent – 2.

Approval of March 16, 2016 Minutes: A motion was made by Hoffman and seconded by Litwinchuk to approve the March 16, 2016 minutes as presented. Yes – 5, No – 0, Absent – 2.

Comments from the Public – Items not on Agenda. Dan Larabel from Allen Edwin Land Development team, 795 Clyde Court, Byron Center, Michigan introduced himself and stated that Edwin Allen wants put in a 13-unit Open Space Planned Unit Development at the southeast corner of 18 Mile and Shaner. They desire to put in the 900-foot street this fall. He then asked for a special meeting in June. The Planning Commission Members agreed to the special meeting. Attorney Leisman clarified that the June 15, 2016 meeting would be the preliminary meeting required under the ordinance and the public hearing could be held in July if all application requirements are met.

Public Hearing: **Mining Operations, Parcel #41-03-05-300-001,**
 Mike Baczewski, 17550 Ritchie, Sand Lake, MI 49343

Stolk opened up the public hearing. Matt Baczewski gave a brief explanation of the request stating that this is a renewal of what they were previously doing and are working within the same footprint. He also said that dust control is not a big concern because Ritchie is paved; trucks can go in both directions without too much noise. He stated the crusher would be in the hole so there wouldn't be much noise and it would only run for a couple of weeks at a time.

Darlene Brewer, 17201 Ritchie, stated concerns about the noise of the stone crusher and Baczewskis bringing in stone and concrete from off site to be crushed. She also presented a petition with 19 signatures to Hoffman that states the petitioners don't want a stone crusher because of the noise factor.

There was then discussion about how much material will be brought in off site, how many times a year the crusher will be operated, and the fact that this is the second mining operation on Ritchie, so not all of the noise comes from this particular site.

The public hearing was closed. Attorney Leisman went through the draft resolution explaining that he modeled it after the 2005 Baczewski approval as well as recent mining approvals. After discussion between the Planning Commission members, Attorney Leisman will redraft the resolution as follows:

8(a) Strike everything after the first sentence.

8(b) Remove in its entirety.

8(c) 25 mph will be changed to 45 mph. It was clarified that the speed limit of the street cannot be changed, but signs will be posted on the Baczewski mining property requesting that trucks follow this speed limit or risk losing the special use.

9(a) This section will be rewritten to remove the 11-axle language and add trailer, dump trucks, loaders, and excavation equipment.

9(b) Language will be added to this section to limit crushing during the hours of 8:00 a.m. – 5:00 p.m. Monday – Friday. Crushing will be limited to no more than 20 days per year with no more than 10 days in a 30-day period.

10(a) Language will be added to control dust and dirt accumulation on a daily basis.

10(b) This section will be deleted.

13. In the third line, language will be deleted to reflect that the amount of the performance bond will be determined by the Township Engineer.

New Business:

Mining Operations, Parcel #41-03-05-300-001,
Mike Baczewski, 17550 Ritchie, Sand Lake, MI 49343

Hoffman, seconded by Wall, motioned to approve the resolution with the above changes.
Yes – 5, No – 0, Absent – 2.

Unfinished Business:

Attorney Leisman will present to the Planning Commission a draft sign ordinance at the July 20, 2016 meeting.

Comments from Commissioners: None.

Extended Public Comments: Loretta Lee, 6340 18 Mile Road, asked for clarification about how property owners can provide input regarding the proposed Edwin Allen development. Stolk explained the public hearing will be held on July 20, 2016 and she can present her comments to the commission if she attends. Attorney Leisman explained to Ms. Lee that the special hearing on June 15, 2016 is not a public hearing, but if she wants her concerns addressed, she should send a letter by June 1 for review by the Planning Commission.

Next Meeting:

The next special meeting of Planning Commission meeting is set for June 15, 2016 at 7:00 p.m.

The next regular meeting of the Planning Commission is set for July 20, 2016 at 7:00 p.m.

Adjournment:

Hoffman motioned to adjourn, Wall seconded.

Yes – 5, No – 0, Absent – 2.

The meeting was adjourned at 8:11 p.m.

Christine M. Witt
Recording Secretary