

VEVAY TOWNSHIP PLANNING COMMISSION
Regular Meeting
Wednesday, April 4, 2018
Vevay Township Hall – 7:00 p.m.

MINUTES

Members present: Jack Cady, John Lazet, Chris Lewis, Pattie McNeilly, Jim Minster, Bruce Walker, and Al Winters.

Members absent: None.

Other Persons present: Supervisor Jesse Ramey.

I. Call to Order: The meeting was called to order at 7:00 p.m. by Chair McNeilly.

II. Pledge of Allegiance

The audience joined the Commission in reciting the Pledge of Allegiance.

III. Set/Amend Agenda

The agenda was accepted as presented.

IV. Approval of Minutes: Regular Meeting 3-14-2018

No amendments were offered.

MOTION Cady, seconded by Walker, to approve the March 14, 2018, Regular Meeting minutes as submitted.

CARRIED 7-0.

V. Brief Public Comment

There was no public comment.

VI. Reports

A. March 2018, AGS Building/Zoning Report

The written report indicated that there were two building/zoning permit actions, involving an addition to a home, and a re-roof. There has been no resident progress on the outstanding authorizations to enforce the Zoning Ordinance.

B. City of Mason Public Hearing Notice for a Special Use Permit/Site Plan Review from the Mason Hospitality Group for a *Sleep Inn – Mainstay Hotel* @ West Kipp Road (near Jewett Road), Mason, Michigan

Previously distributed to Commissioners was a copy of the 7-page Special Use Permit application, as well as the five-page site plan submitted by the Mason Hospitality Group for a proposed four-story hotel and conference center, just west of the Kipp Road interchange with US 127. The facility would include 72 rooms and various amenities, 124 parking spaces, and have a conference capacity of 200 persons. The parcel is just north of several smaller parcels that have frontage on Kipp Road. The proposed road for ingress to the hotel would be in line with Franklin Farm Drive, though the plan does not propose linking with that Drive. The public hearing is scheduled to be held at the Mason City Hall on Tuesday, April 10, 2018, at 6:30 pm.

C. Correspondence from Residents George and Melody Bigg re: Business Activity Concerns @ 1937 West Barnes Road, Leslie, MI (Vevay Township)

Previously distributed to Commissioners was a letter from the Biggs addressed to the Board and the Planning Commission, received March 28, 2018, expressing "...my frustration and concern over activity taking place on property ... located at 1937 W. Barnes Road." The Biggs are near neighbors of the parcel. Their stated concerns involved parking of trucks and heavy equipment on the 5-acre parcel; Barnes Road being "...periodically blocked by a large trailer truck bringing in loads, sometimes after dark."; and the general nuisance of recently occurring operations on the property. They ask for "...your serious and immediate attention."

COMMISSION – had discussion on the condition of the property and the operations currently being conducted on site.

VII. Pending Business

A. Consider Amendment to Zoning Ordinance, Chapter 16, Special Land Use

COMMISSION – used Comm. Walker’s previously distributed draft as a starting point. Discussion was extensive, and the Commission tentatively concluded that:

- Instead of a free-standing “Purpose” section, the intent be included within the pertinent standards, conditions, and required plans.
- As general exemptions for “Excavations” are already covered by Sec. 3.03 of the Ordinance and are applicable to all districts, that Section could be referenced for clarity.
- Some definition of terms may be needed, such as “processing”.
- Copies of required permits from other governmental agencies be submitted to the Township prior to commencement of operations.
- Applications include at least one copy of studies, maps or other pertinent materials submitted to other governmental agencies in requesting permits or authorization. Examples would be materials submitted to the DEQ and the Ingham County Drain Commissioner.
- If another governmental agency already enforces aspects of operations, such as protection of surface water and ground water, those agencies should be the ones to address any concerns raised by residents or the Township.
 - Comm. Minster – noted that his understanding is that under Michigan caselaw, a land owner’s right to a functional potable water well supersedes the right to nearby commercial dewatering operations.
- Comm. Minster distributed copies of a DEQ publication titled “Managing Fugitive Dust” as an example of how another governmental agency already sets standards and certain technological requirements for minimizing dust issues during gravel mining extraction

and crushing operations. It was noted that residents complaining of dust could possibly call the DEQ for enforcement actions on dust.

- Perhaps instead of a five-year permit renewal, the Township would be better served by the Zoning Administrator focusing on annual inspections, addressing any concerns as they occur. The operator could be asked to supply information for key aspects of operation that could then be included in the Zoning Administrator's report to the Township.
- Language possibly be clarified that failure to meet the conditions of a SLU permit could be grounds for revocation of the permit. Such failure would need objective metrics, such as violations sustained by other governmental agencies. There was discussion on whether the state law allowing the extraction of minerals allows local sanctions if state or county sanctions have already been imposed for the identical actions, or for Township specific standards of operation.
- The possibility of an escrow fund be considered for reimbursing Township costs of inspecting operations based on complaints.
- Flexibility be a consideration in addressing noise. For instance, require temporary berms instead of just setbacks for specific operations such as crushing. It was noted that as the Township noise standards are in the General Ordinance, that should be clearly noted during the application process.
- The prohibition on off-site dewatering be maintained, while leaving management of on-site water to the applicant.

VIII. Any Other Business

Chair McNeilly – noted that the 2018 Ingham County Surface Water Round Table will be held in Conference Room “A” of the Ingham County Human Services Building on Wednesday, April 25, starting at 9:00 am.

IX. Additional Public Comment

There was no public comment.

X. Adjournment

There being no further business, the meeting was adjourned at 8:59 p.m.

John Lazet, Secretary