

VEVAY TOWNSHIP PLANNING COMMISSION
Regular Meeting
Wednesday, August 8, 2018
Vevay Township Hall – 7:00 p.m.

MINUTES

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

Members absent: Bruce Walker *with notice*.correction9-5-18

Other Persons present: Supervisor Jesse Ramey and legal counsel David Revore.

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 of July 11, 2018

No amendments were offered.

MOTION Cady, seconded by Winters, to approve the July 11, 2018, Regular Meeting minutes as submitted.

CARRIED 6-0.

V. Brief Public Comment

There was no public comment.

VI. Reports

A. July 2018, Building/Zoning Report

The written report indicated that there were four building/zoning permit actions, involving construction of two pole barns, a re-roofing/siding project (permit not needed), and placement of a sign. Three violation/attorney letters have been sent, regarding living in a trailer next to a residence in need of significant repair, an unauthorized business on Barnes Road, and a violation of junk in the front yard.

B. City of Mason Final Site Plan for Special Land Use Permit/Site Plan Review from the Mason Hospitality Group for a Sleep Inn-Mainstay Hotel @ W Kipp Road

Commissioners earlier received a weblink to the documents posted by the City of Mason. The proposal is for a 72 guest room hotel/conference center just north of Kipp Road, just west of US 127, and across from Jewett Road.

C. Sunset Acres Report

Zoning Administrator Ramey reported that he has inspected the property and found all buildings and improvements to be “neat and well cared for.” Sunset Acres LLC also presented to him evidence of prior uses that today are non-conforming; in his capacity as the interim Zoning Administrator he sent the owners a letter dated July 31, 2018, acknowledging which activities would be considered non-conforming prior uses that would continue to be acceptable uses.

In response to questions, Mr. Ramey noted that according the office of the Register of Deeds the property was purchased as Camp Kiwanis in the 1940s, predating the Vevay Zoning Ordinance. In the 1990s more property was added, and some property was later sold off. The camp was rented to the Boy Scouts, who exercised most of the uses being discussed today. When the Zoning Ordinance was first adopted in 1957, the Camp activities were considered to be non-conforming prior uses that were grandfathered in. The Township has not previously placed any restrictions on the camp uses, and has never challenged any of the other non-conforming uses. The two lodges and two halls were constructed circa 1989, complete with natural gas and electric service from Consumers Energy. As the improvements have never been assessed, he asked the Township Assessor to do so; the improvements are valued at \$150-200,000.

The new property owners started the process last year of providing the Township with documentation of prior usage, such as the published rates for rental of the facilities. Prior uses are not being expanded. As the Ordinance only allows what is specifically stated, any other use would be prohibited. What they are doing is not permitted under the Ordinance, and so requiring a SLU permit would stop most of what they are proposing to do.

VII. Pending Business

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

This item was tabled for the night.

B. Set Public Hearing for Special Land Use Application by John Fischer/Anderson Fischer & Associates, Inc., for Sand/Gravel Mine

Mr. Fischer – explained the proposal to renew gravel mining operations on the site of the former Crazy C gravel mine. He purchased the five parcels, about 186 acres, to include the new area to be mined, the haul roads, and the entrance to Barnes Road. The site has been mined for 30 years. The former owner retained Mr. Fischer’s firm to restore the site. The site is mostly mined out, but there are still two sand and gravel natural ridges left as they were not part of the former business plan. He is proposing to mine the ridges above the water table only, and to level out the area for future residential development.

Soil borings indicate several hundred thousand cubic yards of sand and gravel, with cobble nearer the bottom of the ridges. Sand will be the main product, with any stones that need to be

crushed being set aside until there is sufficient amount to bring in a crusher. Crushing would be once per season, likely in mid-summer, and would run for a few weeks.

Mining is proposed on about 20 acres total on two of the five parcels. Other parcels were purchased specifically to have access to Barnes Road, the sole access to the road system. Once on Barnes, the trucks would go either east to Meridian Road, or west to US 127. While there is an existing two track road that accesses Kelly Road, the Ingham County Road Department will not allow gravel trucks/trains to run on that road. The parcel on the NW corner of Barnes and Kelly Roads has two residences and is currently being lumbered by the owners – it is not one of his parcels. There are a few very small stockpiles left, and the former major stockpiling area has been rehabilitated. His firm, Anderson-Fischer Associates, Inc., will perform the actual operations except for crushing. As the existing haul roads are gravel, there should be minimal dust. They will have a water truck on site with a spray bar to abate dust throughout the day.

The water in the current ponds is down 12 feet or so from grade level. Mud Creek is not on any of his parcels. There is also a large hole about 40-50 feet deep, that is now a regulated wetland. The soil borings did not reach water table, as there is no intention of mining below the water table, and so no dewatering or pumping of water is proposed. If precipitation fills an area being mined, that surface water would be pumped to another pond on site. His environmental consultant has been in communication with the MDEQ and advises that no wetlands will be affected by their operations. He will need a soil erosion permit from the Ingham County Drain Commissioner.

Product will be screened and stockpiled essentially where it is mined; there will be no conveyors. There will be no fuel tanks on site, as they have fuel trucks with spill response equipment. The current plan is to mine and haul product offsite to worksites. If demand slows, they will stockpile roughly 20,000 tons, then stop mining and wait for demand to reduce the stockpiles.

The estimated start date is October 1, 2018, but no contracts or projects require mining this fall. All of the estimates of tonnage, stockpiling, etc., are in the high-level estimate range. Sand is the highest demand product as it's required for backfilling any large construction site. The site will be rehabilitated as any area is finished mining; they will restore as they go. If crushing occurs, there will still be a 45-50 foot ridge between the operation and neighboring residences.

Given the current market and the amount of product in the ridges, Mr. Fischer estimates being finished with all aspects of the mining operation within five years.

In response to questions – his current costs are about \$10,000 per acre for placing topsoil, grading, and seeding. A reclamation bond could be about this amount. The Township would be allowed access to the property for complaints or for the annual inspection.

COMMISSION – the site plan and SLU permit application need to:

- Correct the spelling of “Barnes” Road.
- reflect the name of the corporation that owns the parcels, Majestic Land LLC.
- reference all parcels used in any portion of the operation, and their legal descriptions.
- include narrative on the proposed crushing operations, including location on the site plan, hours of operation, noise rating for both the generator and the crusher, the calendar time

of estimated use of a crusher, and how much product is likely to be crushed both daily and in total per season.

- location of stockpiles.
- include narrative on how fuel storage and re-fueling on site will be handled.
- ultimately include the Mine Safety and Health Administration training certificate, and pit number.

COMMISSION – as they are reviewing plans they didn't request or prepare, and Commissioners have no experience in mining, the interim Zoning Administrator was asked to work with legal counsel and Comm. Minster to retain a consultant with experience in gravel mining to review the submitted materials. A revised site plan and SLU permit application are anticipated to be reviewed during the regular September meeting of the Commission.

VIII. Any Other Business

No other business was discussed.

IX. Additional Public Comment

There was no public comment.

X. Adjournment

There being no further business, the meeting was adjourned at 9:56 p.m.

John Lazet, Secretary