

VEVAY TOWNSHIP PLANNING COMMISSION
Regular Meeting
Wednesday, December 5, 2018
Vevay Township Hall – 7:00 p.m.

MINUTES

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

Members absent: Pattie McNeilly (*with notice*) revised 1-9-19.

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 Vice-chair Walker.

II. Pledge of Allegiance

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

III. Set/Amend Agenda

The agenda was accepted as submitted.

IV. Approval of Minutes: Regular Meeting of November 7, 2018

No amendments were offered.

MOTION Cady, seconded by Winters, to approve the November 7, 2018, Regular Meeting minutes as submitted.

CARRIED 6-0.

V. Brief Public Comment

There was no public comment.

VI. Reports

A. November 2018, Building/Enforcement Report

The written report indicated that there were four building/zoning permit actions, involving placement of a sign, and setting of three sets of piers in Mason Manor Mobile Home Park.

One remaining authorization to enforce the Ordinance remains, involving junk in a front yard. A court hearing was held November 28, 2018. The owner had not responded to any of the Township contacts, but showed up in court. The court ruled in favor of the Township, allowing the Zoning Administrator to enter the property and prepare a clean-up plan. An inspection is anticipated within about 30 days.

VII. Pending Business

- A. Review SLU Permit application to Revise SLU permit #72 by Michigan Trapshooting Association @ 1534 W. Service Road, Mason (set public hearing)

Commissioners had received an application for revisions to the special conditions/requirements added by the Township Board to the SLU permit in 1990 and 1994.

J. B. Lewis, President of the MTA – the SLU permit dates back to 1990, and the MTA had been using the facility for several decades prior to the permit being issued. This facility is the third largest trapshooting facility in the world, with 43 traps. Other facilities in the state include: Dundee, with 3 traps; east Jackson, with 4; Manchester, with 1; Walker, with 4; Seaway (Muskegon), with 2; Fruitport, with 4; Kingsley, with 4; Reed City, with 2; and Niles, with 4. The two larger facilities are in Linn Creek, MO (60 traps), and a state park in Sparta, IL, with 120 traps. The club also has 200 camp sites for mobile trailers. Mr. Lewis states that it has become “very cramped” during events, with participants using the Waterloo State Recreation Area for overflow camping. They have a hall that can be rented by members or non-profits; there were no rentals in 2018, and 4 days rental in 2017 (United Association of Plumbers and Pipefitters). Supervisor Ramey – the MTA is planning on selling parcel #33-10-10-20-400-001 in the NE corner.

Mr. Lewis – MTA hosted a total of 24 shooting days in 2018, including hosting the U.S.A. High School Clay Target national championship, with over 1,000 shooters participating that week-end. Other shooting events average 400-450 shooters. The MTA has also hosted the state championship event, with an estimated 350 shooters in 2017, 590 in 2018, and an anticipated 750 shooters in 2019 (July 10-13). In 2019, the MTA anticipates being able to schedule 30 event shooting days. There are 4 lighted traps, which are most commonly used at the end of an event when a shoot-off is required to break a tie and determine a winner. The population of shooters has changed dramatically with the closure of the auto manufacturing plants. As a 501(c)(3), they maintain financial standing by having shoots. Mason, Holt, and Leslie high school teams have asked for permission to use the facility to practice, with each team potentially having 20-30 members.

Mr. Lewis – lead is reclaimed when economically feasible (roughly ten tons), which currently takes about 6 years to accumulate. Profits are split between the harvester and the MTA. The practice is to sample one cubic foot of soil (6” x 1’ by 2’) and if sufficient lead is found, to harvest a strip about 35 yards wide, from 75-105 yards out from the shooting stations. This should recover about 85% of the expended shot. It was noted that water testing had been performed during the 1990s, after decades of shooting, and no lead was found either in the creek or in the groundwater. Commissioners clearly expressed their concerns that any contamination of surface or ground water be the fiscal responsibility of the MTA and not the Township.

Special Condition Requested changes:

#1 – Lagoon Sanitary Waste System – the system is permitted and inspected every year; a copy of the permit should be on file with the Township. MTA is requesting no changes.

#2 – Shooting days per month – the MTA is requesting the following number of event shooting days: May – 12 days; June – 12 days; July – 12 days; August – 4 days; September – 6 days; and October – 2 days. While these add to 48 days with only an anticipated 30 actual days in 2019, the MTA believes these numbers should be good for several years.

#3 – Practice days twice weekly – three area high schools have contacted the MTA about teams using their facility from March through October: Holt Public Schools, Mason Public Schools, and Leslie Public Schools. Practice time would be approximately 2 hours per day. Availability of MTA personnel to man the stations would be the limiting factor on the number of days. The actual days of the week and the hours have not been decided.

#4 – Four lighted traps – as these are only used for events and for tie-breakers at the end of the day, and as some events are getting larger, they are asking to extend the time limit from being able to start after 10 pm to turning off lights by 10:30 pm.

#5 – Dust control – the MTA has paved portions of the road, and applies chloride as needed to the rest of the road surfaces. No changes requested.

#6 – Amplification limits – the prohibition on amplified sound prior to 8:45 a.m. is requested to be changed to 8:30 a.m. unless there are more than 1,000 shooters participating. It was noted that there is no limit on when shooting can start, only on amplified announcements and the playing of the National Anthem.

#7 – Lead reclamation – as opposed to every three years, they are requesting whenever it is economically feasible. Harvesters will not participate unless a certain threshold of material is met. The application proposes to submit to the Township lead deposition test results (of one cubic foot of soil) every three years, or possibly more frequently if shooting picks up, as is anticipated.

#8 – Environmental contamination by lead – they are proposing a condition that if their operation is deemed to have resulted in contamination that needs to be remediated, the MTA is responsible “...to rectify this problem in a timely manner.”

MOTION Lewis, seconded by Cady, to set a public hearing on the requested changes to SLU permit #72, Michigan Trapshooting Association, during the regular Commission meeting at 6:30 p.m. on January 9, 2019.

CARRIED 6-0.

B. Site Plan Review Request for a Small Solar Array from Don & Margaret Brown @ 504 Diamond Road, Mason

The Commission reviewed the various Ordinance requirements as reflected in the submitted documents, and several questions were asked of both the Browns and Mr. Alex Neeley of Solar King, LLC, who will be installing the panels and wiring.

1. SSES Authorization, Review and Approval Procedures:

a. An SSES is an authorized accessory use in all districts. SSES mounted on the ground by way of posts or other support structure mounted on or in the ground shall be subject to Planning

Commission approval, upon the receipt of a complete application and the Planning Commission finds that the application complies with the standards of this subsection (A). – Conditions met.

b. An application for a SSES need not include a site plan prepared according to Chapter 14, but the application shall include a scaled property line survey showing north arrow; property dimensions, bearings, lot area, legal description, and parcel or lot number; the location and footprint of existing driveways, buildings and structures and distances of buildings and structures from lot lines; existing public and private right-of-ways and easements; existing location of septic drain field and potable water well and other existing and proposed utility locations; and structures on adjacent properties within 100 feet of a shared lot line. The Zoning Administrator may require a property line survey prepared by a Michigan-licensed surveyor, and the delineation of existing structures on the property as part of such survey, in the case where a more detailed or official delineation of property lines and structures is necessary to ensure compliance with this Section. – Conditions met. The Browns added the location of the septic drain field and the existing utility line to the Township copy of their application.

2. SSES General Provisions

a. Mechanical equipment, excluding solar panels, shall be screened from view from public streets and any property within a designated Agricultural or Residential District, by a masonry wall, evergreen vegetation or other screening measure of a similar effectiveness and structural integrity. – Conditions met. The equipment is now mounted with the panels and covered with a wire mesh enclosure to protect both wildlife and children.

b. Solar energy system equipment, excluding solar collection panels, are prohibited in a front yard and may be installed in a required side and rear yard setback but shall not be located within ten (10) feet of a lot line. – Conditions met.

c. Solar collection panels shall be placed such that concentrated solar radiation or solar glare shall not be directed onto nearby properties and public roads. The applicant shall submit documentation to verify compliance with this section. When deemed necessary, the Zoning Administrator may require a report from a registered civil engineer or other professional deemed qualified by the Zoning Administrator, attesting to the glare and radiation impact on nearby properties and public roads. – Conditions met.

d. Solar collection panels shall not cause the district's maximum lot coverage standards to be exceeded. Where solar collection panels are to result in an increase of 8,000 square feet or more of impervious surface, the application shall include a drainage plan prepared by a registered civil engineer showing how storm water runoff will be managed so as not to encourage erosion or additional drainage upon adjacent properties, and the flooding of drainage courses serving the property including roadside ditches. – Conditions met.

a. If detergents are to be used to clean solar panels, details on the type of detergent, frequency and quantity of use, and storm water quality protection measures shall be provided. Any necessary permits from outside agencies for off-site discharge shall be provided. – N/A.

4. Ground-Mounted Systems

a. Ground mounted solar collection panels shall comply with the standards for accessory structures for the district in which the panels are to be located except that in no case shall the panels exceed fifteen (15) feet in height in a designated Agricultural or Residential District. – Conditions met.

b. In the case of a ground mounted solar panel(s) located on a lot that is adjacent to a lot in a designated Agricultural or Residential District, a minimum twenty (20) foot wide greenbelt shall be established between the panel(s) and all lot lines. On any side of the panels, the greenbelt shall be of a length equal to the length of the panel(s) plus an additional twenty (20) feet at each end of the panels so as to screen the panel(s) when viewed from an angle. The greenbelt shall be planted with one (1) evergreen tree per twenty (20) linear feet of greenbelt and such trees shall be spaced no less than fifteen (15) feet and no greater than twenty-five (25) feet apart. In addition, three (3) shrubs shall be located between the spaced evergreen trees. Shrubs shall be a minimum height of three (3) feet at the time of their planting. Trees shall be a minimum height equal to seventy-five percent (75%) of the height of the panel(s). Required greenbelts need not be in the immediate area of the panels that the plantings are intended to screen if the planting locations provide for the intended screening effect. No tree shall be located within five (5) feet of a lot line. All plants material shall be maintained in a healthy condition to provide the necessary screening.

1. A greenbelt shall not be required along any side of ground-mounted panels where such side is a minimum distance of 150' from the lot line to which it generally faces. In addition, the Planning Commission may permit a maximum fifty percent (50%) reduction in the number and size of shrub and tree plantings where the adjacent property is vacant and not likely to be developed within the next five (5) years based on nearby development trends during the preceding five (5) years, where natural features are present that serve to assist in the screening of the panel(s) such as existing topographic or vegetative conditions, where existing structures will assist in the screening of the panel(s), and/or where other conditions may be present that make typical screening requirements ineffective or otherwise unnecessary. – Conditions met. The applicants will work with the Zoning Administrator on meeting the requirements for the greenbelt on the north side of the array; given that the nearest building is over 1,000 feet distant from the array, the Commission agreed to reduce the plantings by the maximum allowed by Ordinance, 50%.

MOTION Cady, seconded Walker, that the application is complete, all appropriate documents listed in Section 3.27 have been submitted in appropriate form, that as there is no mechanical equipment other than the panels and the co-located equipment, that no additional screening is needed beyond the requirements for the north side; that it will be not be located in the front yard, but the back yard; that there would be no glare directed onto the road or other properties; that it would meet the size requirements of not exceeding 8000 square feet for the parcel; that the proposed footings are in compliance with Ordinance requirements and that the proposed height would be under the 15 foot allowable maximum; that the applicants will work with the Zoning Administrator on the 50% reduced vegetation for the north lot line greenbelt; and that the application is hereby approved as submitted with the one condition of finishing the northern side greenbelt. CARRIED 6-0.

C. Consider Amendments to Zoning Ordinance

COMMISSION – considered the draft gravel mining document. A few minor changes were suggested that were noted by legal counsel. *Legal counsel was asked to convert the Commission draft into a draft legal format for consideration as an amendment to the Zoning Ordinance. Revised 1-9-19.*

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 9:05 p.m.

John Lazet, Secretary