

VEVAY TOWNSHIP PLANNING COMMISSION
Regular Meeting
Wednesday, August 7, 2019
Vevay Township Hall – 6:30 p.m.

MINUTES

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

Member absent: Bruce Walker was excused by voice vote.

Other Persons present: Legal Counsel David Revore.

I. Call to Order: The meeting was called to order at 6:30 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/Public Hearing of July 10, 2019

Amend page 1, motion to approve minutes, after “minutes” by striking “~~as amended~~”.

MOTION Cady, seconded by Minster, to approve the July 10, 2019, regular meeting/public hearing minutes as amended.

CARRIED 6-0.

V. Brief Public Comment

There was no public comment.

VI. Reports

A. July 2019 Building Report

Commissioners had received the Building report, summarizing the twelve permits issued, including two new homes; a new Adult Foster Care (AFC) home; setting basement footings; replacing windows and siding; two pole barns; cell tower additions; a detached garage; a deck; and two re-roofings.

B. July 2019 Zoning/Enforcement Report submitted by David Vincent

Commissioners had received the Code Enforcement report, summarizing the 17 complaints received so far in 2019, indicating seven complaints have been closed due to resolution or information being provided to the complainant. The ten pending complaints are in various stages of being addressed or remediated, and include: three concerning junk; two concerning trash on property and vehicle parking; metal roofing coming off of a barn; living in a camper and not the unlivable house; a pontoon boat stored in the front of a property; a noise complaint of airport traffic; and a complaint of vegetation impairing vision at a road intersection.

VII. Pending Business

A. Revised Draft Mining of Earthen Materials Ordinance

1. Subcommittee Reports

Comm. Lewis and Minster – gave the background and review of the two meetings and the resultant work product with recommendations that came out of the discussions. The two issues that raised the most concerns were extending the life of a SLU permit from five to ten years, and dropping the insurance requirement from \$5 million to \$1/2 million. The various topics were then discussed.

1) Whether private use, non-commercial operations should be included

COMMISSION - discussion revolved around merging of the concept in Section 3.03 of less than 500 cubic yards into an exemption for private use on owned parcels in the new Chapter 21.

Discussion revolved around possibly:

- eliminating the 500 cubic yard provision in Section 3.03.
- amending Section 3 of the draft amendment to clarify in the definition of “Extractive” that it only applies to commercial operations.
- Amending the definition of “Exemptions” to add “and access to land” to clarify that improving one’s own field access is an exempted use.

2) Whether to extend the SLU permit life from five to ten years;

Discussion revolved around supporting this change so long as the five year review was sufficient to address all concerns the Township might want to address after 5 years of operations.

3) Whether a “renewal” should be subject to the permitting entire process, or consist of a detailed “review” of operations;

Discussion revolved around amending:

- Section 3 to define “review” along the lines of “Review means determining whether “extractive” or “mining” or “operation” practices are in compliance with the SLU permit and the Township Ordinances.
- Section 4, subsection C, changing the 5 year lifespan to 10 years, “subject to a five year review,” and add language explaining how a review would operate.

- 4) Whether documents should be “professionally prepared” as opposed to being “drawn and sealed by a registered civil engineer”;

If the SLU permit life is extended to 10 years, no change is needed.

- 5) Whether “a hydrogeological analysis prepared by a Michigan registered professional engineer or certified professional hydrogeologist” can either be eliminated or substituted with a less expensive option of preparation;

If the SLU permit life is extended to 10 years, no change is needed.

- 6) Whether on-site storage and use of petroleum products needs to be overseen by the Township;

As this area is regulated by the state Department of EGLE, and as tanks will not be filled by suppliers unless they meet state standards, no change was recommended.

- 7) Whether the Township can require changes based on the input of other governmental agencies;

Discussion revolved around other agencies requesting changes over which they had no authority, putting the onus of enforcement on the Township; and whether the public was adequately protected by current regulations governing mining operations.

- 8) Whether four inches of topsoil for reclamation should instead have flexibility based on the individual parcel(s) or operation;

After discussion, no change was recommended.

Due to the lateness of the hour, further discussion was ended on the topics considered by the work group. The last discussion was on the recommended additions to the annual report in Section 10 as noted by the workgroup:

- Reporting of the location and screening of crushing operations; and
- Including the email and phone number of the person(s) residents can contact concerning any complaints or operations.

2. Approval of Subcommittee Reports

The notes from the subcommittee were received and reviewed. A copy is appended to these minutes. As the Subcommittee was not a quorum of the Commission and could not undertake any official action, approval was not needed and the notes were accepted for filing.

3. Discussion on Possible Adoption

This item was not discussed as a new draft needs to be developed once all of the workgroup recommendations are considered.

B. Discussion Regarding ZO Chapter 3 General Provisions

This item was partially discussed during consideration of the workgroup recommendations. There was no further discussion.

C. Zoning Ordinance Possible Amendments

This item was not discussed.

VIII. Any Other Business

The Commission discussed having a special session on Wednesday, August 21, 2019, to continue the review of the updated draft amendment incorporating the changes discussed tonight.

IX. Additional Public Comment

There was no additional public comment.

X. Adjournment

There being no further business, the meeting was adjourned at 8:44 p.m.

John Lazet, Secretary