

AMENDED
Barry County Planning Commission
Minutes
April 24, 2017

The meeting was called to order by Clyde Morgan at 7:00 p.m. in the Community Room of the Cabinet Building located at 121 S. Church Street in Hastings. The Planning Commission members in attendance included: Morgan, Levi Bolthouse, Jack Miner, Mick Barney, Ben Geiger, Robert Vanderboegh and Jack Nadwornik. Others in attendance included: James McManus, Cameron Horvath, Austin, Amber Huver, Chris Sabin, and many other interested people.

Motion by Barney to approve the agenda as printed. Support by Nadwornik. All ayes – Motion Carried.

The Planning Commission reviewed the minutes of February 27th, on page 3, Morgan asked to change the work “they” to “there”. Motion by Geiger to approve the minutes as corrected. Support by Barney. All ayes – motion carried.

BUSINESS

Morgan explained the procedures of a public hearing.

FARMLAND AGREEMENTS

17-01

Norman & Kim Hammond

McManus noted the Hammond request is for a property in Section 2 of Barry Township. He noted the property was currently zoned Rural Residential, and the property was planned for Rural Conservation. He noted there were 56 acres, and nearly 80% of it was tillable.

Motion by Barney to recommend approval of Farmland Agreement 17-01 to the Barry County Board of Commissioners. Support by Vanderboegh. All ayes – motion carried.

17-02

Brad Smelker

McManus noted the Smelker request is for a property in Section 7 of Carlton Township. He noted the property is currently zoned as Rural Residential and planned as Agricultural. He said the property includes 62 acres and is 80-85% tillable.

Motion by Vanderboegh to recommend approval of Farmland Agreement 17-02 to the Barry County Board of Commissioners. Support by Miner. All ayes – Motion Carried.

SITE PLAN REVIEW

PR-2-17

Gun Lake Estates

Morgan recessed the Planning Commission, opened the public hearing and asked Gun Lake Estates to present the request.

Cameron Horvath, representing Gun Lake Estates, noted they had received preliminary approval in October. He noted they had made minor modifications to the plan and were looking for final approval.

Morgan asked if anyone would like to speak in favor of the request.

Betty Matteson asked for a more detailed explanation of the request.

Horvath said they would be adding 33 new units to the park, and they would be extending utilities through the park. He noted they have been adding newer homes in the existing park.

Ron Knoll asked if they would be any improvements to the ingress/egress. He noted they had spoken to the Road Commission, and the letter that was received indicated there were no requirements. Austin said they would be adding off street parking to help eliminate the clutter of parking in the existing area.

Knoll noted the access has been a problem for years. He asked how many new vehicles would be using the access. Austin said there would be 33 new units, so he estimated a maximum of 66 vehicles. Knoll questioned how they could justify adding more cars to the area.

Mrs. Knoll asked where the new parking would go. Austin noted each lot has parking for two vehicles. He noted there would be guest parking in the rear of the property.

Matteson commented that the access is not used for vehicular traffic. She noted it was lost when the property was sold. She also noted that one of the residents has placed a garden in the easement.

Mrs. Knoll asked if they would be able to use Gun Lake. There was a question if the additional units constitute a keyhole condition. McManus noted the property has been rezoned for 20 years.

Tim Miller asked if the residents would have use of the lake. Austin said there would be no slips for boats.

McManus noted the DEQ would have to be involved if the park wanted to add slips.

Knoll noted the children abuse the fence and have used his dock without permission.

Austin noted the company does complete background checks on new applicants.

Matteson asked if there would be any fencing added to the existing park area. Horvath said there is fence around the new expansion, but none is planned for the existing park.

Knoll asked about any fire department issues.

Morgan closed the public hearing and reconvened the Planning Commission.

Bolthouse asked who was required to review the plans after the preliminary approval. McManus noted the Road Commission, Drain Commissioner, Fire Department, Health Department, and the Sewer Authority were asked to review it. He noted there are letters included in the packet.

Bolthouse asked about the easement in question. Horvath verified it is still an active easement.

Miner asked about the easement. Horvath said it was still active.

Miner cited the letter from the Health Department. Miner verified the Road Commission letter was based on no work in the road. Horvath agreed that there would be no change in the road.

Barney asked if they had addressed fence jumping. Horvath noted the back of the park has been fenced and they will also be planting evergreens. Barney asked if fencing around the existing park had been discussed. Horvath said no. Barney noted fences may not be a solution of kids running around.

Barney said he was concerned about the ingress and asked if the perpendicular parking at the restaurant could be addressed. Austin noted the company does not own the restaurant. He noted he has spoken to the owner of the restaurant about potential improvements. Barney noted the easement needs clarity and said it could be used for parking.

Barney asked about dry hydrants in the park. He asked if the pump house could be used for that purpose. Horvath said there was not enough capacity to use the well house as a hydrant. He noted there were no proposed hydrants on site.

Morgan noted the letter indicated that the access was sufficient.

Barney said he would be interested in stipulating a dry hydrant across the street from the lake.

Geiger asked what the primary differences were from the preliminary plan.

Horvath noted they have included the utility lines on the plan. He noted they must have a large retention basin so that is shown. He noted the retention basin took up two unit sites, and some of the other unit configurations have been adjusted.

Geiger asked if the emergency access could be used for traffic congestion relief. Horvath said no. He noted it will not be open for the public and will be gated with a lock. He said the fire department would have access to the lock box.

Geiger questioned how people would access the park if restaurant customers parked in the easement. Austin noted it would take several vehicles to block the access. Geiger asked about the guest parking. Austin said they would have 11 additional parking spots. He noted they might be able to add gravel to a location to create a couple of perpendicular parking spots.

Geiger asked what the depth of the retention basin would be. Horvath said 6 feet. He noted it would be fenced with a 6 foot fence.

Vanderboegh suggested a little yellow paint and a no parking sign would be a simple way to fix the access. He asked if this had to get state approval. Horvath said yes. Vanderboegh asked if the state required a hydrant, would they have to put one in. Horvath agreed. Vanderboegh asked how close they were to sending the plans in. Horvan said soon.

Morgan asked if the fire department was ok with the lock box. Horvath said yes.

Morgan noted a fence would help deter children trespassing onto other properties. He suggested a 6 ft fence around the perimeter of the property.

Morgan asked how excessive snow in winter would affect parking. Austin said sometimes they have to haul the snow out.

Nadwornik asked if the current park had lake access. Horvath said yes. Nadwornik asked how large the access point was. Horvath said 30 feet. Nadwornik asked what the allowed uses included. Horvath said beach, swimming, and boat access. Nadwornik asked if there was a launch. Horvath said no.

Bolthouse asked why they could not fix the traffic and access issue. Horvath noted they don't have any additional access options. Bolthouse was concerned about the one way

traffic. Austin said they could potentially widen the road, but they would have to relocate the existing houses.

Bolthouse asked the audience members where their houses were. Knoll said his home is between the restaurant and the store.

Bolthouse asked if the fence idea was acceptable. Knoll said the fence is in place already

Bolthouse asked about the emergency runoff. Horvath said it will go to the southwest corner of the property. He noted it will only happen if the rains exceed a 100 year event.

Miner asked what the total investment was for the park addition. Horvath said between 500-750 thousand dollars.

Miner asked what the costs would be to correct the traffic issue. Austin said around 50 thousand dollars.

Miner asked how many homes would have to be removed. Austin said up to 4.

Miner asked if it would be a good investment to make that correction. Austin questioned the logic and noted losing four houses would impact the investment. He noted they are trying to find ways to add parking.

Vanderboegh commented that the State of Michigan could make changes and have concerns that go beyond Zoning. He noted the Planning Commission has no authority on the inner workings of the park.

Morgan asked if they had addressed the Drain Commissioner's letter. Horvath said they had.

McManus commented that the Planning Commission has a limited review of manufactured housing communities. He noted they have no say on the design of the lots and the placement of the trailers. He said the Planning Commission can look at ancillary things like fences and access. He noted a dry hydrant may be a stretch.

Geiger said the plans comply with the ordinance requirements, but he hoped the company would work to improve the access situation.

Vanderboegh suggested they complete the state review to see if any adjustments would be required.

Motion by Vanderboegh to table PR-2-17 until the state review is completed. The Planning Commission discussed the process. McManus noted the state approvals such as plats require local approval before the state will complete a review.

Vanderboegh withdrew the motion.

Motion by Vanderboegh to approve PR-2-17 with the stipulations that fencing must be installed around the entire property and that the company work with the restaurant owner to clarify the easement and parking situation. Support by Bolthouse. Roll call vote taken: 7 ayes – 0 nays – Motion carried. Site Plan approved with stipulations.

SPECIAL USE PERMIT

SP-3-17

HIGH GRADE MATERIALS COMPANY

Morgan recessed the Planning Commission, opened the public hearing and asked High Grade Materials to present the request.

Amber Hoover noted High Grade Materials is a family owned business. She said this site will be used to supply concrete plants that are located elsewhere in West Michigan. She noted the farmhouse will be split off and Todd, who is an employee, will live there. She noted they would be mining 75 acres, and they believe it will take 20 years to complete.

Morgan asked if anyone wanted to speak in favor of the request. There was no response. Morgan asked if anyone was opposed.

Laurie Tamez noted she lived on the north side of the property and had several concerns. She was concerned about traffic and noted that the neighbors pit has had 40 trucks on site. She asked about air quality and water quality. She asked about the safety of the driveway location. She asked if there would be a sound barrier and dust control. She asked if there were any reclamation plans. She questioned what would happen if she has issues with her well.

Tim Miller, who lives across from the proposed driveway location, noted the tube under McKibben Road has either been plugged or crushed. He noted the Road Commission has not taken care of the road. He questioned the visibility at the intersection. He said that Keller Road is being torn up by the other trucks. He asked about sign regulations

and noted there are no signs indicating the intersection. He was also concerned with noise issues and the setbacks. He asked if the project would be phased.

Deb Pease asked what the hours of operation would be and if they would run 7 days a week. She asked if the mine would operate year round.

Darrin Sinclair asked if the plans were available. McManus noted he could get copies at the office.

Hoover responded to the concerns and noted they have many gravel pits. She said they try to make the neighbors happy. She noted that they intend to pave the driveway either with asphalt or concrete and they will spray the road with chloride once a year. She noted they are reviewed annually by regulators, and dust control is a reviewable item.

Hoover said they will try to keep McKibben Road in good shape, and they will work with the Road Commission. She said the operation will not be open to the public, and she anticipated an average of 4-6 trucks per day. She noted they do not work on Sundays, but they would like the ability to work 12 hour days, and they have no mining in the winter.

Hoover continued that the woods in the setback areas will remain, and they will build a berm next to the edge of the properties. She noted they are required to have back up alarms, but there are alternatives that are less noisy. Sabin said they have alarms that sound like a duck or a sensor based, which is an alarm that only beeps if something is behind the vehicle.

Miller asked if there would be tandem trucks on Keller Road. Hoover said yes. Miller asked about adding signage. Hoover said signs are up to the County Road Commission.

Hoover noted they would follow the local zoning requirements for reclamation. She noted they have discussed creating a lake, but it would be reclaimed for large lot residential use.

Morgan closed the public hearing and reconvened the Planning Commission.

Bolthouse said the narrative referred to enclosures, but he thought he was missing some of them. Hoover distributed a potential reclamation plan. Bolthouse verified that the drive would be paved. Hoover agreed and said they will use whatever is better.

Miner asked how deep the mine would be. Hoover noted they have drilled 22 ft and still not found the base. She noted they are hoping to stay above the water table.

Miner verified they would be mining 75 acres. Hoover agreed and noted 20 acres of the site was clay.

Miner asked what the reclamation costs would be. Hoover estimated \$1500/acre. Miner noted a bond will likely be needed.

Barney questioned if the Otis Lake site would be considered an acceptable site. Sabin said no if it is a finished site.

Barney asked about the height of the berms. Hoover said the berms would be 12 feet, and the stockpiles of dirt would be 25-40 feet high. Barney asked what types of equipment would be on site. Sabin said they would have loaders, trucks, and excavators. He also noted there would be a crusher, screener, and wash plant on site. Barney verified that nearly 1 million tons would be removable. Hoover agreed.

Barney noted they would equal 50,000 tons/year. He asked how many truck loads would have to remove it. Sabin noted each truck holds about 50 tons.

Barney asked about the setback from Loomis Lake. Hoover said they had to maintain a 100 foot setback.

Barney asked how it would be protected. Hoover said they would leave the wood intact. Barney asked if the wetlands would be preserved. Hoover agreed.

Barney suggested the driveway could be moved to lessen the impact on the neighbor's homes. Barney asked where the berm would be. Hoover said on Keller and McKibben Roads.

Geiger asked about dust control. Sabin said they use brine chloride once a year and light watering when needed.

Geiger noted the noise limit is 65 decibels. He asked if there were any concerns about meeting that. Sabin noted the equipment is fairly new, and noise, is regulated. Geiger asked if they would have a scale on site. Hoover said no.

Vanderboegh asked if they would be doing any blasting. Hoover said no. Vanderboegh asked if they would be blending for road gravel. Hoover said yes.

Morgan asked if a chloride treatment once a year would be sufficient. Hoover said yes and noted it could be done twice if necessary. Morgan asked about speed limits. Hoover said it was out of their control.

Morgan asked about new signage. Hoover said they would pay for the signage.

Nadwornik asked which months they would be working. Sabin said it was weather permitting. Nadwornik asked how far the interior drive would be paved.

Sabin said about 100 feet. Nadwornik asked which route they would travel. Sabin said Keller Road to Norris Road and to Grand Rapids.

Nadwornik asked that the trees would be left. Hoover agreed. Nadwornik asked about the lake. Hoover said that requires DEQ approval.

Bolthouse asked if they would strip the entire site. Hoover said no, they would probably do a year's worth, which is about 15 acres. Bolthouse commented on the ordinance limitations. McManus noted the new legislation may make parts of the ordinance difficult to enforce.

Miner asked about the setback. Hoover said they had to stay 50 feet from property line. Miner asked about the slope. Hoover said it had to be a 3-1 slope.

Barney asked if reclamation would be completed after all the mining was done, or as the completed areas are done. Hoover said 15 acres would take 3-4 years to completely mine, and they would start reclamation immediately.

Geiger asked about the Saturday hours. Sabin said they like the flexibility of 5:30 a.m. – 5:30 p.m. Geiger asked if the trucks would run in the dark and if their head lights would be pointed in the neighbor's windows. Sabin said he would look into issue.

Vanderboegh asked how many plants they had. Hoover said 12.

The Planning Commission discussed the hours of operation.

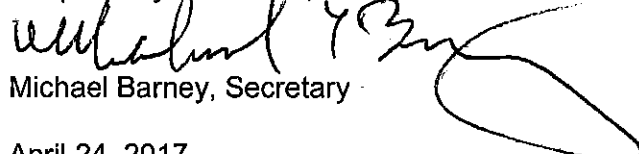
Motion by Geiger to approve Case No: SP-3-17 per Section 2302 parts 1-7 of the Barry County Zoning Ordinance with the Stipulations that the drive be adjusted to lessen the impacts on the neighboring properties, that the hours of operation be 6 a.m. – 6 p.m. Monday thru Friday and that the Saturday hours of operation be from 6 a.m. – 3 p.m. Support by Vanderboegh. Roll call vote taken: 7 ayes – 0 nays. Motion carried. Special Use approved with stipulations.

There was no public comment.

McManus noted he will be completing a Redevelopment Ready Community Self Assessment with Barry Township on May 9th.

Motion to adjourn by Vanderboegh. Support by Nadwornik. All ayes – motion carried. Meeting adjourned at 10:05 p.m.

Respectfully Submitted,


Michael Barney, Secretary

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