



Grass Lake Charter Township Planning Commission
121919 Approved Planning Committee Meeting
Grass Lake Charter Township Hall
373 Lakeside Dr Grass Lake, MI 49240

Planning Commission Meeting Minutes

December 19, 2019

7:00 pm

CALL TO ORDER: Chairman Hinkle called the meeting to order at 7:03 pm.

PLEDGE OF ALLEGIANCE

ROLL CALL: Members -- _P_Tom Brennan, _P_Jim Ducey, _P_Jere Hinkle, ___Todd Keszler, _P_Dale Lucas, _P_Nancy Prindle, _P_Jim Warbritton (P = present Blank = absent)

Also present Board Members Tina Benardsky-Lynch and Tom Loveland, Doug Lammers, Township Zoning Administrator Doug Lammers and approximately 15 public members. It was noted that Todd Keszler has resigned from the Planning Commission.

APPROVAL OF AGENDA:

It was moved by Ducey, and supported by Warbritton, that the first item of Old Business be advanced to immediately after the Approval of Minutes. All ayes. Motion carried.

APPROVAL OF MINUTES:

It was moved by Brennan, and supported by Prindle, to approve the November 21, 2019 Meeting Minutes. All ayes. Motion carried.

OLD BUSINESS:

1. Rezoning of remaining parcels from March meeting, specifically Parcel #10-34-126-001-07 owned by Mr. and Mrs. Tony Vigo tabled from the March 21, 2019 Public Hearing.

Mr. Lammers reviewed the actions taken by the commission at the March 2019 Public Hearing regarding five consecutive adjacent parcels immediately east of the Fire Station and facing the north side of East Michigan Avenue. Four of these properties have occupied residences on them. In past zoning actions by the Township these Parcels were zoned General Commercial, making those parcels with residences legal non-conforming. The Public Hearing addressed the

issue of whether the General Commercial zoning should be retained on these parcels, or because of lack growth in this area, other zoning would be appropriate. The Commission proposed R2 residential zoning for the five parcels. The owners of the three easterly parcels agreed with this proposal and as such, the Commission rezoned them R2 Residential. The owners of the two westerly parcels requested retention of General Commercial zoning on them. A copy of the minutes of this public hearing is attached.

Subsequently, Mr. and Mrs. Vigo, owners of the subject property adjacent to the Fire Station, have requested a zoning change for it. A copy of their letter requesting is attached. This request is to split the property with the parcel fronting on Michigan Avenue containing their residence zoned residential, and the remaining property retaining General Commercial (GC) zoning designation. The size of the existing parcel is large enough that minimum lot size and required setbacks would be met for both resultant post-split properties.

After discussion, it was moved by Ducey and supported by Lucas, as follows: *Subject to Township approval of the proposed parcel division, the resultant parcel fronting on Michigan Avenue be zoned R2 Residential and the remaining parcel zoned General Commercial.* All ayes. Motion carried.

This should be forwarded to Jackson County Planning for review and comment.

It was then moved by Hinkle and seconded by Warbritton, the following:

The actions of the Planning Commission in the March 21,2019 Public Hearing regarding the proposed zoning changes of General Commercial to R2- Residential for the following parcels;

*Parcel 10-34-301-003-00 (Sherwood owners),
Parcel 10-34-326-001-00 (Campbell owners), and
Parcel 10-34-326-002-00 (Collins owner)*

be forwarded to Jackson County Planning for review and comment. All ayes. Motion carried.

PUBLIC HEARING, Case #19-11-0011 for Text Amendment to Township Zoning Ordinance, Section 14.07 HH – Removal and Processing of Topsoil, Stone, Rock, Water, Sand, Gravel, Lime or other Soil or Mineral Resources .

Chairman Hinkle closed the public meeting and opened the Public Hearing for Case #19-11-0011 for Text Amendment to Zoning Ordinance Section 14.07 HH - Removal and Processing of Topsoil, Stone, Rock, Water, Sand, Gravel, Lime or other Soil or Mineral Resources (the Mining Ordinance).

a. Draft Ordinance

Chairman Hinkle stated that the Commission had completed a first draft of the text amendment changes to the Mining Ordinance. This draft (17 pages in length) had been placed on the Township Website for access by the public. As requested, copies were distributed to two attendees. A copy of this initial draft is attached.

b. Public Comments

Approximately 15 people attended the hearing. This included Township officials and representatives and concerned citizens.

Chairman Hinkle requested that those persons wishing to address the Planning Commission put their name on provided index cards so that they could be recognized by the chairman for making their comments.

It was noted that three letters, one e-mail and one hand delivered request were received by the Township. Copies of these were provided to all Planning Commission members and are appended to these minutes. Seven people addressed the Planning Commission. A copy of this list is attached to these minutes.

Specific comments or concerns expressed, including those received in written format, included the following; (in no particular order)

1. Length of initial and renewal permit periods.
2. Size of Area proposed for mining.
3. Setbacks.
4. Responsibility for Monitoring and Enforcement of mining operations.
5. Financial Considerations including Insurance and Bonding Requirements and Penalties for Operating Infractions.
6. Hours of Operation, including equipment maintenance.
7. Designation of Truck Routing operations and restrictions.
8. Treatment of Existing Mining Operations (Grandfathering Rights)

Being no further comments, It was moved by Hinkle and supported by Brennan to close the Public Hearing at 8:12 pm. All ayes. Motion carried. Chairman Hinkle reopened the public meeting at 8:14 pm.

NEW BUSINESS:

1. Case #19-11-0011 for Text Amendment to Township Zoning Ordinance, Section 14.07 HH – Removal and Processing of Topsoil, Stone, Rock, Water, Sand, Gravel, Lime or other Soil or Mineral Resources .

There was discussion regarding the issue of designation of mining truck routes on public roadways and its possible negative funding impact on future Township roadway improvements. This issue will be pursued with Commission attorneys.

Further consideration of the potential economic impacts of the size and location of proposed setbacks is required.

Refinement of text requiring the type of hydrological studies required for permitting should be expanded.

Further discussion with Commission attorneys should be held regarding insurance, bonding and permit violation penalties. This would include the issue of inclusion of them, if any, in the Commission Ordinance rather defer to the Township General requirements.

It was concluded that these issues should be considered, advanced and resolved in future board sessions before submittal of text changes to Jackson County Planning for review and comment.

CITIZENS WISHING TO ADDRESS THE COMMISSION – NON AGENDA ITEMS

A question of the definition of grade as used in the draft ordinance text was raised. It was noted that it is the quantification of slope of the land in a particular area.

An observation was made that Michigan Senate Bill 431 (pertaining to mining extraction) is dormant.

OLD BUSINESS:

2. Rezoning Project, discussion from last month's meeting.
Item was tabled.

TOWNSHIP BOARD REPORT

Tom Brennan related that the LI/HC Zoning Ordinance text amendment was being edited and being processed for inclusion in the Ordinance Manual. Hinkle said he was the culprit of the required numbering change.

The Board requests that budget impacts be considered when making requests for professional review and assistance (planning and legal).

PROPOSED BUSINESS FOR NEXT REGULAR MEETING

- a. Housekeeping items (2020 Meeting Schedule and Election of Officers)
- b. Rezoning

GENERAL DISCUSSION

The public meeting where a proposed solar farm in the eastern portion of the Township was debated was discussed.

ADJOURNMENT

Moved by Ducey and supported by Brennan to adjourn the meeting at 9:30 pm. All ayes.
Motion carried.

Respectively Submitted.

Jim Ducey, Secretary
Grass Lake Charter Planning Commission

Attachments

1. March 18, 2019 Public Hearing Minutes (??)
2. Vigo Letter (??)
3. Draft Mining Ordinance
4. Miller Letter
5. Michigan Aggregate Association Letter
6. Target Letter
7. Hoffman Letter (hand delivered)
8. Wilczynski email
9. Harper List of Miller letter supporters
10. List of speakers at Public Hearing