**HOMESTEAD INLAND JOINT PLANNING COMMISSION REGULARMEETING**

**August 19, 2019**

**6:00PM**

**HOMESTEAD TOWNSHIP HALL**

**1. Call to order** by Chairman Sandman

a. Pledge of Allegiance was recited

b. Roll Call: Present – Chair Sandman, Member Macchioni, Member Turmel, V.C. Clark, Secretary Thomas, Member Mead, Member Miller and Member Durkee Absent – Member Huffman

**2. Agenda**

 a. Additions – No additions

b. Approval – Remove item #6b, they have removed their request for zoning.

***Motion*** made by Miller to approve the Agenda with the correction second by Clark.

Ayes – All Nays – None Absent – Huffman Motion carried

**3. Approval of minutes**: July 15, 2019

***Motion*** made by Miller to approve the July 15, 2019 minutes as presented second by Thomas.

Ayes – All Nays – None Absent – Huffman Motion carried

**4. Public Input**:

Marion Godosian (sp) – what is this all about, the zoning request? Zoning Administrator explained the purpose of that request of the meeting.

Jim Brouwer – if we have questions can they be asked during the presentation? Chair Sandman responded, yes.

Marion Godosian (sp) – what rezoning request was withdrawn? Chair Sandman responded.

**5. Close Public Input** at 6:12 p.m.

**6.** **New Business**

 a. Public Hearing – Mining on Oakley Road, parcel number 08-006-007-00

Chairman Sandman opened the Public Hearing.

Dusty Christianson, Mansfield Land Use Consultants 830 Cottageview Dr. Ste. 201, Traverse City gave a presentation of the proposed use of the property and additional information regarding soil and water – groundwater table is 53’ – 103’

6:09 p.m. Member Durkee arrived.

Chair Sandman opened questions from Planning Commission members.

Clark – What is the depth of the groundwater? 53’ – 103’

What is the depth of the gravel itself? Mr. Leman responded the gravel is about 3 – 28 feet. Taking off the topsoil how are you going to refill? With the topsoil that was removed and bringing in additional soil. It will not be at the same elevation it is now but a lower elevation. What is mandated by the ordinance is what will be adhered to.

Turmel – how does it work with the road? Dusty responded that it is a mandated setback by the ordinance.

Huffman – There is seeping water in the southeast corner, there must be a pan of water somewhere; do you know anything about that? Have to look at the State land and see how that water is coming in. Dusty responded that he does not know of it. He has not seen it himself but will look to see where it is coming from.

Macchioni – Is there any plan to improve the road there? Dusty responded no, the plan is to bring the driveway in at the site. Can Oakley Road handle the heavy trucks? What about during the wet season? Dusty responded that it is built to Road Commission standards and can handle the traffic. We will work with the Road Commission.

Durkee – What are the plans for taking the gravel offsite? Mr. Leman responded yes if some is needed and there is a market for it.

Miller – Is there a holding pond or something like that? Dusty - Any water will infiltrate the storm water down, we are relying on natural process right now Safety issue with the trucks, lacking vision, is there an option for you coming in and out? Road Commission permit will address any issues

Turmel – Will the road commission evaluate the site – Sara – right, they will issue permit for road access. Dusty – We have not heard back from them yet

Durkee – maximum number of trucks on the road is what? Dusty responded that there would be six per day.

Miller - Children playing in gravel pits, I think it needs fencing. Dusty responded that snow fencing would be installed around the area and the trespassing is out of tour hands.

**Public Comment:**

Denise Reitz – Concerned about decreasing property values, finances, safety and our business will be affected by the dust; also concerned with the safety issue on County Road 669.

Jim Pless – There is only 25 ft. of leeway for filtration back to aquifer that does not seem to be enough space for the amount of vehicles for clean water to get back to that aquifer.

Andrea Struble – Borders property, the burden is upon the applicant to prove there will be no consequences to neighbors per the Master Plan. Is there a Hydro geology report? Gravel trucks dominate Maple City Hwy. There are enough existing gravel pits in the area.

Brian Jessop (sp), Maple City Hwy. - The intersection on Maple City Hwy. is too dangerous even when there is no truck traffic. Benzie County Schools would not pick up children on that road because it was too dangerous.

Ingamar Johansson, Goose Rd. – Many reasons this should not take place. How can we do this in such a tourist mecca? This is going to be a great mess this will have a great impact

Gayle Podder, Co. Rd. 669 – There are about 30 trucks an hour that fly by my house on 669. We don’t need more trucks on 669. Who is responsible to take care of 669?

 Dave Gleason – They are only running six trucks a day from a 4 or 5 acre plot, how long will it be to do that area? Is the special use permit for 40 years or what? What impact will this have on the Platte River?

Maureen Gray – We own property across the road, the land is agricultural. Cannot see traffic coming, they start at 4:00 a.m. and are running until 10:00 p.m. at night.

Paul Wallace – We live here for the outdoor benefits. This will cause destruction of trails in the area.

Kara Dubenea – We are going to see a drop in our taxes? Why would we consider this? Zoning act for Townships. Letter from an attorney regarding special use permits are detailed in the ordinances.

Susan Lavender – Concerned about the Platte River. In the processing of the gravel are they going to crush it, are they going to wash the gravel, where are they going to put the dirty gravel? Where is the water for that?

Peggy Case – Concerned for the Platte River and the watershed.

Jim Brouwer – The Master Plan, the Board is granted oversight on this, you cannot deny a gravel pit you can take our concerns into consideration over the benefit of one – referred to Master Plan Chapter 8, pg. 36, ¶3. This area is zoned rural residential. Conflict of land use.

Sylvia McCullough, 20359 Douglas Road – This will cause serious problems, depress property values, silica dust contamination, disturb ground water levels and contaminate wells, ground water run-off, hunting, fishing, wildlife and the quality of life for the people in the area.

Jim Patton – yield my 3 minutes to Jim Brouwer.

Jim Brouwer – Proposal is suggesting operation hours during daylight six days a week being 6 a.m. – 9:30 p.m.

Bill Pasalo (sp) – This breathes pollution.

Brenda Magestri – yield my 3 minutes to Brian Magestri.

Brian Magestri – Gave information regarding the stopping ability of large trucks.

Jeff Sandman – each person gets one three minute speaking opportunity.

Brian Black – This will destroy property values. We have two gravel pits on 669. The applicant should pay for studies from MODT, State Forestry, DNR, real estate assessments, hydrologist and geologist.

Warren Struble – Gave an over view of large trucks ability to stop.

Robin Talsma – Truck information, dust issues, the applicant should request a study by the DEQ on the effect to the Platte River.

? – We should go to the Road Commission with petitions since the permit has not been issued yet.

 Paul Badder, Haze Road – Doesn’t seem like a real smart idea to me, hope you are listening to everyone here.

Kathy Kangas, Fewins Road –referred to the Master Plan pg. 44 ¶3.

Carol Brouwer – Property tax reduction, can cause a tax hike.

Robert – Safety concerns with the traffic and big trucks traveling 669.

Bob B. – Loggers have been jacking brakes. I can’t say anything good about it.

Maureen Mary – Platte River is a fantastic resource.

Wayne Dunning, Maple City Hwy. - is a dangerous road.

Marion Godosian – We need to preserve our area should not be sacrificed for a gravel pit. What good is it in the long term?

Jeanine Grace Scanaway – Inadequate infrastructure for the properties being proposed, road issues, safety issues, negative impact on our neighbors and ourselves.

Mandy Gray Rineer, Almira Township – Was the public hearing published and who was notified? I have concerns for safety of the road, the watershed, and fire and EMS issues. Elmer’s does not fix the roads, they bid to fix them and we pay for them with our tax dollars.

? – What’s going to happen to the well water, are we going to have drinking water? Where is the water going to go?

Norm Droeste, Attorney for Al Leman – There is a misunderstanding; the JPC cannot prohibit the gravel pit due to a special statute. Michigan legislature enacted Michigan Zoning Act. The JPC can listen to your concerns and impose restrictions.

Carl – It’s all well and good, but what about my property values who is going to recoup those?

? – You can change the zoning, that’s what you are here for.

? – Has anyone been to Kasson’s, they go beep when going backwards.

? – Why did we come here?

**Close Public Comment** – 7:26 p.m.

**Board Discussion**:
Chairman Sandman asked Dusty to respond to questions.

Dusty – Timetable on quadrants is one year for each six acres total 24 years. Al Leman – I believe I have been a conscience operator and will continue to be.

Chair Sandman called a 5 minute break at 7:30 p.m.

Reconvene at 7:35 p.m.

Chairman Sandman asked if any Commission members have any questions. Paul Huffman left the meeting.

Clark – Soil boring is required and an environmental impact study. Where are they?

Sandman – What exactly is our authority on approval and denial, what is our responsibility?

Zoning Administrator – State Zoning Enabling Act has taken away a lot of the townships powers away. Serious consequences can result. We will get the JPC attorneys opinion.

Sandman – Sara, can you also talk to the Benzie County Road Commission and get a clear understanding of their opinion? Also, can the members can get a list of concerns/questions for Sara to give the attorney.

Clark – criteria for drives, driveways, parking areas and special land use permits that put demands on local resources. Environmental impact study will give answers to many questions brought up tonight.

Mead – What does the Fish Hatchery think? The Platte River is not a source of water for them but the fish have to swim upstream to get there.

Turmel – If anything is found negative can we say no? What is our authority? Need something more concrete.

Miller – The fencing, can we say what kind of fencing that will be? Will you ask the attorney?

***Motion*** made by Durkee to table a decision until the next meeting, September 16, to give time to talk with the attorney second by Miller.

 Ayes – All Nays – None Absent – Huffman Motion carried

**7. Old Business**

a. Payment of Voucher

***Motion*** made by Miller to pay vouchers second by Clark.

Roll Call: Ayes – Miller, Durkee, Clark, Turmel, Thomas, Sandman, Mead and Macchioni Nays - None

 Absent – Huffman Motion carried

**8. Reports**

a. Homestead Twp Board report – Mike Mead They are supposed to tear out all the parking areas and redo them. We want to have the School deed us the ball diamonds, there are problems with the survey. If they sell the property they have to pay us for part of the property. We are also getting bids for a new Fire Truck.

 b. Inland Twp Board report – Mary Miller We have made improvements to the park; the walking path is now paved. Our fire department has been busy, we have more calls they are responding to with mutual aid.

 c. Zoning Administrator – Sara Kopriva Permits issued thus far this year are 15 for Homestead and 24 for Inland.

**9. Open Public Discussion:**

Is there going to be a comprehensive map on the website? Zoning Administrator – I will see if we can get something on there.

Patti Struble – Fencing can harm the wildlife but is necessary for children.

Ingamar Johansson – What is the process from here? What will you do next? Where are these hearings published? Meetings are published in the Record Eagle and Record Patriot.

Can we request the Township to hire an independent attorney regarding truck safety? Laura Turmel – I would think that the Road Commission would be the ones to determine that.

Exactly where is this located? Put a map on the website of where it is located. Put a map in the next publication? When was this meeting published in the paper? July 31, state requires 15 days before the meeting.

More stop signs on 669

Maps were confusing because there were two in the packet.

What’s the purpose if we are zoned residential but the State says we have no say? Jeff Sandman - We have influence but authority.

There will be no snowmobiling in that area from now on. Thank you for all the consideration on input for the next meeting. If you can’t stop it hope you can set limits, set rules. Snowmobiles contribute to the economics of the area.

ORV permits for 4-wheelers, we can’t use the road in the winter but gravel trucks can.

Oakley Road gravel trucks make dust half mile away.

Paul Beechraft – meetings for Benzie County Road Commission are scheduled for September 10 and 26 at 9:30 a.m. and they are listed on their website.

Adam Reitz – environmental impact assessment, it that something you guys can look into it? Commission – That is what we are looking into with the attorney.

What mandates water draining toward Platte River? Did you check with the DEQ? Commission – It is going to be looked into.

Jim Brouwer – Thank you. Gave contact information for the public.

Ingamar Johannsson – If a resounding no is given by you guys it may not affect now but it will have an impact on whoever is making the decision. What was the Boards impression of the presentation last month? Commission – We have no comment.

**Public Comment** closed at 8:10 p.m.

**10. Board go around, discussion/announcements**

Durkee – Thanks for your patience and for attending the meeting. It’s great to see people get together for a cause. Zoning can be interpreted many different ways.

Mead – I understand everyone’s frustrations over the trucks but no one has any say over it except the State of Michigan. From experience on the fire department and such the gravel trains are not the source of most of the accidents, it is the public, the drunk drivers, the drivers who pass illegally.

Macchioni – Thank you all for coming, we do have emotions but we are not allowed to show them. I choose this area to live out my retirement.

Turmel – Missed the no emotion memo.

Thomas – Thank you all for coming. Now we know what you all think. We have concerns as well. We will do our best.

Clark – We are neighbors too.

Miller – Thanks for coming. I don’t like all the laws that come down from the State that say what we can and cannot do. We will do our best.

Sandman – Thanks for coming, be patient with the Planning Commission and Zoning Administrator.

**11. Adjourn**

***Motion*** made by Miller to adjourn the meeting second by Durkee.

Ayes – All Nays – None Motion carried

Meeting adjourned at 8:17 p.m.

Submitted by: Rose A. Wirth, Recording Secretary