

THORNAPPLE TOWNSHIP PLANNING COMMISSION

Regular Meeting, Monday, July 23, 2018

1. The meeting was called to order by Chairperson Kilgore at 7:00 p.m. at the Township Hall.
2. Present: Bryan Finkbeiner, Linda Gasper, Elizabeth Hansson, Tom Kilgore, Sandra Rairigh, and Craig Wandrie. Absent: Jim French (excused). Also present: Catherine Getty, Stephanie Skidmore, Todd Boerman, Dan Rookus and Rod Janose.
3. **MOTION** by Rairigh, support by Finkbeiner to approve the Agenda. **MOTION CARRIED** with 6 yes voice votes.
4. **MOTION** by Wandrie, support by Gasper to approve the June 25, 2018 Minutes as amended. **MOTION CARRIED** with 6 yes voice votes.
5. Citizen Comments: None.
6. Public Hearings:
 - A. Special Use #115/Site Plan #102 Janose/Oetman Excavating Mineral Extraction
 - i. Applicant Presentation: Mr. Rookus stated that Oetman Excavating has run a small sand mine over the past four years within Mr. Janose's property. The sand from the mine has primarily been used for local projects at Bradford White and local farms. The sand mine has evolved and signage has been added at the mine. Mr. Rookus stated that he has not received any recent complaints related to noise or dust from neighbors.
 - ii. Staff Introduction/Site Plan Committee Report: Getty stated that the Site Plan Committee met out at the site to review the renewal application. Boerman stated that the mine has been minimally active since 2015. Boerman indicated that a snow fence has been installed around the active bank which is in the northeast corner of the site.

Kilgore opened the Public Hearing 7:12 p.m.

- iii. Public Comments: None.

Kilgore closed the Public Hearing at 7:12 p.m.

Commission questions and deliberation: **MOTION** by Gasper, support by Rairigh to approve Special Use #115/Site Plan #102 Janose/Oetman Excavating Mineral Extraction provided that the listed conditions are met which were previously approved. Conditions include:

1. All operations associated with the mineral extraction and processing use shall be limited to the property in strict conformance

with the approved Site Plan #102. The term of this permit shall be July 23, 2018 through July 27, 2020.

2. This Special Use is subject to a 1-year review of these conditions to be completed by August 1st, 2019. Notice to be sent to owners of adjacent properties to this special use on Bender and Adams Roads.
3. Reclamation bond set at \$51,000 to remain in full force and effect until all lands mined have been fully reclaimed in accordance with Township ordinances and approved reclamation plan.
4. Ingress and egress must be at Bender Rd. All minerals removed by truck from site shall occur via this route and no other.
5. Dust control must be maintained with the application of water to the internal drives, the driveway, and brine to Bender Road north to Adams Road as necessary.
6. The bottom elevation for mining shall be elevation 100.00 as defined by the site plan. Excavation below this is permitted only for building purposes.
7. Soil erosion and sedimentation control measures must be taken to prevent the material from entering water bodies, streams, or adjacent properties.
8. The applicant shall provide a minimum escrow of \$2,000 for the purpose of paying for once annual inspections of the site assuring protection of adjacent undisturbed area, ground water quality, erosion control and progressive reclamation of the site. The Township may hire an outside-qualified consultant for this purpose, using escrow funds placed on deposit with the Township Treasurer by the applicant.
9. The mining permit grants the applicant authority to mine and remove sand mineral. Crushing of stone or other processes on premises is prohibited.
10. The method of sand extraction will be mechanical (for example, front end loader or back hoe) and shall not employ pumping or other water born methods to remove minerals from the site.
11. Mining limits to be clearly staked by applicant or his authorized agent.
12. A fence shall be maintained along the south, east and northern borders of the active mining area as shown on the site plan. The fence shall be maintained at all times while this permit is in effect. The fence may be constructed of orange plastic snow fence supported by metal posts.
13. A sign must be maintained at the exit of the mining driveway stating the following:
 - a. Hours of operation. M-F 7am-6pm, Saturday 7am-noon
 - b. Speed limit of 25MPH on Bender Road between the Janose Farm and Adams Road

- c. No Jake Braking on Bender Road or Adams Road
 - d. Any violations to the stated conditions above will result in the permit being revoked until the special use is found to be in full compliance. The sign must be approved by the Zoning Administrator prior to mining activity commencing under the terms of this permit.
- 14. No express or implied approval of an end use or permanent use of the subject property is given by the Planning Commission. Any permanent use will be subject to Township Zoning regulations then in effect.
 - 15. The north face of the mine operation should be restored to a useable slope (not steeper than 1:4 per Zoning Ordinance requirements. The slope grade will be determined by the landowner to best compliment the agricultural use.
 - 16. The following documents must be filed with Thornapple Township prior to issuing the permit:
 - 17. Reclamation bond in the amount of no less than \$51,000 in favor of Thornapple Township, and
 - 18. Insurance certificate in the amount of \$1,000,000 in property damage and \$1,000,000 in personal injury coverage with Thornapple Township as co-named insured (required by Section 19.53(s)(2).

Kilgore asked Rookus and Janose when mining would begin at the site. Rookus stated that the majority of the future mining material would be sent to Bradford White. Roll Call Vote: Gasper, Yes; French, absent; Finkbeiner, Yes; Hansson, Yes; Kilgore, Yes; Rairigh, Yes; Wandrie, Yes.

MOTION CARRIED.

- 7. New Business: None.
- 8. Unfinished Business: None.
- 9. Committee Reports:
 - A. **Ordinance Committee** – Getty provided an overview of the possible need of a solar panel ordinance. Currently, solar panel installation is approved through a Special Use Permit, however, discussions need to be held as to whether specific special use standards should be developed. Kilgore felt that this is a growing need and that the Township should be out in front of it. Getty will schedule an Ordinance Committee meeting to discuss a possible solar panel ordinance.
 - B. **Site Plan Committee** – No report.
 - C. **Joint Planning Committee** – Getty stated that the next JPA meeting is August 7th from 10:00-12:00. Gasper stated that she will not be able to attend this meeting

and asked that volunteer's personal work hours be factored into the scheduling of meetings. (Since rescheduled to August 28, 2018 at 4:30 p.m.)

10. Administrator's Report:

- A. Zoning Activity Report: Report included in meeting packet.
- B. Enforcement Report: Report included in meeting packet.

11. Commissioner Comments: Kilgore stated that he will be absent at the August 27, 2018 Planning Commission Meeting.

12. Adjournment: MOTION by Gasper, support by Finkbeiner to adjourn the meeting at 7:43 p.m. **MOTION CARRIED** with 6 yes voice votes.

Sandra Rairigh, Secretary

Stephanie Skidmore, Recording Secretary

Approved 10/22/2018