

GRATTAN TOWNSHIP PLANNING COMMISSION

Regular Meeting of December 5, 2007

Call to Order/Roll Call

Chairperson Alan Rumbaugh called the regular meeting of the Grattan Township Planning Commission to order at the Grattan Township Hall at 12050 Old Belding Road at 7:00 p.m. Members present: L. Sostecke, A. Berry, A. Rumbaugh, S. Miller and J. Proos. Members absent: J. Spitler and D. Heffron. Both were excused absences. Township Supervisor Frank Force and Township Attorney Jim Brown also attended the meeting.

Pledge of Allegiance

A. Rumbaugh led the Pledge of Allegiance.

Approval of Agenda

L. Sostecke moved and J. Proos seconded to approve the agenda as written. All ayes. The motion carried. Approval of Minutes

A. Berry noted minor corrections. S. Miller asked that the applicant's document regarding noise levels be attached to the November minutes. She also asked that the approximate weight of loaded trucks entering M-44 from the operation be included in the minutes. A. Berry moved and L. Sostecke seconded to approve the amended minutes. All ayes. The motion carried.

Public Comments

There were no public comments.

Public Hearing- Timothy and Janet Heffron Trust and Nash Farm LLC- Request for Mineral Extraction and Processing

Brent De Rose, Nederveld Associates, briefly explained the proposal. Manny Mooney, neighbor, asked if the operation would be visible from the road. The applicant said no trees along the road would be removed, but some portions of the operation would probably be visible.

Tim Heffron, applicant, said he plans to continue operation of the northern portion of the proposal as he has done in the past.

L. Sostecke moved and A. Berry seconded to open the public hearing. All ayes. The motion carried.

Dave Punches, 13190 Belding Road , neighbor, said the estimated number of trucks mentioned at the meeting is higher than the number Doug Meekhof told him. Mr. Punches said Mr. Meekhof said there would be 1-3 trucks per day. Mr. Meekhof said that was an average number of trucks noting that some days there could be no trucks leaving the site, while other days there could be many. Mr. Punches said he doesn't mind the proposed operation, but it is much larger than he originally thought. He was concerned about the truck traffic near the "bad corner" at Lincoln Lake Road and M-44. A. Rumbaugh said the proposed limit of extracting up to 50,000 cubic yards per year was added to keep the operation from becoming too large. He said the number of trucks per day will be driven by the market and counting the number of trucks per day is not feasible.

J. Nowak asked if there would be a surveillance fee. J. Brown said the ordinance says a 5 cent per cubic yard surveillance fee will be charged on material removed from the site. This money will be used by the Township to pay for the costs of monitoring the site. Any money remaining from the surveillance fees when the special land use has ended is returned to the property owner. Township Engineers will estimate how much material is being removed and the Township can ask the operator to provide load tickets. Mr. Nowak said he was opposed to the surveillance charge. F. Force asked if the surveillance fee applies to part A and B of the proposal or just the Meekhof's (A). J. Brown said there is no basis for waiving that charge and the Planning Commission must follow the ordinance. The surveillance fee would be applicable to both parts of the proposal. Mr. Heffron said he has been working on this proposal for 2 years and is trying to "do it in a good way". J. Brown said the Planning Commission could look at amending the ordinance for small scale operations if the Township wants to.

Dave Punches asked if the applicants plan to dig deeper or straight into the bank on the Nash property. Mr. Meekhof said they plan to go straight in.

A. Berry moved and S. Miller seconded to close the public hearing. All ayes. The motion carried.

A. Berry said he was concerned about traffic safety. S. Miller agreed. She said she was not comfortable with trucks trying to reach the posted 55 mph speed limit near the intersection of Lincoln Lake Road and M-44. She was worried about the possibility of additional costs incurred by the Township Fire Department for calls to accidents at that intersection. A. Rumbaugh said signs warning drivers that there are trucks entering and exiting would be posted. Mr. Meekhof said his operation in Spring Lake is located off M-104 near the I-96 entrance/exit ramp. He said his business is near a busy highway and their trucks have had no accidents while turning at that intersection.

Commission members discussed what recourse the Township could have if there are concerns after the operation has begun. It was agreed that the Township Enforcement Officer would contact the operator and ask for changes in order to solve the problem.

J. Proos said although he was concerned about noise, the owner has the right to use the land.

Commissioners asked Mr. Panches and Mr. Mooney, 13360 Belding Road , if they had any problems with the proposed location of the entrance drive. Mr. Mooney said he had no problem with the location. Mr. Panches said the entrance would be located halfway between his house and Mr. Mooney's. Commissioners asked the applicant who would request road signs warning of trucks entering and exiting the operation. Mr. De Rose said the applicant would request those signs from the Kent County Road Commission.

A. Rumbaugh said the Township Fire Department has concerns about access to the gated property in case of an emergency. They would also like to know the location and types of materials at the site. The applicant agreed to provide a key to the Fire Department and provide the location of fuel tanks.

J. Brown said historically the State has been favorably prejudiced towards mineral extractors and there must be a serious traffic problem to warrant change. D. Panches said he sleeps during the day and asked if the trucks use Jake brakes, which are very loud. Mr. Meekhof said the trucks do use Jake brakes, but did not think they would be necessary at this location. He said if there is a problem with noise from the brakes to let him know.

J. Brown said there would be an annual review by the Township Engineer and a review every 3 years by the Planning Commission with the option to review at any time if necessary. The Planning Commission review will not be a public hearing. The Heffron property will be limited to a maximum annual extraction of 10,000 cubic feet per year with no time limit. Four foot fencing will be erected around the Heffron mining operation in order to deter people entering the area of steep slopes. Mr. De Rose will contact the Kent County Road Commission for signs near the entrance, and the applicant will provide the Fire Department a key to the front gate and the location of fuel tanks. If there is an increase in accidents or other serious traffic issues, the Township Enforcement Officer will contact the operator and discuss ways to solve the issues. J. Brown said he will add changes discussed at the meeting.

A. Berry read a letter in favor of the proposal from George and Sheila Wright.

A. Berry moved and L. Sostecke seconded to approve the resolution with changes noted at this meeting. A. Berry read the roll call. Ayes: L. Sostecke, J. Proos, A. Berry and A. Rumbaugh. Nays: S. Miller. The motion carried by a vote of 4-1.

Adjournment

There being no further business, A. Rumbaugh declared the meeting adjourned. The next regular meeting will be held on January 2, 2008.

Respectfully submitted,

Diane Timmons

Recording Secretary, GTPC

Al Berry, Secretary, GTPC