

Port Sheldon Township Planning Commission
July 26, 2017

Van Malsen called the meeting to order at 6:00 p.m.

PRESENT: DeLeeuw, Monhollon, Petroelje, Stump, Timmer, Van Ginhoven, Van Malsen

STAFF: Davis, Moore

Motion by Van Ginhoven to approve the minutes of the June 28, 2017 meeting, supported by DeLeeuw and carried.

PUBLIC HEARINGS:

1. A revised Master Plan for the Township. Moore re-capped the process; the commission has been reviewing the Master Plan for several years, it has been distributed to neighboring communities for comments. No comments were received. After this hearing the commission can recommend that the township board adopt the revised plan. The board can approve, reject or modify the plan. Van Malsen opened the public hearing. There were no public comments. **Motion by DeLeeuw to adopt the resolution titled "A Resolution Recommending Approval of the Updated Port Sheldon Township Master Plan to the Township Board and Constituting Planning Commission Approval of Such Master Plan," supported by Van Ginhoven and carried.**

NEW BUSINESS:

1. Application for Special Use Review from Lakeshore Sand LLC for the sand removal project on parcel 70-11-12-100-031. Davis stated that he has received no complaints about this project. Applicant Phil Brewer said the project is close to half way finished; he estimates another 4 years until completion. Moore stated that one of the original conditions of approval is that applicant must return each year for review of the project.

UNFINISHED BUSINESS:

1. Applications for Special Use, Site Plan Review, and a Private Road from Brent & Kim Lokker of Lokker Properties LLC to construct an indoor storage condominium and automotive repair facility on parcel 70-11-22-300-049, 6755 Butternut Drive, currently owned by Pigeon River Development. This request was tabled at the May and June 2017 meetings. Moore has been in contact with the applicants, they have decided to make some changes to the plan previously submitted, eliminating the private road and adding another storage building. Moore stated that because of the changes to the storage facility, another Special Use Hearing will be held. **Motion by Petroelje to table this request and set a public hearing for August 23, 2017 (providing applicant submits application and information), supported by Monhollon and carried.**

2. Special Use Application from Brandon Bos to dig a pond on parcel 70-11-22-451-003, 6571 Holly Drive, tabled at the June 2017 meeting. Bos submitted an amended application to include removing sand from the site. Moore summarized; with a pond width of 50' the pond will at most be 7 feet deep. Commissioners reviewed Moore's updated report and each condition suggested by Moore, including pond depth, haul route, bond, signage, and hours of operation. **Motion by Petroelje to approve a Special Use to dig a pond and remove sand from 6571 Holly Drive with the attached following conditions:**

1. The applicant shall take adequate public health measures to ensure that the existence of the pond

does not cause the spread of disease, stagnation, or otherwise provide conditions dangerous or injurious to the public health.

2. The slopes of the banks or sides of the pond shall be constructed so that for each one foot of fall there shall be a minimum of four (4) feet of run. This minimum slope angle must be maintained and extended into the pond water to a depth of at least five (5) feet.
3. The pond shall be at least 6 feet deep, as measured from the average water level.
4. The pond shall be constructed and maintained such that it neither causes nor contributes to the erosion of any adjacent, abutting, or nearby lands.
5. The applicant shall maintain the pond in accordance with all applicable standards of the Zoning Ordinance.
6. The hours of operation for loading, removing and moving materials shall be limited to Monday through Friday, 7:30 AM to 5:30 PM, and Saturday 8:00 AM to 12:30 PM, and closed Sundays and Federal Holidays.
7. The Ottawa County Water Resources Commissioner shall approve the project prior to excavation, if necessary.
8. The applicant shall utilize the existing driveway on the site for ingress/egress. No other access shall be constructed.
9. The operation shall take all reasonable steps to minimize airborne materials. This includes dust control, minimizing stockpile areas and stockpile height of 15 feet.
10. Holly Drive shall be maintained daily in a mud and dust free condition to minimize dust, dirt and mud accumulations and not produce a public nuisance.
11. Materials removed from the site shall be trucked south along Holly Drive to Port Sheldon Street with the exception of local deliveries within Port Sheldon Township, that are covered and within the weight limits permitted by the Ottawa County Road Commission.
12. Trees shall not be removed, moved or altered outside of the excavation area and within a phase in which excavation activities have not commenced. Trees within the excavation area may be transplanted to other areas to buffer the excavation area from adjacent properties.
13. The end use of this earth removal project shall be a pond consistent with the submitted site plan.
14. Storage of trucks and other equipment not used directly in the mining and processing of commodities produced on site shall not occur on the site.
15. The owner/operator shall file with the Township Zoning Administrator the name and telephone number of the person designated by the owner/operator to act on behalf of the owner operator, who will be held responsible for resolving any and all complaints related to this operation. When the owner/operator receives a complaint, he or she shall file a report with the Zoning Administrator regarding the nature of the complaint and the resultant action of the owner/operator.
16. Excavation shall cease by July 1, 2018 and the pond shall be completed by July 1, 2018 unless extended by the Planning Commission at a future date.
17. Use of lighting shall be limited to hours of operation as specified in these conditions, and shall not glare onto adjacent properties or public roadways.
18. The owner/operator/applicant and subsequent assigns, hereby agree to take full remedial and financial responsibility for any impact on nearby water supply wells, as determined by the MDEQ.
19. Additional signs shall be posted at the entrance to the operation identifying rules for vehicle

operators, hours of operation, or other appropriate messages intended to protect the public health, safety, and welfare. This sign shall also contain the name and phone number of the person responsible for answering questions or responding to complaints.

20. All other rules and regulations of Port Sheldon Township shall be applicable and enforceable.

Motion was supported by DeLeeuw and carried.

Van Malsen adjourned meeting at 6:45 p.m.

Lori Stump, Secretary