

LONDON TOWNSHIP
Planning Commission Meeting
As recorded by Larry Fiebelkorn
Monday April 3, 2017

Chairman Daryl Nichols called meeting to order at 7:30pm.

Chairman Nichols leads reciting Pledge of allegiance

Roll Call:

Larry Fiebelkorn	Present	Richard Horn	Present
Leroy Zieske	Present	James Turner	Present
Pam Ackerman	Present	Richard Magnus	Present
Doug Darling	Present	Penny Turner	Absent

Approval of Minutes (February 6, 2017)

Doug Darling moves to correct meeting minutes.

- Requests to add specifics to “Sustainable Growth Facility” by changing commercial growth facility to “Marijuana Growing Facility”
- Provide correct name for chairman, change from Douglas Nichols to Daryl Nichols in two (2) locations.

Richard Horn supports

Roll Call Vote:

Larry Fiebelkorn	Yes	Richard Horn	Yes
Leroy Zieske	Yes	James Turner	Yes
Pam Ackerman	Yes	Richard Magnus	Yes
Doug Darling	Yes		

Old Business

Planning Commission By-laws

James Turner identifies concern that a planning commission chairperson does not have the ability to schedule a special meeting per Section 2-part B. **Leroy Zieske** states that the Board of Trustees is required to approve in order to provide the financial expense. Citizen **Ed Giraud Jr.** identified previous acceptance of Monroe County Planning Commission ordinance which should identify the process of a special meeting request.

Doug Darling then recited page 2-part B of the Monroe Charter Township.

Chairman Nichols requested that copies of the MTA Authorities and Responsibilities of Michigan Townships be provided to planning commission member for review.

Leroy Zeiske motions to table the authority discussion until members review the MTA material.

Richard Horn supports the motion.

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Roll Call Vote:

Larry Fiebelkorn	Yes	Richard Horn	Yes
Leroy Zieske	Yes	James Turner	Yes
Pam Ackerman	Yes	Richard Magnus	Yes
Doug Darling	Yes		

New Business

Pond, Excavation, Quarry

James Turner requested clarification on moratorium and why ordinance 5.608 was not included. Further requested why Aggregate Industries could move forward with excavation with no proof of payment submittal prior to moratorium being placed on January 9, 2017. **Chairman Nichols** requested understanding from Zoning Administrator **David Friend** of the process that Aggregate Industries had to go through for the application process. It was established that Aggregate Industries submitted their application and payment on November 22, 2016 prior to moratorium being placed. The \$5000 payment was deposited into an escrow checking account to be drawn on for reviews and township engineering support. **Leroy Zeiske** further explained how the escrow account is used and that payments should not be deposited to the general fund. Township Engineer **David Kubiske** confirmed that three (3) copies from Aggregate Industries were received and forwarded to the Township Hall. **David Friend** says he did not see the copies and did not know what happen to them. **James Turner** further questioned why Aggregate Industries submittal was a surprise to the Planning Commission if the process had started back in August 2016. **David Kubiske** stated that once he sends to Township he has no control but going forward the Planning Commission will need to set a special hearing and provide public notice of the hearing.

David Kubiske also advised reviewing the special use ordinance and provide recommendations to the Township Board.

David Kubiske suggested finalizing extraction ordinance and updating requirements for well protection.

Chairman Nichols suggested a work shop for the Planning Commission to review and take suggestions from citizens regarding the ordinance changes to 5.604/5.605/5.607/5.608.

Citizen **Ed Giraud Jr.** requested clarification on fill for driveways under 5.608 because he had a contract job to complete a driveway. Specifically, **Ed Girard** was asking if hardfill (brick/concrete block) was going to continue to be allowed. **Doug Darling** recited from current ordinance that solid fill such as brick/concrete block or painted material is

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prohibited as fill for driveways unless a permit is obtained. **Ed Girard** commented that hardfill is the standard practice, and that other townships allow this practice. **David Kubiske** explained that most other townships do have ordinances against this practice and that it is not a standard.

Rich Horn motions to have workshop to cover ordinance reviews on 5.604/5.605/5.607/5.608 on Monday April 24, 2017 at 7:30pm

James Turner supports the motion.

Roll Call Vote:

Larry Fiebelkorn	Yes	Richard Horn	Yes
Leroy Zieske	Yes	James Turner	Yes
Pam Ackerman	Yes	Richard Magnus	Yes
Doug Darling	Yes		

Presentation by Aggregate Industries

Presenters:

Rob Hayes, Ethan Beldwin, Jake Hepp, Brian Gasuierowski, Bruce Bockin

Rob Hayes presents highlights of meeting ordinances.

Aggregate industries meet or exceeds requirements for:

- Noise control
- Dust Control
- Vibration from blasting
- Soil erosion to creek
- Ground water protection

The project will create a 92-acre lake that should benefit the citizens of the community.

Bruce Bockin provides key points of the site plan.

- 143-acre project area
- 65 feet deep lake
- 90 feet deep excavation
- Currently pump 5.5 million gallons per day from existing quarry to holding ponds and tanks. Water is treated with hydrogen peroxide to remove sulfur before entering local creek

Brian Gasuierowski states commitment to protect resident's groundwater wells.

Doug Darling suggests having existing analysis completed by residents to establish a basis going forward.

Resident: How big of radius is expected for well testing?

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Aggregate Industries suggests $\frac{3}{4}$ mile. Agrees that the township may require larger radius. Confirms that home owners in close proximity would have the expense of well testing covered by aggregate Industries.

Doug Darling asks Aggregate Industries to provide test well paperwork history to be provided by the April 24th meeting for review. Aggregate Industries confirms that they can.

Resident: How will Aggregate Industries protect local homes from drywall cracks, broken windows, foundation cracks? Can Aggregate Industries provide better personal on-site monitoring when blasting occurs? If berm is constructed as quarry expands how will this protect local homes from noise and rocks?

Aggregate Industries: will work with home owners individually to work through issues. Berm will be constructed continuously from overburden and will be in place prior to localized blasting.

Resident: How close will the berm be to property line on south side of excavation due to concerns of rain runoff flooding onto farm property?

Aggregate Industries: A plan will be completed but there will probably need to be a ditch to route rain run off away.

Leroy Zeiske reminds residents that the existing quarry will continue to blast so it is not to be confused as new quarry blasting.

Resident: Concern that well cap problems are tied to water being pumped from ground. Explains that well cap is loose and freezing occurs in winter.

Resident: Are there any current issues with the monitoring wells that have been identified?

Aggregate Industries: None that is known

Resident: We suggest that Planning Commission and Township hold Aggregate Industries accountable for drop in water level.

Resident: Is monitoring well in the same aquifer as quarry?

Aggregate Industries: We must check on that.

Richard Horn requests **Dave Friend** and **David Kubiske** to participate at the workshop meeting on April 24th. Both agree to be present.

Chairman Nichols closes New Business

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Public Comment

Ed Giraud Jr. stated that he continues to be held up on new ponds because of the moratorium placed for six (6) months. Requests if the planning commission can override the mandate.

Chairman Nichols states that the planning commission cannot and that the board is responsible to lift the moratorium.

Resident: How often are meeting minutes incorrect? References that communication occurred between the supervisor and other outside municipalities which is specifically stated in previous meeting that the supervisor did not communicate to these municipalities.

Resident: Requests planning commission to allow for home owners to sell off excavated material from digging pond to offset the expense of digging pond.

James Turner motions to recommend board of trustees to lift moratorium on ponds at their next meeting on Monday April 10, 2017.

Richard Horn supports motion.

Chairman Nichols requests vote.

Roll Call Vote:

Larry Fiebelkorn	Yes	Richard Horn	Yes
Leroy Zieske	Yes	James Turner	Yes
Pam Ackerman	Yes	Richard Magnus	Yes
Doug Darling	Yes		

James Turner motions to clarify moratorium motion to include all ordinances 5.604/5.605/5.607/5.608.

Doug Darling supports motion.

Roll Call Vote:

Larry Fiebelkorn	Yes	Richard Horn	Yes
Leroy Zieske	Yes	James Turner	Yes
Pam Ackerman	Yes	Richard Magnus	Yes
Doug Darling	Yes		

Supervisor Gary Taepke clarifies that the new ordinance takes effect immediately when it is adopted.

Leroy Zieske moves to adjourn meeting.

Richard Horn supports motion

Chairman Nichols: Motion Carried

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Meeting adjourned at approximately 10:05pm

Planning Commission workshop scheduled for Monday April 24, 2017

Submitted by
Larry Fiebelkorn