

July 24, 2017

Minutes of the Grant Township Planning Commission Meeting
and Public Hearing

Members present: Gordon VanderSlice, SueAnn DeBrot, Bill Mischler, Ryan Fekken, Cliff Cudney, Joan Brooks, Carol Sisson, Lynn Kroll

Audience present: Rodger Sweeting (Township Attorney), Roger Schmidt, Jim Aebig, Michael and Patricia Dawson, George Vandyke, Ray Gundy, Jeanne and Tom Dykman, Michelle Scamehorn, Jim Sweeney, Jr., Juanita Dunn, Alexis Johnson, MaryAnn Machovsky, Randy Machovsky, Daniel Walsh, Chad and Kayli Bono

Chairman Gordon VanderSlice called the meeting to order at 7:35 pm. Ryan moved that the minutes of the previous meeting be accepted as written. Cliff supported the motion and all members voted "aye". The motion carried 7-0. Bill moved that the agenda for the meeting be approved as presented. SueAnn supported the motion and all members voted "aye". The motion carried 7-0.

Gordon then opened the public hearing for the special use permit request by Jim Sweeney, and Chad and Kayli Bono. Lynn explained that the Bonos, owners/ operators of OTR Hauling and Waste, wish to purchase the property at the northeast corner of Roosevelt Road and Oceana Drive from Mr. Sweeney and develop the property as a holding and staging area for their waste tubs. The property is located at 8764 S Oceana Drive, Montague, MI 49437. This property is zoned commercial. Property No. 64-017-028-400-16 Because of the laws in place by the DEQ, any waste that is moved from one tub to another is called a transfer. Therefore, this use would also be deemed as a transfer station by the DEQ. Lynn noted that a transfer station/recycling center is only currently permitted in an industrial zone. However, in the 2006 Grant Township Zoning Ordinance, a transfer station/recycling center was allowed by special use permit in a commercial zone also. Chad Bono then stated that the property would be used as a holding yard for the OTR tubs. Because of the weight of the full tubs, they needed to use a Class A road which Oceana Drive is. The industrial district in Grant Township does not have Class A roads so the tubs would have to be hauled one at a time rather than in tandem when weight restrictions are in force. Tandem hauling saves gas and time, and separating the recyclables saves on what goes into the landfill. The area would be fenced in to lower the visual impact.

Rodger Sweeting, Township Attorney, said that the Planning Commission needed to decide what is the best fit for this use and being in a commercial zone might not be the best place. It would be good to take question and comments on the special use permit application.

Public Comment: Jim Sweeney: I have no problems with this application. Other comments from people who did not identify themselves: My issue is having this holding yard on Oceana Drive where there are residences and state land nearby. #7 on the environmental check-list asks if there will be burning on site: Mr. Bono said there would not be any burning of materials on site. Juanita Dunn expressed her concern about liquids leaking out of the tubs. Mrs. Dawson presented signatures of residents who are opposed to the special use permit. She also showed the Planning Commission pictures of the line of tubs at the current staging area behind Rothbury Feeds. She also had a letter from John Dunlap stating his opposition to the special use permit. Someone asked if OTR had hauled trash from the Electric Forest

Festival. Mr. Bono stated that he had removed only the temporary fencing used at the festival. Another person was concerned about nearby home owners losing property value if this was approved. Mrs. Dawson said that she has asthma and was concerned about the holding yard affecting her ability to breathe. When asked, Mr. Bono stated that the main driveway would be on Oceana Drive with a secondary drive being on Roosevelt Road. The secondary drive would only be used when the primary drive access wasn't available. A comment was made that the Bonos wanted to take 2 years to build the fence and that was too long. Jim Sweeney asked how many complaints have been received at the Township about the current holding yard. Mr. Schmidt said that the Township hadn't received any complaints. Randy Machovsky said that he had been involved in waste management for many years and knows that this type of operation can be done right. His concerns were about chemicals and water leaking from the tubs as well as the tubs drawing vermin. Another audience member asked if the carcass tub would be stored at the proposed yard. Mr. Bono said that that particular tub never sits at the yard but is always taken directly to the land fill. Someone said that state law says this type of operation must be 800' from residences and wells, and 2,000' from wells that are on a lower level than the operation. The public comment portion of the public hearing was then closed.

Bill moved that the special use permit public hearing for Chad and Kayli Bono, and James Sweeney, Jr. be tabled. Joan supported the motion and all members voted "aye". The motion carried 7-0. The public hearing was then closed.

Ryan asked if the omission of the transfer station/recycling center use being in the 2006 zoning ordinance and then not in the 2014 ordinance was a clerical error or an ordinance change. SueAnn said that more research needed to be done on that matter. After more discussion, Ryan moved that the Planning Commission hold a public hearing on Monday, August 28, 2017 on the matter of putting transfer station/recycling center back into the commercial zones as a special use. Cliff supported the motion and all members voted "aye". The motion carried 7-0.

Ray Gundy then addressed the Planning Commission as to their concerns about the conditions at his garage on Oceana Drive. He explained that he had to wait a long time to obtain titles to the cars he impounded for the county before he could haul them to be recycled. He now has titles for most of the cars in the impound yard and the cars would be gone before fall. He also stated that he was down to 1 semitrailer without a clear title so he could dispose of it. He said that he would do repairs for people and then the owners wouldn't or couldn't pay for the repairs and so the vehicles sat there for extended periods of time. He was asked if he could just not do as many impounds for the county. Mr. Gundy said that if he refused to pick up vehicles two times in a row he would be taken out of the rotation and that he couldn't refuse because of the money he makes by picking up vehicles. The Planning Commission thanked Mr. Gundy for taking the time to address their concerns.

ORV Ordinance: Lynn passed out the copies of the proposed ORV ordinance that had been tailored for Grant Township. Bill moved that the Planning Commission hold a public hearing on the proposed ORV ordinance on Monday, August 28, 2017. Ryan supported the motion and all members voted "aye". The motion carried 7-0.

Other business: Jim Aebig brought up the topic of temporary camping permits. He felt that the Planning Commission should look into the issue and that there may be a need for some limitations on such a use. Lynn said that Benona, Golden and Claybanks Townships do have ordinances for temporary camping but those ordinances deal mostly with RVs. The Planning Commission agreed to study this matter at a future meeting.

Joan moved that the meeting be adjourned. Bill supported the motion and all members voted "aye". The motion carried 7-0 and the meeting was adjourned at 9:04 pm.

Respectfully submitted,

Carol Sisson, Secretary
Grant Township Planning Commission

Cc: Roger Schmidt, Bill Wagner, Joanne Heck, Jim Aebig, Joan Brooks, Roland Brooks, Lynn Kroll