

Casco Township Planning Commission

Regular Meeting

July 19, 2023

6:00 PM

Casco Township Hall

Members Present: Andy **Litts**, Greg **Knisley**, Dian **Liepe**, Ryan **Brush**, Dan **Fleming**, Kelly **Hecker**, Irene **Wood**

Members Absent: None

Audience: Ron **Bultje**, Allan **Overhiser**, Tim **Lubbers**, Henry **Cisco**, Debbie **Wilson**, Julie **Cowie**, April **Sorrells**, Fred **Trevino**, Victoria **Villwock**, other unidentified audience members.

1. Call to order: Meeting was called to order by Chairman **Litts** 6:00PM
2. Review and approve agenda: A motion was made by **Liepe** to approve the agenda, supported by **Hecker**. All in favor. Motion carried.
3. Public comment: Tyler Augst from the Michigan State University (MSU) Extension presented a packet of upcoming training and certification classes that MSU has available. This includes a citizen planner program, a ZBA online certificate course, a master citizen planner webinar, and a great lakes coastal planning and zoning email course.
4. Correspondence: Janet Garcia sent an e-mail, opposing the sand mine approval, which stated that she believes the cartage of dust-generating materials past residential properties along the proposed truck route, coupled with the noise and safety issues associated with the frequent passage of trucks to/from the mining operation site, will ultimately decrease the value of her property. Further, having this commercial truck route directed along 103rd Ave. to 66th St. will negatively affect enjoyment of her rural property.

Knisley asked **Bultje** if the potential decrease in property values could be substantiated. Bultje responded that the property owners would have to prove it and with the limited time of this operation (10 years or so) it would be tough to do so.
5. Approval of Minutes: A motion was made by **Knisley** to approve the June 21st, 2023 minutes, supported by **Brush**. All in favor. Motion carried.
6. Public Hearing: None
7. New Business: Vintage Inn, 7073 Baseline Rd will be applying for a winery and tasting room approval at the next PC meeting on August 16th 2023.

8. Old Business:

- a. The applicant, Henry **Cisco** - 68th St. Parcel #03-02-020-002-00 is requesting a Special Land Use (SLU) approval for the removal and processing of sand.

Litts reviewed the conditions that the PC had discussed at their special meeting on July 12th 2023. After discussing some minor revisions **Bultje** suggested that a motion be made to approve the SLU, with the discussed conditions.

Fleming made a motion to approve the Special Land Use request, finding that the standards of Sec. 15.03DD have been satisfied, based on multiple months of PC discussions; with the following conditions being established on the project:

1. Unless other requirements are specified in the Zoning Ordinance or in the conditions attached to the Project, all representations made by the Applicant in its documents submitted to the Township in support of the Project must be met in their entirety.
2. All applicable requirements of the Zoning Ordinance must be met in their entirety.
3. All applicable approvals must be obtained from all governmental units and agencies having jurisdiction concerning the Project. All conditions placed on any such approvals must be complied with in their entirety.
4. All activity on the Property which results from the approval of the Project shall be accomplished between the hours of 8 a.m. and 5 p.m., Monday through Friday, and between the hours of 8 a.m. and 3 p.m., Saturday. Saturday for maintenance activity only. No activities on Sunday. (15.03DD#3a)
5. All excavation shall be terminated not less than 3 feet above the water table, as per Statement 6-7-2023 #10 (15.03DD#1C(10))
6. The Applicant shall file with the Township a performance bond which names the Township as the sole obligee, with the performance bond to be in such amount as is determined necessary by the Township to secure compliance with all of the conditions placed by the Township upon the completion of the Project (or at least in the amount determined necessary to secure compliance with all of the conditions for as much of the Project as has been initiated and not yet completed). (15.03DD#1e)
7. The Project shall comply with the terms of a road agreement with the Township, as approved by the Township Board. (15.03DD#1e)
8. The Applicant will use fuel trucks for its off-road vehicles to implement the Project. Onsite fuel tanks may also be permitted on the Property but must be protected by secondary spill containment.

9. The Applicant shall apply dust control to haul routes (interior driveways) on the Property as necessary to prevent excessive dust. (15.03DD#3f)
10. The Project shall be permitted for one year at a time, as provided by the Zoning Ordinance. The Planning Commission shall consider a one-year extension annually, provided the Applicant makes a timely application and establishes that it is in compliance with these conditions.
11. The Applicant shall allow photographs to be taken by the Township of the excavation and other work areas before, during, and after the Project is implemented.
12. Upon completion of the Project, as-built surveys shall be required from the Applicant to ensure compliance with the approved plans prior to bond release.
13. Any stockpiles shall be temporarily seeded as necessary during the implementation of the Project to prevent wind erosion.
14.
 - a. A setback of 200 feet shall be maintained for any excavation on the Property from all boundaries of the Property, and all public rights-of-way.
 - b. A setback of 50 feet shall be maintained for any excavation on the Property from all wetlands on the Property:-
15. The 80 acres of the Property shall be mined in phases of 11-12 acres at a time. Only one phase may be mined at a time. A second phase can be reclaimed simultaneously. No activity is allowed in more than two phases at a time.
16. A maximum of 25 truck trips will be allowed per day. A maximum of 705,000.00 cubic yards may be mined from the Property as per Statement 6-7-23 #C (15.03DD#3k & 15.03DD#3a). A maximum of 70,500 cubic yards may be mined per year.
17. Empty trucks may travel on any road, following all weight restrictions, to the project site. Trains/Doubles leaving the site must take 68th Street south to a County Primary road; and then may travel following all weight restrictions. Other loaded trucks may travel on any roads and bridges, following all weight restrictions. (15.03DD#3k)
18. Monthly operation reports shall be submitted to the Zoning Administrator, including high-water table elevation readings.
19. A complete hydro-geotechnical determination of the high-water table elevation shall be performed prior to commencing any mining activities. Water tables shall be monitored on the property until the mining activity has been completed and the reclamation process has been finalized. This data shall be submitted to the township for review with the quarterly reports, as per GEI response to the environmental impact study.
20. Per Section 15.03DD#6b reclaimed areas shall be restored by the replacement of 6" of topsoil. Outside soil materials may only be brought in to assist in the reclamation of the site.

Any outside soil brought in shall be clean and suitable for agricultural use, as per GEI response to the environmental impact study.

21. The Township may choose to hire an engineer to oversee the establishment of the mine, monitor the operation of the mine, monitor ground water levels, and provide oversight. Cost associated with this will come out of the escrow established by the applicant and the Township, as per GEI response to the environmental impact study.

Hecker seconded the motion. **Litts - Y, Knisley - Y, Liepe - Y, Brush - Y, Fleming - Y, Hecker - Y, Wood - N.** Roll Call Vote (6-1) Motion Passed.

- b. Discussion Solar Farm Ordinance- sub-committee report. **Woods** stated that she had just received the report this week showing the transmission line locations. **Woods** and **Hecker** had nothing else to report. **Liepe** was added to the sub-committee.

9. Administrative reports:

Zoning Administrator – **Smalley** was absent. PC received June monthly invoice

Township Board Representative – **Fleming** confirmed that the Board had approved the cost to pave 68th St in 2025.

ZBA Representative – **Liepe** had nothing to report

10. Public comment:

Augst thanked the PC for letting him sit in and informed them that MSU has a sample Solar Zoning Ordinance that they could use as a reference.

Villwock stated that she was not thrilled that the sand mine was approved.

11. Adjourn at 8:46 pm

Attachments: available upon request

Minutes prepared by:

Jennifer Goodrich, Recording Secretary