

Draft

## Casco Township Planning Commission

### Regular Meeting

April 19, 2023

6:00 PM

### Casco Township Hall

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

Members Absent: Dian **Liepe**

Also present: Zoning Administrator Tasha **Smalley**, Recording Secretary Jennifer Goodrich, and several people in the audience

1. Call to order: Meeting was called to order by Chairman **Litts** 6:00PM
2. Review and approve agenda: A motion by **Hecker** to amend the agenda and postpone the approval of the previous minutes, which had yet to be submitted; supported by **Brush**. All in favor. Motion carried.
3. Public comment:

Peter **Brown** - 7087 107th Ave presented his Dossier of two proposed Zoning ordinance text changes.

1. Reduce the minimum dwelling size in the Rural Residential (RR) District to 400 square feet. 2. Under certain circumstances allow Auxiliary Dwelling Units (ADU) in the RR District and the Agricultural District (AG).

He started out by stating that he no longer had an argument for the 400 Sq. Ft. minimum dwelling size requirement as he had just found three structures under that size that would suit just fine. He went on to state that requirements like "matching the existing character..." were Not In My Back Yard (NIMBY) arguments. **Brown** also stated that the 6 criteria that the Zoning Board of Appeals (ZBA) uses to justify a variance are in contradiction to State Law.

4. No correspondence was received
5. Approval of Minutes - Postponed
6. Public Hearing - None
7. New Business

Discuss/decide **Brown's** two proposed Zoning ordinance text changes.

The PC agreed that a discussion regarding minimum dwelling requirements and ADU's was warranted. Concerns regarding Construction code compliance, Rental regulation, and neighboring property values were briefly discussed. **Litts** asked the commissioners to research the topics and be prepared to discuss them further at their next meeting.

## 8. Old Business

### a. Discuss/Decision text amendments

- continue work on campground Special Use Regulations 15.03# E.5

**Wood** stated that the Township regulations should match the State regulations. Concerns regarding any ancillary uses being limited to guests only and not being made available to the general public were discussed. **Wood** explained that the State regulates what can be sold at the Campground store. Potential cleanliness, aesthetics and traffic concerns were also discussed.

#1 no change

#2 no change

#3 no change

#4 Change last line to read "all campgrounds shall provide privy and potable water, at a minimum."

#5 Change the first line to state Ancillary commercial uses may be permitted; and remove excluding laundry and similar ancillary uses.

#6 no change

#7 remove second sentence

#8 Amend last line to read. "walk-in sites", only used for tent camping...

#9 no changes

#10 no changes

#11 Amend first line to add "Local", County or State Agency...

A motion was made by **Hecker** to approve the Special Use Regulations 15.03# E.5 as amended, supported by **Brush**. Roll call vote:

**Litts** – Yes; **Brush** – Yes; **Wood** – Yes; **Fleming** – No; **Hecker** – Yes; **Knisley** - Yes: 5-1 yes, Motion passed.

### c. Sand Mine, Henry **Cisco**, v/l 68th St – 03-02-020-002-00

Additional information is required, by Subsection DD of Casco Twp Zoning Ordinance, to be submitted to GEI Consultants so that they can complete their Environmental Impact Assessment (EIA). The PC needs to approve the use before **Cisco** can apply to the ZBA.

Mr. **Cisco** will eventually be applying to the ZBA for three variances from the Mineral Mine Ordinance 15.03DD.

#1 request 150' of relief to excavate up to 50' from the north and south property lines.

#2 requesting a 4' high fence (instead of the required 6") and highway wire fence (instead of the required chain-link or wood type)

#3 request that the mine access road be allowed to be gravel instead of hard paved.

The truck's haul route was discussed. Empty trucks will exit the freeway at 109th Ave and travel East to 68th St, than south on 68th to the Mine. Once loaded, they must leave the Mine heading South on 68th, to 103rd Ave and then back North to 109th on 66th; or the nearest Primary County Road.

Sand and gravel are valuable resources that are highly needed. Previously, the PC denied a request for a much larger operation. This decision was later overturned by the courts. If the PC doesn't allow this use then they cannot regulate it if/when it is granted by the State.

**Woods** and **Knisley** asked who would be testing any fill soil that would be brought on site to ensure that it meets the standards of the National Resources and Environmental Protection Act (P.A.451 of 1994, as amended)

**Hecker** questioned who/how would the monitoring wells and the seasonal high water level be monitored.

**Litts** allowed public comment:

**Cisco**– Stated the wells were approximately 30' deep with sand all of the way to the bottom and static water pressure at 17'.

**Hamlin** and other audience members – asked how long the study was and when it was checked. Requesting that neighboring wells be protected; with well testing be done May-August, during prime usage.

**Sill** – Asked why fill dirt needed by brought back in and the reclamation process was discussed. .

**Hamlin** – Asked how many companies would be hauling in and out. **Litts** explained that the approval was between the Twp and the Owner and that was not part of their authority. The PC can control the route, hours, days, amount and frequency of material to be removed

Audience members asked what Plan B was, if neighboring wells are affected. **Woods** responded that the PC would do its best to protect the neighbors and that any problems would be addressed at next year's renewal.

**Hamlin** - Asked how deep they plan to mine and **Cison** responded 12-20 feet.

Other audience members were concerned about additional dust and road maintenance. **Smalley** responded that it is the Road Commissions responsibility but a Bond could be required to pay for any repairs needed. It was mentioned that the Calcium Chloride that the Road Commission uses for dust control degrades the vehicles, trailers, and equipment that drives on the road and is detrimental the crops alongside the road.

## 9. Administrative reports

Zoning Administrator – no report

Board – no report

ZBA – no report

10. Public comment – none

11. Adjourn 8:55pm

Attachments: available upon request

Minutes prepared by:

Jennifer Goodrich, Recording Secretary