

Draft

Casco Township Planning Commission

Special Meeting

July 12, 2023

6:00 PM

Casco Township Hall

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

Members Absent: Irene **Wood**

Audience: Zoning Administrator Tasha **Smalley**, Allan **Overhiser**, Paul **Macyauski**, Tim **Lubbers**, Henry **Cisco**, Travis **Gumpert**.

1. Call to order: Meeting was called to order by Chairman **Litts** 6:00PM
2. Review and approve agenda: A motion was made by **Knisley** to approve the agenda, supported by **Hecker**. All in favor. Motion carried.
3. Public comment: None

Correspondence: Litts has an e-mail from the Allegan County Road Commission (ACRC) with the information that the PC requested, regarding the proposed sand mine on 68th Street south of 107th Avenue.

- a. 24 hour traffic counts: Northbound 245, Southbound 170
- b. Dust control pricing: \$700 /mile = \$1,050 per application
- c. A Map showing weight restricted bridges was also attached.
- d. Craig Atwood also stated that he believed someone has concerns with the intersection of 103rd Avenue (west) and 66th Street for sight distance. And that he checked that when he was in the area and it has approximately twice the minimum sight distance we require (greater than 1,000' north and south).

4. Business:

- a. work on conditions for sand mine 68th St application.

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Knisley asked if the state could designate a truck route or lower speeds for the sand mine traffic. **Lubbers** explained how that kind of signage is typically used in more densely populated areas and not in rural communities.

Knisley asked when 66th would be paved. **Litts** responded, potentially in 2025.

Liepe asked how much of it would be paved. **Litts** responded, about 1 ½ miles (from 107th to 104th).

Knisley asked if this road would be getting paved if it wasn't for this project. **Overhiser** responded that the township had been discussing it for almost 20 years and that it was one of the top five roads that the township would like to improve.

Knisley asked if there would be any special assessment made to the property owners on that road to pay for the improvement. **Smalley** stated that Millages will fund the improvement and that there would not be any special assessments applied.

The Casco Township Attorney Ron **Bultje** has presented the PC with a Draft list of possible conditions. The PC discussed whether they would like to use these conditions for approval of the Special Land Use (SLU) or amend them to better fit this particular project. Please see the following:

DRAFT LIST OF POSSIBLE CONDITIONS

- a. 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. **Keep as-is.**
- b. All applicable requirements of the Zoning Ordinance must be met in their entirety. **Keep as-is.**
- c. 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. **Keep as-is.**
- d. 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.
- e. The Project shall not result in the creation of a pond or a lake. All excavation shall be terminated not less than 3 feet above the water table. *Add, as proposed by IOB*
- f. 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). **Keep as-is.**

- g. The Project shall comply with the terms of a road agreement with the Township, as approved by the Township Board. **Keep as-is.**
- h. ~~Any trucks from the Project which are loaded and operated on public roads shall be tarped.~~ **Redundant, This is regulated by state law**
- i. ~~Unless otherwise required by these conditions or the Zoning Ordinance, the Applicant shall comply with all verbal representations made to the Planning Commission, to the extent those representations are set forth in the Planning Commission minutes of _____ (in case of conflict, the most recent shall control).~~ **Redundant, see a, b, & c**
- j. The Applicant will use fuel trucks for its off-road vehicles to implement the Project. ~~There will be no~~ Onsite fuel tanks on the Property *must be protected by secondary containment.*
- k. The Applicant shall ~~water~~ *apply dust control* to haul routes on the Property as necessary to prevent excessive dust. ~~The Applicant shall water as necessary, according to the Township, to prevent excessive dust.~~
- l. The Project shall be ~~pursued~~ *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.
- m. The Applicant ~~and MDOT will~~ *shall* cooperate with the Township and allow photographs to be taken of the excavation and other work areas before, during, and after the Project is implemented. **Not an MDOT road**
- n. ~~The soil on the Property will be stabilized as necessary throughout the duration of the Project. Plantings and topsoil will be added if necessary to achieve and maintain stabilization.~~ **n/a**
- o. ~~To ensure potential future uses of the Property are maintained, all road runoff must be segregated from the excavated area.~~ **n/a**
- p. Upon completion of the Project, as-built surveys are required from the Applicant to ensure compliance with the approved plans prior to bond release. **Keep as-is.**
- q. Any stockpiles shall be temporarily seeded as necessary during the implementation of the Project to prevent wind erosion. **Keep as-is.**
- r. Existing trees in the setback zone on the Property will remain throughout the implementation of the Project. **Keep as-is.**

- s. ~~If the effectiveness of any required seeding is delayed, mulch will be used to stabilize the Property and prevent wind erosion until the seeding takes effect. The mulch used shall be safe for the water table. n/a~~
- t. A setback of 50' feet shall be maintained for any excavation on the Property from all wetlands on the Property, ~~all boundaries of the Property, and all public rights-of-way.~~ **Redundant, see SLU regulations**
- u. ~~The noise of the Project, excluding trucks leaving the Property, shall not exceed _____ db's at the Property boundaries.~~ **Redundant, Zoning Ordinance regulates excessive noise.**
- v. The 80 acres of the Property shall be mined in increments of ~~five~~ *11-12* acres at a time. ~~A second five-acre~~ *The third phase of the area* may not be opened until the ~~prior five-acre~~ *Phase 1* area reclamation has been completed and restored to a condition acceptable to the Township. **Need to use the topsoil from phase 2 to complete the reclamation of phase 1.**
- w. A maximum of ~~1,350,000~~ *705,000.00* cubic yards may be mined from the Property. *A maximum of 25 truck trips will be allowed daily. A maximum of 70,500 cubic yards may be mined per year.*
- x. The Property shall be fenced through the duration of the Project and posted with no trespass signs. **Keep as-is.**
- y. ~~The maximum slope of the Property after completion of the Project, and for each five-acre area of mining upon completion, shall not exceed _____.~~ **Plan shows what maximum slope is being proposed.**

Addition #1 *Language regarding quarterly report to be provided by Nederveld.*

Addition #2 *Language regarding truck haul route. i.e. that trucks over a certain weight can only leave the mine by going south on 66th St. to 103rd Ave.*

5. Public comment: None

6. Adjourn at 9:13 pm

Attachments: available upon request

Minutes prepared by:

Jennifer Goodrich, Recording Secretary