

ROBINSON TOWNSHIP PLANNING COMMISSION
February 25, 2014

The regular meeting of the Robinson Township Planning was called to order at 7:30 PM at the Robinson Township Hall.

Present	Absent
Bill Maschewske Shawn Martinie Tom Tenbroeke Sue DeRuiter Scott Blackmer Travis Vugteveen	George Schippers

Also present were Township Attorney Ron Bultje, Zoning Administrator Kathy Kuck, Tom Peplinski representing D.J McQuestion, Jack Dykstra Jr. representing Dykstra Excavating, and one additional member of the public.

A motion was made by Scott Blackmer and seconded by Tom Tenbroeke to approve the minutes of the January 28, 2014 Planning Commission meeting as written. The motion carried unanimously with one member absent.

A motion was made by Sue DeRuiter and seconded by Travis Vugteveen to approve the minutes of the February 3, 2014 Planning Commission meeting as written. The motion carried unanimously with one member absent.

Non-Commission Inquiries – None

Reports

Travis Vugteveen reported the following from the Township Board.

1. Worley Drain was approved to be cleaned.
2. April 12, 2014 was set as Township cleanup day.
3. Wage resolutions were made.
4. Budget revisions were approved.

Announcements

Bill Maschewske reported that Citizen Planner credits were approved for the County Planning Commission seminars on Hydraulic Fracturing.

Old Business

The Emerald Lakes Class B Earth Change renewal application was again considered. Jack Dykstra Jr. was present to explain progress on the earth change activity. Mr. Dykstra also presented a copy of the progressive earth change plan as originally submitted so that the Planning Commission could verify that mining activity was following the plan. No issues were noted.

A motion was made by Travis Vugteveen and seconded by Scott Blackmer to recommend to the Township Board renewal of the Emerald Lakes Class B Earth Change permit based upon the requirements in Article VII, Section 2, (e) of the Robinson Township Earth Change Ordinance and based upon the following conditions:

1. That the latest GIS map be submitted with cell boundaries superimposed at the time of the next renewal.
2. The applicant's statement that the site is significantly in compliance.
3. The renewal is consistent with the health, safety, and welfare of the Township.

A roll call vote was taken.

Sue DeRuitter – Yes

Tom Tenbroeke – Yes

Bill Maschewske – Yes

Shawn Martinie – Yes

Scott Blackmer – Yes

Travis Vugteveen – Yes

The motion carried unanimously with one member absent.

The next item considered was the review of the re-submitted D. J. McQuestion Class B Earth Change application for the 124th Ave. site. A report from Bureau and Associates regarding the updated application, excluding the Environmental Impact Assessment, was reviewed briefly. Since both the D.J. McQuestion applications were only being reviewed for completeness at this time and not whether the answers were satisfactory, review and discussion of the Bureau and Associates report was discontinued.

The 124th Ave. application was reviewed for completeness only with the following deficiencies noted. Additional deficiencies are noted in the February 3, 2014 Planning Commission minutes as review of this application began at that time.

1. Article IV, Section 1, E, 3 – The specifications of the MDOT reclamation requirements need to be specified. Requested are the depth of topsoil to be

- spread, how will fertilizer requirements be determined, how will seed be planted, and other specifics of the reclamation.
2. Article, IV, Section 1, E, 4 – Need Tim Bureau’s input regarding the MDOT requirement for “positive” drainage.
 3. Article IV, Section 1, E, 5 – The application states “holes” were dug. Based upon the Township consultant’s report, only one hole was dug.
 4. Article IV, Section 1, J – If the project is not complete in 2014, no plan is stated for 2015. A cell concept must be utilized per the Earth Change Ordinance.
 5. Article IV, Section 2, A – See above.
 6. Article IV, Section 2, B, 1 –Map and response needs to include uses, location and type of existing vegetation, existing soils, and significant features within 1320 ft. of the earth change site boundary. Hazards, wildlife habitat, and other significant features need to be identified.
 7. Article IV, Section 2, B, 2—No list of major ground vegetation is included. No justification given regarding rare or endangered species.
 8. Article IV, Section 2, B, 3 – Answered but no justification provided.
 9. Article IV, Section 2, B, 4 – Answered, but the response appears inadequate.
 10. Article IV, Section 2, B, 6 – Conclusory response.
 11. Article IV, Section 2, B, 8 – Described in very general terms.
 12. Article IV, Section 2, B, 9 –The question in the Earth Change application is incorrect. Refer to the Earth Change Ordinance. Response is given to correct question.
 13. Article IV, Section 2, C, 1 – The answer is not clear. No cell concept is described as required in Article VII, Section 2, D.
 14. Article IV, Section 2, C, 4 – Reclamation at the end of 2014 needs to be described if excavation not complete in 2014.
 15. Article IV, Section 2, C, 6 – Need to know where adjacent residences are located. Inadequate included maps do not identify adjacent residence(s) (Refer to map requirements in Article IV, Section 2, B, 1.)
 16. Article IV, Section 2, C, 8 – The application should not refer to more than one parcel.

17. Article IV, Section 2, D – Possibly not applicable for this application.

At 9:15 PM., the re-submitted D.J. McQuestion Class B Earth Change application for the Johnson St. site was reviewed for completeness only. No evaluation was made at this time regarding the adequacy of the responses. The following deficiencies were noted.

1. Article IV, Section 1, E, 3 -- The specifications of the MDOT reclamation requirements need to be specified. Requested is the depth of topsoil to be spread, how will fertilizer requirements be determined, how will seed be planted, and other specifics of the reclamation.
2. Article IV, Section 1, E, 4 – A response is given but Tim Bureau’s input will be needed.
3. Article IV, Section 1, E, 5 – The application states “holes” were dug. In fact, only one hole was dug.
4. Article IV, Section 1, J – If the project is not completed in 2014, no plan is stated for 2015. A progressive cell concept must be utilized per the Earth Change Ordinance.
5. Article IV, Section 2, b, 1 -- Map and response needs to include uses, location and type of existing vegetation, existing soils, and significant features within 1320 ft. of the earth change site boundary. Hazards, wildlife habitat, and other significant features need to be identified.
6. Article IV, Section 2, b, 2 – No list of major ground vegetation included. No justification given regarding rare or endangered species.
7. Article IV, Section 2, b, 3 – Answered, but not adequately. No justification.
8. Article IV, Section 2, b, 4 -- Inadequate response.
9. Article IV, Section 2, b, 6 -- Conclusory response.
10. Article IV, Section 2, b, 8 – Answered, but in general terms.
11. Article IV, Section 2, b, 9 -- The question in the Earth Change application is incorrect. Refer to the Earth Change Ordinance. Response is given to correct question.
12. Article IV, Section 2, b, 10 – Generally answered.

13. Article IV, Section 2, c, 1 – Answered, but needs more information such as whether the north or south site will be dug first. A progressive cell concept is required by the Earth Change Ordinance.
14. Article IV, Section 2, c, 4 – More information is needed regarding the MDOT reclamation requirements. Reclamation at the end of 2014 is not described if excavation not complete at that time.
15. Article IV, Section 2, c, 6 – This will be a question for Tim Bureau regarding his February 24, 2014 communication (Item 3B) and his comment regarding a berm. Need to know where adjacent residences are located. Inadequate included maps do not identify adjacent residence(s). (Refer to map requirements in Article IV, Section 2, B, 1.)
16. Article IV, Section 2, c, 8 – Application should state only one parcel.
17. Article IV, Section 2, d, -- Possibly not applicable for this application.

The review for completeness only was concluded at this time. Zoning Administrator Kathy Kuck is to send the applicant a letter outlining deficiencies in each application.

A motion was made by Sue DeRuiter and seconded by Tom Tenbroeke to schedule a public hearing for the D. J. McQuestion Earth Change applications for both Johnson Street and 124th Ave. for March 25, 2014.

The motion carried unanimously with one member absent.

At 10:00 PM., the required Planning Commission Annual Report and Budget were reviewed. There was discussion and several revisions were made to the report.

A motion was made by Bill Maschewske and seconded by Travis Vugteveen to accept the 2013 – 2014 Annual Report and 2014 – 2015 Budget of the Planning Commission as revised.

The motion carried unanimously with one member absent.

A motion was made by Sue DeRuiter and seconded by Scott Blackmer to set regular Planning Commission meetings for May 27, 2014, August 26, 2014, November 25, 2014, and February 24, 2015.

The motion carried unanimously.

At 10:15 PM., the annual election of officers was held as required.

A motion was made by Tom Tenbroeke and seconded by Sue DeRuiter to elect the current slate of officers as follows:

Shawn Martinie – Chairperson

Scott Blackmer – Vice-Chairperson

Bill Maschewske – Secretary-Treasurer

The motion carried unanimously with one member absent.

At 10:30 PM., salaries were discussed and paid. The attendance chart was read.

A motion was made by Scott Blackmer and seconded by Tom Tenbroeke to pay salaries for the period of 1/28/14 through 2/25/14, including 3 members attending a seminar on Hydraulic Fracturing.

The motion carried unanimously with one member absent.

Zoning Administrator Kuck stated that a request is pending to expand the store and lock facility near the intersection of M-45 and 104th Ave.

A motion was made by Travis Vugteveen and seconded by Sue DeRuiter to adjourn the Planning Commission meeting at 10:45 PM.

The motion carried unanimously.

Respectfully submitted,

Bill Maschewske, Secretary
Robinson Township Planning Commission