

ROBINSON TOWNSHIP PLANNING COMMISSION
March 18, 2014

The special meeting of the Robinson Township Planning Commission 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	None

Also present were Township Attorney Ron Bultje, Zoning Administrator Kathy Kuck, Rich Bramer from Northland Farms, Eric Klompmaker of Lakeshore Environmental representing Northland Farms, Timothy Bureau of Timothy Bureau Consulting LLC representing Robinson Township, Chris Swenski of MDOT, Jim VanTol of Postema Signs representing The Embassy, and two additional members of the public.

A motion was made by Scott Blackmer and seconded by Sue DeRuiter to approve the minutes of the February 25, 2014 and March 6, 2014 Planning Commission meetings as written.

The motion carried unanimously.

Non-Commission Inquiries – None

Reports

Travis Vugteveen reported the following from the Township Board.

1. A proposed fire dept. millage was tabled.
2. It was agreed to hire LSL for Township planning services.
3. A summer tax agreement was reached with Grand Haven Public Schools.

Announcements -- None

Old Business

The first item on the agenda was the Northland Farms 128th Ave. revised Earth Change application. The purpose of this discussion was to review the major issues the Planning Commission noted with the application.

1. No justification in the application for the size of the proposed agricultural irrigation pond. There was also no mining justification since there was no specific end use identified for the excavated material. The plan indicates that three properties would be irrigated from the pond, however, some/all of these properties are not owned by Northland Farms.

Rich Bramer – Noted that the sand may be moved east across 120th Ave. to build up the site. Mr. Bramer also stated that the DEQ has been encouraging farmers to “pool” resources for irrigation ponds so that the number of ponds is minimized. The adjacent properties to use the irrigation pond are owned by BFN – Zelenka.

Chairperson Martinie – Inquired if the reference in Article IV, Section 2, B, 12 to a detention pond should be removed from the Northland Farms application?

Eric Klompaker – Yes, it should be removed.

Chairperson Martinie – Inquired of Township Attorney Bultje if the pond still needs to be justified.

Township Attorney Bultje – It depends on if the “pooling” of irrigation ponds is supported in writing by the DEQ.

Bill Maschewske – Why wasn’t the Sokolow pond consolidated? It is within several hundred feet of the proposed Northland Farms pond.

Rich Bramer – They must plan to use less than 75 GPM. and therefore did not apply for a water withdrawal permit from the DEQ. Therefore, the DEQ does not know about the pond.

Shawn Martinie – How much water does a typical water cannon use?

Rich Bramer – He does not know exactly, but possibly 600 gpm.

In summary, justification for the pond size for irrigation purposes must be submitted along with a letter from the DEQ requiring pond sharing.

2. Reclamation

The Planning Commission noted that the current plan does not describe the reclaimed end use of the earth change. Creating an unjustified agricultural irrigation pond and a stabilized stockpile is not a valid end use.

Rich Bramer – Noted he may have to revise the plan for the pond. He stated that Northland Farms used to own 1200 acres, but by growing completely in containers, they can have the same production on 180 acres.

Bill Maschewske – Referenced Article IV, Section 2, B, 8 of the application where it was not stated that topsoil would be placed on the overburden stockpile. How will the stockpile be stabilized? Also, what does the end use of the site actually look like?

Eric Klompaker – They will put topsoil on the stockpile. Reference Article IV, Section 1, D, 3.

Bill Maschewske – Will you remove the topsoil from the area where the subsoil stockpile is built? If yes, the combined area of the pond plus the stockpile area will leave approximately 20 acres exposed and stripped of topsoil at one time.

Eric Klompaker – They will re-evaluate this.

3. Erosion from the stockpile to the adjacent residence to the east. The Planning Commission is concerned that wind erosion from the stockpile will significantly impact the residence to the east of the stockpile, even if the stockpile is seeded for stabilization.

Rich Bramer – Noted that Northland Farms has the ability to irrigate the stockpile to facilitate growth of the grass for stabilization and to prevent wind erosion.

4. The Mining Plan
The sequencing to remove the topsoil from where the subsoil stockpile goes needs to be included.
5. Cell concept.
While a cell concept is proposed in the application, it is not properly applied. The excavation site itself should include the minimum of 6 cells. Based upon the verbal description by the applicant of the excavation process, it would appear that the first three cells could be excavated, the excavated area and the existing stockpiles reclaimed, and the excavation then inspected by the Township. If approved, the next 3 cells could then be excavated and additional stockpiles created. This would prevent as much as 20 acres from being stripped of topsoil at one time to prevent erosion.

The Planning Commission concluded the 120th Ave. Earth Change application had similar issues and that application would not be specifically discussed.

Tim Bureau – Suggested his comments be sent along with the above in the letter from the Zoning Administrator to the applicants.

At 8:40 PM., the pending revised D. J. McQuestion Earth Change applications were discussed. These applications have only been reviewed by the Planning Commission for completeness and not content. The first Planning Commission review for completeness was conducted on February 25, 2014 and deficiencies were communicated in a letter from Robinson Township dated March 3, 2014.

Revision 3 of the D.J. McQuestion 124th Ave Earth Change application was again reviewed for completeness compared to the letter of deficiencies sent to the applicant. References are to areas of the Robinson Township Earth Change Ordinance.

1. Appendix 1A of application – Not corrected.
2. Article IV, Section 1, E, 3 – Deficiency addressed.
3. Article IV, Section 1, E, 4 – Deficiency addressed.
4. Article IV, Section 1, E, 5 – Deficiency addressed.
5. Article IV, Section 1, J – Deficiency addressed but no cell concept.
6. Article IV, Section 2, B, 1 – Addressed by new submission of Appendix d and now described in the narrative.
7. Article IV, Section 2, B, 2 – Deficiency addressed.
Mr. Swenski noted that MDOT has a ban on cutting trees from April 1 to October 1 because of the Indiana bat. They could cut trees now prior to April 1, however, they do not want to clear cut the site if the earth change request is not approved.
8. Article IV, Section 2, B, 3 -- Deficiency addressed.
9. Article IV, Section 2, B, 4 – Answered in Article IV, Section 2, B, 2
10. Article IV, Section 2, B, 6 -- Deficiency addressed.
11. Article IV, Section 2, B, 8 – No cell concept included.
12. Article IV, Section 2, B, 10 – Generally answered.
13. Article IV, Section 2, C, 1 – Answered, but without cell concept.
14. Article IV, Section 2, C, 4 -- Deficiency addressed.
15. Article IV, Section 2, C, 6 – Appendix 1d submitted.
16. Article IV, Section 2, C, 8 -- Deficiency addressed

Water runoff from the highway was discussed and must be segregated from the Earth Change area.

At 9:40 PM., the D.J. McQuestion Johnson St. Revision 3 Earth Change application was reviewed for deficiencies only and not content.

1. Article IV, Section 1, E, 3 – Deficiency addressed.
2. Article IV, Section 1, E, 4 – Deficiency addressed.
3. Article IV, Section 1, E, 5 – Deficiency addressed.
4. Article IV, Section 1, J – Deficiency addressed but no cell concept.
5. Article IV, Section 2, B, 1 – Described in the narrative.
6. Article IV, Section 2, B, 2 -- Deficiency addressed.
7. Article IV, Section 2, B, 3 -- Deficiency addressed.
8. Article IV, Section 2, B, 4 – Deficiency addressed.

9. Article IV, Section 2, B, 6 -- Deficiency addressed.
10. Article IV, Section 2, B, 8 – No cell concept included.
11. Article IV, Section 2, B, 10 – Runoff from the highway needs to be excluded.
12. Article IV, Section 2, C, 1 – Answered, but without cell concept.
13. Article IV, Section 2, C, 4 -- Deficiency addressed but without cell concept.
14. Article IV, Section 2, C, 6 – Appendix 1d submitted and now addressed.
15. Article IV, Section 2, C, 8 -- Deficiency addressed

Township Attorney Bultje discussed the timetable for review and decision on the Earth Change applications from D. J. McQuestion.

Chairperson Martinie – When do we discuss the end use and what can be done to make the site look acceptable?

Township Attorney Bultje – This will be part of the approval process.

Tim Bureau – Noted the applicant will not get approval by April 1, 2014 so MDOT needs to address the tree clearing situation.

At 10:02 PM., the Planning Commission reviewed the preliminary sketch plan from Postema Signs for a new sign at the Embassy Bar and Grill.

The Preliminary Sketch Plan was considered complete and the following concerns were expressed by the Planning Commission.

1. The overhead utility lines are of concern and need to be shown on the Detailed Site plan.
2. The included aerial view shows adjacent parcel nos. but not uses or zoning of them.
3. A scale needs to be included on the map.

Mr. VanTol was encouraged to work with the Zoning Administrator to expedite the Detailed Site Plan process.

This concluded review of the Postema/Embassy Preliminary Sketch Plan.

Bill Maschewske inquired regarding the Planning Act procedure for hiring a Township Planner.

Township Attorney Bultje stated the responsibility lies with the Township Board.

Chairperson Martinie – When does the Planning Commission need to send out a letter of intent to plan?

Township Attorney Bultje – He recommends the Township get a planner in place and a general game plan, then send the letter of intent to plan.

Chairperson Martinie – What if the Township does not complete the plan within the 5 year window? Is there a penalty?

Township Attorney Bultje – No.

A motion was made by George Schippers and seconded by Travis Vugteveen to adjourn the Planning Commission meeting at 10:30 PM.

The motion carried unanimously.

Respectfully submitted,

Bill Maschewske, Secretary
Robinson Township Planning Commission