

Crockery Township

**Regular Planning Commission Meeting**  
**October 17, 2017**  
**(Approved)**

Chairman Bill Sanders called the Regular Planning Commission Meeting to order at 7:29 PM. Roll call was taken with Dave Meekhof, Jon Overway, Bill Sanders, Ryan Arends, Rich Suchecki, Mike Munch, and Roy Holmes present. Z/A Robert Toland was also present for this meeting.

There were approximately sixteen interested persons seated in the public gallery.

**Agenda Item 2. Approval of the Agenda**

Approved as submitted.

**Agenda Item 3. Approval of Minutes**

The Commission reviewed the minutes from the September 19, 2017, Regular Planning Commission Meeting. A **motion** was made to approve the minutes, as written, by Commissioner Mike Munch. A 2<sup>nd</sup> was offered by Commissioner Ryan Arends. The motion was unanimously approved.

**Agenda Item 4. Announcements**

Commissioner Rich Suchecki advised the Board approved the recent recommended rezones for four properties found near 112<sup>th</sup> and Leonard Road.

**Agenda Item 5. Communications**

None.

**Agenda Item 6. Public Comment**

None offered at this time.

## Agenda Item 7. Action Items

### A. Lemmen – Rezoning – Public Hearing.

Documents provided to the Commission for this public hearing include; (1) a Planning and Zoning Review by Z/A Toland, dated October 17, 2017, discussing a rezone request for Parcel #70-04-14-400-005 and 70-04-14-300-025, (2) a color aerial showing the subject parcels and surrounding parcels, and (3) a Crockery Township Zoning Application signed by Tammy Lemmen, dated September 8, 2017.

The Planning Commission has received a request from Tammy Lemmen to rezone parcels #70-04-14-400-005 (32.32 acres) and #70-04-14-300-025 (17.03 acres) located at 10669 Cleveland Street, from R-1 Low Density Single-Family Residential to Ag-2 Rural/Agricultural Preserve. This request is consistent with the Township's Master Plan.

Ms. Tammy Lemmen was present for this hearing.

Chairman Bill Sanders opened the public hearing in this matter.

Mr. Toland provided a lead-in to this discussion, describing the two parcels, their location, and advised Ms. Lemmen's request was consistent with the Township's Master Plan (future land use).

Chairman Sanders asked for public comment. No public comments were offered.

Ms. Lemmen stated she does not wish to split up her land and prefers to utilize the land for the keeping of animals.

After a brief discussion Commissioner Ryan Arends made **a motion**, via resolution, to recommend to the Township Board that parcels #70-04-14-400-005 (32.32 acres) and #70-04-14-300-025 (17.03 acres) located at 10669 Cleveland Street, be rezoned from R-1 Low Density Single-Family Residential to Ag-2 Rural/Agricultural Preserve. A 2<sup>nd</sup> was offered by Commissioner Roy Holmes. The motion was unanimously approved by the Commission.

### B. Vargo – Minor Mineral Removal – Public Hearing.

Documents provided to the Commission for this action include; (1) a color aerial of Parcel #70-04-30-100-028 and surrounding parcels, (2) a site plan by CJD Farm Consulting, Inc., 4328 3 Mile Road, NW, #300, Grand Rapids, Michigan, by Dan Wierenga, dated May 25, 2017, (3) a Planning and Zoning Review by Z/A Toland, dated October 17, 2017, discussing this MMR/SLU, (4) a Crockery Township Zoning Application signed by Chris C. Vargo, dated September 8, 2017, and (5) a review by Kevin S. Kieft, P. E., of Prein & Newhof, engineers for the Township, dated October 6, 2017, discussing this proposal.

The Planning Commission has received a request from Chris Vargo for a Special Land Use permit for a Minor Mineral Removal on parcel #70-04-30-100-015 (17.46 acres) located at 15718 144<sup>th</sup> Avenue, in order to construct a 0.5 acre pond. Mr. Vargo intends to remove approximately 4300 cubic yards of soil and place it on an adjacent parcel, #70-04-30-100-028 (13.83 acres), also owned by Mr. Vargo. These parcels are currently zoned Ag-2 Rural/Agricultural Preservation.

Mr. Chris Vargo was present for this hearing.

Chairman Sanders opened the public hearing in this matter.

Mr. Toland opened the discussion by reviewing his comments found in the Planning and Zoning Review, and stating this would be a pond request if it were not for moving the spoils to an adjacent parcel.

The Prein & Newhof review noted that SESC and MDEQ permits have been obtained.

Mr. Vargo stated he will be doing the work himself, utilizing his own equipment. The haul route will remain entirely on his own property. Mr. Vargo advised he currently works an eight (8) day on and six (6) day off job schedule, allowing every other weekend off. Mr. Vargo stated he would work 9:00 A.M. to 6:00 P.M. on his six days off, which would include every other weekend. Mr. Vargo advised work on this project would likely cease around November 15, 2017, and resume in the spring. Mr. Vargo expects the project will be complete by July of 2018, when his SESC permit expires.

Chairman Sanders asked for public comment.

Mr. Michael Inman, who lives on the west side of 144<sup>th</sup> Avenue, across the street from Mr. Vargo's property, asked about proposed hours of operation and if they would include weekends.

Ms. Donna Vargo, who lives adjacent to Chris Vargo's property, advised she has no problem with the hours of operation or work on weekends.

Ms. Sally Chittenden, a neighbor to the east, and the nearest resident to the work site, stated she has no objection to the hours and days of work proposed.

Mr. David Hohmeyer, a 144<sup>th</sup> Avenue resident, asked if any forested areas were being cut and removed. Mr. Vargo answered just brush was being removed to construct the pond, no sizable trees were being cut and removed.

After all public comments were heard, Chairman Sanders closed public comment.

The Commission noted the parcels involved are zoned agricultural and agricultural activities commonly occur seven days a week. The Commission also noted the work site is approximately ¼ mile from 144<sup>th</sup> Avenue, which should help in minimizing the noise associated with excavation and moving of the spoils. Perceived problems may be reported to the Township during construction.

Commissioner Rich Suchecki made a **motion**, via resolution, to approve this Special Land Use for a Minor Mineral removal, contingent on three conditions; (1) that Chris Vargo notify the Township upon completion of the project so the resulting pond may be inspected (that it meets Township construction standards), (2) that the project will be completed by July 31, 2018, and (3) that hours of operation will be 9:00 A. M. to 6:00 P.M., and may occur all days of the week, including weekends. A 2<sup>nd</sup> was offered by Commissioner Mike Munch. The motion was unanimously approved by the Commission.

C. Grow Blue – Planned Mineral Removal – Public Hearing.

Documents provided to the Commission for this action include; (1) a Hydrogeological Certification – Groundwater Impact Analysis, by Lakeshore Environmental, Inc., 803 Verhoeks Street, Grand Haven, Michigan, 49417, authored by Nathan C. Koella, EIT, Environmental Engineer, with attachments, (2) a site plan by Top Grade Aggregates LLC, 12501 Taft Street, Nunica, Michigan, dated March 17, 2017, (3) a Project Narrative, dated September 12, 2017, by Lakeshore Environmental, Inc., (4) a Planning and Zoning Review by Z/A Toland, dated October 17, 2017, discussing this proposal, (5) four color photographs of the existing pond to be extended, (6) a review by Kevin S. Kieft, P. E., of Prein & Newhof, engineers for the Township, dated October 10, 2017, discussing this proposal, and (7) a Crockery Township Zoning Application, signed by Marc Clark, Top Grade Aggregates, LLC, dated September 8, 2017..

The Planning Commission has received a request from Top Grade Aggregates LLC, on behalf of Grow Blue LLC, for a Special Land Use permit for a Planned Mineral Removal on parcels #70-04-04-100-018 and #70-04-04-300-007 (total of 163.3 Acres) located at 12601 Taft Street. This parcel is currently zoned Ag-2 Rural/Agricultural Preservation.

Mr. Marc Clark of Top Grade Aggregates LLC was present on behalf of his client, Grow Blue LLC, West Olive, Michigan.

Mr. Toland provided a brief history of the property and presented a number of questions associated with his review and the Prein & Newhof review. Mr. Toland advised the applicant wishes to remove approximately 86,000 cubic yards of sand, expanding the existing pond from 1 acre to 4.5 acres in size. Mr. Toland further suggested the two parcels will need to be combined to meet setbacks.

Chairman Bill Sanders opened the public hearing and asked for comment.

Duane Smith, who lives adjacent to the Grow Blue property, stated he has no objection to the pond, however, he voiced a complaint regarding the manipulation of soil drainage in the blueberry fields, which he believes causes flooding of his property during rain events. Mr. Smith was referred to the County's Water Resource Office (Drain Commission) and the County Road Commission.

Brian and Molly Paggeot, who live approximately 80 feet from the driveway used to haul out material (during the original pond construction) stated the large trucks literally rattle their home

when they pass and the dust has not been minimized in past removals. The Paggeot's are concerned they will have to deal with this situation for years if it is not properly addressed.

After taking all public comment, Chairman Sanders closed the public hearing.

The Commission discussed a number of issues with Mr. Clark that primarily centered around questions raised by the Paggeots, Mr. Kieft (Prein & Newhof), and Mr. Toland (Planning and Zoning Review). Mr. Clark advised he will address the questions and provide further detail at upcoming meetings, including planned haul routes.

Commissioner Roy Holmes made a **motion** to table this proposal until the November 21, 2017, meeting and until further detail can be provided. A 2<sup>nd</sup> was offered by Commissioner Mike Munch. The motion was unanimously approved by the Commission.

A break was called by Chairman Sanders from 8:45 P.M. to 9:00 P.M. at which time the Commission reconvened.

### **Agenda Item 8. Presentations**

The Commission reviewed the Township's proposed Medical Marijuana ordinance amendment, marked Draft No. 1, dated October 17, 2017. Interested parties, Michael Murphy, John Morgan, and Sig Rudholm offered comments on the amendment. The amendment met the approval of the Commission.

Commissioner Ryan Arends made a **motion**, via resolution, to hold a public hearing in this matter on Thursday, November 9, 2017, at 7:30 P.M., at the Township Hall. A 2<sup>nd</sup> was offered by Commissioner Mike Munch. The motion was unanimously approved by the Commission.

### **Agenda Item 9. Discussions**

None.

### **Agenda Item 10. Adjournment**

A **motion** to adjourn was made by Commissioner Roy Holmes at 9:43 PM. A 2<sup>nd</sup> was offered by Commissioner Ryan Arends. The motion was unanimously approved.

Respectfully Submitted,  
Jon C. Overway, Secretary  
Crockery Township Planning Commission

Next Regular Meeting – November 21, 2017  
Next Special Meeting - November 9, 2017