

These are the minutes of the November 6, 2008 Planning Commission meeting.

Meeting called to order at 7:30 p.m. by Chairman Shields.

Present: Shields, Heasley, Myers, Parmelee, Oosterink, Blakeslee, Berens. Mark Sisson and Bob Jones were also present.

Absent: Parmelee

Myers made a motion to approve the August 7, 2008 minutes as presented, Berens seconded, motion carried.

Public comment: none

Inquiry of conflict of interest: none

Salem Sand Mine: annual review at the 7/10/08 PC meeting - applicant came back tonight with more information.

Bob Jones of PCI reviewed the mine and reported the following:

1. Letter of Credit in the amount of \$100,000 has been issued and is in our possession
2. Applicant will be submitting plan at the meeting tonight for the mine's operation until permit expires in the spring 2008.
3. Banks have been mowed
4. Fencing has been repaired
5. Water is still on site
6. Mine is currently being used

Dar VanderArk, representing the Salem Development Group LLC was in attendance and gave a review update.. Those comments are attached hereto for reference. (Website minutes - a copy can be reviewed at the township office during regular business hours.) He also submitted a site review plan, which shows land being sold and current mining area. Mr. VanderArk stated they sold 60 acres of land to Mr. Jipping and intend on mining the remaining 40 acres. It was pointed out by the PC that the SUP was on the entire 100 acres. Discussion of violation of the permit due to this sale, also the water table levels are in violation. Salem Development Group must coordinate with Mark Sisson on the renewal permit process. Permit expires in February 2009.

New business:

Jeff Hunter is requesting a special use permit to establish a motor vehicle impound lot on approximately 2 acres, zoned C-1 located at 2624 142nd Ave., Dorr, MI. This parcel is known as parcel 4 of the Centerline Industrial Park. The applicant hopes to secure a contract with the Allegan County Sherriff's Dept. That will make the site a private contract site for vehicles impounded by local police due to abandonment or confiscation. In addition, the site will be a private storage site for bank repossession vehicles.

Jeff Brinks of Williams & Works was present at the meeting and presented a brief overview.

There will be minimal traffic, existing home and trees to remain, the project will operate behind the house. They propose chain link fencing with barbwire, grass, and landscape plantings. No additional lighting proposed on the site, or any signs. No auctions will be held.

Public comment:

John VanBonn - ask why this request requires a special use permit. (Mark Sisson explained to public)

- does not want this impound lot in this residential area
- visual pollution/site impact
- what is short term storage? (15 days by law for recovery vehicle, then to auction)
- what is preventing from owner selling and next owner coming in with junkyard?
- other areas for this business to go

Mel Stoepker - he will see more than others

- not in favor of it
- fence issues
- upkeep and enforcement

Tim VanderKolk - is this a repo lot for credit unions and various financial institutions?

- other than trees or berm, how about complete fencing coverage (white solid vinyl fencing) instead of chain
- only C-1 parcel to place it?

Leonard Gill - not in favor of it, agrees with neighbors

Jeff Hunter answered the following: will keep clean and neat. Fencing will be 6' high, chain length with barbwire on top. If he secures contract with the County, those vehicles will be stored inside the pole barn/building. Presently he has 6 full time employees; however, they will not operate on site/no business office there. Only traffic will be picking up and dropping off vehicles. As far as fencing, there will be future development to the east on 26th that will block the view, thus not a lot of barriers needed to block site.

Jim Pitsch - Allegan County impound vehicles all around the county. They want to centralize until court dates so evidence can't be tampered with.

Marv Heasley - how high of fence? Suggest fencing you can't see through.

Randy Beekman - against the request

- rezoned to provide services and jobs to community
- how will this benefit the community?

-concern future storage east of the house

Paul Rewa - can see this escalating into something big and unsightly.

-against request

-can he keep all vehicles inside the building?

Deb Rewa - why can't this be one building and everything inside? Why outside?

-possible future use of large building

Keith Rewa - Allegan City. Building - what time will trucks be bringing cars in? Conceivable that vehicles will be brought in all hours during the night.

Mark Sisson: reviewed C-1 district and intended uses.

Sisson explained that the terms of the zoning ordinance allow the use to be considered and that approval or denial of the use requires findings and expression of why or why the use meets or does not meet the standards.

The applicant stated that barbwire is probably not necessary; some barrier should be around the property to prevent people coming in. Vinyl fencing nicer but more costly.

Discussion of the PC:

different types of fencing (vinyl vs. chain)

view from east and west of the site and barriers/fencing/landscaping

hours of operation (with and without County contract)

with future construction to east & west will the lot still be in view

protect neighbors interest

must be as good as or better than SZS building to keep consistent with the area

Blakeslee - request not intended use for this area/not intended when land was rezoned.

Berens - hours of operation allowing/requiring vehicle drop off at all hours of the night are a concern

Myers - doesn't see in harmony with surrounding area. Can't limit this to a reasonable amount and can't contain and make it fit with future phase.

Heasley - request doesn't fit in with residential neighbors, negative visual impact, night hours. She expressed her opinion that this was not an envisioned use when rezoned. It was noted that contractor's yards and other special uses may be permitted in the C-1 District and in other district as well.

Oosterink - cars and grass, oil leaks, concern of backing in trailers and turn around. He suggested that a turn-around space for larger trailers and trucks is needed other than the road.

After further discussion, Berens made a motion to table the request for more consideration, Myers seconded, motion carried. Shields suggested that the applicant do a better job of addressing the concerns expressed with additional site plan modifications.

Mark Sisson handed out to the PC members a revised completed zoning ordinance book dated May 2008.

Myers made a motion to adjourn, Berens seconded, motion carried. Meeting adjourned at 9:37 p.m.

Submitted by,

Cris Heasley, Secretary

Salem Township Planning Commission

Added Attachment:

Salem Sand Mine

Mineral Mining Annual Review-2008-October Update

At the July 10th meeting of the Planning Commission, the annual review of the Salem Sand Mine was approved with a number of conditions. One of those conditions was to “submit a closure/reclamation plan to the PC by 10/2/08.

Since that time, we have been working on the site to reduce severe slopes and eliminate past and future standing water issues. The permit requires that final reclaimed slopes shall be 1 on 4 or less. We are making progress on the creation of such slopes. We are also making progress on the standing water issue.

Development of an amended reclamation plan was delayed because we recently sold 60 acres of the 100 acre site to Mr. Craig Jipping of Hogquest, LLC. That sale closed on October 15, 2008. Mr. Jipping will be using the property for agricultural purposes. The final configuration of the site was the result of negotiations, which had to be finalized before amending the reclamation plan for the existing mine site.

Attached is a copy of the original 100 mining site marked to show the approximate new boundaries after the sale. We have also attached a copy of the official survey showing the actual new boundaries. Based on the new boundaries, we are preparing an application for renewal of the permit, as provided in paragraph K of the original permit. That application will contain a plan that includes the creation of a small water detention area. As the site is

excavated, storm water continues to collect in the low areas. By designing a detention area, we will be able to direct that storm water to a controlled area. During times of heavy rain, that area may appear to be a small pond. This will eliminate the problem of an uncontrolled standing water area and will also provide for an effective detention area for future development.

In the interim, we believe the site work we have completed to date demonstrates our commitment to address the concerns of the Planning Commission expressed on July 10th. We are presently creating final slopes on the east and west boundaries of the site. These slopes will be top soiled and seeded to prevent washouts on those new slopes.

Respectfully Submitted,

Dar VanderArk