

SALEM TOWNSHIP PLANNING COMMISSION

MINUTES, SEPTEMBER 2, 2021

Called to Order, Pledge of Allegiance – 7 pm

Roll Call of Members – Present – Striegle (excused and left at 8:15), Coupe, Pitsch, Myers, Berens, Wagner. Absent with notice – Oosterink

Recognition of Visitors – none

Approval of the August, 2021 Meeting Minutes – Motion by Wagner, seconded by Berens. Motion carried

Comments from the Public – none

Approval of the Agenda for the Meeting – Motion by Pitsch, seconded by Coupe. Motion carried

Inquiry of Conflict of Interest – Berens indicated that he owns land very near to TKN Farms (within area of notification of hearing) and will excuse himself for that portion of the meeting.

New Business – Public Hearing for SUP request by TKN Farms for mineral extraction. Berens excused himself and moved to audience for this issue. Public hearing opened at 7:02 pm. Overview by Lori (PCI) who explained that parcel is zoned A1 and owners want to improve it for farming which normally does not require SUP/Public Hearing but the size and scope of this project made is necessary. PC can make decision at this meeting with or without conditions or can postpone to future meeting in order for owners to draft a final, more complete plan – and then PC can make decision at that meeting.

TKN hopes to level off currently being farmed beans and hay fields. The parcel is 78.59 acres but 15 acres are not included in the plan. Project will be done in increments with sections not actively mined being farmed. Drainage which currently runs to the north onto neighboring property – will be redirected to southwest wetland area.

Timeframe – not clearly defined. Asking for 7 years but site plan indicates up to 17. Owner said hey will start in the back and work in sections toward 32nd St.

Drain Commission will need to be consulted if county drain involved and DEQ if wetlands.

Road Commission approval still needed for haul route, etc.

Public Comment – Boyd Berens – farmed this parcel for 35 years and considers it farmable – he is concerned about yet another sand pit because promises made are not always kept. He noted that 32nd St is not a Class A road and wondered how much will be destroyed if trucks go to 100th St.

Scott Decker – agreed that 32nd St would get worse and asked about any plans to sell lots. Owner answered no.

J De Vries – concerned about traffic and safety, noise, dust control. He has asked realtor about property values and could see a 15 to 20% decrease in values.

Eric Tuinstra – lives at 32nd and Ottogan – asked how many trucks a day? Owner replied that they did not anticipate huge numbers and plan to do business with only 1 or 2 companies. Does not know yardage to be removed. Tuinstra noted that Black Creek Drain goes through his property and that the deep muck is a sensitive area. He is not worried about property values as much as wanting it done right.

Commissioner Striegler would like to know yardage to be removed per year.

Chuck Zuidema – has the parcel on back side – said previous mine was a disaster I road soft, dust- took trees out already and tops lay on his property. TKN said they will clean up. Zuidema asked if it will be ongoing and said it needs a start and stop.

Boyd Berens – explained that former pit was closed by former landowner but cost township money so current owners should have a bond – he also wonders if it will ruin farm.

No further public comment. Motion to close public hearing by Pitsch, seconded by Coupe. Motion carried, 7:29 pm.

Chairman Myers explained that it is a Special Use Permit and it can be subject to yearly review and if not following conditions, it could be shut down.

PC Discussion – went through standards with Lori (PCI) in order to note plan deficiencies and possible conditions so that all areas of concern and note would be covered.

1. Sec. 21.02 -Location

- a. Will need Road Commission review and approval of internal haul road and haul route
- b. Setback – need to be defined on site plan
- c. At least 150 feet from road (can be reduced to 50 feet with PC approval) and 50 feet interior setbacks.
- d. Roadway - must identify routes and effects down to 32nd and 146 (corner) with approval of Road Commission and also indicate egress and ingress approaching – paved? Length?
- e. Processing – no plant noted/requested.
- f. Setback distances from county drain to be required
- g. Staging and stockpiling – locations and details needed
- h. Equipment storage – area not noted
- i. Setback from drain not noted/shown

Sec. 21.03 – Sight barriers – screening? Berms need details shown on plan – location, height, slope, soil covering, etc.

Sec, 21.04 – Nuisance abatement

- a. no crushing is proposed
- b. Dust control – unclear – need plan and soil erosion permit from Health Department
- c. Hours of operation are given – 7 am – 6 pm, M-F and 7 am – 12:30 pm Saturday. No Sunday operations
- d. Fencing – needs to say where and what on site plan- applicant proposed high tensile cattle wire 5 feet high around perimeter of mined area; perimeter shall also be posted with signage. Plan must reflect this requirement.

Sec. 21.05 Reclamation of Mined Area

- a. Final slopes must be indicated on plan as not steeper than 1:3 grade
- b. Topsoil must remain on site during operation (may be used for berming until reclamation stage)
- c. Upon cessation – owner has 12 months to remove equipment and reclaim. Plan should verify
- d. Bond – needs to be researched by Planning Commission and determined what is appropriate amount per acre
- e. Soil Tests – needed if closer than 150 feet to line – have not been submitted
- f. Final map/plan submitted showing ag use.

Sec. 21.07 Hearing and Review Criteria

- a. PC decision may consider character of area, advantageous use (ag) and conservation of property values as limited by state law that pre-exempts materials such as sand and gravel as necessities
- b. Additional conditions may be added for health, safety, welfare – such as setbacks from drains and wetlands
- c. Materials – if scarcity can be shown, then state statute pre-exempts unless PC can show serious consequences
- d. An escrow will be needed to cover costs for annual inspections
- e. Performance bond will be required
- f. Signage must meet requirements and be noted on site plan
- g. Volume of material taken out per year and buyers must be noted
- h. Gate must be closed and locked daily
- i. Length of project must be defined, currently 7 (on application) versus 17 years (on site plan)
- j. Number of acres open and active in mining at any time must be identified
- k. Pit will be self-loading operation

Motion to postpone decision until next meeting, scheduled for Thursday, 10/8/2021 at 7 pm to allow applicant to provide additional required items that may impact decision by Pitsch, seconded by Wagner. Motion carried.

Berens returned to seat on PC for remainder of meeting.

Old Business - Consideration of Changes of Private Road Standards – Jason (PCI) did calculations using data from MDOT, USDOT and Master Plan for traffic volumes to calculate at what point to move from unpaved to paved requirement – it was determined that 6 residences can be supported by unpaved but traffic volume generated by a 7th residence would necessitate paving. Planning Commission also debated at what point engineering becomes necessary instead of just surveying. Two versus three residences were debated but consensus was that at more than 1 it should continue to be required.

A more comprehensive draft will be presented next month to prepare for public hearing based on this discussion.

Correspondence Received – none

Reports and Comments –

Township Board – by Commissioner Striegle – Williams and Works hired for Parks Plan. Heather Mitchell hired as new assessor with final vote on this next Tuesday.

PCI-Issues and Concerns being addressed – by Lori (PCI) – letter being sent to Low Sand Mine for appearance at October 7 PC Meeting to address issues at site. Upcoming – at October Meeting – Step 2 Site Condo review for Mulder although if complete information not in, may be delayed until November, Request for Ordinance text amendment to allow for auto sales in R1 district.

Other/Roundtable – **NEXT MEETING – OCTOBER 7, 2021**

Adjournment – Motion by Pitsch, seconded by Coupe to adjourn. Motion carried – 9 pm.

