

## Watson Township Planning Commission

July 22, 2015

### Public Hearing & Regular Meeting Minutes

1. Call to order-  
Chairperson David Carter called the meeting to order at 7:01 pm.
2. Pledge of Allegiance was recited.
3. Roll call and recognition of visitors-  
Present: Barb Wroblewski, David Carter, Bruce Bos, Chuck Andrysiak, Michelle Harris, Bev McKinnon, Troy Baker & Mark Sisson, Township Planning Consultant  
Absent: none  
Visitors: Ron Hill, Steve & Kathy Bowerman, Lance Frolich, Ron Mehalski
4. Approval of Minutes- motion made by Chuck Andrysiak to approve the minutes with changing 'rural' to 'urban' in 7a. It was seconded by Troy Baker. All approved.
5. Public comments or communications concerning items not on Agenda- none
6. Approval of Agenda- There was a motion made to approve the agenda with switching Old Business and New Business by Barb Wroblewski; seconded by Chuck Andrysiak.
7. New Business
  - I. Public hearing for Otsego Crane & Hoist Service, Ron Hill request to rezone A2 property to C1 to provide sufficient space for truck maneuvering related to his business at 1677 116<sup>th</sup> Ave.
    - a. Michelle Harris, secretary, read the public notice and list of property owners within 300 feet that were notified by mail. It was noted that no correspondence was received from anyone in response. Dave Carter, chairman, read the Public Hearing Rules of Order. He then asked Ron Hill to make his presentation.
    - b. Ron Hill informed us that he is seeking rezoning from A2 to C1 for all or part of the additionally purchased land to allow trucks access to the east and north of the building. His business has semi-truck traffic of 1 to 6 trucks, approximately per month. The smaller trucks, 40'- 53' are mostly utilized. Occasionally an 80' specialized truck or less frequently used, 130'-140' very specialized trucks are used. He stated that when those trucks arrive, it causes interference with traffic on 116<sup>th</sup> Ave. In order for them to be completely out of the road, they have to park the cab at very tight radius to the attached trailer. Ron asked for part of the property to be rezoned, he doesn't need or want all of it rezoned.

- c. Mark Sisson, our township Planning Consultant, advised that a good rule of thumb for semi-trucks is a minimum of 90'. He also suggested a 10' setback (green space) would be necessary beyond the turnaround space. He stated that the township would need to decide how much property will be allowed to be used for maneuverability if any. If a partial rezoning was granted, 100' minimum is favorable. Mark then questioned Ron Hill about the excavation for filling and grading. Ron responded that was to ensure proper drainage. Mark further asked about the distance from the proposed building back 200' being flat then falling off. Ron Hill said that was to smooth out humps and ravines that were there. Ron Hill indicated that he does have a soil erosion permit that expires either at end of July 2015 or August 2015. There will be seed blankets not top soil placed when excavation is complete on the back portion of the potentially rezoned area.
- d. The board then had a couple of exchanges noting we have approved a site plan that has on it an improved area 65' beyond the new building wall. Also, noted was that this property is about 1 ½ miles from mixed use designation and does fit within rural overlay.
- e. Public Comments: Ron Mehalski- stated he owns property to the west that has wetlands. He said he contacted the DEQ & health department to see if Ron Hill had permits for filling and excavating. His findings were that there were none. Ron Mehalski said that springs on the hillside had been covered up. He claims pollutants have been running off onto his property. He also noted that there is steel and surplus vehicles stored beyond 100' of the building with concern about this detracting from the property value. Mark Sisson clarified that there would be a 10' buffered green space at property line. According to the site plan, on the east it's been required that a row of trees be planted and the west already has natural buffer that is sufficient. Ron Mehalski mentioned that he could not find any permits that were issued. Also noted, on the back six acres a wildlife corridor has developed. Other points of concern that he brought up was truck traffic for a week to bring in fill, all done without DEQ's approval and the steel used is treated with oil and will become mixed in the run off. Ron Hill informed us that the DEQ had been there on June 21<sup>st</sup>, 2015 and no violations were found. The property was inspected last year, 2014 to check for run off; nothing was found. Run off has never been an issue, stated by Ron Hill. He also said the contract he had with his general contractor last year stated that the general contractor would be getting the permits. Last week it was discovered that never happened.
- f. Other public comments- Steve Bowerman was unsure of how the zoning all works. He inquired about it effecting property taxes, mentioned that farm silos to the east on 116<sup>th</sup> had truck traffic and how is that same or different than today's zoning discussion. Mark

Sisson explained that zoning does not affect taxes. Further, he clarified farm business have a special status that lets them do agribusiness without having to comply with zoning laws. Then Lance Frolich (neighbor to west) stated that soil erosion has occurred and some of his property includes a pond. He's sure there's been run off. He had concerns about the excavating equipment running during evening hours and it disrupting his family. Mark Sisson reminded him that while the entire property was up for consideration, the Planning Commission was considering less than that, only up to 200' behind back of the building and not the whole property. Lance mentioned there is steel sitting outside right now; an eyesore. Michelle Harris spoke to that stating she had talked with Ron Hill about it and he assured her it was temporary until the building was finished. It would then be moved back inside. Ron Hill concurred that is what we had talked about. Ron Mehalski requested a copy of the soil erosion permit. The board directed him to the health department. Ron Hill informed us a representative from the health department had been out there and stated the vegetative barrier and berms are good. A soil erosion fence was installed. Sculpting and seeding of the banks will be done. He also noted that he has an appointment for an inspection with the DEQ July 23, 2015 because someone had called DEQ. Ron Mehalski said he made the call. Lance Frolich questioned what kind of fill was brought in and where had it come from. He wondered how anyone knows what could be in it. Mark Sisson said that the township has no requirements for soil to be tested nor does the DEQ unless it involves wetlands. The soil in our discussion is not on wetlands. Sand was brought in and the soil was tested even though testing wasn't required is what Ron Hill told us. He wanted everything done well and correct too. Ron Mehalski asked that the findings be made part of public record. It was explained that PCI, Professional Code Inspections, is responsible to be sure all proper permits are supplied before issuing building permits. Lance Frolich stated he didn't like that permits were issued in the wrong order. Ron Mehalski asked why there were no permits presented at this meeting. Mark Sisson clarified that technically construction should not begin until permission is given. Any work that was done prior to April (April was when the special use permit was granted) is water under the bridge. Last fall would have been a good time to raise complaints to the health department. Ron Mehalski stated that he is not against option B; 75' rezoned. (He was referring to a sheet of options that was given to the planning commission by our planning consultant at June's meeting). He did say he is still concerned about run off. It was noted that the drain office should be responsible for overseeing those types of issues. A property owner is allowed to have normal run off into his own wetlands. It cannot be blocked. Mark Sisson said the question is if the excavation

results in unreasonable flow or not. Ron Hill said the idea is for it to be sheet run off, no culvert.

- g. Public comment closed- Chuck Andrysiak made a motion to close the public comment section. It was seconded by Bev McKinnon.
  - h. The board discussed- It was mentioned that the grading of soil in the back does not meet the requirements. Our suggestion is that an approved grading plan (from the health department) is submitted to Watson Township board. We recommended to Ron Hill that he bring a copy of letters from DEQ and health department to the Watson Township Board meeting even though they are not a requirement for rezoning. We asked Ron Hill how far he wanted to go back with gravel. He stated about 100 feet. He said he is using crushed stone that locks together and it's not dusty. The zoning ordinance states "stabilized gravel" be used so the crushed stone does satisfy the requirement.
  - i. Our decision- With consideration of the Master Plan goals, we are going to recommend a partial rezoning so as to keep Commercial-1 minimal within Agricultural-2 and Residential areas. Bev McKinnon made a motion that we recommend to Watson Township Board as indicated in Article 1 of the draft of Amendment to the Zoning Map Ordinance: *Commencing at the Point of Beginning, which is 198 feet East of the SE corner of the W1/2 of the SE1/4 of Section 22, T2N, R12W, thence North 0°, 25', 14" West, thence 265 feet, thence west 198 feet, thence North 0°, 25', 14" West 200 feet, thence east 258 feet, thence South 0°, 25', 14" East 465 feet, then west 60 feet to the point of beginning, being part of the East ½ of the West ½ of the SE ¼ of Section 23, T2N, R12W*. Troy Baker seconded the motion. All gave support. Motion carried.
  - j. Our rationale- We decided that 200' is sufficient rezoning to accommodate various sizes of trucks that need access to the back of the building. This gives them the turning radius they need without risking non-compliance should more room be needed. Also, when the larger specialized trucks arrive, the maneuvering they need causes a safety hazard to traffic on 116<sup>th</sup> Ave. We did not deem it necessary to recommend a total rezoning of the entire property. This would be inconsistent with our Master Plan and there are wetlands on the back of the property. Those do not appear useable for any commercial purposes.
- II. Increasing bond amount for reclamation of sand and gravel pits- PCI has asked us to increase the bonding amount to \$4,000/acre in order to have sufficient funds if reclamation is deemed necessary. This request came as a result of a letter that PCI sent to Mr. John Dolegowski and Mr. John Van Dyke per the Allegan Sand and Gravel pit. The letter asked Mr. Dolegowski to remove items in the area that needs to be reclaimed so that Mr. Van Dyke can proceed with said reclamation. Mark Sisson advised us to review the original Special Use Permit and that we should be reviewing all gravel pits annually. As to this particular pit, it's been suggested that we have a meeting to

ensure there is adequate bonding and invite both the owner and operator so they can be informed of our proceedings. PCI has asked for us to follow through on our responsibility for sufficient bonding on gravel pits.

8. Old Business

- a. Update to Master Plan- Mark Sisson has given us the updates to chapters 3 & 4 as contracted. After reading over the last couple of chapters including the townships goals, we concurred that they are not in need of revision at this time. Mark gave each of us an added section entitled 'Complete Streets' for review. He also reviewed with us the proper procedure for incorporating the updates officially. After the new documents are complete and sent to our contiguous townships, a 60 day waiting period must occur followed by a public hearing for surrounding townships and the public to attend if they choose. Then we can pass the adaption along to Watson Township Board for final processing. He gave us a bid of \$750 to incorporate current Master Plan with the revised one and provide finished copies. The quote was based on an approximated 20 copies at \$18-\$20 per copy; as we have not given him an exact number yet (\$350 for his cost of incorporation; \$400 for printing). Electronic copies (unless otherwise requested) will be sent to surrounding townships.
- b. Due to the length of our meeting, we tabled items #2 & #3 under old business (rezoning of a property and site plan application fees).

A motion was made to adjourn the meeting at 9:42pm by Chuck Andrysiak; seconded by Bev McKinnon.

Submitted by,

Michelle Harris  
Watson Township Planning Commission Secretary