

NELSON TOWNSHIP PLANNING COMMISSION SPECIAL MEETING

December 14, 2022 @ 7:00pm

Nelson Township Municipal Building
2 Maple Street
Sand Lake, MI 49343

Minutes

The Planning Commission was called to order at 7:00pm

Commissioners Present: Stolk, Wier, C. DeJong, Mahoney, Wall, and Covell. **Absent:** R. DeJong

Also, Present: Zoning Administrator, Gross, Supervisor, Britton, Township Attorney, Leisman, and others on the sign in sheet.

Approval of the Planning Commission Agenda: C. DeJong made motion to accept the agenda as written, Mahoney seconded. All-Yes, Absent: R. DeJong

Approval of Planning Commission Minutes from October 19th, 2022: Mahoney made the motion to accept the minutes from the October 19th meeting, Wier seconded, All-Yes, Absent: R. DeJong

Public Comment: Public comment opened at 7:05pm for Mine located at 16601 Ritchie. There were no comments

Public comment opened at 7:08pm for Mine located at 9171 Becker Street. There were no comments.

Public comment opened at 7:10pm for general public comment. There were no comments.

Public comment closed at 7:12pm.

New Business:

A. Approval of Mining permit located at 16601 Ritchie. Commission member Wall recused himself from the Board due to being operator of 16601 Ritchie Mine. Laura Hoffman submitted a letter from Jerry Byrne (no name, address, or signature on paper) from the Kent County Road Commission asking if Nelson Township could secure a road improvement or a maintenance agreement as part of the approval of the SPU.

Leisman wanted to know what the expectation of the Kent County Road Commission is when they say the owner operator needs to fix the road.

Wall, indicated that the owner/operator would talk to the road commission before they did anything to the roads.

Leisman suggested that the Township could add the owner/operator would reimburse the Township or Road Commission for any damages.

Leisman said the Township cannot require the Road Commission to abide by the Resolution.

Leisman asked for clarification on who is the owner/operator. It was established that Warren Hansen is the owner/operator of the mine on 16601 Ritchie. Barber Creek had a bond with Nelson Township in the past.

Leisman asked to verify if Barber Creek currently has a bond with Nelson Township. If so, that bond needs to be updated and put in Warren Hansen's name.

Wall said the pit should be played out in 10 years and reclamation should be done at that point. The bond should be in Warren Hansen's name only.

Wall suggested instead of using acres as a measurement for reclamation, since there is a body of water that will not be reclaimed, to use percentages in section Q. He suggested 30% of the reclamation should be complete before mining more of the area.

Wier made the motion to accept the Resolution with the changes indicated. C. DeJong seconded it. All-Yes, Absent: R. DeJong

Wall retook his seat on the board.

B. Approval of the Mining permit located at 9171 Becker Street. Sarniak/Rowland requested a 10-year permit.

Leisman said he would use the same wording as the previous resolution (16601 Ritchie) for damage to the roads.

Leisman indicated that he would change the reclamation to 10 acres the same as the mine on 16601 Ritchie. The mine would need to reclaim any area that is not in the 10-acre area.

Wier asked to have a moving reclamation, so that when they are done with one section, they start reclamation on that section, and not wait until the end to start the reclamation process.

Wall said that materials will need to be brought in for reclamation.

It was determined that no other new materials are to be brought in and processed and then removed from the site. No crushing is allowed on site or any storage of said material.

C. DeJong made the motion to accept the resolution with changes indicated. Stolk seconded. All-Yes, Absent: R. DeJong

Unfinished Business: Hillcrest Church Daycare, our ordinance does not allow for commercial daycare. This daycare is an accessory use of the church. This would be a secondary use on that existing SPU. The church would need to have input from the Assessor on how this would be taxed. The church would be limited to 50 children.

The board indicated they are not interested in spot zoning.

Leisman said this could be a secondary special use to a school or church. He said he could have a tentative Resolution for the January meeting. It would need to have 2 public hearings. We would need to have one for the changed ordinance and then we would need one to allow the daycare. This is 2 processes, one to change the Ordinance and one to allow the daycare as an extension of the church.

Extended Commissioner Comment: There were no comments from the Commissioners.

Mahoney made motion to adjourn, Wall seconded it. All-yes, Absent: R. DeJong

The next Planning Commission meeting is January 18, 2023

Recording Secretary, Susan VanEnk