

**ARCADIA TOWNSHIP PLANNING COMMISSION
SPECIAL MEETING MINUTES
August 1, 2023**

A Special meeting of the Arcadia Township Planning Commission was held on Tuesday, August 1, 2023, at 7:00 p.m. at the Arcadia Township Hall, 4900 Spencer Street, Lum, Michigan.

Chairperson Katie Poniatowski called the meeting to order at: 7:00 p.m.

ROLL CALL: Members Present: Howe, Arnold, Pugh, Woloszyck, Silva and Ponitowski. Absent: McClelland. OTHERS PRESENT: Julie Dockham, Recording Secretary; Michael Gildner, Arcadia Twp Legal Council. See meeting sign in sheet for other attendees.

MOVED BY Arnold, SECONDED BY Howe to approve the Agenda as presented. MOTION CARRIED.

MOVED BY Arnold, SECONDED BY Howe to ACCEPT the minutes of June 20,2023 Public Hearing as presented. MOTION CARRIED.

MOVED BY Howe, SECONDED BY Pugh to ACCEPT the minutes of June 20,2023 Regular Meeting as presented. MOTION CARRIED.

SITE PLAN REVIEW – Jim Louwaert 4673 Curtis Rd, Attica, MI 48412 Mining operation

Gildner started the meeting with the rules for ordinances and what the Planning Commission can and cannot approve. There are standards to consider with Special Land Use approval in the Agricultural/Residential zone area, see Article IV of the zoning ordinance book.

Poniatowski stated that Mr Louwaert needs five engineered wells on the property. Hours of operation need to be identified. The Drain Commission will need to approve the site plan. Louwaert will need to put a fence around the pit area with warning signs.

Mr Louwaert will also need to present his plans to the EPA and Road Commission and obtain bonds for the operation and road use.

The next step then is the Planning Commission will decide what needs to be done AFTER review with the Road Commission.

Howe asked what happens with the gravel dust during the mining.

Silva explained the process is to dry it when it is being crushed, dust will likely come from the roads and not the mining.

Silva also explained that Curtis Rd is not a thru truck route so the truck traffic cannot go to the east to Slattery Rd.

Howe expressed concern about the noise.

Silva explained that Mr Louwaert will need to build a berm around the pit to mitigate the noise.

Arnold asked what the rule is for when Bond is set? Gildner responded that a planner will need to review and see what bonding is needed and what the cost is and make sure the contract is abided by.

Silva asked if operation is ceased, what should happen then? Gildner responded that reclamation would take place and Louwaert would have to fill in the hole.

Poniatowski stated that Louwaert mentioned he would just be doing 5 acres at a time instead of the full 30 acres.

Pugh stated for any approval on the Planning Commission side should come thru all of Mr Louwaerts requirements, making sure all conditions are met.

Poniatowski stated that Louwaert needed to come to the Planning Commission board first before he is required to go to the DEQ and EPA. They requested he follow those steps.

Poniatowski opened Public Time at 7:28p.m.

Zachary Severin – 3652 N Lake Pleasant Rd. Mr Silva mentioned that if the operation ceases it will go back to a neighborhood, it is currently a neighborhood but once it goes to a gravel pit it will no longer be a neighborhood. Once this takes place the noise will be daily. We bought this property because it was quiet.

Jeanne Lueppen – 4650 Curtis Rd. I have a picture to show you of the berm (Jeanne was given approval from the board members to approach them and show the pictures she has of the berm that is currently on the property). This is what I have to look at, the crane is there every day. The noise is ongoing and has not stopped, there are trucks going in out of there every day, he has not stopped. The dust is awful, the trucks rattle the house.

Poniatowski mentioned that he has a driveway business, he is allowed to have equipment.

Janice Morgan – 4701 Curtis Rd. I have video of him loading his truck still with gravel. He is still using gravel from his property.

Mr Woloszyk asked is this his second business? What is the name of his business? What is the information of his business?

Several board members responded that he has a driveway business named JL Dirtworks

Bob Craik - 5058 Curtis Rd. He wants to mine a gravel pit and open a commercial business. He is a mile down the road and I can hear it. Others who live right by can hear it even louder.

Kristi Smith – 3652 Lake Pleasant Rd. Is EGLE going out to see if the environment is inspected? Question to the board do you feel this is in harmony with the township and where we all live?

John Ziebron – 4612 Curtis Rd. I'd like to know what permission he does have now because he has 3 trucks, and he is going back and forth out of there all day and getting the gravel from that location. What premise is he operating on? Does he have special permission for what he is doing?

Gildner responded that this is not a public question and answer this is just a special meeting to discuss. This board can only give approval for things when they meet. But this meeting is not for approval, it is a special meeting to discuss and understand the matter presented to them. Gildner went on to explain the zoning ordinance of Special Use of what is allowed and what is not allowed.

John Ziebron – Did the field trip to the gravel pit with the board members occur? It was a coincidence that the road was graded by the road commission. If this is approved, are you going to pay the road commission to fix the road because of his trucks damaging it?

Patrick Betcher – 3610 N Lake Pleasant Rd. Has he presented the business plan? If he hasn't, I don't know how you can make a decision on how he plans on having this gravel business.

Sue Sedlak – 5003 Curtis Rd. There seems to be a lot of concern about if he ceases operation. We all have a concern for the operation of this gravel pit and how it will affect the residents. Sue went on to state she was upset and concerned about this meeting they were not notified of and that the next meeting was moved out a week when folks had moved vacations to make that meeting on the 15th (of August. Meeting was moved to August 22nd).

Mark Osentoski – 5062 Curtis Rd. I have concerns about home values, water, noise, eye sore, how do you do an analysis of benefit to the township and the legal rights. Additional concerns of how big this business will get, will it turn into a big factory mining business. And the roads have you looked at what he is already doing how it's continually impacting the road; it is nothing but washboard. What is your plan for this township? Mr Osentoski went on and on asking several questions to the board over his concerns.

Kris Kucharski – 3610 N Lake Pleasant Rd. You mentioned that there was an article (ordinance) in there that if there were unanimous opposing views of this gravel pit that that would be taken in consideration, is that correct? (He wasn't sure who he should direct his question to). I just built my dream house, none of you would want that in your backyard.

Public Time was closed at 7:49p.m.

Howe – We did take the field trip. I did not see him doing business there.

Several board members expressed that they had gone there and didn't see an operation going. (Several public individuals spoke up that he was doing a business there).

Arnold – Nothing has been brought to the township about him moving equipment or the noise.

MOTION BY Poniatowski to adjourn the meeting SECONDED BY the board members to adjourn the meeting at 7:52p.m.

Submitted by:

Julie Dockham
Recording Secretary

Rich McClelland
Secretary