

Mason County Planning & Zoning Department

102 E. FIFTH STREET
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July 18, 2017

Minutes of the Mason County Planning Commission special meeting held at 102 E. 5th St., Scottville on July 18, 2017 at 7:00 p.m.

MEMBERS PRESENT: Michael Shaw, Tom Hooper, Cary Shineldecker, Janet Andersen, James Wincek

MEBERS ABSENT: Doug Robidoux, Frank Redmond

OTHERS PRESENT: Mary Reilly, Cayla Christmas

The meeting was called to order at 7:04 p.m. by Chairman Tom Hooper.

The meeting minutes from June 20, 2017 were approved as presented with a motion by Jim Wincek and second by Janet Andersen. Motion carried, 5 yes 0 no.

The meeting minutes from June 27, 2017 were approved as presented with a motion by Janet Andersen and second by Mike Shaw. Motion carried, 5 yes 0 no.

Addition or deletions to the agenda: None

Conflict of Interest: Janet Andersen stated she may have a conflict of interest with the Grant Township Zoning Ordinance Update regarding Farm Markets. Mary Reilly stated it was not a direct conflict but could be perceived as a conflict.

Public Comment: None

Correspondence: None

Tom Hooper opened the public hearing for application PZ17113; Mark Couturier had requested a special land use permit to conduct sand mining on a property located in Amber Township at 720 S. Meyers Rd in the RE zoning district (parcel number 001-019-015-20). Mary Reilly presented the proposed site plan and photos. A portion of the staff report is below.

PROJECT DESCRIPTION: Mark Couturier/CIS has filed application to take sand off of this subject parcel on an as-needed basis for the sole use of his company (not for other excavators). The hill that lies behind the buildings will be removed, with grade retained between 610'-615' above sea level. The eastern boundary of the project will be a 50' buffered setback to Mosquito Creek. All vegetation within a 50' setback to Mosquito Creek will be retained. The final grades will remain about 10' above Mosquito Creek and slope away from the creek.

FINDINGS OF FACT:

1. Hours of operation M-F 7 AM to 7 PM, Sat 8-5 No Sunday hours.
2. The project will start in the middle of the property and move to the north.

3. Phases of operation—remove trees, strip top soil (store it), remove sand, then replace topsoil and re-vegetate.
4. See site plan for additional performance.
5. Although the southern area of the parcel along Mosquito Creek is identified for sand mining, the Couturiers may not mine that portion and may keep it in a relatively natural state for future sale of residential property along the creek.

PHYSICAL SITE CHARACTERISTICS: The site contains elevations ranging from 600' to 638' above mean sea level (AMSL). The Drain Commission is aware of this application and I walked the site with Richard Plowe (soil erosion agent) to carefully examine the creek. The area to be mined is covered in a pine grove/pine plantation. Earlier excavation (which you can see when you visit) shows the sandy substrate under the hills.

Jim Wincek made a motion to accept the staff report into the file. Second by Mike Shaw. Motion carried, 5 yes 0 no.

Mark Couturier stated there is a demand for sand and he believes that is a good location to conduct sand mining since there aren't many neighbors and the sand is there.

Tom Hooper asked Mark Couturier if he planned to cut all the trees on the property at one time or if he was planning to cut them as he worked. Mr. Couturier stated he would have them cut at one time because loggers won't come and cut 1 acre of lumber at a time. Mr. Couturier stated the stumps would be left so the soil was not disturbed until the area is ready to be mined.

Cary Shineldecker asked how much area will be left exposed if the project is going to be worked 1 acre at a time. Mr. Shineldecker also asked if Mr. Couturier was planning to reseed the top soil after he finished with an area.

Mark Couturier stated he is planning to put the top soil back down as the sand is taken off. The top soil will be reseeded. He stated that about 1 acre would be disturbed at a time; a half acre would be open and the other half acre would be in the process of being re-vegetated.

Cary Shineldecker expressed a concern with screening from the neighbors and roads if the trees are cut.

Mark Couturier stated he was leaving the trees along the property lines.

Tom Hooper asked if Mark Couturier had a plan for dust control. Mr. Couturier stated he thought there is adequate screening for dust control but he will water the road if needed.

Tom Hooper closed the public hearing.

Jim Wincek stated he didn't see anything wrong with the proposal.

Janet Andersen stated she thought Mark Couturier would address any issues with dust

1 if they arise. Ms. Andersen asked if there were any plans for developing the property.

2
3 Mark Couturier stated there could be plans “way down the road.”

4
5 Janet Andersen asked if the hours of operation being from 7am-7pm were needed.

6
7 Tom Hooper stated he was concerned with the 12 hour days for the neighbors.

8
9 Mark Couturier stated they’re usually done with their day by 5pm. Mr. Couturier would
10 like the extra time to be available in the instance something needs to be finished, which
11 is rare.

12
13 Cary Shineldecker stated each special land use request is unique and different
14 conditions apply to each. Mr. Shineldecker stated this sand mining operation does not
15 have close neighbors, so it is not as important to restrict hours of operation as if there
16 were many close neighbors.

17
18 Tom Hooper stated he would like to see the hours cut back to 8am-6pm.

19
20 Mary Reilly stated the Mason County Road Commission starts at 7am.

21
22 March Couturier stated they sell sand and work with the Road Commission.

23
24 Mike Shaw said he had a concern with the hours of operation, but since knowing the
25 Couturiers supply the Road Commission that starts at 7am, the hours of 7am-7pm seem
26 fine.

27
28 The Planning Commission agreed they were satisfied with the hours of operation being
29 7am-7pm for this application.

30
31 Mike Shaw and Cary Shineldecker suggested a provision stating “dust control will be
32 utilized as needed” be added.

33
34 Cary Shineldecker made a motion to approve standards 17.59 as written in staff report.
35 Second by Janet Andersen. Motion carried, 5 yes 0 no.

36
37 Mike Shaw made a motion to approve standards MCL 125.205. Second by Jim Wincek.
38 Motion carried, 5 yes 0 no.

39
40 Cary Shineldecker made a motion to approve standards 16.05 with the addition of
41 “owner will maintain road dust environment and water as necessary” to standard
42 number 6. Second by Mike Shaw. Motion carried, 5 yes 0 no.

43
44 Janet Andersen made a motion to approve application PZ17113 for a special land use
45 for a sand mining operation, as noted, based on Sections 17.59, MCL 126.5205 and
46 Section 16.05 of the Mason County Zoning Ordinance. Second by Mike Shaw. Motion
47 carried, 5 yes 0 no.

1
2 Tom Hooper opened discussion for application PZ17111, a site plan amendment to
3 PZ17029 regarding an open air business involving camper sales at 3389 W US-10 in
4 Amber Township. Mary Reilly presented the original site plan, the amended site plan
5 and photos of the property.

6
7 Mary Reilly stated John Sherston will be demolishing the existing building after finding it
8 to be unsalvageable. He will construct a new building in the same footprint.

9
10 John Sherston stated the driveway on the original site plan was not supposed to be on
11 the site plan, but Nordlund's forgot to remove it from the plans. Mr. Sherston said the
12 original driveway was removed because it was too sharp of a turn for campers to
13 maneuver.

14
15 Tom Hooper asked if some kind of fencing or barrier could be put up to mark the 25-foot
16 side setback.

17
18 John Sherston said that the setback is needed for pulling trailers in and out so a fence
19 or barrier would not work.

20
21 Mike Shaw stated the site looks nice and the amendment doesn't seem to interfere with
22 anything. The rest of the Planning Commission agreed.

23
24 Mike Shaw made a motion to approve the revised site plan. Second by Cary
25 Shineldecker. Motion carried, 5 yes 0 no.

26
27 Unfinished Business: None

28
29 Zoning Director's Report: The board agreed that although there are not applications,
30 the next meeting will be on August 1st to go over the matrix completed by Adam Young.
31 Mary Reilly stated Marlin Troyer is working on annexation with the Village of Custer.
32 Janet Andersen stated the annexation would be brought to the County Board of
33 Commissioners to vote on.

34
35 ZBA Report: Cary Shineldecker stated Larsen's Landscaping requested a variance from
36 a setback requirement to a property under someone else's name to expand their
37 business. Mr. Shineldecker stated the application was deferred for 90 days.

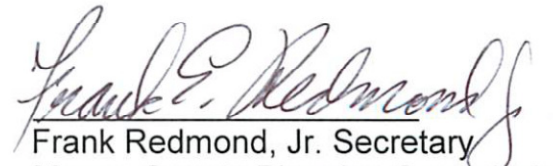
38
39 New Business: Janet Andersen excused herself for the conflict of interest regarding the
40 zoning ordinance update for Grant Township.

41
42 The Planning Commission reviewed the Grant Township zoning amendment related to
43 farm markets. There were no comments.

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45 Public Comment: None

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47 Tom Hooper adjourned the meeting at 8:23 pm.

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Frank Redmond, Jr. Secretary
Mason County Planning Commission