

MINUTES OF Planning Commission Meeting

HELD January 9, 2019

20 Sue Clark

Township of

Metamora

Clerk

Form M-1-PT

The Regis Press, Inc., Flint, Michigan

Chairman Nash called the Metamora Township Planning Commission regular meeting to order at 7:00 p.m. at the Metamora Township Hall, 730 W. Dryden Road, Metamora, Michigan, with the Pledge of Allegiance.

**Members Present:** George Nash, Lance Gould, Phil Bellinger, Ann Derderian, Dan Miller and Roger Hamilton

**Members Absent:** Kevin Knisely

**Also Present:** Township Planner Doug Piggott, Mike Carpenter of ROWE, and Jarod Sawyer, videographer for Levy.

**Approval of Agenda**

**001-19**

Motion by Member Derderian, support by Member Bellinger, to approve the agenda as submitted. All ayes, one absent. **Motion carried.**

**Approval of Meeting Minutes**

**002-19**

Motion by Member Derderian, support by Member Miller, to approve the minutes of the September 12, 2018 regular meeting as presented. All ayes, one absent. **Motion carried.** Chairman Nash noted there was no November regular meeting but a training workshop was conducted on November 14, 2018. There was also no December meeting due to lack of agenda items.

**Public Comments (on items not on the Agenda)**

None.

**New Business**

**A. Election of Officers.**

**003-19**

Motion by Member Derderian, support by Member Bellinger, to cast a unanimous vote to retain existing officers with George Nash as Chairman, Lance Gould as Vice Chairman and Roger Hamilton as Secretary. All ayes, one absent. **Motion carried.**

**B. Setting of Meeting Dates.**

Chairman Nash confirmed that the Board had received the Metamora Township Planning Commission 2019 Schedule of Meeting Dates.

**004-19**

Motion by Member Derderian, support by Member Bellinger, to set the meeting dates as presented in the 2019 Schedule. All ayes, one absent. **Motion carried.**

**C. Review of Annual Report to Township Board.**

The 2018 Annual Report of the Metamora Township Planning Commission was discussed and action on this report was tabled until the end of the meeting after discussing the report of the Five Year Review of the Master Plan.

**D. Biennial Soil Removal Permit - Ribble Road Pit.**

Chairman Nash confirmed that the Board had received and reviewed the December 17, 2018 Memorandum from Township Engineer Mike Carpenter on his review of the 2019-2020 Biennial Soil Removal Permit Application for the Ribble Road Pit, owned and operated by the Lapeer County Road Commission. Member Derderian questioned Mr. Carpenter about signage, fencing, steepness of slopes, and liability insurance in this report and the other soil removal permit reports and there was discussion. There was discussion of having site visits or a walk-through by the Township every year. Mr. Carpenter suggested that for record keeping purposes the time frame for the dates of the permits should be consistent.

**005-19**

Motion by Member Derderian, support by Member Bellinger, to recommend to the Township Board approval of the 2019-2020 Biennial Soil Removal Permit Application for the Ribble Road Pit to include the required signage warning people of a danger, to include that the method and location of mining be as such to reduce the steepness of the slopes of the excavated banks and to work toward the approved reclamation plan, to include that the restoration of the site should be a priority as well as maintaining fencing and signage, and to include that proof of personal injury and property damage insurance be provided and kept current, and that the approval shall have the effective date of 1-1-19 to 12-31-20 and shall be made retroactive to 1-1-19, and that an on-site inspection be undertaken between 6 to 9 months from date of approval of the permit.

**ROLL CALL VOTE:**

Ayes: Bellinger, Derderian, Gould, Hamilton, Nash, Miller  
Nays: None  
Abstain: None  
Absent: Knisely

**Motion carried.**

**E. Biennial Soil Removal Permit - John R Pit.**

Chairman Nash confirmed that the Board had received and reviewed the December 17, 2018 Memorandum from Township Engineer Mike Carpenter on his review of the 2019-2020 Biennial Soil Removal Permit Application for the John R Pit. Chairman Nash questioned the bond item on the checklist provided in the Carpenter report and there was discussion. Mr. Carpenter relayed that there has been progress with backfilling some of the slopes.

**006-19**

Motion by Member Derderian, support by Member Bellinger, to recommend to the Township Board approval of the 2019-2020 Biennial Soil Removal Permit Application for the John R Pit to include fencing and signage to conform with Section 307.1 of the Soil Removal Ordinance which requires fencing around the site as well as signage every 200 feet maximum, that the Township should consider a follow-up site visit in 6 to 9 months to confirm the installation of the fencing and signage, that this recommendation of approval also includes that the method and location of mining be such to reduce the steepness of the slopes and to work toward the approved reclamation plan, that restoration of the site be more of a priority as well as maintaining fencing and signage, to provide the Township with a satisfactory bond statement at least in the minimum of \$1,000 per acre, to include that proof of personal injury and property

damage insurance be provided and kept current, and that the approval shall have the effective date of 1-1-19 to 12-31-20 and shall be made be retroactive to 1-1-19.

**ROLL CALL VOTE:**

Ayes: Bellinger, Derderian, Gould, Hamilton, Nash, Miller  
 Nays: None  
 Abstain: None  
 Absent: Knisely

**Motion carried.**

**F. Biennial Soil Removal Permit - Schenkel Pit.**

Chairman Nash confirmed that the Board had received and reviewed the December 18, 2018 Memorandum from Township Engineer Mike Carpenter on his review of the 2019-2020 Biennial Soil Removal Permit Application for the Schenkel Pit. Chairman Nash questioned the item on the checklist regarding a bond and there was discussion. Mr. Carpenter relayed that there has been progress with backfilling some of the slopes.

**007-19**

Motion by Member Derderian, support by Member Bellinger, to recommend to the Township Board approval of the 2019-2020 Biennial Soil Removal Permit Application for the Schenkel Pit to include fencing and signage every 200 feet maximum, that the Township should consider a follow-up site visit in 6 to 9 months to confirm the installation of the fencing and signage, that this recommendation of approval also includes that the method and location of mining be such to reduce the steepness of the slopes and to work toward the approved reclamation plan, to provide the Township with a satisfactory bond statement at least in the minimum of \$1,000 per acre, to include that proof of personal injury and property damage insurance be provided and kept current, and that the approval shall have the effective date of 1-1-19 to 12-31-20 and shall be made be retroactive to 1-1-19.

**ROLL CALL VOTE:**

Ayes: Bellinger, Derderian, Gould, Hamilton, Nash, Miller  
 Nays: None  
 Abstain: None  
 Absent: Knisely

**Motion carried.**

**G. Biennial Soil Removal Permit - Walker Pit.**

Chairman Nash confirmed that the Board had received and reviewed the December 19, 2018 Memorandum from Township Engineer Mike Carpenter on his review of the 2019-2020 Biennial Soil Removal Permit Application for the Walker Pit. Mr. Carpenter relayed that the applicant did have a fence erected between his property and the Boy Scout property and a gate and signage and stated the fencing and signage was adequate. Chairman Nash questioned the special land use approval and there was discussion. Mr. Piggott suggested the Township Board discuss the special land use approval and renewal with the Township Attorney.

**008-19**

Motion by Member Derderian, support by Member Bellinger, to recommend to the Township Board approval of the 2019-2020 Biennial Soil Removal Permit Application for the Walker Pit to include continued maintenance for fencing and signage, to include restoration of the east slope, that restoration of the site be more of a priority as work continues, to include that proof of personal injury and property damage insurance be provided and kept current, and that the approval shall have the effective date of 1-1-19 to 12-31-20 and shall be made be retroactive to 1-1-19, and to recommend to the Township Board to have the Township Attorney look into whether or not to continue with the enforcement of the annual renewal of the special land use, *and that an on-site inspection be undertaken 6 to 9 months from date of approval of the permit.*

**ROLL CALL VOTE:**

- Ayes: Bellinger, Derderian, Gould, Hamilton, Nash, Miller
- Nays: None
- Abstain: None
- Absent: Knisely

**Motion carried.**

**Unfinished Business**

**A. Five Year Review.**

Planner Piggott referred to his draft Report by the Metamora Township Planning Commission on the Five-Year Review of the Metamora Township Master Plan which was last discussed in July and reviewed it with the Board pointing out that issues such as the text amendments to the zoning ordinance concerning outdoor sales, cement plants in the B-2 district, and the establishment of the gravel mining overlay district should be in the plan. Board discussion. Planner Piggott recommend that the Planning Commission recommend to Township Board that the plan be updated to address the new zoning districts and some of the text amendments that have been made and some of the new issues such as composting and solar energy and the Planning Commission members agreed. Mr. Piggott will modify this draft and present it to the Board at the next meeting for adoption and will modify the annual report to include that as an action item.

**Communications and/or Committee Report**

None.

**Matters for Discussion from the Commission Members**

Nothing at this time.

**Township Planners Report - Doug Piggott/ROWE Professional Services**

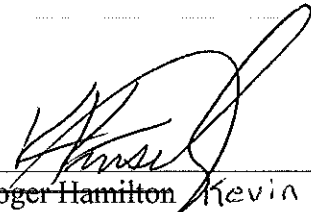
Mr. Piggott briefly discussed the recreational marijuana law that was adopted in November stating that it is different than the medical marijuana act as in the medical marijuana act you had to opt in to allow a facility and under this new law you have to opt out if you want to prevent it. Mr. Piggott stated further that the State of Michigan has a year to adopt regulations for this new law so there is no hurry act on it at this point. Mr. Piggott would recommend leaving this up to the Township Attorney for strategy.

**009-19**

At 8:04 p.m., a Motion was made by Member Derderian, support by Member Bellinger, to adjourn. **Motion carried**, all voting aye.

Respectfully submitted,  
Darlene Wise, Recording Secretary

cc: All Board Members  
Persons requesting same

  
\_\_\_\_\_  
Roger Hamilton Kevin Knisely  
Planning Commission Secretary

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