

CLARK TOWNSHIP PLANNING COMMISSION

REGULAR MEETING

March 12, 2019 AT 7:00 PM

CALL TO ORDER: Meeting called to order by Mr. Merchberger.

PLEDGE OF ALLEGIANCE conducted at 7:04 PM

Roll Call: Members Present – Merchberger, Koster, Kozma, Patton, Pieri, Speidel, Wilcox, Keighley

Others Present: Michael, Schlenkert, Eva Schlenkert, Kyle Fortier, Kevin Schiavo, David Carmody, Melanie Bogdan, George Bogdan, Chase Horsburgh, Bob Paczkowski, Amy Paczkowski, Scott Markstrom, Raymond Markstrom, Dave Murray *Deputy Supervisor*.

APPROVAL OF MINUTES: January 8, 2019

Motion: *Moved by Mr. Keighley, seconded by Ms. Patton to approve minutes of January 8, 2019*

Vote: *All aye. Motion carried.*

Case #259 Bacco Construction of Iron Mountain, MI requesting a Special Land Use Permit to temporarily process gravel and operate an asphalt plant within the Township.

Mr. Kyle Fortier, Bacco Project Manager, described proposed use:

- * Open a new pit on property he owns east of Winberg Road, accessed via Osterman Road
- * 12 days of paving along M-134 from Cedarville schools to two miles west of DeTour; then move plant out of area; potential for another project on M-129 from M-134 to M-48, about 5 days of paving; minimum 12 days maximum about 20
- * crusher work would begin mid to late July; asphalt processing from mid- to late August; if second project approved, extend into mid-September; typical work day 6 am to 8 pm, usually don't work that late; may come back in 5 to 10 years if other projects in area
- * no drilling, no blasting; no logging
- * will bond with Mackinac County Road Commission for dust control, chloride application, road grading and repairs of Winberg Road; would upgrade Osterman Road; like to use county/state roads
- * can add environmentally-friendly odor control additive to mitigate asphalt odor
- * asphalt plant itself is top of the line technology; two years old
- * has appropriate permits from DEQ; DEQ, MSHA (Mine Safety and Health Administration) conduct inspections; must notify DEQ when moving plant
- * will give tour to neighbors to show what is occurring, how system works

Concerns raised by neighbors included:

- * damage to Winberg and Osterman roads
- * noise, dust, odor
- * traffic from trucks
- * effects on water table

Mr. Fortier said the company will build a road on its property from the pit area to Swede Road to avoid using Winberg and Osterman. Any damage to either Winberg or Osterman will be repaired. He requested to allow use of Winberg/Osterman to bring in the gravel crusher at the start, but all hauling of material and traffic will be from Swede Road. He agreed to add an odor-eliminating agent to the asphalt plant, that there would be no effect on any water table, and Bacco is required to maintain dust control on site. Bacco will construct a berm on the northside of the mining area to help mitigate noise

Motion: Moved by Mr. Koster, seconded by Mr. Kozma to approve the Special Land Use Permit request by reasons of:

- 1. Because of letters and verbal opposition for using roads for ingress and egress, Bacco Construction will build a driveway on the property to Swede Rd. with the exception of bringing the processing equipment in the 2019 season to build their road; processed materials will be transported using their new road;**
- 2. obtained all permits and bonding with the county;**
- 3. and, in compliance with PA113.**

The following restrictions were placed on this request:

- 1. SLUP for processing gravel and asphalt expires in 5 years from today;**
- 2. use odor reducing agent in asphalt;**
- 3. and, when gravel pit is depleted, the berms will be seeded.**

Roll call vote:

Pieri: yes Merchberger: yes
Kozma: yes Patton: yes
Speidel: yes Koster: yes
Keighley: yes Wilcox: yes

Aye: 8 Nay: 0 Motion passed.

PUBLIC COMMENT: None

ADDITIONS TO AGENDA: None

ZBA REPORT: Mr. Pieri: ZBA denied a property owner's variance request January 22 to construct a storage facility on Grove Street larger than the allowed 1800 square feet. Vote was 3 to 1 to deny.

TOWNSHIP BOARD REPORT--Ms. Patton: Township signed two contracts with Rob Bloch to work on ordinances regarding marijuana; purchased a new pickup truck for DPW; Sewer Advisory board recommended reduction in motel room REU rate from .35 to .3; fire department is considering building a new fire hall; Hitchens Family foundation agreed to donate \$10,000 toward a new firehall.

OLD BUSINESS: Short Term Rental Inspection Form

Commission members agreed using the form for safety reasons and providing contact information is helpful. Made two edits: to insert area code to Mackinac Straits Hospital telephone number; change "renter's" insurance to "rental" insurance.

Moved by Ms. Patton, seconded by Mr. Koster, to recommend to the Township board to accept the Short-Term Rental Inspection form with a downloadable PDF form added to the website.

Roll call vote:

Pieri: yes Merchberger: yes
Kozma: yes Patton: yes
Speidel: yes Koster: yes
Keighley: yes Wilcox: yes

Aye: 8 Nay: 0 Motion passed.

NEW BUSINESS: *Review Draft language for medical marijuana ordinance*

Discussion about examining ordinance language with Rob Bloch. Mr. Keighley and Mr. Koster will meet with him. Mr. Horsburgh, who has four cultivator licenses, offered perspectives on how the marijuana issue is developing, noting there are no medical dispensaries between Gaylord and Marquette. The benefit of having a medical dispensary is quicker access to recreational dispensary licenses, which will then provide taxable income for the Township.

Review Ordinance Language per request of Township Zoning inspector.
Item tabled to next commission meeting.

ADDITIONAL PUBLIC COMMENTS: None.

ADJOURNMENT: ***Motion:** Moved by Mr. Pieri, seconded by Mr. Koster, to adjourn the meeting.*

***Vote:** All aye. Motion passed.*

Meeting adjourned at 9:32 pm.