

JAMESTOWN CHARTER TOWNSHIP
SPECIAL PLANNING COMMISSION MEETING MINUTES
April 20, 2022, at 7:00 p.m.
Jamestown Charter Township Hall, 2380 Riley St., Hudsonville MI 49426

CALL TO ORDER: Chairman Smith called the meeting to order at 7:00 p.m.

ROLL CALL: Commissioners Ross De Jong, Jeff Dykstra, Kevin Gilliam, Dave Kronemeyer, Dean Smith, Tim Tacoma, and Randy Zomerlei were present. Also present was Township Planner Greg Ransford.

INVOCATION: Commissioner Gilliam opened with the invocation.

APPROVAL OF MINUTES: The minutes of the April 18, 2022 Special Planning Commission meeting were not available.

APPROVAL OF AGENDA: A motion was made by Commissioner Dykstra, supported by Commissioner Kronemeyer, to approve the agenda as amended with the addition of Hawks Valley discussion under Old Business. Motion carried unanimously.

GENERAL COMMENTS REGARDING NON-AGENDA ITEMS: None.

NEW BUSINESS:

- **Site Plans**

- **Soil and Mineral Removal Permit Renewal** application submitted by Joseph Kwiatkowski for the property located at 375 Kenowa Avenue, permanent parcel number 70-18-36-400-002 and 149 Ottogan Avenue, permanent parcel number 70-18-36-400-004.

Robb Lamar from Exxcel Engineering was present to provide information regarding the application. He stated that the sand mine has been in operation since 2004 and he provided a narrative to the Planning Commissioners outlining proposed wording changes within the draft resolution. Lamar stated that the plan has not changed much since the original approvals, and they are mainly seeking clarity regarding certain requirements. He explained that it is necessary to avoid looking at the lines on the plan as phases meant to be fully completed before beginning the next phase. The phases are meant to show only the direction and sequencing of mining operations. He stated that it is not possible to create slopes of 1 on 5 or less before completion of a phase as that would not leave enough room for equipment to work in the bottom of the pit and would also affect the ability to minimize noise. Lamar also stated that the contours on the plan are not meant to show how the property will look in the end. The final contours will be determined by how much dirt is removed and the amount of overburden remaining with 1 on 5 slopes or less created.

There was discussion regarding the maximum allowable height of overburden stockpiles and what reference points would be used for measuring the piles. Granting a waiver for the existence and height of the existing overburden stockpiles was discussed, as one pile exceeds the maximum allowed height of fifteen feet. It was determined that the existing piles will not create issues with erosion or water run-off as there is already vegetation established on the piles. There was discussion regarding the potential end use, which is likely to be residential, but there are no plans yet since the final date of 2050 is so far into the future, and it was decided that it was not critical to have an end use acknowledged in the resolution. Planning Commissioners

suggested that the applicant be required to come back to the Planning Commission with a reclamation plan when beginning the last phase or to have a report submitted every few years. The township engineers inspect the mine annually and can provide reports to the township. There was discussion regarding stormwater management, financial sureties, road conditions, topsoil removal, brining, limits on disturbed areas, fencing and the considerations listed in the township Planner's memorandum. Lamar stated that it would be better to use water and not brine to control dust due to proximity to farm fields. He also stated that the low portion on the northeast corner of the property is being utilized for temporary retention of stormwater as it percolates into the ground. A layer of clay silt has created some ponding in this area, but the area is dry in summer, and there will be no permanent ponds created in the mining process. Lamar said that Kent County maintains Kenowa Avenue, and the Kent County Road Commission has said that the road shows only normal wear and tear. Weight limits are enforced, and the Ottawa County Road Commission has no problem with the truck route.

A motion was made by Commissioner Zomerlei, supported by Commissioner Dykstra, to recommend that the Township Board adopt the Soil Removal Permit Resolution with the following conditions, additions and deletions to the draft Resolution.

- A waiver be granted for the overburden pile that exceeds fifteen feet in height and for the overburden pile with 1 on 1.5 slopes to remain unchanged.
- D (1)(a)-remove the last sentence "Operations in Phases I through IV must be completed and that portion of the site must be reclaimed before operations commence in Phase V."
- D (1)(b)-replace the existing wording with "The combined total material to be removed shall not exceed 3 million cubic yards. The final grades will not be steeper than 1 on 5 slopes."
- D(1)(c)-addition of word "topsoil" to list of materials. Revised wording- "material to be removed from the Subject Property includes sand, clay and topsoil."
- D (1)(g)-change wording to: "Overburden stockpiles shall be limited to fifteen (15) feet maximum height measured as an average grade from opposite points of the pile with one (1) on three (3) slopes.
- D (3)(a)-replace the word "brine" with the word "water".
- D (4)(b)-remove the wording "erect and" as the gate already exists.
- D (4)(g)-add the word "permanent" and the wording "allowed for stormwater to percolate". Revised wording- "Other than the existing pond, generally located south of the mining limits as shown on Applicant's site plan, temporary ponding shall be allowed for stormwater to percolate, but no new permanent pond or ponding of water shall be created or permitted on the site at the completion of the project."
- D (5)(a)-add "sweeper" to the listing of equipment considered part of the approved operations.
- D (6)(d)-Strike this section that required the Applicant to repair any damage to Kenowa Avenue.
- D (6)(f)-strike this section that required a bond in favor of the Kent County Road Commission.
- Compliance with the Vriesman and Korhorn letter dated March 29, 2022 with the following amendments:
 - Strike condition #8 which required a statement regarding the intended final use of the property after soil mining is complete.
 - Strike condition #9 which would have set a limit to the disturbed area of the mining operation in order to assure that areas that are fully mined are restored in a timely fashion.

- Strike condition #10 which would have required a certificate from an indemnity company, a sum for periodic reviews, and a sum for conducting a public hearing.

Motion carried unanimously.

OLD BUSINESS: Chairman Smith stated that at the April 18, 2022 Township Board meeting, Board members voted to send the Hawks Valley rezoning request back to the Planning Commission to get more information regarding the potential impact of the Hawks Valley development on township utilities. Township Engineer Aaron VanProyen and Brian Boss from the Township water and sewer department were present to answer Planning Commission questions. There was discussion regarding the creation of a high-pressure water district, the cost of constructing a new water tower, the need for the township to construct a new water tower within five years whether or not Hawks Valley is developed, trunkage fees, water tower maintenance, and the sewer system. Chairman Smith stated that he would draft a report to present to the Township Board at their next meeting.

EXTENDED PUBLIC COMMENTS REGARDING AGENDA ITEMS ONLY: None

CORRESPONDENCE: None. Planner Ransford informed the Commissioners that Final Site Condo Applications for Peacefield and Waterton North and South phases and a Public Hearing for a request to rezone property at 1431 Greenly St. would be on the May 17, 2022 agenda.

PLANNING COMMISSION MEMBER COMMENT: Commissioner Tacoma voiced concerns regarding the condition of the pavement at the intersection of Quincy St. and 8th Ave. He also had concerns regarding the private street application that was approved for Quincy Creek Estates, as the developers appear to be mining on the site. Zoning Administrator Kirk Scharphorn was present, and he stated that he and the Township Engineer have visited the site and the developers are complying with the approved site plan. Planner Ransford was asked to review what was approved for the site plan and look at the timeline for completing the project. Commissioner Zomerlei reported that at the March 01, 2022 Zoning Board of Appeals meeting, the Zoning Board of Appeals denied the request for a variance from the requirement for public water for the Ransom Street Condo development. The development had been exempted from the requirement as they were in the planning process when the ordinance was adopted. They missed the deadline however for submitting a final plan within a year of preliminary approval and would now be required to comply with the ordinance requirement for public water.

ADJOURN: A motion was made by Commissioner Gilliam, supported by the rest of the Commissioners, to adjourn the meeting at 9:20 p.m. Motion carried unanimously.

Respectfully submitted by,

Maureen Carmody, Recording Secretary
Planning Commission

Minutes approved on

_____ by _____
(chair)