

Laketon Township Planning Commission Meeting Minutes of November 16, 2010

CALL TO ORDER: Chairperson John McDonnell called the meeting to order at approximately 6:03 PM

MEMBERS PRESENT: Bob Schalow, Lynn Stel, John McDonnell, Mary Marcil, Cindy Ackerman and Eric Anderson

MEMBERS ABSENT: Cindy Zaagman

ALSO PRESENT: Brenda Moore Planning Consultant; Rod Siegel Building Official; Dick Grenell Zoning Administrator; David Bossenbroek Attorney, Veronica West Recording Secretary and applicant Darrell Hinken and realtor Chip Hurley.

APPROVAL OF MINUTES:

- Regular Meeting Minutes of August 11, 2010 – Lynn Stel moved to approve the minutes as presented. Bob Schalow supported the motion. Motion carried by voice vote.
- Special Meeting Minutes of August 26, 2010 – Bob Schalow moved to approve the minutes as presented. Mary Marcil supported the motion. Motion carried by voice vote.

Special Note: There were not minutes for September and October 2010 as these meetings were cancelled due to lack of business to attend to.

REPORTS, CORRESPONDENCE & COMMUNICATIONS:

- Planning and Zoning News – Sept. 2010 issue – for informational purposes, no discussion.
- Information on Us and Storage of Polluting Materials – for informational purposes, no discussion.
- Summary of Michigan Marihuana Act – see discussion on proposed medical marihuana zoning ordinance amendment below.
- Proposed Zoning Review Checklist – Mary Marcil commented on this being a good idea, to prevent things from “falling through the cracks” and for future reference information and a historical file. Bob Schalow and John McDonnell both commented that this is a very good starting point but can see there may be the need to modify/tweek the checklist as you start using it in a practical application.
- Staff review/report of Muskegon Charter Township Master Plan – see discussion below on this topic
- Staff report on H & H Lawn Service Request for Special Land Use – see discussion below on this topic

NEW BUSINESS:

- **Muskegon Township – Review of Draft Master Plan** – It was discussed to have all members get a cd or an e-mailed file of this document and review it thoroughly and be prepared to discuss it at the next regular meeting. No action taken.
- **H & H Lawn Service – Proposed Special Land Use/Site Plan Review for 925 Witham Rd** – Chip Hurley, realtor and Darrell Hinken, owner of H & H Lawn Service were both present. Mr. Hurley noted he is the real estate agent on the property and is representing both the buyer (Mr. Hinken) and the sellers. Mr. Hurley gave an overview of the project, with visual aids including photographs of the property as it exists today and Mr. Hinken’s business as it exists in its current location which is a building Mr. Hinken rents. The business consists of landscaping services and snow plowing/removal services. There would be storage onsite of typical landscaping materials, hardwood bark, mulch, rocks, topsoil seasonally and salt in the winter for plowing and snow removal services. Discussion took place regarding how much of these materials are anticipated to be stored on site and in what quantities, locations and potential containment of said materials. Mr. Hinken stated he begins stockpiling raw hardwood bark over the winter from saw mills and then uses it in the spring/summer months. He added it is natural and not dyed. He commented that he could have up to 500 yards stockpiled by April and depending on the weather would have it used up by the end of May each year. Questions of containment were answered by Mr. Hinken (including photographs of his existing containment structures at his current location) by noting he has large cement blocks to build a retaining wall (1 block high) and the floor of the area is concrete. He noted he has other containment bins that are about 10 feet high with a cover to hold the dyed mulch, gravel and topsoil (salt in the winter) and these are also on a concrete floor. He added that to store these materials on the bare ground would result in him losing product, delivering a poor quality product and ultimately a loss of revenue, which is why he stores his materials on concrete pads. There topic of

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grass/leaf composting was discussed. Mr. Hinken stated he brings grass and leaves back to his business site until they can be picked up by another company that does composting elsewhere. He added he anticipates the pile of grass/leaves could be up to 30 yards at a time, but this is also contained in a bin and is collected as needed by the 3rd party composting company he has a business arrangement with. Winter salt storage was discussed. Mr. Hinken responded to planning commission questions noting that he typically starts having salt delivered to him in November and is done with it by April or May. Any extra salt he has purchased but not used is then taken to another storage site and would not remain on this site during the summer months. He added the storage bin for the salt would be covered and would have a moat or curb to prevent any salt from running off into the soil and nearby creek. There were questions asked about fertilizer and the storage of this item. Mr. Hinken purchases non-phosphorus fertilizer by the pallet (in 50 pound bags) stores it inside a storage building, a photo of his existing storage of fertilizer was shown, and he plans to continue to store it inside at this location as well. There was discussion also on the storage of vehicles and equipment. Mr. Hinken noted he currently has 23 trucks, several kabotas and 2 front end loaders. John McDonnell asked if Mr. Hinken could specify what he thought his maximum number of vehicles and pieces of equipment would be. He noted he turned down 2 school contracts due to lack of equipment and he would like to be able to expand at this location and acquire more equipment and vehicles as he is able. He said he plans to store trucks and trailers (currently 7) outside and the kabotas and front end loaders inside the existing building. Questions were asked about the maintenance of vehicles and equipment. Mr. Hinken said the bulk of his maintenance and repair work is done off-site by Betten Chevrolet. He stated they do their own tire and belt changes and mower blade work. He added they do some adding of fluids such as anti-freeze, but buys it by the gallon and does not have large amounts stored. He also added he purchases his gas at local gas stations and does not have or intend to have his own tanks for gas on this site. Discussion of the protection of the water quality of the creek and wetlands on site was extensive. Mr. Hurley noted there is an environmental study currently in progress and they are doing their due diligence to find out what is already on the property. Mr. Hurley also noted the current owners of this site have already removed old tanks, and old semi-trailer and other misc. junk left behind by the previous owners. In addition, Mr. Hinken has already been working on getting the building updated with proper electrical wiring, emergency lighting, exit signs and fixing exit doors. He stated he is looking at another \$80,000 in improvements to the existing building. Cindy Ackerman commented on concerns about the wetlands and possible floodplain on this property and doing everything possible to protect the environment on this property.

Lynn Stel moved to hold a public hearing on the proposed special land use for a landscaping company at 925 Witham Dr. Cindy Ackerman supported the motion. Motion carried by voice vote.

- **Proposed Zoning Ordinance Amendment regarding Medical Marihuana** – Attorney Dave Bossenbroek gave the members an overview of the topic and how it relates to the ballot measure approved by voters 2 years ago in the State of Michigan to legalize medical marihuana. He added the issue is very complicated and his recommendation is to outlaw commercial dispensaries of medical marihuana in Laketon Township. In addition he has proposed to the Laketon Township Board a police power ordinance on the regulation of medical marihuana to regulate how it is distributed by caregivers and tightly control it near schools, churches etc. Cindy Ackerman moved to hold a public hearing on the proposed zoning ordinance regarding medical marihuana. Mary Marcil supported the motion. Motion carried by voice vote.
- **2011 Planning Commission Meeting Schedule and Submission Deadlines** – Planning Consultant Brenda Moore presented a meeting schedule with corresponding deadline and publication deadline dates. She added she is suggesting this to give any and all applicants the same time lines and for ease in getting the required publication information to the Muskegon Chronicle in a timely manner. Eric Anderson moved to adopt the meeting schedule and submission deadlines as presented. Lynn Stel supported the motion. Motion carried by voice vote.

UNFINISHED BUSINESS: NONE

PROJECTS/DISCUSSION ITEMS: NONE

AUDIENCE PARTICIPATION: NONE

ADJOURN: Motion to adjourn was made by Mary Marcil and supported by Lynn Stel. Meeting adjourned at 7:42 pm.