

**Wright Township Planning Commission  
Special Meeting  
August 1, 2011  
7:30 PM**

**Call to Order:** Chairman Dausman called the meeting to order at 7:33 PM and opened the meeting with the pledge and prayer.

**No Parking in Fire Spaces:** Dausman reminded the audience not to park in the spaces marked; Reserved for Firemen. Members present: Dausman, Karr, VanDyke, Ruwersma and Westgate.

**Approval of July 18, 2011 Planning Commission Minutes:** VanDyke motioned, Westgate seconded, motion carried to approve minutes as recorded.

**Public Comments for Items Not On the Agenda:** No public comments for items not on the agenda from the many community members present at the meeting.

**Continuation of Information Review and Discussion of Special Land Use Request for: Advantage Land Holding Corp:** Chairman Dausman explained this was not a public hearing, but was a continuance of a discussion between PC members concerning a SLU permit request from Advantage Land Holding Corp. The discussion would be **if** the PC granted the SLU request what restrictions and concerns do the PC members have that would affect their vote.

Karr wanted to discuss the Township Engineering Review that Prein&Newhof sent to the PC. Karr had many of the same concerns they reported in their study. Dausman reported communications from DesBros Land Co and Bernice Vodrey. A letter from Dave(Kimberly)Baar was read. VanDyke read a letter from Raymer Wells (Eric Neubecker). Dausman briefly summarized a three page letter from Twohey Maggini, P.L.C. who is representing the Hartmans who have lived in Wright Township for many years. All the letters have been entered into public record. VanDyke felt that there were some inconsistencies in the Twohey Maggini, P.L.C. letter and he questioned if there were some assumptions, misstatements, or untruths in the letter concerning the PC.

Planner J. Johnson handed out a pamphlet published by the Michigan Department of Environmental Quality, "Guide for Salvage Yard Owners", Protecting the Environment is Everyone's Business. Johnson explained that under federal law, salvage yards must have a permit for facilities that have a point source discharge of storm water to a river, lake, or stream. A point source discharge is a discharge to waters of the state by a specific confined conveyance such as a pipe, ditch, channel, county drain or graded lot. If the storm water discharges to a sanitary or combined sewer, they would have to contact the local municipality for possible sewage pretreatment permit requirements. The Wright Township Engineer agreed.

TerBeek provided three pieces of information regarding the type of equipment that would be used on such a site, these being entered into public record. He also gave them a copy of the Wright Township Chapter 3 Zoning Ordinance Sec 300 (Scope) and Sec 1202 Special Uses (b) and Sec 319 Uses Not Otherwise Included. TerBeek said decibel testing had been done on the GR site and that the tests were below 70 decibels. PC member, Westgate did a random decibel test and got a reading of 64 at the highest point at the current GR site.

Karr suggested they use the Township Engineer's Review one point at a time covering the eleven points as a guide for discussion. Karr read point (1) and Dausman referred to the letter from DesBros and explained that any question of illegal sanitary sewer connection would be a civil action and would be handled in the court system not by the PC. The question of the septic tank being abandoned has already been acknowledged and verified by the county. Karr read point (2) and questioned if there is adequate storm water retention and management. It would have to be analyzed by a registered professional engineer to determine compliance with Wright Township and Ottawa County Drain Commission storm water management requirements. Karr read point (3) and noted that there would need to be the addition of wetland areas (Sand Creek Overlay) shown on the Site Plan. Karr noted that points (2), (3), and (4) all detail storm water and runoffs correctly being identified and taken care of properly. Karr read point (5) and he stated that he has a very real personal urgency that nothing negative happens to the aquifer as we all have our own wells in the township. Some of the wells are shallow so the minimum is not enough to protect the aquifer. Point (5) reads that the existing storm sewer system should be modified to show the installation of oil, grease, and water separators on the storm lines prior to discharge to the detention pond system. Karr read point (6) and

stressed that there needs to be an isolated area to handle the auto recycling so as not to have any fluids or material enter the soil or the water. Gargagliano would rather not accept vehicles with fluids, but presented a plan that would include a curb with a roof on a concrete slab to handle fluids in a vehicle if they came in. Karr stated that a curb with a roof is very different from a dry well. Planner J. Johnson stated that the state may require it anyway for second hand containment. Dausman stated that state licensing would be required. VanDyke gave his opinion as to what a dry well would be but would want more clarification. Planner Johnson said that Prein&Newhof told her that points (6) and (7) require 100% containment. VanDyke was concerned about Engineer's Review –is it sufficient enough? Karr wanted to see scrap on concrete, under the stock piles. Karr read point (8) and wanted to make sure nothing enters Sand Creek or the soil. Anything that gets washed off the stock piles by rain must be pretreated before entering the creek or put into the sewer system. Karr wanted a guarantee that there is an impermeable barrier between non-automotive scrap and soil or creek for community acceptance. Dausman stated that the Sec 1205. Site Development Standards (a) states that any material which is stored or kept outside and which faces or abuts a non-industrial use shall be screened by a solid fence or wall at least six feet in height and no material shall be stacked higher than the fence. The Ag zoned property north of the proposed SLU must be shielded by a solid fence and this is noted in point (9). The minimum is six feet-but the PC can place limits on the fence height. Point (10) was read which stated that a dust control plan for the operation shall be noted on the site plan to ensure dust does not enter into the detention pond and outlet area, adjoining property, adjoining drainage courses, and the onsite wetland. Point (11) covers the State of Michigan licensing which should be required before the final review. Karr thanked Prein&Newhof for coming up with an Engineer's Report so quickly. Karr stated there is no wiggle room for stockpiling above a fence, all contaminations will need to be collected and handled appropriately, applicant will have to handle each point to comply. VanDyke questioned the requirements of the state licensing and how would the township know what the state requires? Planner Johnson pointed out that Prein&Newhof suggested that state licensing be forwarded to the township as part of the Township's final review process. Karr stated that our Zoning Ordinance provides for scrap metal yards by a SLU permit but that doesn't necessarily mean this site is suitable or that we even have a suitable site in our township. Dausman voiced concerns about the site abutting a master planned LDR area to the north. The community helped set up the Master Plan and dictated what type

of zoning they wanted and where. The PC represents what the community wants. It's a deal-breaker for Dausman. Dausman read Chapter 1902 (a) The special land use shall be established, laid out and operated so as not to have a substantial adverse effect upon adjoining or nearby lands or any of the uses thereof. VanDyke questioned what is required as screening between two zones. VanDyke stated that he feels this is an ideal site, frontage is not highly exposed, long distance from master planned LDR with wetlands and trees as screening, noise not an issue. If the applicant can deal with all the stormwater and run off issues, we could have a winner. Planner Johnson stated that some Industrial uses are quite compatible with LDR, but is this specific Industrial use compatible with LDR? PC has the responsibility to determine if concerns are reasonable or unreasonable. VanDyke stated that the community wells are his primary concern, as we all live and have children here. Ruwersma is concerned about abutting land values and the waterway, Sand Creek. She described a filtration system at her place of employment and stated that as much as we need industry here, she is concerned about traffic, land values, Sand Creek and the fencing issue. Westgate stated that we need business to come to the area. His highest concern is the run off into Sand Creek, he would want a containment process that would alleviate that. Karr summarized that the PC seemed to have two primary concerns; land value of the property to the north and Sand Creek protection. Karr reiterated that the main concern is protecting the ground and water from pollutants. The entire SLU site would need to be protected because of the close proximity to Sand Creek and the wetlands. The real property of the community needs to be protected.

Discussion about view from Garfield and this not being a typical Industrial use, fencing and substituting arborvitaes, property values, buffers, decibel levels, water issues, signage, amount of stock piling expected followed for some length of time. Dausman stated that rather than detailing all the conditions, perhaps they could generalize the conditions. The applicant stated they would agree to stock piling no higher than whatever fence height they installed over the minimum of six feet. The attorney for the applicant stated that the applicant would not agree to a requirement of an impervious ground cover under the stock piles. Johnson suggested drafting a findings of fact. Dausman referred to Chapter 19, Sec 1902 General Standards and read each one separately for discussion and opinion. It is found that standards Sec. 1902. a), b), d) & e) could not be satisfied, but standards Sec. 1902. c), f) & g) could be satisfied.

Karr moved to approve the SLU because the conditions of Sec 1902 were met with the corrections to the site plan dated 6-13-2011. Amended motion to read; Karr moved to approve the SLU because the conditions of Sec 1902 were met with the corrections to the site plan dated 6-13-2011 with the conditions the PC will subsequently draft, the list to follow. Ruwersma seconded the motion. Roll call vote; Ruwersma, no, VanDyke, yes, Dausman, no, Karr, no, Westgate, yes. Vote: two in favor, three opposed. Motion failed and the SLU denied.

**Commission Concerns:** Planner Johnson explained the way to handle the finding of facts. Discussion about the number of meetings that is required per year. VanDyke would like to hold the August meeting to discuss the finding of facts and to handle any changes that need to be made to the minutes. The August 15<sup>th</sup>, 2011 meeting will be held as planned. Westgate moved to adjourn, VanDyke seconded the motion, motion carried. Meeting adjourned at 11:11PM.

Respectfully Submitted by: Rebecca L. Boersma  
Recording Secretary, Wright Township Planning Commission  
C: Wright Township Board Members  
Jan Johnson, Main Street by e-mail  
Planning members: Dausman (US Mail), Karr, Ruwersma, VanDyke,  
Westgate.  
Secretary Boersma, by e-mail  
Community Members: Bill Miller, Carol Rasch, Russell Rasch by e-mail  
Ann Malewitz by US Mail