

ATTICA TOWNSHIP
MINUTES OF THE
PLANNING COMMISSION
August 23, 2018

At a regular meeting of the Attica Township Planning Commission held on the 23rd day of August, 2018, at the Attica Township Hall, 4350 Peppermill Road, Attica, MI 48412.

The meeting was called to order by Vice-Chairman Gierman at 7 p.m. The following members were PRESENT: Phil Madeline, Mark Ochadleus, Kent Gierman, Geri Berry and Maureen Lemons. ABSENT: Dave Penzien and Bob Stockwell. ALSO PRESENT: Planner Caitlyn Habben, Attorney Mike Gildner and the public per the attached sheet.

REVIEW MINUTES:

The Board having reviewed the minutes of the July 26, 2018 regular Planning Commission meeting minutes and there being no corrections, additions or deletions:

MOTION by Berry, seconded by Lemons to approve the July 26, 2018 regular Planning Commission meeting minutes as presented. A vote was taken. Ayes: All. Nays: None. Absent: Two (Penzien and Stockwell). **MOTION CARRIED.**

PUBLIC HEARING: Public Hearing to hear the request of Israel Ferrett to revise the conditions of the Special Land Use for 1200 Lake George Road, LLC. Vice-Chairman Gierman opened the Public Hearing at 7:01 p.m.:

Planner Habben reviewed the revised conditions requested by Israel Ferrett for his Special Land Use for 1200 Lake George Road, LLC.

Attorney Gildner explained that the approximately one year ago the Planning Commission approved Mr. Ferrett's Site Plan for 1200 Lake George Road, LLC with conditions attached and that Mr. Ferrett didn't follow through with the conditions so the Planning Commission's approval does not apply. Attorney Gildner went on to state that Mr. Ferrett contends that the township inappropriately revoked his Special Land Use and that Mr. Ferrett and his attorney are proposing tweaking some of the conditions.

Planning Secretary Lemons stated that this is the third Public Hearing for Mr. Ferrett and that the township has met with Mr. Ferrett, the attorneys and planners on four other occasions.

General discussion with the Planning Commission, Attorney Gildner, Israel Ferrett, Attorney Gaetan Gerville-Reache and the public ensued.

Vice-Chairman Gierman closed the public hearing at 7:45 p.m.

OLD BUSINESS:

1. Recommendation to the Attica Township Board regarding the revision of conditions for 1200 Lake George Road, LLC:

Planner Habben explained Special Land Use standards and discussed noise levels, generators, screening and performance standards.

MOTION by Lemons, seconded by Berry to recommend to the Attica Township Board that they do not grant the request of 1200 Lake George Road, LLC, the highlighted number 2. and 2.a. proposed Special Land Use Conditions revision (attached). Condition 2. Mining and processing hours shall remain limited to Monday through Friday 7 a.m. to 6 p.m. with no mining or processing on Saturdays, Sundays or holidays and crusher and processing equipment hours of operation shall be limited to Monday through Friday 9 a.m. to 3 p.m. and Condition 2.a. The utilization of diesel engines other than mobile equipment shall be limited to the generation of electrical needs to operate fixed equipment Monday through Friday 9 a.m. to 3 p.m. shall remain. A vote was taken. Ayes: All. Nays: None. Absent: Two (Penzien and Stockwell). **MOTION CARRIED.**

MOTION by Lemons, seconded by Ochadleus to recommend to the Attica Township Board that they grant the request of 1200 Lake George Road, LLC, the highlighted number 3 proposed Special Land Use Conditions revision (attached) to read that all equipment sited in condition 2 be permitted to be powered by diesel during regular business hours and that outside of hours of operation all equipment must be powered by electric, i.e. pumps and generators and there is to be no offsite pumping. A vote was taken. Ayes: All. Nays: None. Absent: Two (Penzien and Stockwell). **MOTION CARRIED.**

MOTION by Ochadleus, seconded by Lemons to recommend to the Attica Township Board that they grant the request of 1200 Lake George Road, LLC, the highlighted number 5 proposed Special Land Use Conditions revision (attached) stating the haul route for both loaded and unloaded trucks shall be from the pits south to Newark Road to Lake Pleasant Road and absolutely no driving on Belle

River Road and bonding by the Lapeer County Road Commission and supply a copy of same to the Township. A vote was taken. Ayes: All. Nays: None. Absent: Two (Penzien and Stockwell). **MOTION CARRIED.**

MOTION by Lemons, seconded by Berry to recommend to the Attica Township Board that they do not grant the request of 1200 Lake George Road, LLC, to delete (~~other than those generated on site~~) from the highlighted number 10 proposed Special Land Use Conditions revision (attached) keeping condition 10 as previously approved. A vote was taken. Ayes: All. Nays: None. Absent: Two (Penzien and Stockwell). **MOTION CARRIED.**

MOTION by Ochadleus, seconded by Berry to recommend to the Attica Township Board that they add condition number 12. Alternative noise reducing back up beepers, such as sonar or white noise are required on all relevant equipment. 1200 Lake George Road, LLC, Special Land Use Conditions. A vote was taken. Ayes: All. Nays: None. Absent: Two (Penzien and Stockwell). **MOTION CARRIED.**

2. **Change the Definitions of buildings to exclude travel trailers on vacant property and schedule a Public Hearing:**

MOTION by Berry, seconded by Ochadleus to postpone scheduling a Public Hearing to change the definition of buildings to exclude travel trailers on vacant property to the September 27, 2018 regular Planning Commission meeting. A vote was taken. Ayes: All. Nays: None. Absent: Two (Penzien and Stockwell). **MOTION CARRIED.**

NEW BUSINESS: None.

COMMUNICATIONS AND SECRETARY'S REPORT: Secretary Lemons reported:

- a) Mr. Morris, of Jim's Tire, has cleaned up his site and moved the dumpsters off site.
- b) Mr. Naughton, of Total Marine, has planted the trees required on his Special Land Use.
- c) The Dollar General Store has opened and the landscaping is complete.

PLANNER'S REPORT: Planner Habben informed the Planning Commission that she has received a copy of the Master Plan for the community of Almont and that she has a

digital copy available.

PUBLIC TIME: None.

ATTORNEY REPORT: None.

There being no further business before the Planning Commission, **MOTION** by Berry seconded by Madeline to adjourn the meeting at 8:23 p.m. A vote was taken. Ayes: All. Nays: None. Absent: Two (Penzien and Stockwell). **MOTION CARRIED.**

Maureen Lemons, Secretary of the
Planning Commission

Valerie Schultz, Recording Secretary