

Almont Township

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ALMONT TOWNSHIP PLANNING COMMISSION REGULAR MEETING

November 11, 2020

The regular meeting of the Almont Township Planning Commission called to order at 7:00 P.M. by Chairman Francis, at the Almont Township/Village Hall, 819 N. Main Street, Almont, Michigan 48003. Recited was the Pledge of Allegiance. Roll call taken.

MEMBERS PRESENT: Andrea Bara, Rick Dodge, Steve Francis, James Gostomski, and Bryan Zender. Caitlyn Habben from ROWE Professional Services Company and Cory Mabery, PE of Davis Land Surveying & Engineering, PC were also present.

MEMBERS ABSENT: Brad Bletch and Kim Streeter

PRESENT: 12 guests

MINUTES: MOVED BY BARA AND SUPPORTED BY ZENDER TO RECEIVE THE MINUTES FROM OCTOBER 21, 2020 AS CORRECTED. MOTION CARRIED.

CORRESPONDENCE: Received.

PUBLIC COMMENTS: NA

LATE AGENDA ITEMS: Soon to be vacant - ZBA position from the Planning Commission

INTRODUCTION: NA

PUBLIC HEARING: #1. SPECIAL LAND USE #20-03 – Arnes Hrustic – Request to place a Temporary Structure on parcel 44-001-035-012-90 (5650 Leah Lane) while constructing a single-family dwelling

Chairman Francis opened the public hearing for SLU application #20-03 at 7:04 p.m.

Mr. Arnes Hrustic was present noting that he was purchasing the property on Leah Lane and was looking at building a new house for himself and his family within the next 12 to 18 months. The structure that he built rests on a trailer frame and is not meant to be permanent. The structure is a place his family can use while on the property working on the house or spending time on the property.

Chairman Francis read a letter from the Bryan's who lives at 5606 Leah Lane. The Bryan's stated that they were not in favor of the temporary structure over the proposed next two years pursuant to Mr. Hrustic's request.

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PUBLIC HEARING: #1. SPECIAL LAND USE #20-03 Continued:

Chairman Francis noted that the zoning ordinance allows for one-six month time limit with the possibility of one additional six month extension.

When asked, Mr. Hrustic noted that the property did not have a septic or well installed nor was there an active building permit. Due to the lateness of the year and the fact that Mr. Hrustic wanted to wait until the property was paid off, he probably wouldn't begin construction until spring of 2021.

Mr. Kalinin who also owns property on Leah Lane was present and stated that he had no objections to Mr. Hrustic's proposal.

Discussion was held by the Planning Commissioners. Each member expressed their concerns noting that they felt Mr. Hrustic's petition was pre-mature and encouraged him to come back when the septic, well and other necessary county permits were in order and an active building permit had been issued.

Hearing no further comments, Chairman Francis closed Public Hearing #20-03 at 7:16 p.m.

MOVED BY ZENDER AND SUPPORTED BY DODGE TO DENY SPECIAL LAND USE PETITION #20-03 AS PRESENTED BY ARNES HRUSTIC OF 5650 LEAH LANE DUE TO THE FACTS THAT THE TIME LIMIT REQUEST WAS OVER THE ALLOWED TIME, NO PERMITS HAD BEEN ISSUED BY THE COUNTY HEALTH DEPARTMENT, AND THAT NO ACTIVE BUILDING PERMIT HAD BEEN ISSUED BY THE ALMONT TOWNSHIP BUILDING DEPARTMENT. MOTION CARRIED 5-0.

Mr. Hrustic was informed that the Zoning Administrator will contact him as to when the temporary structure must be removed.

PUBLIC HEARING #2: SPECIAL LAND USE APPLICATION #20-01 – VP CAPITAL LLC – SOIL REMOVAL

Chairman Francis opened the public hearing for SLU application #20-01 at 7:20 p.m.

Mr. Sal Pansera, was present representing VP Capital LLC. Mr. Pansera noted that he had purchased the former Ron Yoder property known as 5694 Van Dyke and wanted to develop a lake residential subdivision. To create the lake, he would need to mine the natural materials from the site first. The operation would take approximately six years.

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PUBLIC HEARING #2: SPECIAL LAND USE APPLICATION #20-01 Continued:

Mr. and Mrs. Rose of Hillside Court, which is located north of the property in question, wanted to know the hours of operation, how long the mining and final residential development would take, noise levels, how big of a stock pile, and how the proposed road could be linked to Spruce Trail, which is also part of the Pine Crest development. Also addressed were their wells and what could be done to protect them.

Mr. Pansera stated that it would take approximately six years to excavate the lake and depending on the market the development of the residential properties, there was no knowing how long that may take. Mr. Pansera also noted that there will be no dewatering involved in the mining operation.

Mr. Paul Stewart who owns property to the south of the proposed mining area, noted his concern on the setbacks.

Planner Habben, went over her report of November 4, 2020.

1. The site plans should note any trees that have been removed.
2. The driveway width needs to be 28- feet wide and not 20-feet.
3. Planning Commission needs to decide whether or not the parking area is to be paved or gravel.
4. Planning Commission is to decide whether or not to waive the curbing requirements.
5. Screening is required from the R-1A zoning.
6. Performing standards need to be noted on the site plan.
7. Planning Commission is to decide if they approve the proposed storage of Hazardous substances.
8. Parking location should be identified on the site plan.

Engineer Mabery, PE went over his report dated November 5, 2020.

1. The total area to be excavated in the first year must be shown.
2. Detail the amount and source of water to be utilized in processing and treatment of the water used for processing.
3. Refueling area must be shown on site plans with proper spill mitigation.
4. Operation setbacks must be shown on the site plans.
5. Traffic study is required unless waived by the Planning Commission. The applicant has noted that the number of truck trips is lower than what is typically required for a traffic study.
6. An environmental and geological study must be included unless waived by the Planning Commission.
7. The applicant is proposing 6 foot berms, the Zoning Ordinance requires 12 foot berms with evergreen trees planted on top for further screening.
8. Is there a water truck that will remain on site to keep dust under control?

PUBLIC HEARING #2: SPECIAL LAND USE APPLICATION #20-01 Continued:

Mr. Mabery, PE also noted that Spruce Trail, as all the roads in the Pine Crest Development, are under the authority of the Lapeer County Road Commission. If Mr. Pansera also wishes to construct “public roads” than it will up the LCRC to make those decisions.

Hearing no further comments, Chairman Francis closed the public hearing for SLU #20-01 at 8:45 p.m.

Planning Commission discussion followed on the review comments. Consensus agreed that the driveway width shall be widen to 28-feet, and that MDOT will decide on the curbing. Consensus agreed that due to the nature of the gravel operation, the parking area did not need to be paved.

Due to the fewer number of truck trips per day, a traffic study is not required unless recommended by Michigan Department of Transportation (MDOT).

An environmental and geological study is to be performed and reports provided. Berms shall be 12-foot high but without the evergreen trees. Dust control and location of fueling area with storage to shown on the revised plans. Proposed hours of operation are Monday thru Friday between the hours of 7:30 a.m. to 5:30 p.m. for trucks. The Pit is to be closed by 6:00 p.m. Saturday hours are to be from 7:30 a.m. to 3:30 p.m. for trucks and the Pit is to be closed by 4:00 p.m. Sundays, and all legal holidays the Pit shall be closed. It is also recommended that on any long weekend holiday (i.e.: Memorial/Labor Day) no trucks are to be allowed after 3:00 p.m. on the Friday of a long holiday weekend. Approved hours of operations shall be posted at the Pit and on the revised site plan.

MOVED BY ZENDER AND SUPPORTED BY GOSTOMSKI TO POSTPONE SPECIAL LAND USE APPLICATION #20-01 UNTIL A REVISED SET OF PLANS HAS BEEN SUBMITTED NOTING ALL THE COMMENTS BY THE PLANNER, ENGINEER AND PLANNING COMMISSION. MOTION CARRIED 5-0.

Mr. Pansera was requested to turn in the revisions with all documents by November 25, 2020 to be considered for the December 9, 2020 Planning Commission agenda.

NEW BUSINESS: MOVED BY ZENDER AND SUPPORTED BY DODGE TO APPOINT ANDREA BARA TO THE LIAISON POSITION OF THE ZONING BOARD OF APPEALS UNTIL THE END OF 2021. MOTION CARRIED UNANIMOUSLY.

OLD BUSINESS: NA

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REPORTS:

Planner: NA

Engineer: Written report presented

Zoning Board of Appeals: NA

Zoning & Building: NA

Planning Commission:

December 9, 2020 Agenda items: SLU Application #20-01 continued

MOVED BY ZENDER AND SUPPORTED BY BARA TO ADJOURN MEETING AT 9:10 P.M. MOTION CARRIED.

Respectfully submitted by,

Ida L. Lloyd

Ida L. Lloyd, Recording Secretary