

1 **KALAMAZOO CHARTER TOWNSHIP PLANNING COMMISSION**

2  
3 **MINUTES OF REGULAR MEETING HELD JUNE 2, 2016**

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5 A regular meeting of the Kalamazoo Charter Township Planning Commission was held on  
6 June 2, 2016, at the Kalamazoo Township Hall commencing at 7:00 p.m.

7  
8 Members Present: William Chapman  
9 Henry Dingemans  
10 Steven C. Leuty  
11 Sarah Milne  
12 Charles H. Rothrock  
13 Robert E. Talbot  
14 Robert VanderKlok  
15

16 Members Absent: None  
17

18 Also present were Patrick Hudson, Township Planner/Zoning Administrator, Catherine  
19 Kaufman, Township Attorney and 3 interested persons.  
20

21 **ITEM 1 CALL TO ORDER**

22  
23 Chairman VanderKlok called the meeting to order at 7:00 p.m.  
24

25 **ITEM 2 ROLL CALL**

26  
27 Chairman VanderKlok noted that all members were in attendance and that there  
28 were 3 members of the public in the audience.  
29

30 **ITEM 3 APPROVAL OF MEETING MINUTES FOR MAY 5, 2016 MEETING**

31  
32 Mr. Rothrock noted two changes to the minutes. Motion was made by Mr. Rothrock,  
33 seconded by Ms. Milne to approve the minutes from the May 5, 2016 meeting with the  
34 proposed changes. The motion passed unanimously.  
35

36 **ITEM 4 APPROVAL OF AGENDA FOR JUNE 2, 2016 MEETING**

37  
38 There being no revisions, a motion was made by Mr. Rothrock, seconded by Ms.  
39 Milne to approve the agenda as presented. The motion passed unanimously.  
40

41 **ITEM 5 SCHEDULED REVIEWS -GRAVEL MINING REVIEWS**

42  
43 **5.a. Consumers Concrete – 1100 Nazareth and 1800 Ravine Road**  
44

45 Greg Thomas, Vice President of Consumers Concrete, address the Planning  
46 Commission. He presented the annual review report on 1100 Nazareth Road. He  
47 distributed a site map overlaid on an aerial photo and asked the Planning Commission for

1 an approval to allow the continuation of the mining permit for another year at 1100  
2 Nazareth Road. He said that Consumers has sold all of its aggregate processing to Top  
3 Grade. Currently, they bring outside material in and process it. They may mine a little bit  
4 in the southwest corner of the property, which area is about 1 acre in size. This area abuts  
5 City of Kalamazoo property.

6  
7 Chairman VanderKlok asked how close this area is to homes.

8  
9 Mr. Thomas said that this area is within a couple of hundred feet of some homes. He  
10 also said that the company has options to purchase these homes, but no set time to  
11 complete those purchases. Mr. Thomas also said that Consumers will maintain the special  
12 exception approval and the bond. The current bond will expire in August; when renewed he  
13 will provide a copy of the bond to Mr. Hudson. He will also provide a copy of the liability  
14 insurance to Mr. Hudson.

15  
16 Chairman VanderKlok clarified that although Top Grade leases the property,  
17 Consumers will still be responsible for reclamation.

18  
19 Mr. Rothrock asked how much concrete is crushed on site. Mr. Thomas said that  
20 about 50,000 tons of concrete is crushed on site. Mr. Thomas also confirmed that there  
21 were no complaints about this operation this year.

22  
23 Chairman VanderKlok advised that he and Mr. Hudson had inspected the site and  
24 everything was in order and as required.

25  
26 There being no further Planning Commission discussion, motion was made by Mr.  
27 Rothrock, seconded by Ms. Milne to approve the continuation of the special exception use  
28 permit for Consumers Concrete at 1100 Nazareth for another year, subject to the following  
29 conditions:

- 30  
31
- 32 1. The operation shall continue to meet and comply with all previous limitations  
33 and conditions.
  - 34 2. Bonding requirements must be kept current and proof of same provided to  
35 the Township.
  - 36 3. Liability insurance must be kept current and proof of same provided to the  
37 Township.
  - 38 4. The applicant shall pay the inspection fee.

39 The motion passed unanimously.

40  
41 Mr. Thomas next addressed the site at 1800 Ravine Road, asking for the  
42 continuation of the special exception permit for another year. Mr. Thomas showed an  
43 aerial photo of the site, noting that much of the parcel has been sold, including some sold to  
44 Superior Gravel and 28 acres sold to the Kalamazoo Public Schools. Consumers has  
45 retained 30 -35 acres in the rear of the site, with a 66 foot easement retained to Ravine  
46 Road. Consumers is asking to keep the mining permit active.

1 Chairman VanderKlok asked how many acres were bonded now? Patrick Hudson  
2 said that 71 acres were bonded. Mr. Rothrock asked if reclamation is needed on the acreage  
3 retained. Mr. Thomas said that Statler had bonded for the reclamation. Mr. Rothrock  
4 asked if there was much area left to be mined. Mr. Thomas said that there may be, but not  
5 at this time. He also confirmed that they will not do reclamation of setbacks between their  
6 site and Superior Gravel's site.  
7

8 The Planning Commission the status of the mine and the current need for  
9 reclamation. Chairman VanderKlok said that no inspection had been done as there is no  
10 active mining at present. Mr. Thomas confirmed that there was adequate bonding to cover  
11 the area not yet reclaimed.  
12

13 There being no further Planning Commission discussion, motion was made by Mr.  
14 Rothrock, seconded by Mr. Chapman to approve the continuation of the special exception  
15 use permit for Consumers Concrete at 1800 Ravine for another year, subject to the  
16 following conditions:  
17

- 18 1. The operation shall continue to meet and comply with all previous limitations  
19 and conditions.
- 20 2. Bonding requirements must be kept current and proof of same provided to  
21 the Township.
- 22 3. Liability insurance must be kept current and proof of same provided to the  
23 Township.
- 24 4. The approval is for Consumers 30 – 35 acres and the retained easement  
25 located on the west of the property.  
26

27 The motion passed unanimously.  
28

29 **5.b.** Hillside Gravel Pit – 2702 Ravine Road  
30

31 Don Balkema, operator, distributed an aerial photo for the Planning Commission's  
32 review. He requested the continuation of the mining permit for another year for the same  
33 area. He is bonded for 4 acres on the southwest corner of the site. He noted that he will  
34 provide copies of his bond, liability insurance and soil erosion control permits to the  
35 Township for the file.  
36

37 Chairman VanderKlok said that he and Mr. Hudson inspected the site and the  
38 mining activity is as depicted on the aerial photo and there were no problems on site.  
39 Chairman VanderKlok asked if the mining activity was close to the floor. Mr. Balkema said  
40 that it looked like they were getting close to the floor, but could not tell for sure.  
41

42 The Planning Commission discussed issues arising from prior operator's activities on  
43 site. Mr. Balkema said that he has cleaned up the site significantly, crushing concrete and  
44 removing it. There was discussion regarding the adjacent houses and ownership of those  
45 houses.  
46

1           There being no further Planning Commission discussion, motion was made by Mr.  
2 Rothrock, seconded by Ms. Milne to approve the continuation of the special exception use  
3 permit for Hillside Gravel Pit at 2702 Ravine for another year, subject to the following  
4 conditions:

- 5
- 6           1. The operation shall continue to meet and comply with all previous limitations  
7           and conditions.
- 8           2. Bonding requirements for 4 acres must be kept current and proof of same  
9           provided to the Township.
- 10          3. Liability insurance must be kept current and proof of same provided to the  
11          Township.
- 12          4. The applicant shall provide copies of his liability insurance and soil erosion  
13          permits to the Township and pay his inspection fee.
- 14

15           The motion passed unanimously.

16

17

18 **5.c. Superior Gravel – 1950 Ravine Road**

19

20           Wes Smith, one of the owners of Superior Gravel, addressed the Planning  
21 Commission. He said that this was the 9<sup>th</sup> time Superior was asking for a continuation of  
22 the mining permit. It was his second time appearing before the Commission, taking over  
23 for Gary Knapp. Mr. Smith handed out a memo and then outlined its provisions. Superior  
24 Gravel has leased this area since 2008. It is currently working on the areas highlighted in  
25 green on the site map he distributed. He noted on the northernmost area that they are  
26 mining gravel in the area along Business Loop 131, but did not process gravel in 2015. They  
27 do plan to process gravel this year. On the southernmost green area, they are mining sand.  
28 They are purchasing the third area (8 acres in size) from Consumers. They are proposing  
29 mining in all green highlighted areas in 2016.

30

31           Mr. Smith said they are also requesting the ability to crush concrete, noting that  
32 Superior Pre-Cast Concrete generates concrete and that there is a good demand for crushed  
33 concrete.

34

35           Mr. Smith said that Superior Gravel has done more reclamation around the radio  
36 towers and that it is now clear that the towers are remaining on site. He noted that he  
37 inspected the berm along Business Loop 131 with Chairman VanderKlok and Mr. Hudson  
38 and it is a 1:1 slope. Mr. Smith wants to keep the berm at that slope, as it discourages  
39 drivers crossing the slope to enter the site for in order to steal cooper wire, etc. He also  
40 said that they plan to reclaim 2 acres this year: 1) the area where sand mining now (A-3  
41 shown on the drawing) and 2) the northeast corner of the Azon property, where they  
42 mistakenly encroached on neighboring site. Mr. Smith said that he has had an on-site  
43 meeting with Azon and have agreed to how the Azon site will be reclaimed.

44

45           Mr. Smith said they have received one complaint this year about dust. The complaint  
46 was anonymous. Mr. Smith said that he has submitted the soil erosion permit, copies of  
47 proof of insurance, his bond is good through March 2017 and he has paid his inspection fee.

1  
2 Chairman VanderKlok complimented Mr. Smith for being forthright about the  
3 inadvertent trespass on the Azon site. He noted it is a very narrow access to get to the  
4 Superior site. Chairman VanderKlok also clarified that the sale of the 8 acres from  
5 Consumers Concrete was in process, but was not finalized yet. Chairman VanderKlok felt  
6 that this purchase would provide better access to the back of the property. Chairman  
7 VanderKlok also said that he was concerned about reclamation work going on around the  
8 towers (and the supporting guy wires). He noted he had been contacted by the landlord  
9 that day expressing concerns about mining around the towers. Mr. Smith said that they do  
10 not plan to go closer to the towers than the reclamation activities. Chairman VanderKlok  
11 asked if when the purchase of the 8 acres was completed, if Superior would move the  
12 driveway. Mr. Smith said that they would move the driveway.  
13

14 The Planning Commission discussed with Mr. Smith their concerns about the  
15 proximity of the towers/guy wires to the driveway, mining area and reclamation area. They  
16 also discussed the slope of the berm and reclamation timelines. Mr. Smith said that they  
17 are bonded for mining 8 acres.  
18

19 Chairman VanderKlok asked if Superior Gravel is part owner of Superior Precast.  
20 Mr. Smith said they were not. Mr. Smith did confirm that Superior Gravel will crush  
21 concrete produced by Superior Precast. The Planning Commission discussed the hours  
22 for concrete crushing and the sloping of reclaimed areas. Chairman VanderKlok noted  
23 that Mr. Hudson recommended in his memo that this site be reviewed again in October  
24 2016 for compliance. Mr. Leuty noted that Exhibit B showed that no mining had occurred  
25 within 50 feet of the guy wires.  
26

27 There being no further Planning Commission discussion, motion was made by Mr.  
28 Rothrock, seconded by Ms. Milne to approve the continuation of the special exception use  
29 permit for Superior Gravel for gravel mining and concrete crushing at 1950 Ravine for  
30 another year, subject to the following conditions:  
31

- 32 1. The operation shall continue to meet and comply with all previous limitations  
33 and conditions.
- 34 2. Bonding requirements for 8 acres must be kept current and proof of same  
35 provided to the Township.
- 36 3. Liability insurance must be kept current and proof of same provided to the  
37 Township.
- 38 4. Reclamation of parcel A-3 and the northeast corner of the Azon property shall  
39 take place in 2016.
- 40 5. Applicant will return to the Planning Commission for additional review in  
41 October 2016 regarding the reclamation around the towers and repairs made  
42 in that area. Reclamation will include seeding north of the towers on parcel  
43 A-2.  
44

45 The motion passed unanimously.  
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1  
2 **ITEM 6 PUBLIC HEARINGS**

3  
4 None

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6 **ITEM 7 OLD BUSINESS**

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8 None

9  
10 **ITEM 8 NEW BUSINESS**

11  
12 None

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14 **ITEM 9 OPEN DISCUSSION**

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16 **9.a.** Correspondence Received.

17  
18 The Planning Commission received correspondence from Chris Doozan, McKenna  
19 Associates, regarding proposed changes to the RM-2 zoning district to allow live work units  
20 and other combinations of residential, office and commercial uses.

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22 **9.b.** Planning Commission Members.

23  
24 Chairman VanderKlok reminded the Planning Commission of the special meeting on  
25 June 8 for the public hearing on the proposed new zoning ordinance.

26  
27 **9.c.** Members of the Audience

28  
29 None

30  
31 **ITEM 10 REPORT OF TOWNSHIP BOARD REPRESENTATIVE**

32  
33 Mr. Leuty advised that the Township Board was applying for a grant to install  
34 cameras in the parking lot. He also advised that the Township Board had accepted for first  
35 reading the ordinance to rezone the Davenport College site.

36  
37 He also updated the Planning Commission on the Township's progress on sidewalk  
38 installation, noting that the project is going out to bid.

39  
40  
41 **ITEM 11 REPORT OF ZONING BOARD OF APPEALS REPRESENTATIVE**

42  
43 Chairman VanderKlok reported that the ZBA will hold a special meeting on June 6 to  
44 review a site plan for a new leasing building at the Landings Apartments.

1 **ITEM 12 COMMENTS FROM PLANNING COMMISSION MEMBERS**

2  
3 Mr. Talbot updated the Commission on activities in the Eastwood neighborhood.

4  
5 Chairman VanderKlok advised that he would resign from the Planning Commission  
6 following adoption of the new Zoning Ordinance.

7  
8 Mr. Rothrock noted that the Township was starting road work in his area. He also  
9 said that a manhole near his house had not been repaired, despite repeated requests, and  
10 that a neighbor fell through the manhole. He repeated his concerns about high grass in his  
11 neighborhood. Last, he expressed his frustration with the Police Department that his wife  
12 had witnessed an assault and battery at King Westwood School, had reported this to the  
13 Police Department and nothing was done.

14  
15 **ITEM 13 REPORT OF PLANNER AND ZONING ADMINISTRATOR**

16  
17  
18 **ITEM 14 REPORT OF TOWNSHIP ATTORNEY**

19  
20 None.

21  
22 **ITEM 15 ADJOURNMENT**

23  
24 There being no further business, Ms. Milne made a motion to adjourn, seconded by  
25 Mr. Rothrock. The motion carried unanimously and the meeting was adjourned at 8:50  
26 p.m.

27  
28  
29  
30 **KALAMAZOO TOWNSHIP**  
31 **PLANNING COMMISSION**

32  
33  
34 \_\_\_\_\_  
35 Robert Talbot, Secretary  
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37 Kalamazoo, MI 49004  
38 (269) 381-8080  
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