

1 **KALAMAZOO CHARTER TOWNSHIP PLANNING COMMISSION**

2
3 **MINUTES OF REGULAR MEETING HELD AUGUST 4, 2016**

4
5 A regular meeting of the Kalamazoo Charter Township Planning Commission was held
6 on August 4, 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 Charles H. Rothrock
12 Robert VanderKlok
13

14 Members Absent: Sarah Milne, Robert Talbot
15

16 Also present were Patrick Hudson, Township Planner/Zoning Administrator, Roxanne
17 Seeber and Seth Koches, Township Attorneys and 4 interested persons.
18

19 **ITEM 1 CALL TO ORDER**

20
21 Chairman VanderKlok called the meeting to order at 7:03 p.m.
22

23 **ITEM 2 ROLL CALL AND RECOGNITION OF VISITORS**

24
25 Chairman VanderKlok noted that Sarah Milne and Robert Talbot were absent,
26 but the rest of the members were in attendance and that there were 4 members of the
27 public in the audience. Motion was made by Mr. Rothrock, seconded by Mr. Chapman
28 to excuse Sarah Milne and Robert Talbot from the meeting. The motion passed
29 unanimously. Leuty arrived approximately 8 minutes late and before any business was
30 conducted.
31

32 **ITEM 3 APPROVAL OF MEETING MINUTES FOR JULY 26, 2016 AND**
33 **JULY 7, 2016 MEETING**

34
35 A motion was made by Mr. Rothrock, seconded by Mr. Chapman to approve the
36 minutes from the July 26, 2016 meeting. The motion passed unanimously.
37

38 A motion was made by Mr. Rothrock, seconded by Mr. Chapman to approve the
39 minutes from the July 7, 2016 meeting. The motion passed unanimously.
40

41 **ITEM 4 APPROVAL OF AGENDA FOR AUGUST 4, 2016 MEETING**

42
43 Chairman VanderKlok added Sprinkle View and Pick/Foster Special Exception
44 Use as additional matters to be discussed under Old Business. A motion was made by
45 Mr. Chapman, seconded by Mr. Rothrock to approve the agenda with the additions. The
46 motion passed unanimously.
47

1
2 **ITEM 5 SCHEDULED REVIEWS**
3

4 **5.a.** Balkema Excavating Annual review of general mining operating – 4274 Ravine
5 Road.
6

7 Chairman VanderKlok noted that the name of this company should read
8 Aggregate Resources, not Balkema Excavating. Gary Moline was present from Aggregate
9 Resources. Mr. Moline said that there was an on-site visit by Pat Hudson and the
10 chairman that went well. The chairman opened a public hearing on the renewal request.
11 There are no concerns or complaints. The chairman closed the public hearing. Mr.
12 Moline said that Aggregate Resources had entered into a joint operating agreement with
13 StoneCo of Michigan. Mr. Moline said that Aggregate Resources does a lot of processing
14 for StoneCo. Aggregate Resources buys its product from StoneCo and then processes it.
15 This results in a low extraction volume. Mr. Moline said that Aggregate Resources has
16 the appropriate bonding in place and that there are no water runoff issues, or noise or
17 dust complaints from the neighbors. Mr. Moline then took questions from the Planning
18 Commission.
19

20 Mr. Hudson said that he received a valid copy of Aggregate Resources' bond
21 insurance and liability insurance. Mr. Moline said that insurance automatically renews
22 each year and he confirms it to make sure the policies are up to date. Mr. Chapman
23 asked about pump trucks that have been on Aggregate Resources' property. Mr. Moline
24 said that those trucks were for dust control. Mr. Moline said that Aggregate Resources
25 keeps records for the Department of Environment Quality. Mr. Moline asked the
26 Planning Commission members for a one-year extension of Aggregate Resources'
27 Special Use Permit.
28

29 There being no further Planning Commission discussion, motion was made by
30 Mr. Rothrock, seconded by Mr. Chapman to approve a one-year renewal of the special
31 use permit for mining for Balkema Excavating/Aggregate Resources, located at 4274
32 Ravine Rd, with the following conditions:
33

- 34 1. Balkema/Aggregate Resources complies with all ordinances and laws.
- 35 2. Previous conditions of the Special Exception Use Permit apply.
36

37 The motion passed unanimously.
38

39 **5.b.** Annual review of the gravel mining operation for StoneCo of Michigan – 3800
40 Ravine Road
41

42 Tony Halloran, Operations Manager from StoneCo of Michigan (StoneCo) was
43 present for this annual review. Mr. Halloran said that StoneCo has a good relationship
44 with Aggregate Resources and that he appreciates their help. Mr. Halloran said that
45 StoneCo is waiting to update the landscaping near StoneCo's sign sometime in
46 September or October and referred to a photograph of where this improvement will be
47 made. Mr. Halloran submitted a letter of appreciation to the Planning Commission and

1 pointed to the site map contained in a ringed binder that outlined past reclamation
2 areas and showed past 2016 and future 2017 mining operations. Mr. Halloran said that
3 StoneCo will add bonding, if necessary. Mr. Halloran said that StoneCo plans to have a
4 rolling reclamation plan such that if two acres are stripped, two acres are reclaimed. Mr.
5 Halloran assured the Planning Commission that insurance will be updated, but he
6 cannot get a copy of the insurance policy before it becomes due. Mr. Halloran confirmed
7 that bonding is current and valid. Mr. Halloran said that StoneCo wants to minimize the
8 amount of impact on the community. The chairman opened a public hearing on the
9 request. No one spoke in favor of or against it. The chairman closed the public hearing.

10
11 Mr. Dingemans asked how large the mining area is proposed to be in 2016-17.
12 Mr. Halloran stated that the site size is about ¾ acres, but depending on the economy; it
13 may need to expand up to two acres. Chairman VanderKlok asked if stripping needed to
14 be done. Mr. Halloran answered in the affirmative. Chairman VanderKlok told Mr.
15 Halloran to call the Township if StoneCo starts stripping so they are aware of it and will
16 be prepared to handle any complaints. Mr. Halloran agreed to notify the township. Mr.
17 Moline said that an economic recession affects the mining equipment's value and much
18 of it is being sold off overseas. Mr. Rothrock said that the mining industry is struggling.
19 Mr. Moline agreed, saying that there have been a lot of layoffs within the mining
20 industry. Mr. Chapman asked if stripping and reclaiming occurs simultaneously. Mr.
21 Halloran said yes and that it is cost effective to do so. Chairman VanderKlok said that he
22 visited the mine site and asked whether there was a particular hauling route the trucks
23 use. Mr. Halloran said he was not sure. Mr. Moline said that the hauling trucks go
24 directly through town. Mr. Moline asked the Township to let him know if there were any
25 complaints.

26
27 There being no further Planning Commission discussion, motion was made by
28 Mr. Rothrock, seconded by Mr. Chapman to approve the continuation of the special
29 exception use permit for StoneCo at 3800 Ravine for another year, subject to the
30 following conditions:

- 31
32 3. All bonding and insurance is up to date and valid.
33 4. StoneCo complies with all ordinances and laws.
34 5. Previous conditions of the Special Exception Use Permit apply.

35
36 The motion passed unanimously.

37
38 **ITEM 6 PUBLIC HEARINGS**

39
40 None.

41
42 **ITEM 7 OLD BUSINESS**

43
44 Chairman VanderKlok added Sprinkle View and Pick/Foster Special Exception
45 Use to the agenda. Chairman VanderKlok referred to the minutes from the July 7, 2016
46 Planning Commission meeting minutes and said that all work was to be completed in 10
47 days, and noted that the driveway should have been removed. Chairman VanderKlok

1 said that the applicant mowed the berm, but did nothing else. Chairman VanderKlok
2 said that the applicant did not comply with the requirements. Chairman VanderKlok
3 said that if the applicant did not comply with the requirements then the Planning
4 Commission may revoke the Special Exception Use permit and recommend a citation be
5 issued. Chairman VanderKlok read from page 5, line 35 from the July 7, 2016, meeting
6 minutes. Chairman VanderKlok said that the applicant had a year to fix the problems
7 and did nothing. There are no trees and no fill. Chairman VanderKlok said that the
8 applicant applied for a fill permit after he already put it in and that it was done so
9 incorrectly. Chairman VanderKlok said that the owner is in violation of the conditions of
10 renewal of the special use permit and that it had never complied with the original
11 conditions.

12
13 Roxanne Seeber recommended writing a citation for this property. Ms. Seeber
14 said that the Township can get a Court compliance order forcing compliance and get
15 hold the applicant in contempt for not complying. Ms. Seeber said that it would take
16 about 45 days to get a compliance order. She stated that the next hearing date for
17 citations was August 26 at 9:00 a.m. in the Magistrate's Hearing Room at the Crosstown
18 Courthouse. Members of the Planning Commission were welcome to attend and
19 attorneys were not permitted.

20
21 There being no further Planning Commission discussion, motion was made by
22 Mr. Rothrock, seconded by Mr. Chapman to have the Ordinance Enforcement Officer to
23 write a citation at the Sprinkle View Pick/Foster site.

24
25 The motion passed unanimously.

26
27 **ITEM 8 NEW BUSINESS**

28
29 **8.a.** Capital Improvement Program, Draft for review and recommendation.

30
31 Mr. Hudson began the discussion by referencing a handout and the Capital
32 Improvement Plan. Mr. Rothrock noted page 4, specifically the sanitary sewer and water
33 and wanted to add garbage collection and cable television as part of the project. Mr.
34 Rothrock asked whether the Planning Commission members should add a category for
35 flood plains and brownfields. Mr. Rothrock said that there needs to be a way to deal with
36 brownfields and that the Township needs to get creative. Mr. Hudson said that the
37 Township has limited authority over brownfields and that these matters are usually
38 handled by the County, which has more resources to handle this issue. Mr. Leuty
39 recommended "undeveloped" as a possible category name for brownfields. Mr. Rothrock
40 noted that page 8 has a list of categories for police capital expenses. Mr. Rothrock thinks
41 it would be clearer and more consistent to make separate specific categories for flood
42 plains and brownfields. Mr. Dingemans asked Mr. Rothrock if he was recommending
43 separate, independent categories for budget lines. Messrs. Rothrock and Chapman
44 agreed.

45
46 Mr. Rothrock noted some inconsistency regarding sidewalk maintenance for
47 shoveling snow. Mr. Hudson said that snow plows make it very hard for people along

1 West Main Street to keep their sidewalks clear. Mr. Leuty said that the Township needs
2 to help people who live on major roadways and recommended launching a pilot
3 program to look into this in similar fashion to how the recycling program was initiated.
4 Mr. Hudson said that he would add a line into the draft. Mr. VanderKlok said that the
5 Planning Commission members should accept the capital improvement program, as
6 modified. Mr. VanderKlok said that there should be a budget for golf course
7 maintenance. Kathleen Doornbos, a member of the audience stated that there is an
8 ongoing problem with the shingles on the golf course's main building. Mr. Chapman
9 said that he was unsure if the Township ever pursued any business entities to assist in
10 fixing the shingles; he offered to help in any way that he can. In response to an inquiry
11 from Mr. Chapman, Mr. Hudson said that the responsibility for sidewalk maintenance
12 in the winter is on the property owner.
13

14 There being no further Planning Commission discussion, motion was made by
15 Mr. Rothrock, seconded by Mr. Chapman to recommend approval of the 2017 – 2023
16 Capital Improvement Project, as modified.
17

18 The motion passed unanimously.
19

20 **ITEM 9 OPEN DISCUSSION**
21

22 **9.a.** Correspondence Received.
23

24 Mr. Hudson said that he sent a section of the ordinance regarding mobile home
25 parks to the State Mobile Home Commission but that he had not yet heard back from it.
26

27 **9.b.** Planning Commission Members.
28

29 None.
30

31 **9.c.** Shireen Miller thanked the members who serve on the Planning Commission and
32 particularly those who are retiring after the night's meeting.
33

34 **ITEM 10 REPORT OF TOWNSHP BOARD REPRESENTATIVE**
35

36 Mr. Leuty said that work is proceeding on sidewalks for Grand Prairie and that
37 this benefits Western Michigan University students and local residents. Mr. Leuty said
38 that on August 12, 2016, the Township is conducting interviews for the Township
39 Manager position. This is a public event and anyone may come to learn about the
40 candidates. Mr. Leuty said that the Township paid extra money for the shoulder on
41 Nichols Rd. The Kalamazoo County Road Commission (KCRC) used new technology to
42 prevent damage, but destroyed the lines in doing so. The Township will only pay the
43 KCRC if it re-paints the lines. Mr. Leuty said that there are opportunities for the
44 Township to invest in properties, level the structures and sell to developers.
45

1 **ITEM 11 REPORT OF ZONING BOARD OF APPEALS REPRESENTATIVE**

2
3 Chairman VanderKlok reported that the ZBA reviewed a site plan for expansion
4 of a business, but noted that the original business owner had never obtained its own site
5 plan. The owner had issues with the parking lot and needed to obtain a sign permit.
6 Chairman VanderKlok said that the parking lot will be moved behind the business and
7 will be made of a crushed stone aggregate. Chairman VanderKlok noted that the site still
8 needs the Fire Marshal's approval and the owners need to obtain all applicable local and
9 state permits, including a sign permit for the business.

10
11 **ITEM 12 COMMENTS FROM PLANNING COMMISSION MEMBERS**

12
13 Mr. Chapman is interested in the transition of the Planning Commission. Mr.
14 Chapman said that he is willing to help with securing golf course donations to fix the
15 shingle issues.

16
17 Mr. Dingemans said that it was a pleasure serving with everyone on the Planning
18 Commission and those who are leaving will be missed.

19
20 Chairman VanderKlok said that he enjoyed serving on the Planning Commission.
21 Chairman VanderKlok expressed his displeasure when the Township gets bonds issued
22 and put one sidewalk in at a cost exceeding \$225,000, mainly because it did not confer
23 with representatives from all the different township neighborhoods. Chairman
24 VanderKlok said that the Lakewood neighborhood was left out and this neighborhood is
25 in dire need of sidewalks. Chairman VanderKlok said that the sidewalks in Lakewood
26 are in terrible condition and this project was a result of very poor planning. Chairman
27 VanderKlok said that Township residents want their streets but before the streets are
28 fixed, the Township spent more than \$225,000 for one sidewalk. Chairman VanderKlok
29 again expressed how unhappy he is with this situation and stressed that he felt as
30 discrimination against the Lakewood neighborhood. Chairman VanderKlok said that a
31 committee should reflect all parts of the Township and that Lakewood was left out.
32 Chairman VanderKlok noted that Lakewood had the most turnout at meetings
33 discussing the sidewalk issues. Chairman VanderKlok said that someone who lived on
34 Olm. offered \$6,000 to help, but nothing has happened. Chairman VanderKlok doesn't
35 understand why there has been no action.

36
37 Mr. Rothrock agreed with Chairman VanderKlok. Mr. Rothrock said that there is
38 a lot of foot traffic in Lakewood and something needs to be done. Mr. Rothrock noted
39 that there are safety issues and they need to be addressed. Mr. Rothrock said that it has
40 been a pleasure serving on the Planning Commission and welcomed Mr. Hudson to the
41 Township.

42
43 Mr. Leuty said that a loss will be felt for all of those who are leaving the Planning
44 Commission. Mr. Leuty agreed with Chairman VanderKlok, but said that he did not
45 think that the Township Board was trying to sabotage the Lakewood neighborhood. Mr.
46 Leuty said that an impression was created that Lakewood was left out. Mr. Leuty noted
47 that the committee came up with general ideas for safe walks to school. Mr. Leuty said

1 that the goal was to connect kids to schools. Mr. Leuty said that the Township is actively
2 working to fix sidewalks and that Lakewood needs to be included. Mr. Leuty noted that
3 Olmstead and Lake St. were prime candidates for repair.
4

5 Kathleen Doornbos said that the fairgrounds sidewalks were supposed to be
6 redone, but nothing has happened yet. Ms. Doornbos said that she felt the parks were
7 going downhill. Mr. Leuty said that the goal is to connect all city parks though a trail
8 system.
9

10 **ITEM 13 REPORT OF PLANNER AND ZONING ADMINISTRATOR**

11
12 Mr. Hudson said that there are at least two site plans the Planning Commission
13 will review in September:

- 14 1. Ziggy's on West Main is being looked at for a Pizza Hut.
- 15 2. Hooka Lounge needs an adjacent parking lot.
- 16 3. A lounge was being proposed in an office building.
- 17
- 18
- 19

20 **ITEM 14 REPORT OF TOWNSHIP ATTORNEY**

21
22 None.
23

24 **ITEM 15 ADJOURNMENT**

25
26 There being no further business, Chairman VanderKlok thanked everyone for
27 serving on the Planning Commissions. Mr. Rothrock made a motion, seconded by Mr.
28 Chapman to adjourn the Planning Commission's meeting. The motion carried
29 unanimously and the meeting was adjourned at 8:45 p.m.
30
31
32

33 **KALAMAZOO TOWNSHIP**
34 **PLANNING COMMISSION**
35

36
37 _____
38 Robert Talbot, Secretary
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