

**ASH TOWNSHIP PLANNING COMMISSION
PROPOSED MEETING MINUTES
November 20, 2012
7:30 p.m.**

The Ash Township Planning meeting was called to order at 7:30 p.m. in the Ready Road Hall by Chairman Eric Smith.

Members present: Eric Smith, Robin Carmack, Jan Langton, Dan Meiden, Sid Stumpmier and Fred Wickenheiser.

Absent members: Don Kecskes.

Others present: Jim Vaslo – Township Manager, Adam Young – Wade & Trim, William Godfroy – Township Attorney, Jim Hollandsworth - Hennessey Engineers, and 53 citizens.

Motion #138 Meeting Minutes Approval.

Motion by Wickenheiser supported by Carmack to approve the Planning Commission Meeting Minutes of 10/16/12. Voice vote taken. Motion carried.

Motion #139 Agenda Approval.

Motion by Stumpmier supported by Wickenheiser to approve the agenda as presented. Voice vote taken. Motion carried.

Old Business

None.

New Business

- A. A Public Hearing for a proposed Special Land Use on Parcels # 5801-070-030-00 and # 5801-070-031-00, commonly known as 13596 Telegraph Road and 13452 Telegraph Road, Flat Rock, MI 48134, owned by U.S. Silica Company Fredrick, MD. The Special Land Use is for an Extractive Operation mining sand stone.

The Public Hearing was posted in the Monroe Evening News and notification of the Public Hearing was sent to property owners within 300 feet of the subject site as required by law and that a copy of the application and site plan were available for review at the Township Hall.

Motion # 140 To Open Public Hearing.

Motion by Stumpmier supported by Langton to open the Public Hearing for the proposed Special Land Use on Parcels # 5801-070-030-00 and # 5801-070-031-00.

Voice vote taken. Motion carried.

Chairman Smith briefly explained the Public Hearing process and his rules for order during the hearing then asked for Ash Township planning consultant Adam Young from Wade Trim to review the application and site plan for the commission.

Planner Young review the Special Land Use and Site plan application with the commission. He explained that the proposed mining operation is on the east side of Telegraph Road between Dauncy Road to the north and Carleton Rockwood Road to the south. The site plan and application was prepared by GZA GeoEnvironmental, Inc. and was dated 10/5/12. The subject site is partially within Ash Township and partially within Berlin Township.

Planner Young noted that mineral extraction operations are allowed by Section 21.20 of the Ash Township Zoning Ordinance as a special land use. The authority for the granting of the special land use is given to the Township Board upon a recommendation from the Planning Commission after holding a public hearing. Additionally, the Michigan Zoning Enabling Act provides standards for consideration when determining whether “very serious consequences” would result from a proposed extraction operation.

The submitted site plan and report was reviewed using sound planning principles to ensure compliance with the Ash Township Zoning Ordinance requirements. His review was generally limited to the portion of the site within Ash Township but general comments did apply to the entire operation extending across both municipalities. Site plan information requirements as outlined in Section 17 were reviewed and seven (7) comments to the plan were provided. Two (2) general comments on the site plan were also provided. With regards to extractive operation information requirements as outlined in the Section 21, Planner Young provided two (2) additional comments. In reviewing for compliance with the general ordinance requirements as outlined in Sections 18 and 21, six (6) comments were provided.

Any deviation from the requirements of any section of the ordinance would require submission of a revised site plan correcting the deviation(s) or a variance from the Township’s Board of Appeals would be required.

In Wade Trim’s written review (dated 11/13/12 and on file with the Township) it stated that the proposed project could generally be operated in compliance with the requirements of the Ash Township Zoning Ordinance and the standards for a Special Land Use list therein and the Michigan Zoning Enabling Act Standards for Extraction Operations, which mirror the approval standards for extraction operations and special land uses as outlined in the Township Zoning Ordinance. However, at this time Planner Young recommended that the Planning Commission postpone action on the special land use and site plan application to allow the applicant to submit a revised site plan and report that addresses the concerns noted in the review letter.

Chairman Smith next allowed the applicant, U.S. Silica, an opportunity to present an overview of the proposed project. Jeff Jahn, Director of Mining for U.S. Silica led the presentation. He discussed the history of the company being in business for over 100 years, that it was dedicated to sustainability initiatives, it has a world wide customer base with 14 locations across the country and an active philanthropic community partner. The project was described as a seasonal

open-pit mine for sand extraction with approximately 90 acres planed for active mining. The site has 35 feet of overburden and 60 feet of sand. It's estimated that 200,000 tons of material would be mined annually. The life expectancy is 25 to 30 years with a concurrent reclamation plan. There will be no processing facilities or sand stockpiles on site.

The reclamation plan includes a recreational lake with a beach. The reclaimed site will have hundreds of trees and shrubs planted. The reclamation plan is for a recreation area that fits in well with the existing topography.

Mr. Jahn touched on the issue of property values of surrounding lands. He supplied the commission with a report prepared by a local Century 21 office in an effort to demonstrate that residential homes in the area of active mines are selling at or above fair market values and that homes are appreciating in the value over time. It was also pointed out that the design of the mine with 30 foot berming, wide setbacks, maintaining existing tree buffers and no access to the mine from either Carleton-Rockwood Road or Dauncy road is intended to lesson the impact on the surrounding residential properties.

Mr. Jahn discussed the company's efforts to minimize air quality problems including the equipment and techniques they plan to use. The differences between occupational air quality concerns and ambient air quality were reviewed. The fact that sand is wet and it is loaded and shipped off site for processing, no crushing will occur on site, is designed to help with air quality. It was reported that there had been no documented health issues in the surrounding communities or with employees of U.S. Silica at any of their 14 locations including Rockwood Michigan.

On the subject of blasting, noise and lighting, Mr. Jahn offered these comments. The quarry will perform a pre-blast survey of homes in the area and have a monitoring system in place prior to blasting activities. They will work with the communities to establish a notification system. The blasting is thought to be needed only 2 to 3 times a month. The blasting hours will be limited from 10 am to 2 pm. The berms and trees will dampen any air vibrations. The company will use a "chirp" type of back-up alarms on equipment. The site will have only safety lighting.

Truck traffic is will be limited to Telegraph Road using North Huron River Drive to the Rockwood facility. It is anticipated using 6 to 8 truck making 6 to 7 trips per day. There would be no hauling on weekends or holiday.

In closing Mr. Jahn discussed U.S. Silica commitment to the community. Their goal is to be a good corporate neighbor with an open communication policy. They want to explore opportunities to give back to the community and will be looking for input on just what the wants and needs may be.

Chairman Smith encouraged the commission members to ask questions and seek clarification on any issue unclear to them. Every member present asked questions and Mr. Jahn and his staff attempted to answer or pledged to get answers if unknown. Chairman Smith next opened the floor up to public Comment.

Audience members represented Ash Township property owner as well as those from Berlin Township, Cities of Rockwood and Flat Rock and the Village of South Rockwood. Concerns regarding negative property value impacts, potential health issues, blasting plans and regulations, fugitive dust control, noise pollution, hours of operation, truck traffic, screening and landscaping, impact on wildlife, groundwater discharge, property destruction, misleading or false information in the application, reclamation plans, potential for expansion, annexation, and estimated life of the quarry were all discussed at length.

During and after audience participation, commission members questioned citizens on various issues and again questioned the applicant and his staff on subjects brought up by the audience. Mr. Jahn attempted again to answer any and all questions asked.

Mr. Jan conceded that he and his staff still had much work to do to not only to have all the required information included in the application for the special land use and site plan, but also to satisfy the township's planner, the planning commission members and those who brought their issues and concerns to the hearing. He asked the Planning Commission to consider tabling the matter until March 2013, giving him and his team time to revise the site plan and application to better reflect the requirements of the ordinance and so they could address the concerns of the neighbors and their leaders.

Motion # 141 To Close Public Hearing.

Motion by Carmack supported by Smith to close the Public Hearing for the proposed Special Land Use on Parcels # 5801-070-030-00 and # 5801-070-031-00.

Voice vote taken. Motion carried.

Motion # 142 To Table.

Motion by Meiden supported by Stumpmier to table the Special Land Use application from U.S. Silica until the regular Planning Commission meeting in March 2013.

Roll Call: 6-Yes, 0- No. Motion carried.

- B. A site plan review for Parcels # 5801-070-030-00 and # 5801-070-031-00, commonly known as 13596 Telegraph Road and 13452 Telegraph Road, Flat Rock, MI 48134, owned by U.S. Silica Company, Frederick, MD. The Site Plan is for an Extractive Operation mining sand stone.

Motion # 143 To Table.

Motion by Meiden supported by Stumpmier to table the Site Plan from U.S. Silica until the regular Planning Commission meeting in March 2013.

Roll Call: 6-Yes, 0- No. Motion carried.

Motion #144 Meeting Adjourn.

Motion by Smith supported by Carmack to adjourn at 10:02 p.m.

Voice vote taken. Motion carried.

Respectfully Submitted
Jim Vaslo
Township Manager