

**KINROSS CHARTER TOWNSHIP
PLANNING COMMISSION
REGULAR MEETING**

October 14, 2013

4884 W. Curtis St.

MEMBERS PRESENT

Richard Bernhardt, Chairman
Gerda Frimberger, Vice Chair
Arthur Brood, Secretary
Kathy Noel, Trustee member

MEMBERS ABSENT

Also present Payne & Dolan representative Gery Hartmann & Judy Wright.

Chairman Bernhardt called the meeting to order at 6:35 PM.

#1 MOVED: by Arthur Brood, support by Gerda Frimberger, to approve the agenda with the addition of the Special Land Use Permit Application under Old Business. Motion carried.

#2 MOVED: by Arthur Brood, support by Gerda Frimberger, to approve the minutes of the regular meeting of September 9, 2013, with the addition of a street address, parcel number or legal description for the proposed location of the Family Dollar Store site plan that was approved. Motion carried.

#3 MOVED: by Gerda Frimberger, support by Arthur Brood, to approve the minutes of the public hearing of September 2, 2013, with the correction of resident's name from *Dave Clark* to *Dave Karst*. Motion carried.

#4 MOVED: by Gerda Frimberger, support by Kathy Noel, to approve the minutes of the special meeting of September 30, 2013, as presented. Motion carried.

SPECIAL LAND USE PERMIT APPLICATION: It was discussed that the previous Township Board had neglected to act upon the recommendation of the approval of the redesigned Special Land Use Permit Application. There was additional discussion of the paragraph describing the correction of infractions. When the Township converts ordinances to Municipal Civil Infractions this form will need to be updated.

#5 MOVED: by Gerda Frimberger, support by Arthur Brood, to recommend that the Township Board approve the redesigned Special Land Use Permit Application. Motion carried.

Drafts of amendments to the Zoning (#1.100) and Quarrying (#47A) ordinances prepared by Mika Meyers Beckett & Jones attorney Ronald M. Redick were reviewed by members and Mr. Hartmann. Several issues were found with the Zoning Ordinance amendment draft.

Zoning Ordinance – Section 3.19 – Added: Item 9 Quarry Plants

Paragraph a.(ii.) has very restrictive conditions for the percentage of the products that must be produced from raw materials from the quarry. Mr. Hartmann informed the members that the mix of asphalt varies greatly from one job to the next. To require a specific percentage of raw materials would be very hard to enforce as well. Would it be an issue if a quarry plant was operated at an inactive quarry location?

Paragraph b.(i.) should not require all quarry plants to add oxidizer. Plants located in remote areas would not have neighbors that would be affected by odors. Language could state that oxidizer “May be required if complaints are received”, etc.

Paragraph b.(ii.) could be simplified by stating that all operations will comply with the Anti-Noise Ordinance #1.109.

Paragraph b.(iii.) requirements for roads are already covered in the Quarrying (#47A) ordinance.

Paragraph b.(iv.) references performance bonds for the repair of roads. Mr. Hartmann suggested that the Commission should check the legality of such a bond. It is good business practice for the company to maintain the roads as it preserves the company’s equipment.

Paragraph b.(v.) could state that “The Planning Commission may limit the hours or days of operation of the Planning Commission determines that such limitation is required in order to avoid adverse effects upon adjoining or nearby lands.”

Paragraph b.(vii.)’s setback requirements are already established by the Department of Natural Resources.

Paragraph b.(viii.)’s reference to drainage is already addressed in the Quarrying (#47A) ordinance.

No significant issues were noted with the draft amendment to the Quarrying Ordinance.

There was some discussion about the possibility of issuing permits for either one or multiple seasons. Members will continue to study the amendments and communicate questions, suggestions, etc. to other members by email before the next regular meeting on November 11, 2013.

Meeting adjourned 8:45 PM.

Arthur Brood, Secretary