

**Williams Township Planning Commission
Regular Meeting
January 9, 2006**

The Planning Commission of the Charter Township of Williams held a regular meeting on Monday, January 9, 2006 at the Township Hall.

The agenda is attached, marked Exhibit A.

I. Call to Order & Roll Call

Chairperson Steward called the meeting to order at 7:00 p.m. Present: C. Adams, D. Behmlander, J. Hurt, D. Putt, S. Reed, W. Steward and P. Wasek.

Also Present: R. Klemish, Township Zoning Administrator, L. Miller, Township Planner and J. Hammond, Township Attorney. Others present are indicated on the sign in sheet, attached Exhibit B.

II. Pledge of Allegiance

The Pledge of Allegiance to the flag was said in unison.

III. Open to the Public

A. Elmer's Construction Engineering, Inc. Special Use Permit

Scott Jozwiak and Eric Strang, representing Elmer's Construction Engineering, Inc. were present to request special use permit and site plan approval to use a facility that has been used in the past by Boman Concrete. The parcel is located in an Industrial Zoned District on the north side of Salzburg Road at 2666 Salzburg Road in Section 30 of the township.

Chairperson Steward asked if all Planning Commission members and S. Jozwiak and E. Strang, representing Elmer's Contracting, had received the memorandum dated December 21, 2005 from W. Darbee and L. Miller.

All indicated they had received the memorandum. Chairperson Steward asked that the memorandum be received and presented into the record as Exhibit C.

Chairperson Steward stated that on Thursday, January 5, 2006 Elmer's Contracting had obtained a variance from the Township Zoning Board of Appeals for a reduction of the side yard setback area from 50' to 20'.

S. Jozwiak explained that they would use this facility as a ready-mix concrete business. He briefly explained the ready-mix concrete process and stated that the first building on the property would be used as their main office. The next three storage barns would be used for storage of their equipment and materials. The northern most building will be used for the processing of their materials. Stockpiles of their aggregate materials would be located in a graveled area behind the processing building. The northern part of the stockpile area will be used for the excess concrete left in the trucks until it is recycled. Initially, the entrance to the facility would be paved to the main office along with a ribbon of asphalt back to the processing building. Complete paving to that building will be finished at a later date. Drain basins will be excavated in the front of the property along with a swale along the west side of the property that will lead to a retention pond north of the stockpile area. He stated that a new waterline to the processing building would also be installed. The balance of the property will not be used at this time.

Chairperson Steward noted that a memorandum from the Auburn Williams Fire Department stated that another fire hydrant would have to be installed within 400' feet of the operations building.

S. Jozwiak stated that it would be installed.

D. Putt asked if the water in the northern retention pond would drain anywhere.

S. Jozwiak stated that it was going to be used for retention of water only.

C. Adams asked if any storage of equipment or materials would be outside.

E. Strang stated all trucks, equipment and materials would be inside.

P. Wasek stated that currently the three storage buildings do not have doors.

S. Jozwiak stated that doors would be added for the security of their equipment and materials.

P. Wasek asked what kind of materials would be stored inside.

E. Strang replied that mortar and blocks would be kept inside.

P. Wasek asked how much dust the ready-mix process would create.

E. Strang replied that a central dust collector is near the silos where the trucks receive the mix. There is also a rubber boot that acts as an air dam around the truck when it is loaded. Therefore, dust is very minimal.

P. Wasek asked if the mixture is dry when it is loaded in the truck.

E. Strang replied that water is introduced in a sequence while the truck is being loaded

P. Wasek asked if the recycling of the used concrete is noisy.

S. Jozwiak replied that it is somewhat noisy, but only done once or twice a year.

J. Hammond asked what the days and hours of operation would be.

E. Strang replied that crushing would be done during a normal eight or nine hour work-day.

L. Miller asked if they would be crushing only their own excess material.

S. Jozwiak replied yes.

J. Hammond asked besides for the days when crushing is done, what are the normal hours of operation.

E. Strang stated that normal business hours would be 7 a. m. to 5 p.m. Monday through Friday, and 7:30 a.m. to 1:00 p.m. on Saturdays. They are not open on Saturdays during the winter.

L. Miller asked if the property was going to be gated.

S. Jozwiak replied that gates would be installed. They will remain open during normal business hours and closed when the last truck arrives back to the facility.

P. Wasek asked who was going to be responsible for the maintenance of the retention ponds.

S. Jozwiak stated they would maintain the ponds.

P. Wasek asked how many trucks come and go daily from the facility.

E. Strang stated that approximately nine ready-mix trucks would deliver up to five loads per day along with one cement truck and four gravel trains.

P. Wasek asked what route these trucks would be using. He stated he is concerned about the amount of traffic on Salzburg Road.

E. Strang stated the majority of the trucks would be using Salzburg Road to the M-47 interchange.

D. Putt stated that Salzburg Road is a "Class A" road.

Chairperson Steward stated that there should be no damage done to Salzburg Road if the approach to the business is done correctly.

S. Jozwiak stated that the approach would meet the Bay County Road Commission's conditions.

Chairperson Steward asked what the depth of the retention ponds would be.

S. Jozwiak stated both ponds would be 2' deep.

J. Hammond asked if the ponds would always contain water.

S. Jozwiak stated the front pond would be dry and the back pond should not contain much, if any, water.

Chairperson Steward stated the Bay County Road Commission and the Drain Commission need to approve the plans.

Chairperson Steward asked if any flammable materials would be stored in the facility.

E. Strang stated they would have diesel fuel stored in a tank outside of the buildings.

L Miller asked if the tank would be above the ground.

E. Strang replied yes.

Chairperson Steward asked if dust control were to become a problem, what could be done to eliminate it.

E. Strang stated the stockpiles could be watered, but it has not been a problem in the past.

J. Hammond asked what kind of gravel would be used for a surface in the stockpile area.

E. Strang stated road gravel would be used.

Chairperson Steward asked if this was going to be a permanent business.

E. Strang replied yes.

Public comment was opened at 7:40 p.m. by unanimous consent.

Norm Adams, 2703 Salzburg Road, asked if the business was going to be open to the public.

E. Strang replied yes.

Lyle LeCronier, 5855 Flajole Road, stated he was concerned about truck traffic on Salzburg Road. He feels the road is very narrow. He also stated he farms the land owned by Beverly Milner directly west of the facility and is concerned about the encroachment of the line of trees along the property line. He is not able to plant crops there and the trees soak up moisture from the ground in that area. He stated he was also concerned about dust. He expressed his concern for his landlady, Beverly Milner. He believes the dust and noise is going to be a hindrance to her.

Derek LeCronier, 5800 Flajole Road, stated the property his father, Lyle LeCronier, farms is very wet and drainage is very slow.

L. LeCronier stated they dug a half-mile long ditch along the property line.

D. LeCronier stated he does not want the flow of water to be restricted along the property line.

Tom Webb, 1225 W. St. Andrews, supports the business and believes it is a good use for the property.

Fred Hollister, 1504 Helen Street, representative of Bay Future Inc., expressed his support of Elmer's Construction as being an upstanding business and was glad he could assist them in finding the location for their business in Williams Township.

Beverly Milner, 2718 Salzburg Road, stated she is very concerned with the noise and the dust. She is not in favor of the facility.

Sam Carlin, 3648 Garfield Road, stated Elmer's Construction was a top-notch company and he welcomed them to the township.

N. Adams expressed his concern about the noise level of the concrete grinder.

Chairperson Steward stated that the Planning Commission would reserve the right to abate nuisance conditions such as noise and dust if they became a problem.

L. Miller suggested limiting crushing to their materials only.

Public comment was closed at 7:56 p.m. by unanimous consent.

Chairperson Steward asked members if they had any other questions or comments.

D. Putt asked if calcium chloride could be applied to the stockpiles of material if dust becomes a problem.

E. Strang replied yes.

C. Adams supported Elmer's Construction business in our township.

L. Miller suggested getting a copy of the Drain Commission and Bay County Road Commission's approval.

S. Jozwiak stated they had submitted plans to the Drain Commission, but not to the Bay County Road Commission yet.

Motion by D. Putt, supported by D. Behmlander to approve the special use permit submitted by Elmer's Construction Engineering dated 12-9-05 to use a facility, previously occupied by Boman Concrete, located at 2666 Salzburg Road, for a ready-mix concrete business which is a similar to other industrial uses as the site plan indicates.

7 Ayes 0 Nays

Motion carried. It is so RESOLVED.

Motion by D. Putt, supported by D. Behmlander to approve the site plan submitted by Elmer's Construction Engineering dated 12-9-05, subject to conditions set forth as follows:

- All operations shall be conducted in such manner that no noise, smoke, dust, vibration, or any other like nuisance shall exist to affect nearby residential properties adversely.
- The Planning Commission reserves the right to impose additional conditions to abate any nuisances due to noise, smoke, dust, vibration, or other like nuisance following neighbor complaint.
- Crushing activities shall be limited to 10 business days per year from 8:00 a.m. until 5:00 p.m. each day; Elmer's shall keep a log of daily crushing activities, which shall be made available to the Township upon request.
- No materials shall be brought on-site for crushing except Elmer's own returned materials.
- A fire hydrant shall be located on site within 400' of the large operations building.
- Applicant shall submit evidence of a Bay County Road Commission's curbcut permit.
- Applicant shall submit evidence of the Bay County Road Commission's approval of its use of Salzburg Road.
- Applicant's stockpiled materials shall not encroach upon the 20' side yard setback area.
- Applicant shall submit evidence of the Bay County Drain Commissioner's approval of its drainage plan.
- Paving shall be completed from front of office building to Salzburg Road in Spring 2006.
- All paving shall be completed by Spring 2008.
- Applicant may not contour his land in such manner as to interfere with any neighbor's drainage.

- Any gate shall be located a minimum of 75' from Salzburg Road right of way.

7 Ayes 0 Nays

Motion carried. It is so RESOLVED.

B. Ordinance Amendments Public Hearing

J. Hammond briefly discussed the text amendments made to Williams Township Zoning Ordinance No. 33, as amended. After speaking with L. Miller he suggested eliminating automobile repair shop or garage, including major repair operations from the C-3 District. He stated that particular use is not conducive to the C-3 District.

Motion by P. Wasek, supported by S. Reed to recommend the Williams Township Board approve the text amendments and make the suggested change to the C-3 District of the Williams Township Zoning Ordinance No. 33, as amended.

7 Ayes 0 Nays

Motion carried. It is so RESOLVED.

IV. New Business

There was no new business to report.

V. Consideration of Minutes

A. December 5, 2005 Regular Meeting Minutes

Motion by S. Reed, supported by P. Wasek to approve the December 5, 2005 regular meeting minutes as presented.

7 Ayes 0 Nays

Motion carried. It is so RESOLVED.

B. Election of Officers

By unanimous consent, all Planning Commissioners agreed to re-elect all officers to their current positions for 2006. They are: B. Steward, Chairperson, S. Reed, Vice-Chairperson and J. Hurt, Secretary.

VI. Unfinished Business

There was no unfinished business.

VII. Other

There was no other business.

VIII. Adjournment

Motion by C. Adams, supported by S. Reed to adjourn the meeting at 8:45 p.m.

7 Ayes 0 Nays

Motion carried. It is so RESOLVED.

LeAnne Johansson
Williams Township Deputy Clerk