

**ARLINGTON TOWNSHIP PLANNING COMMISSION  
SPECIAL MEETING 9/15/22**

Meeting was called to order at 6:00 PM by Chair, Donna Romanak

The Pledge of Allegiance was recited

Roll Call: Joe Wooding, Donna Bell, Tina Loomis, Jill Sanborn, Georgette Peterson, Donna Romanak-Present

Others Present: Scott Graham (Township Attorney), Chris Crandall (Resident), Gordon Andrews (Resident), Dixie Aaron (Resident), Annie Davidson Funke (Resident), Dan Sell (Resident). Mike Schlitter (Resident), John Smedly (Resident)

Approval of the Agenda was unanimous

Public Comment on Agenda Items (All of the following comments refer to the Smith Gravel Pit

- Chris Crandall asked about restrictions and what is the gravel pit allowed/not allowed to do. What is the minimum distance from the cemetery. It is no longer owned by Smith.
- Gordon Andrews said he lives ¼ mile from the gravel pit and the road is very narrow near the cemetery. He asked what will be done about crushing stones and health concerns with silica dust; how much business is planned and will they have flag men on the road?
- Dixie Aaron: Concerned about 42<sup>nd</sup> Street which, she said, is not a Class A road and residents were previously told there would be no trucks on that road.
- Annie Funke said the original gravel pit was not going to be accessed from 42<sup>nd</sup> St and that a video or audio tape was done at the original hearing in 2011
- Dan Sell feels it is the PC's responsibility to direct the owner on traffic access. He asked what is the value of the gravel pit to the residents?
- Mike Schlitter said he lives adjacent to the gravel pit and did not know it had been sold. He said he is a friend of Mr. Smith who told him that he had no plans to dig gravel. He is concerned about noise, hours of operation and impact to property value. He was asked if they had already been approved to dig and was told that the PC only makes recommendations to the Board and the Board makes that decision. He would like a berm to protect his apple orchard.

- John Smedly asked if the DNR has been involved as there are 2 lakes close by. He said the road is fill and won't support truck traffic.

## **PUBLIC HEARINGS**

### North Coast Inn (North Coast Holdings, LLC) SUP

Nathaniel and Denise Pond purchased the farm on CR 215 in 2021. It is an 82-acre parcel between 38<sup>th</sup> and 40<sup>th</sup>; they plan to develop 4 acres. They were planning to have a wedding venue and cabins and requested a PUD. They are currently just planning on a restaurant with a bar to accommodate diners. If they are successful, Brandon Channey, civil engineer, presented the project. The architect, Adam Smith, showed the location of the building and the parking and explained the building design.

The restaurant will seat 30 in the main room and 12 in a private area. There will be no seats at the bar. They expect to employ 10 people. The Ponds are planning to build a home and live on the property.

Questions and answers and comments from the public:

- The set back from 215 will be 100 feet
- The septic field will be tucked into the orchard
- They are concerned with drift of spray. Dan Sell said Midway Orchards has property across the road
- They just found out about the Smith Gravel Pit, therefore no comment
- Jill Sanborn asked if they are concerned with the viability as restaurants have not been successful in the past. They feel they are unique and think they can draw people from surrounding areas as a destination
- Donna Romanak asked how many years it will be before they add the event space. Response-3 or 4 years
- Gordon Andrews is in favor, especially since they will be living here.

Jill motioned, with support from Georgette, to table the North Coast Inn in order to work with the Ponds to get the request in line with the ordinance or vice versa. All in favor. Motion carried.

Attorney Graham said it is a matter of whether this is a simple request for permitted use for land zoned agricultural and not a PUD. A text amendment to the ordinance may be required depending on answer.

Donna asked them to forward all permits.

Smith Gravel Pit SUP (Michigan Materials and Aggregates)

Trevor Smith (Smith and Sons Allegan) was the representative.

There were about 25 people present; the residents who spoke, voiced that they do not want it.

In 2011 the 1<sup>st</sup> approval with annual approvals since then. No mining has occurred to date. Mr. Smith sold the property to Michigan Materials and Aggregates but is still the applicant.

Mr. Smith said there have been zero (0) loads if sand or gravel removed. There has been no mining at all. The new owners want to mine 2,000 loads-100,000 tons-25 loads a day. They plan to mine from 6:00 AM to 6:00 PM.

Questions and answers and comments from the public

- Mr. Smith said it is screened and there is a berm. Resident said there is not.
- Limited to the times initially noted and only M-F. Resident voiced concern over early hours.
- A reclamation plan is needed
- CR 215 is the only point of access. There are concerns about mud which hasn't been mentioned because there has been no mining. The driveway they were required to put in is only about 20 feet wide and 200 feet long, per a resident, and is not gravel.
- A post performance bond has not been posted. Mr. Smith said the township never set an amount.
- Question asked of Mr. Smith if they were going to take out half the woods; response was I don't know.
- They are not mining by the cemetery and are putting up buffers. A Site Plan is needed showing buffers and location of mining and berming.
- Resident stated trees were taken off neighbors' land
- Cathy Grossfield voiced concerns about dust on health and impact to water wells.
- Debbie Colgren Schlieter said there is an impact to established apple orchard due to lack of maintenance of scrub trees on the property.
- Gordon Andrews said it will negatively impact surrounding properties. U of AL research shows 290-25% loss of property value within ¼ mile.
- Joe Wooding asked if they were just taking gravel out or if it will be processed on Site. The response was they will be processing on Site and will

stay above the water table. Joe said this would include equipment and a lot of noise.

- Donna Bell said there will be noise from crusher conveyor belts, 25 trucks moving. When asked about licensing, Mr. Smith said the State requires tests for air emissions through EGLE.
- Dixie Aaron said we have the oldest tree in Michigan in the cemetery and she would not want to see it destroyed.

Attorney Graham noted there are conflicting interests so there is a need to get all the facts and concerns. The former owner had the right to sell the land for legal and proper use but it must be in compliance with the ordinance. This situation is unusual as the SUP has been renewed every year but nothing has been done on the property. We are starting from scratch. The applicant needs to give us all the information needed from Article 13. Mr. Graham added that everyone here has a right to see all the information submitted. This must be transparent. We need to protect the rights of all. He said he hopes that everyone who has a concern will look at the information and give their comments. He urged all to be involved.

Motion by Georgette, supported by Jill, to table the matter to gather additional information to fully analyze how Articles 13 and 5 apply to the application for SUP renewal. All in favor. Motion carried.

Public Comment on Non-Agenda Items

There were none

Board Comments:

Georgette appreciated all the comments given.

Meeting Adjourned at 7:40 PM

Respectfully Submitted,  
Georgette Peterson  
Secretary