

Riley Township Planning Commission

Regular Meeting Minutes

Meeting Details

Date: April 20, 2020 Time: 7:00 p.m. Location: Riley Township Hall

Open

- Called to order at 7:00 p.m.
- Pledge of Allegiance

Roll Call

Present: Dave Rushing, Doug Pratt, Michele Daly-Brown, Duane Hagle, Dawn Behem

Online-Zoom: Larry Moquin

Absent: None

Agenda

Changes to agenda: None

- *Motion to accept agenda made by Dave Rushing, seconded by Jerry Fillion. All in favor, motion passed.*

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Changes to Meeting Minutes: None

- *Motion to accept the minutes made by Duane Hagle, seconded by Dave Rushing. All in favor, motion passed.*

Public Comments on Agenda Items – None

Public Hearing

A. To accept public comments on APPLICATION FOR ANNUAL MINING PERMIT AND PROPOSED SITE PLAN (ID # 2020-01) for Parcel ID #: 74-29-024-1002-000 at Property known as 1280 Kinney Road (M-19):

- *Motion to open public hearing at 7:04 pm made by Dave Rushing, seconded by Duane Hagle. All in favor, motion passed.*

Doug Pratt asked for public comments from anyone present on the online conference thru Zoom:

- a) Lonnee Stiers from 10700 Lambs Road commented he reviewed the proposed site plan that was submitted and noticed the business hours were changed. He spoke to Mr. Green and Mr. Klieman who told him it was an oversight on their part and Stiers wanted to make sure the established business hours and stipulations remained the same and not changed from what was previously approved on 5/17/2018. Stiers also thanked both Harold Green and Mike Klieman for all their cooperation.
- b) Mike Klieman responded and acknowledged he had spoken with Stiers a few days ago and told him that the hours of operations were incorrectly stated on

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the site plan on page 3, bullet point 12, and that they were not looking to change the original business hours or conditions that were already agreed upon that was listed in the letter he received dated 5/22/2018.

Doug Pratt asked if there were any other comments. Dave Rushing asked if everyone got a copy of Lonnee Stiers' letter that was sent to both him, as a County Commissioner, and to the Township Trustee, or not, that states everything that he had just mentioned here. Rushing wanted to make sure this letter was to be part of the record. Duane Hagle stated that he had talked with Stier a few days about what he commented here.

- *Motion to close public hearing at 7:07 pm made by Dave Rushing, seconded by Duane Hagle. All in favor, motion passed.*

Guest Speaker: County Commissioner, Dave Rushing, had nothing to report at this time.

Trustee Report

Duane Hagle reported the township board held their annual meeting and budget hearing; adopted the Emmett Fire Contract for 3 years; confirmed the role for the fire and rescue coverage for the special assessment; Mark Baranowski and Hagle did the annual road trip and traveled all of the townships roads yesterday; and Treasurer, Dawn Sawicki-Franz, will be finishing her term in November and will not be seeking re-election upon taking another job position elsewhere.

Parks & Recreation Report

Duane Hagle reported last meeting was canceled and next meeting is scheduled for next week.

Board of Appeals Report – No meeting held

New Business

A. Annual Mining Permit Application ID 2020-01 for Wiegand Crushing Company

Doug Pratt asked for discussion from the planning commission members. Jerry Filion stated that he is very concerned, that there has never been a problem like this before with wells in the area and what will happen as they dig deeper and deeper. Dawn Behem asked Mike Klieman to talk about and explain the changes that were submitted on the site plan from the original plans. Klieman stated the plans show where the mining site sits today versus where it was 2 years ago with berms that were added in for the new working areas and to show those changes. Klieman stated they have changed the way they are excavating the material from the shoreline of the pond to maintain the water level. Pratt asked Klieman if the current surveyed level is known and Klieman stated the level 3/23/2018 was at 747.6 and as of 3/6/2020 the level is at 719.12 as surveyed by Shink Engineering. Dawn Behem identified herself to Klieman as one of the wells that was affected and replaced by them last year. Behem commented concerns of not having water and if stipulations could be made for this permit renewal to keep the water level from not

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going below of what it is currently at. Discussion was held if a survey or data from an outside agency could give enough data in determining how the areas aquifers are impacted by the mine's water level in the township. Michele Daly-Brown would like to see an area map of the mine showing the location of all the wells that have been replaced. Dave Rushing commented concerns of stirring up large amounts of sand from pulling down all of the water levels in the areas' wells that could affect and possibly damage all household appliances using the water. Rushing also commented a stipulation should be made to cover the responsibility of the wells that have been affected by the mining operation. Doug Pratt asked how often was the pumping being done and Klieman replied they have had the same pumping schedule since July due to the mild Winter averaging about 9 hour a day, Monday thru Friday reducing the water level by about 12 inches per day that would rise up by Monday with no pumping on Saturday or Sunday. Duane Hagle commented that he knew there were several complaints last year that seemed to have slowed down after they raised the water level up by about 4 feet and also stated he visited the mining site yesterday with Mark Baranowski. Tony Youtsos from the St. Clair County Drain Office was present on the Zoom conference and asked what the gallon per minute was on their pump and Klieman replied 300 gallons per minute and confirmed the water goes into a sediment pond before discharge into the drain that is under permit from EGLE. Supervisor, Al Titus stated that the townships main concern is the water for its residents and about what may develop over time what to expect down the road from their mining operation on the area wells and need to get assurances if something were to happen with a resident's well that it is taken care of. Klieman stated they are invested in their operation and are willing to help out the residents if it affects their well and that they have not had any known issues since raising their water level last year. Dawn Behem asked if they have been contacted by anyone since last year having well issues which Klieman replied they have not and using the current water level as a good indicator of that. An in-depth discussion was held among the commission members into the specific language for the additional stipulations to be included in the permit renewal.

➤ *Motion to approve the Annual Mining Permit Application and proposed site plan ID# 2020-01 for Wiegand Crushing Company located at 1280 Kinney Road with the following original and additional stipulations listed made by Dave Rushing, seconded by Jerry Fillion. All in favor, motion passed. Stipulations:*

1. Operating hours 6am-7pm on Monday thru Friday, 6am-3pm on Saturday, no Sundays and Holidays;
2. No retail sales;
3. No crusher on site;
4. **Any unreasonable reduction of static water level attributed to the mining operation located at 1280 Kinney Road to a residence, the well will be replaced;** and
5. **Water level of the pond on site will not go lower in elevation than 717 feet.**

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Old Business

- A. Review of Zoning Ordinance #33:** Nothing further received from the township board.
- *Motion to table item made by Dawn Behem, seconded by Duane Hagle. All in favor, motion passed.*

Committee Reports – None

Communications Received

3/16/2020 2020 Spring Workshop Flyer from St. Clair County Metropolitan Planning Commission
4/15/2020 NPDES Permit renewal from Michael Klieman for Mining Permit Application # 2020-01

Comments from the Public – None

Comments from Planning Commission Members (not addressed)

Michele Daly Brown will have some suggestions on an ordinance change form for the next meeting.

Next Regular Meeting

Date: May 18th, 2020 Time: 7:00 p.m. Location: Riley Township Hall

Adjournment

- *Motion to adjourn made Duane Hagle seconded by Michele Daly-Brown at 8:31 p.m. All in favor, motion passed.*

Respectfully submitted by,

Dawn Behem, Recording Secretary

Doug Pratt, Chairperson (Acting)