

FREEDOM TOWNSHIP PLANNING COMMISSION
Regular Meeting
November 5, 2009

These minutes are not approved until our next meeting.

Chairman Larry Lindemann called the meeting to order at 7:31 p.m.

Members present: Carol Huehl, Larry Lindemann, Susan Ochs, Dan Schaible and Planner Bill DeGroot. Peter DeLoof will be late because of a Client meeting.

Huehl made a motion with support from Schaible to adopt the agenda with a change in the order which was New Business before Old Business. Motion passed.

Pledge of Allegiance was said.

Minutes from the last meeting were read. A correction was made to the year of the Township Celebration; it was 175th not 150th. A motion was made by Schaible to accept the minutes as corrected with support from Ochs. Motion passed.

Communications: MTA News with an article on a "Budget strapped Township", Lima Township draft amendments to Master Plan.

Audience Participation: Supervisor Dale Weidmayer spoke about the Township budget being over the line item for the year. The State has cut back what they give us. There is a proposal to the Township Board for next week to give the Planning Commission December off. Dale also spoke about the County Budget and the PDR in the County. Planned Development Rights (PDR) will possibly be done away with because of no money. A question was asked if the county will repeal our PDR Ordinance. Dale said he was not sure; that there was going to be a meeting on Monday.

Frank Lobbstaël asked if we were going to talk about Lake District and Hunting. Lindemann responded that we were going through the Zoning Ordinance table and defining the Lake District (LD) more. Planner DeGroot is going to give us some descriptions/definitions to be used for this table.

There were some incidents of Goose Hunting on the lake that were spoken about.

New Business:

1) Marcus McNamara from OHM spoke about the fall inspections at the Gravel Pits. He explained that there were very little changes due to business being down at each one with the exception of Barrett. He gave each Planning Commission member a copy of the inspections. On all sites not a lot of acreage changes. They made an adjustment to land balancing based on what they saw on MDOT which was appropriate to keep in line with market rates. There was discussion on each report with the Planning Commission members.

A motion was made by Ochs with support from Schaible to set the bond amount for Levy/American Aggregates Trucking at \$250,000 based on the report from OHM. A roll call vote was taken. Huehl –yes, Lindemann –yes, Ochs – yes and Schaible – yes. Motion passed.

In the report for Barrett it was noted that the water samples differed between theirs and ours. Marcus is going to follow up with ASTI on this. It was mentioned that a bar graph would be easier to have to compare the years. Dale Weidmayer said he had received a call from Jim telling him they had started reclaiming another area.

A motion was made by Ochs with support from Huehl to set the bond amount for Barrett at \$692,000 based on the report from OHM. A roll call vote was taken. Schaible – yes, Huehl-yes, Lindemann-yes and Ochs-yes. Motion passed.

C & T Trucking has not finished the encroachment issue yet. They were asked last December to get a surveyor and it took them 10 months to get it ready. He was still working on West side of the pit. Marcus from OHM had not been back to the site since October 22, 2009. It was noted that there is money in the escrow account to enforce our Extraction Ordinance. Chairman Lindemann is going to contact Rob Martin and then set a date for OHM, Rob and Larry to meet; probably the first week of December. There is still concern that there's not enough material on site for restoration. OHM will check into this.

A motion was made by Ochs with support from Huehl to set the bond amount for C&T Trucking at \$250,000 based on the report from OHM. A roll call vote was taken. Schaible-yes, Huehl-yes, Lindemann-yes, DeLoof-yes and Ochs-yes. Motion passed.

Waterland Trucking has not done any processing of new material. Not many trucks have been seen at the site. A nice map had been submitted but a little more detail is needed. American Aggregate (Levy) and Waterland are talking back and forth about the ridge between them but have not settled anything yet. The Township needs to get this variance moved along. It was noted that the yellow line is not accurate on the aerial photo for the permitted mining area. Marcus will fix this.

A motion was made by Ochs with support from Schaible to set the bond amount for Waterland Trucking at \$480,000 based on the report from OHM. A roll call vote was taken. Lindemann-yes, Schaible-yes, Huehl-yes, Ochs-yes and DeLoof-yes. Motion passed.

Carol will send out the letters to the gravel pits with the new bond amounts. These new bonds need to be on file with the Township by January 15, 2010 and in effect February 1, 2010 through January 31, 2011. The letters will also remind them of the annual reports for our February 2, 2010 meeting. The annual reports need to be received by January 15, 2010 and Carol will distribute these to the other Commission members.

2) The Township board has asked the Planning Commission to postpone the December meeting because of the budget. All business received during this time would be handled at our January 2010 meeting. It was noted that a schedule of meetings has to be set and posted but any changes could just be posted on the board located at the front of the Township Hall. We need to find out the cost of publications. A motion was made by DeLoof with support from Ochs to cancel the December meeting and if we find out from the Township board that we have to publish the cancellation we will do so at that time. Motion passed.

Old Business

1) Zoning Ordinance update. Sections 1 – 5. DeGroot was asked to give a report of the Lake District and definition of this area. He explained that due to the Township Board discussion with him about the budget concerns and also the length of time needed to do this and the time left in the meeting he would not be presenting the report. Bill was asked to touch briefly on the pros and cons of overlays or different zoning within the Lake District so as to take advantage of the audience that was present.

At this time the incidents of hunting on the lake were given in detail. There was discussion on should there be hunting allowed or not on the lake and who had authority to do this. The Pleasant Lake Property Owners Association is going to research this with the DNR and then report back to the Planning Commission with their findings of fact. More discussion was had about ways to handle the Lake District and different scenarios were given to consider. At 10:00 p.m. Chairman Lindemann cutoff the discussion. A motion was made by DeLoof with support from Ochs to adjourn the meeting. Motion passed. Meeting was adjourned at 10:05 p.m.

Respectfully submitted,

Carol Ann Huehl, secretary