

FREEDOM TOWNSHIP PLANNING COMMISSION  
Regular Meeting  
May 5, 2011

These minutes are not approved until our next meeting.

Chairman Lindemann called the meeting to order at 7:30 p.m.

We began with the Pledge of Allegiance.

Members present: Dan Schaible, Matt Little, Larry Lindemann, Susan Ochs and Carol Huehl. Also present Planner Bill DeGroot.

A motion was made by Huehl with support from Little to move 1 and 2 of new business in front of old business and then to adopt the agenda as presented with this change. Motion passed.

A motion was made by Little with support from Ochs to dismiss of the reading of the minutes and accept them as presented. Motion passed.

Communications- MTA news

Audience participation- nothing

#### New Business

1) C & T Materials filed Chapter 7 bankruptcy. We will not do a tour of this pit. We will begin the tour at American Aggregate at 9:00 a.m. It was asked what the bankruptcy would do to the bond and answered that the bond would still be good.

2) Land Division for Prumeau. A letter was received by Zoning Inspector, Jim Coval stating there were no problems for the land split based on the Zoning Ordinance. There is a covenant agreement between Washtenaw County and the Prumeaus on the land for an experimental septic system. The covenant may be modified but has to be done through Washtenaw County. Lindemann made a motion with support from Schaible that based on the recommendation from the Zoning Inspector, Jim Coval that it does not violate the Zoning Ordinance and that the Washtenaw Environmental Health Department would modify the covenant on L4130 pg 506 dated 5-31-2002 and supply it to the Township that approval at that time would be made. A roll call vote was taken. Schaible-yes, Little-yes, Huehl-yes, Lindemann-yes and Ochs-yes. Motion passed.

#### Old Business

1)Waterland Extraction Renewal Application. We began at 11.01 but the following is the full renewal application.

7.02 Survey. Lindemann made a motion with support from Ochs to grant a waiver based on annual reports submitted by Waterland Trucking and based on 30 year history with the Township we would grant the waiver for survey requirements until the next renewal. A roll call vote was taken. Schaible-yes, Little-yes, Huehl-yes, Lindemann-yes and Ochs-yes. Motion passed.

7.03 Titleholders. Lindemann made a motion with support from Ochs that based on 30 year commitment to the Township and Waterland leasing the property and have documentation signed by the

actual owner and Waterland we would waive the titleholder. A roll call vote was taken. Schaible-yes, Little-yes, Huehl-yes, Lindemann-yes and Ochs-yes. Motion passed.

7.06 Site Inventory. A motion was made by Lindemann with support from Schaible to grant the waiver based on the reclaimed use of the property to be back to agriculture use that a site inventory is not required as regulated by the Michigan Right to Farm Act. A roll call vote was taken. Schaible-yes, Little-yes, Huehl-yes, Lindemann-yes and Ochs-yes. Motion passed.

7.07 Reserve/Exploration Map. Lindemann made a motion with support from Little that based on the length of mining taken place it's not practical to ask for this information and that we would waive this due to only a 5 year plan left. A roll call vote was taken. Schaible-yes, Little-yes, Huehl-yes, Lindemann-yes and Ochs-yes. Motion passed.

7.08 Hydrogeologic Study. Lindemann made a motion with support from Little that based on 30 year history and intention to not mine below the water table and providing no mining below water table is done a hydrogeologic study is not necessary. A roll call vote was taken. Schaible-yes, Little-yes, Huehl-yes, Lindemann-yes and Ochs-yes. Motion passed.

7.10 Plan Preparation, Content and Detail. Lindemann made a motion with support from Ochs that under plan preparation and content that the Planning Commission grant a waiver based on the 30 year mining operation and that the noise is already regulated annually by Mine Safety and Health Administration. A roll call vote was taken. Schaible-yes, Little-yes, Huehl-yes, Lindemann-yes and Ochs-yes. Motion passed.

7.11 Reclamation Plan – Upland Slope. Lindemann made a motion with support from Schaible that we grant a waiver on the Southern mining boundary known as the Pipeline ridge with a permanent waiver. A roll call vote was taken. Schaible-yes, Little-yes, Huehl-yes, Lindemann-yes and Ochs-yes. Motion passed. A motion was made by Lindemann with support from Huehl to have restoration of the rest of the pit be averaged to a minimum of 1 on 4 slope based on acreage calculation for the best possible reclamation for agricultural land use. A roll call vote was taken. Schaible-yes, Little-yes, Huehl-yes, Lindemann-yes and Ochs-yes.

7.12 Environmental Impact Analysis. Lindemann made a motion with support from Schaible that this being a 30 year operation the Planning Commission can waive an analysis on the site. A roll call vote was taken. Schaible-yes, Little-yes, Huehl-yes, Lindemann-yes and Ochs-yes. Motion passed.

8.01 Annual Reports and Inspections. A motion was made by Lindemann with support from Little that being a 30 year site and no mining under the water table at this time a waiver would be granted. We are provided a water quality report in our annual report. A roll call vote was taken. Schaible-yes, Little-yes, Huehl-yes, Lindemann-yes and Ochs-yes. Motion passed.

8.01 Topic K. Aerial Photos. Lindemann made a motion with support from Little that a waiver is granted for every 3 years for an aerial photo based on the state of the economy. A roll call vote was taken. Schaible-yes, Little-yes, Huehl-yes, Lindemann-yes and Ochs-yes. Motion passed.

10.01 Topic B Guarantee Wells. This is something requested at the start of an operation not one that's been in existence. Lindemann made a motion with support from Little that based on years of operation and no mining under the water table we would waive this. A roll call vote was taken. Schaible-yes, Little-yes, Huehl-yes, Lindemann-yes and Ochs-yes. Motion passed.

11.01 Setback. A motion was made by Lindemann with support from Ochs to ensure restoration and upon approval of all parties involved with signatures of this existing long term site to agricultural standards, we can maintain a 200' perimeter setback with existing conditions. To continue to restore the site, restoration activity must be permitted within the 200' setback. However, no mining of aggregate will be conducted within the 200' setback, as illustrated on 2010 and 2011 Restoration plan around R1.

A roll call vote was taken. Schaible-yes, Little-yes, Huehl-yes, Lindemann-yes and Ochs-yes. Motion passed.

11.03 Fencing. Schaible made a motion with support from Little to accept the fencing request as presented. A roll call vote was taken. Schaible-yes, Little-yes, Lindemann-yes, Huehl-yes and Ochs-yes. Motion passed.

11.09 Elevation of Plant Site. Schaible made a motion with support from Ochs to accept the elevation of plant site as presented. A roll call vote was taken. Schaible-yes, Little-yes, Lindemann-yes, Huehl-yes and Ochs-yes. Motion passed.

11.11 Domestic Water Supply and Domestic Sewage Disposal Systems. A motion was made by Lindemann with support from Huehl to waive these requirements due to not existing on the site. A roll call vote was taken. Schaible-yes, Little-yes, Lindemann-yes, Huehl-yes and Ochs-yes. Motion passed.

11.14 Hours of Operation. Topic A and D requests for waivers were both withdrawn by Waterland.

13.01 Berm and 13.03 Seeding and Tree planting. Schaible made a motion with support from Huehl that we grant a waiver to Waterland from both 13.01 and 13.03 in areas that are currently agricultural and will be agricultural as defined in the 2010 and 2011 restoration plan. A roll call vote was taken.

Schaible-yes, Little-yes, Lindemann-yes, Huehl-yes and Ochs-yes. Motion passed.

Bill DeGroot, Planner was asked to draft the motion for the Extraction Renewal for Waterland.

Lindemann made a motion with support from Ochs that we give preliminary approval for Waterland's Extraction Renewal Permit with final recommendation to the Township Board for renewal based upon findings of fact at future meeting. A roll call vote was taken. Schaible-yes, Little-yes, Lindemann-yes, Huehl-yes and Ochs-yes. Motion passed.

2) Stoneco Extraction Renewal Application. Tabled until a complete application is submitted. The possible start date for extraction is July 2011.

3) Planning Commission Ordinance review and recommendation to the Township Board. Lindemann made a motion with support from Ochs to recommend to the Township Board that they adopt the ordinance which establishes the Freedom Township Planning Commission. A roll call vote was taken. Schaible-yes, Little-yes, Lindemann-yes, Huehl-yes and Ochs-yes. Motion passed.

Reports-none

Audience participation-nothing

Motion was made by Huehl with support from Ochs to adjourn the meeting. Motion passed. The meeting was adjourned at 10:08 p.m.

Respectfully submitted,

Carol Ann Huehl, secretary

