

Blendon Township  
Planning Commission Meeting  
January 3, 2024(amended)

1. **The meeting was called to order** at 7:00 pm by Chairman, Jason Vander Kodde

2. **Invocation** was given by Lyn Peters

3. **Roll Call:** PRESENT: Jason Vander Kodde            Brian Tacoma  
                                      Mark Leathead                             Shane Herrema  
                                      Lyn Peter   Jeff Meyer (Board Liaison)

ABSENT: Brett Huizenga (with notice)

4. **Also Attending:**

- a. Tricia Anderson – Township Planner
- b. Steve Kushion - Zoning Administrator
- c. Kurt Gernaat – Fire Chief
- d. Greg Golembiewski - Manager

5. ***Motion to approve the agenda was made by Leathead, supported by Peters.***

Motion Carried 6-0

6. **Conflict of Interest:**

- a. None

7. ***Motion to approve the Planning Commission Meeting Minutes, dated December 4, 2023, with the following changes was made by Tacoma, supported by Peters.***

- a. **9a. Correct the spelling of VanDyke**

Motion Carried 6-0

8. **Opportunity for public comment and communication of business on the agenda except for public hearings:**

- a. None

9. **Public Hearings:**

- a. None

10. **New Business:**

- a. None

11. **Old Business:**

a. **Shane Headley – SLU Request:**

- **Motion to un-table the Shane Headley SLU request** was made by Leathead, supported by Peters. Motion Carried 6-0
- Township Planner, Tricia Anderson, highlighted the report
- Discussion ensued amongst the commissioners
- **Motion to approve the SLU request with the attached list of conditions** was made by Herrema, supported by Meyer.

Motion Carried 6-0

b. **Cole – Harrington SLU Request:**

- **Motion to un-table the Cole – Harrington SLU Request** was made by Leathead, supported by Peters. Motion Carried 6-0
- **The applicant would like to know how many semis he can operate on his site**
  - 1 tractor trailer
- Applicants withdrew their application

c. **Dan Burill SPR Request:**

- Remain Tabled

12. **Updates of Ongoing Business:**

a. **Township Board Meeting Minutes:**

- As submitted.
- Highlighted by Jeff Meyer

b. **Bonds and SLU:**

- No Additions or changes

c. **Master Plan:**

- No Additions or Changes

13. **Opportunity for public comment and communication of business not on the agenda:**

- a. None

14. **Planning Commissioner Comments:**

- a. Herrema: Temporarily resigns as chair from the Water Subcommittee
- b. Leathead: Would like to revisit the trucking ordinance and update the language
- c. Vander Kodde: Asked for an update on the wind, solar, and land division legislation. Discussed sand mining tipping fees. Commissioners can register for Planning & Zoning workshops.
- d. Driveways and Drainage: Zoning Administrator, Steve Kushion, is waiting for a report from the Water Resource Commissioner.

15. **Correspondence for informational purposes only:**

- a. Draft of the Robinson Twp. Master Plan

16. **Upcoming Events:**

- a. Township Board Meeting: January 15, 2024
- b. Safety Services Meeting: January 10, 2024
- c. Planning Commission Meeting: February 5, 2024

17. **Adjournment:**

- a. With no further business brought before the Planning Commission a motion was made to adjourn at 8:19 pm, by Peters, supported by Herrema.

Motion Carried 6-0

Recorded by Dyanna Solis, Administrative Assistant  
Submitted by Lyn Peters, Secretary

**Shane Headley Sand Mine**  
**9450/9330 96<sup>th</sup> Ave.**  
**Conditions of Approval**

1. The applicant shall obtain and provide the Township with copies of all applicable permits obtained from EGLE, the Ottawa County Water Resources Commissioner, the Ottawa County Road Commission, and any other agencies having jurisdiction.
2. No natural resource extraction activities shall be conducted within the required fifty (50) foot adjacent property setback.
3. The location of the gravel driveways extending from 96th Avenue, as shown on the site plan, shall be used as the ingress and egress drives into the site and these locations shall be approved by the Ottawa County Road Commission prior to them being utilized. The applicant shall furnish the Township with a copy of said permit. No other access shall be constructed. The scrub pad shall be paved with HMA or concrete.
4. The operations shall take all reasonable steps to minimize airborne materials. This includes dust control, minimizing stockpile areas and stockpile height of 20 feet. Any stockpiles over 20 feet in height shall be covered over at least 50 percent of their height except when actively in use and shall be covered between the hours of operation permitted above.
5. The driveways shall be maintained regularly in a mud and dust-free condition to minimize dust, dirt, and mud accumulations and not produce a public nuisance.
6. The owner/operator shall file with the Township Zoning Administrator the name and telephone number of the person designated by the owner/operator to act on behalf of the owner operator, who will be held responsible for resolving any and all complaints related to this operation. When the owner/operator receives a complaint, he or she shall file a report with the Zoning Administrator regarding the nature of the complaint and the resultant action of the owner/operator.
7. If any complaints are filed with the owner/operator or the Township relevant to any type of issues associated with well impacts, all mining activity shall cease immediately.
8. No use of lighting in connection with the excavation activity shall occur on the site.
9. The owner/operator/applicant and subsequent assigns, hereby agree to take full remedial and financial responsibility for any impact on nearby water supply wells, as determined by EGLE, Ottawa County, or Blenden Township. The applicant shall provide a performance guarantee to offset the cost of remediating impacts on nearby water supply wells in a form acceptable to the Township Attorney pursuant to the requirements of Section 13.05.19(c)(1). The amount of the guarantee shall be \$80,000. The guarantee shall be submitted prior to any mining activity on the site and shall remain in effect and valid for one year following the completion of excavation on the site.

10. No dewatering shall be permitted.
11. The applicant shall provide a performance guarantee for reclamation of the site in a form acceptable to the Township Attorney pursuant to the requirements of Section 13.05.19(c)(1). The amount of the guarantee shall be \$50,000.
12. Hours of operation shall be consistent with Section 13.05.19(g)(27).
13. The pond shall be complete, and the site fully restored consistent with the site plan by January 1, 2027, unless extended at a future date by the Planning Commission. Any such request for an extension shall be filed in writing with the Township at least one month prior to the expiration date.
14. Following the completion of the mining operation, the reclamation and restoration of the site must be completed within 12 months of the completion of the mining operation, per the Blendon Township Zoning Ordinance.
15. The haul routes shall follow the aforementioned roadways, or as otherwise directed by the Ottawa County Road Commission.
16. Additional signs shall be posted at the entrance to the operation for the duration of the excavation process identifying rules for, hours of operation, or other appropriate messages intended to protect the public health, safety, and welfare. This sign shall also contain the name and phone number of the person responsible for answering questions or responding to complaints.
17. The applicant has designed and engineered the pond included as part of the project. The applicant assumes all responsibility with respect to the adequacy of the pond concerning its design, its adequacy for surface drainage of the premises, its safety with respect to the general public, and all other aspects of the construction, operation, and maintenance of the pond.
18. All other federal, State, and County rules and regulations, as well as those of Blendon Township shall be applicable and enforceable. The applicant shall obtain and submit to the Township all applicable federal, State, County, or local permits prior to beginning mining activities.
19. The applicant shall provide the written consent of the adjacent property owner for the proposed off-site grading shown on the future grading plan, prior to any mining activity on the site.
20. The applicant shall furnish the Township with a monitoring report monthly during mining operation and quarterly during months when mining is not active. Reports shall be received on the same day every month (e.g. first Monday of the month).