

**Charter Township of Hampton
Planning Commission
January 11, 2024**

The regular meeting of the Charter Township of Hampton Planning Commission was called to order at 7:00 p.m. by Chairperson Talaga in the Hampton Township Board Room.

PRESENT: Talaga, Mulders, Klass, Brey, Adamowski, Leinberger

ABSENT: Wright

ALSO PRESENT: Sheppard, DeWyse, Daly-Martin, Close and 16 people in the audience

Motion by Adamowski, seconded by Talaga, that the minutes of the November 9, 2023 meeting be approved as printed and that the reading of the minutes be waived. Ayes: Talaga, Mulders, Klass, Brey, Adamowski, Leinberger. Absent: Wright. Motion carried.

COMMUNICATIONS:

None

NEW BUSINESS:

**A. Special Use Permit-Site Plan Review, Pond 070-013-200-185-11, N. Boutell Rd., SE.
Keith Schweinsberg, Owner.**

At the request of Chairperson Talaga, Daly-Martin began with highlighting the parameters for a Special Use Permit to allow for the construction of a 25' deep pond for agricultural purposes, approximately 4.03 acres in size, based on Chapter 3 - General Provisions in Section 3.35. Daly-Martin requested clarification on fencing, stagnation prevention, discharge into Tacey Drain, removal of soil from site, impact on roadways and if a bond is necessary, and if Consumers Energy will allow for truck traffic on their private road described in the haul route.

Mr. Schweinsberg clarified the route and the short distance of N. Boutell Rd. that would be used to transport material to Consumers as well as the hours of operation - Monday through Saturday, 7:00 am to 7:00 pm - and that work could commence once frost restrictions are lifted.

At this point in the meeting, Chairperson Talaga opened the meeting to the public. Howard Hages, 1208 Ivy Leaf Ct., expressed concerns about washout in the pond prior to complete filling and its proximity to houses and families on Ivy Leaf Ct. and the trailer park nearby. Mr. Hages also inquired about the type of maintenance that would occur on the immediate area surrounding the pond, if a fence would be required, and if a fence would impact wildlife or create a nuisance with weed growth.

Ron Trepkowski, 1194 Ivy Leaf Ct., asked about the Tacey Drain and its location to the property.

Molly Poirier, 1207 Ivy Leaf Ct., expressed concerns about the potential damage done to the roadway adjacent to Ivy Leaf Ct. entrance, citing previous pond projects in the area along Arms Road. Poirier also indicated her property is adjacent to the pond site and that her children frequently play outside, raising the safety concerns of a large pond so close to the neighborhood.

Craig Howell, representing the property owner, indicated that the hours of construction would be Monday through Friday from 7:00 am to 6:00 pm. Discussion by the Planning Commission requested a revised site plan amended on the advice of the planner to include the following provisions: updated slope to the depth of 15 feet; a maintenance schedule for algae prevention; three safety stations with floatation rings, including one ring on the east and west corners of the pond with rope to reach the entirety of the pond; Ridge Rd. to Pine Rd. haul route bond estimate from the Bay County Road Commission; bond to be posted prior to construction; and to grant administrative approval by building inspector and planner after amendments are made.

Jon Bennet, 807 N. Wagner Rd. asked about the impact of runoff or soil erosion on his adjacent property.

At this point in the meeting, Chairperson Talaga closed the meeting to the public.

Motion by Leinberger, seconded by Adamowski to approve the Special Use Permit with the above amendments. Ayes: Talaga, Mulders, Klass, Brey, Adamowski, Leinberger. Absent: Wright. Motion carried.

Site Plan Review by Daly-Martin wanted clarification that the haul route is the optimal route for the transport of excavated materials. Those concerns were addressed in the Special Use Permit discussion and added to the approved SUP.

Motion by Talaga, seconded by Mulders to approve the Site Plan Review with the conditions of the Special Use Permit and to grant administrative approval by building inspector and planner after amendments are made. Ayes: Talaga, Mulders, Klass, Brey, Adamowski, Leinberger. Absent: Wright. Motion carried.

C. Discussion - Enlargement of overflow pipes up to 6" dia, Requiring surveys for certain projects, Consumers Energy Solar Update, Accessory Structure Setbacks

After discussion and to avoid arbitrary decisions, the Planning Commission requested Daly-Martin to create a draft chart of pipe diameters related to discharge capacity and pond size for future consideration.

DeWyse shared that on some recent inspections parcel property lines were indeterminate to the exact surveyed land plot. Discussion continued to raise questions about when and if a professional stake survey would be necessary and that the responsibility for property line identification ultimately lies with the property owner building on that site. The Planning Commission directed Daly-Martin and DeWyse to develop draft language for when a survey is necessary for construction due to setback tolerances.

Close indicated that she, along with Sheppard and Daly-Martin have been working in conjunction with Consumers Energy on finalizing their solar project. Even with legislative changes removing local control, the Township and Consumers representative have been working to maintain the integrity of local ordinances associated with the project. Close is hopeful that the positive partnership between the Township and Consumers continues.

Setbacks for structures and ponds may need revisions. Some municipalities near the Township require a 10' setback, where Hampton requires 20'. The Planning Commission requested Daly-Martin to draft a sliding scale for setbacks and side-wall/height of building.