

**CHARTER TOWNSHIP OF HAMPTON
PLANNING COMMISSION
OCTOBER 13, 2022**

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

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

ABSENT: Talaga

ALSO PRESENT: Sheppard, DeWyse, Hebner, Benchley, and 7 people in the audience

Motion by Adamowski seconded by Mulders that the minutes of the July 14, 2022, meeting be approved as printed and that the reading of the minutes be waived. Motion carried.

COMMUNICATIONS:

There were no communications.

UNFINISHED BUSINESS:

There was no unfinished business.

NEW BUSINESS:

Fisher Contracting representing Paul & Cynthia Rivard, 915 N Wagner Rd., appeared before the board to request a special use permit to construct a 5-acre residential pond.

Discussion was held on the following: The attorney discussed the planner's review. A fence is not shown on the plan. The planning commission can place a condition that a fence be installed. There could be a lesser slope to avoid the possibility of a fence. The correct slope is shown on the plan. The applicant noted that the pond is at least 400' from any residential occupied property. The pond would not be near any neighbors' yards. The slope of the pond material is sand not clay. The pond is 28' deep, is it self sustaining? There was discussion regarding the discharge pipe size. What is the reason the ordinance has a 2" maximum? Possibility of changing the ordinance in the future. A grading plan will be required for approval. A soil erosion permit will need to be obtained as well as a building permit.

Discussion continued on the time frame of the construction. It was noted on the application that this project could take place over a 5-year period. The special use permit is only valid for one year. If a building permit is not obtained and construction started within the year, the special use permit will be void and must be applied for again. The ordinance and other scenarios can change within 5 years. Fisher noted they are not sure when they are going to start this project. They are waiting for Consumers Energy to ask them for more fill. Could be next month or next year. They do understand that the special use permit is only good for one year.

There was concern from commissioner Klass that the ponds in the area are not full at this time. A fence might be necessary as the water level may be below the required one foot vertical in three foot horizontal part of the slope. He also mentioned the issues that were had in the past with the construction of these types of ponds. Specifically, the truck routes and the impact on the road conditions with the trucks. The truck route would be down M-25, a class A road, and down Pine Rd., an approved truck route currently. It was also noted that Fisher Contracting is a

very reputable company and has complied with all the regulations and issues that were brought up in the past.

At this time the public hearing was opened to the public.

Mary Smith, 1164 W Hampton Rd. asked about the truck route and how horrible the past projects were going down Arms Rd., Hampton Rd., and Knight Rd.

At this time the public hearing was closed to the public.

Motion by Mulders seconded by Wright that the special use permit be approved to Fisher Contracting representing Paul & Cynthia Rivard, 915 N Wagner Rd., to construct a 5 acre residential pond with the following conditions: The discharge pipe size gets clarification. The slope vs. a fence and the soil material of the pond gets clarification. The approved truck route and hours of operation gets clarification. And the applicant receives approval for the site plan.

AYES: Mulders, Wright, Brey, Adamowski, Leinberger, Klass

NAYS: None

ABSENT: Talaga

Motion carried

Fisher Contracting representing Paul & Cynthia Rivard, 915 N Wagner Rd., appeared before the board to request a site plan review to construct a residential pond.

Discussion was held on the issues with the special use permit and the conditions imposed.

Motion by Klass seconded by Adamowski to table the site plan review until the applicant can address the conditions in the special use permit request.

AYES: Klass, Adamowski, Mulders, Wright, Brey, Leinberger

NAYS: None

ABSENT: Talaga

Motion carried

OPEN TO THE PUBLIC:

Steve Wilkinson, REV Trucking Company asked if he could use the property on Arms Rd. to operate a filling station for natural gas. Their company is looking for locations that they can use as filling stations and haul the natural gas to other locations in Michigan. They would set compressors on this site, fill trucks, and haul the gas out. The property on Arms Road is already set up for this type of service. They would just need to install the compressors. There would be 1-2 trucks per day in the winter and 1 truck every other day in the summer. They would like to get the equipment ordered and be operating by the end of 2023. The issues that were discussed are as follows: bonding for the roads, truck traffic, the property is not currently zoned for that use, and what noise level this use would produce. The property currently has a non-conforming special use. The need is there to amend the ordinance and to look at what is allowed in the R7 zone. The building inspector is to research when the special use was originally approved, what the zoning was at that time, and when the zoning changed.

At this time the meeting was closed to the public.

ANNOUNCEMENTS:

There were no announcements.

Motion by Klass seconded by Mulders that the meeting adjourn. Motion carried. Meeting adjourned at 7:50 p.m.

Respectfully submitted:

Gary Leinberger, Vice Chairperson
Jodie Hebner, Recording Secretary

DRAFT