

## HOPE TOWNSHIP PLANNING COMMISSION MEETING MINUTES October 19, 2023

The meeting was called to order by Chair Norton at 6:30 pm at the Hope Township Hall, 5463 S. M-43 Hwy, Hastings, MI 49058. Pledge of Allegiance to the flag.

**Members Present:** Jim McKelvey, Roger Pashby, Bob Norton, Junior Homister.  
Craig Jenkins arrived at 6:48 p.m.

**Members Absent:** None

**Other Present:** Township Planner/Zoning Administrator Nathan Mehmed, Township Attorney Catherine Kaufman, Township Engineer Dan Whalen, Toby Hayes, Michael Hindelang, Elaine M Jones, Mark & Cheryl Hense, Bill & Sue Krueger, Catherine Young, Don Sklenka, Dale & Daphne Myers, Larry & Barb Heslinga, Gregg Berens, Ben Clark, Jen Smith, Deb Anders, Steve Newland, Marilyn Breu, John Schumacher, Kirk & Byllie Riley, Greg Postema, Joe Reinheimer, Doug Campbell, Julie Powell-McKinney, Ronald McKinney, Steve Sage, Molly Sage, Brian & Diana Berger, John & Patricia Austin, Mark Hemcock, Alan Freid, Guy & Char Wabeke, Al Seurwik, Kay & Scott Scofield, Daryl Calhoun, Tim Hunnicutt, Kathy Slagter, Michael P. Hindelang, Garrett Singer, David & Shelby Kranker, Terry & Carol Larson, Christopher M. Scholl, Rene A. Swift, Kristy & Steve Delcotto, John Heavey, Lisa Shockley-Curtis.

**Agenda:** Motion by Homister, supported by McKelvey to approve the agenda as presented. All ayes. Motion carried.

**Meeting Minutes:** Motion by Pashby, supported by McKelvey to approve the September 21, 2023, meeting minutes. All ayes. Motion carried.

**General Public Comment:** No comment.

### **Public Hearing: Kranker Special Exception Use Application**

- a. **Introductory comments.** Mehmed gave a brief overview of the Special Exception Use (SEU) permit application and indicated that he provided a memo to assist the Planning Commission in their review. The applicant is proposing the construction of an accessory dwelling unit in the loft of an accessory building located at 8998 S M-43 Hwy. Accessory dwelling units are permitted as a special exception use in the RL, Residential Lake zoning district, subject to review and approval by the Planning Commission. Mehmed clarified that the accessory building was approved regarding its size and location, this review primarily focuses on the use as an accessory building. He doesn't have any major concerns regarding the use request. A representative from Clark Brothers Building Contractors spoke on behalf of David Kranker, reporting the old farm's barn has been demolished and the plan is to construct a loft accessory dwelling on the same location.

- b. Acknowledge written comments received. No written comments.
- c. Open public hearing to receive comments. Norton opened the public hearing at 6:37 p.m.  
Ron McKinney spoke in favor of the SEU permit. He lives next door and does not have a problem with the accessory building.
- d. Close public hearing. Norton closed the public hearing at 6:40 p.m.
- e. Deliberation and motion. The Planning Commission reviewed the standards and found the site plan review and special exception use review standards have been met, subject to conditions.

Motion by Pashby, supported by McKelvey, to approve the special exception use permit with the following conditions:

1. The applicant shall obtain all necessary local, county, state, or federal permits and approvals.
2. The applicant shall comply with all stipulations of the Barry-Eaton Health Department and the Delton Fire Department.
3. The applicant shall produce and sign a Statement of Conditions in compliance with Section 10.13, B, 9 for review and approval by the Township Zoning Administrator.

All ayes. Motion carried.

**Public Hearing: Stoneco Special Exemption Use application.**

- a. Introductory comments. Mehmed gave an overview of the Michigan Materials and Aggregates Company, DBA Stoneco, Site Plan and Special Exception Use (SEU) permit application and indicated that he provided a memo to assist the Planning commission in their review. The applicant is proposing a mining operation for the extraction of sand and gravel located at 8409 Miller Road. Mining operations are permitted as a special exception use in the AR, Agricultural Residential zoning district, subject to review and approval by the Planning Commission. Mehmed explained that this is the same property as a previous application that was denied by the Planning Commission. While Roger Smith of R. Smith and Sons own the property, they are not the applicant. The property is located on approximately 153 acres directly adjacent to Wilkinson Lake. Michael Hindelang of Honigman, a representative for Stoneco, said he was at the meeting on behalf of Ken Vermeulen who could not make the meeting. He explained that he was there to answer any questions and to listen to the public comment.
- b. Acknowledge written comments received as follows:  
Comments received before hearing notice:
  1. 9-13-23 Don Sklenka email with attachment
  2. 9-17-23 Don Sklenka email with attachment
  3. 9-19-23 Don Sklenka email with attachment

4. 9-20-23 Julie Osgood email
5. 9-21-23 Tom Kulpa email
6. 9-21-23 Julie Seiter email
7. 9-25-23 Sue Boyer email

Comments received after hearing notice:

1. 10-12-23 HWA letter
  2. 10-13-23 Ellen Berens email
  3. 10-14-23 Tim Hunnicutt email
  4. 10-14-23 John Schumacher email
  5. 10-14-23 John Schumacher email
  6. 10-14-23 Gordon & Jennifer Smil email with attachment
  7. 10-15-23 Gregg Berens email
  8. 10-15-23 Tim Hunnicutt/Zero Day email
  9. 10-16-23 Don Sklenka email with attachment
  10. 10-16-23 Don Sklenka email with attachment
  11. 10-16-23 Don Sklenka email with attachment
  12. 10-16-23 Don Sklenka email with attachment
  13. 10-16-23 Don Sklenka email with attachment
  14. 10-16-23 Jennifer O'Dell email
  15. 10-16-23 Gary O'Dell email
  16. 10-17-23 HWA email with attachment
  17. 10-17-23 Lawrence Heslinga email with attachment
  18. 10-17-23 Pamela Phillips email
  19. 10-18-23 GWLA email with attachment
- c. Open public hearing to receive comments. Motion by Homister, support by McKelvey to open the public hearing at 6:50 p.m. Roll call vote. Aye – Homister, Jenkins, McKelvey, Norton. Nay – Pashby. Motion carried.

Public hearing comments as follows:

Elaine Jones, 8691 Chain O Lakes Dr, is opposed to the permit. She said sounds bounce off the lake just like a big bowl. She can hear campers across the lake. She does not want to hear trucks and bulldozers. The area is safe and quiet, and she would hate to see the community ruined by this. She said the animals will be scared away and as a handicapped person she cannot leave to explore and enjoys the animals coming to her.

Bill Krueger, 8214 Nadell St, is opposed to the permit. He read his comments and stated Wilkson Lake has been his home for eighteen years and he is on the HWA Board of Directors. They have been under the threat of this gravel site for three years. It is tragic that is beginning all over again. The land is unspoiled. The gravel company is motivated by greed and two hundred fifty feet is not a compromise. He wants to view sunsets, not mining. He likes to listen to the birds, wildlife, and thinks the quiet is amazing. He is perplexed as to why this is happening, considering the Barry County Planning

Commission has not decided about the site plan in Orangeville Township. There is not enough evidence to prove there is a need for this. Krueger said there has been a study done by Upjohn about real estate values lost and the hazards of dust, silica (the next asbestos), noise travel, mine aquifer, and so much more; this is the wrong place for a gravel mine. He urges the Planning Commission to not approve, as it will set a precedent for the entire state.

Kathy Slagter, Hayward Rd, bought property in 2020. She loves the serenity and owns Equine Peace of Serentiy ranch. She asked why approve it now? What about the values of homes? She is concerned the property value will decline and will stay on the market a lot longer. She asked that no jake breaks should be considered and no back up beeps. She also wants the property to be watered to help with dust and pine trees to be planted to help with noise. She asked what happens if the wells are contaminated.

Alan Freid, 445 Harrington Rd, gave a brief overview of family history in the area and hopes his son will live here eventually. There are too many risks to the environment. Far too many serious consequences.

Don Sklenka, 8345 Wilkinson Lake Dr, thanked the public for showing up. He said he has been at the first meetings, and this is the most attended meeting in the past three years. He asked the public to clap or show of hands on if against the permit. He said he trusts the Planning Commission to make the right decision like they did last August when they denied the application.

Larry Heslinga, Nadell St, is opposed to the application. He says there are serious consequences about noise, roads, silica, property loss, and assessment values. They spoke of people who are selling their homes because they do not want to go through this again. People love to fish, and this is taking out all the joy of living on a lake. He said some people have a choice to move away but others do not. He said people live here for renewed peace and quiet. He asked the Planning Commission to do their job carefully and deny the application.

Mark Hense, 8274 Nadell St, he owns a heavy equipment business and is familiar with zoning and this area is not zoned for heavy industrial work.

Terry Larson, Chain O Lakes Dr, is opposed to the application. This is not their primary residence, and they have options. He read Hope Township's website about the area being an outstanding place to live, play, and raise a family. This does not reflect that.

John Heavey, 8414 Chain O Lakes Dr, urged the Planning Commission to decline the application. His family has been here for fifty years. Residents have worked hard to improve the area and would hate to see it come back. Terrible things will happen. There is a reason the zoning ordinance was written with AR listing mining as a special

exception use. He said the ordinance was written to prevent this type of operation from happening or allowing the Planning Commission to restrict or deny it.

Molly Sage, Nadell St, read aloud a text from her daughter, Emma Crabtree. Emma expressed that this was not an acceptable application.

John Reinheimer, 4 Oak Opening, has lived here twenty-five years and is worried his dream of retiring here is going to go away. Two-hundred-fifty feet is garbage. Concerned someone is going to be killed by the one hundred fifty-ton trucks. He enjoys the lake, nature, people, and hopes the Planning Commission understands this is not why people move here. He opposes the application.

Karla Schoonard, Rose Rd, purchased land in 2011. She is a city girl who decided to build out here because her husband said country life is wonderful. House overlooks a rolling hill. Asked the question what will it overlook now? She has experienced peace and tranquility here like she has never gone anywhere else, and she is from Montana. She is concerned with sound, dust, barrier height, and property values. She urged the Planning Commission to think with the heart of rural people. The amount of money the company makes does not compare to what they are losing.

Marilyn Breu reported she also sent an email today to the Township. She explained how the average power of sound is measured is not accurate. She enjoys kayaking and getting away from noise. The mine will be open six days a week and there will be a persistent and intrusive sound constantly.

Greg Postema, 12 Oak Opening, bought a cottage eight years ago and has spent a lot of money and effort to make it his retirement home. He agrees with all the statements that have been said tonight. He said to consider the horse ranch, special need children, and property values. He implored the Planning Commission to decide, so they do not have to do this every year. He reported an accident he witnessed on Patterson Road caused by a gravel dump truck. He is concerned about school buses. He said he hopes the Planning Commission will side with the people and not special interest. It is hard to go against a company with a lot of money.

Doug Cambell, 5380 Waldorf Rd, questioned the status of Loomis Lake. Attorney Kauffman explained the public comment was just that. It is a time to accept comments and not the time to answer questions. Mehmed further stated the public may come to the Township Hall to read the physical application.

Char Wabeke, 8297 Wilkinson Lake Dr, reported her family has been here for five generations. She grew up coming to the lake for recreation. She has a family member with sensory issues autism and another with PTSD from serving our country. She said the proposed property had Pbb contamination back in the seventies. It should be

investigated. If the property is disturbed. She asked the question who will be responsible for dry or contaminated wells?

Daphne Myers strongly opposes the application for several reasons: the effect on lake levels, property values, traffic safety, noise pollution, wildlife, dust, and dirt, and who will enforce the regulations. She said the lake is peaceful and is like heaven. This mine will put health and safety at risk.

Connie Hawk, 15 Oak Opening, has lived here for thirty-four years and raised her children here and hopes to retire here but is having second thoughts. She is scared this might happen. She is angry with the possibility. She has asthma and this will make it hard to breathe. Knowing she will not be able to enjoy going out on her deck because of noise and dust makes her angry. She thanked the Planning Commission for listening and sticking up for the residents. She said the mine does not belong on a recreational lake and this will set a precedent for the State of Michigan. She trusts the Planning Commission with her hopes and dreams.

Scott Arnold, 8329 Wilkinson Lake Rd, agrees with everyone tonight. He is building a retirement home right now. If this goes through, he will put the house up for sale. He had a fundraiser at his house with a band for the cause. He could not be more against it.

Doug Campbell, Walldorf Rd, asked how many sites Stoneco has polluted. Norton replied said the Planning Commission is glad to receive comments and will answer questions later.

Patricia Austin, 24 Oak Opening, lives a quarter mile away from the proposed site. She works from home and does not have another property to move to. She has been here five years and has a brand new well. She is still fixing up her old cottage. She said she does not have another eight thousand dollars to replace a well. She said this is scary and intimidating. She likes it here and does not want to move away. If the Stoneco people had it in their backyard, would they like it? Stoneco is huge and they can go anywhere.

Dana Hawk, 15 Oak Opening, agrees with the statements being said. Gravel is not worth water pollution. The lake goes to the Thornapple River and to Lake Michigan. He opposes the application.

Chris Scholl, 8845 Chain O Lakes, asked why is this being entertained? Tell them to pack up and do not come back.

Christy Delcotto, 19 Oak Opening, bought a cottage in July 2019. Vehemently opposes it. She said once you say yes you can never go back. She asked the Planning Commission to please think about it.

Julie Powell-McKinney, Reese Rd, has lived here since 1981 and just finished building their retirement home. She agrees with everything being said tonight. She is concerned about dust, noise, traffic, schools, and the community. Dumbfounded it is happening again.

Ron McKinney said he hunts deer on his property and can he hear rock crushing from a nearby gravel mine.

Jennifer Smith, 8374 Chain O Lakes Dr, bought property five years ago for retirement. She opposes the gravel pit and everything it stands for. She does not want it in her neighborhood. She is concerned about the pollution, truck fumes, blind spots due to truck trains on bus routes, and decrease in property values. Last time a real estate agent submitted a property value analysis of the negative impact this will have. She asked the Planning Commission to deny the application. She said an endangered species study should be conducted.

Scott Matteson, Woods Trail, he said this is the only gravel pit located on a recreational lake regardless of what the lawyers say. This will be the first in Michigan. The right decision was made the last time. He asked them to make it happen again.

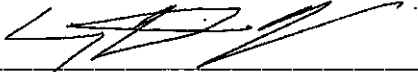
Cheryl Hence, 8274 Nadell St, is concerned with pollution. Does not want this by a lake. She still hopes this will be her forever home. This gravel pit should not be an option.

- d. Close public hearing. Motion by Homister, support by Jenkins to close the public hearing at 8:12 p.m. Roll call vote. Aye – Homister, Jenkins, McKelvey, Norton. Nay – Pashby. Motion carried.
- e. Deliberation and motion. The Planning Commission agreed not to continue deliberation without clarity on the matter of R. Smith & Sons Trucking, Inc v. Hope Township. Kaufman does believe the judge has dismissed the case and will confirm with a signed court order. Kaufman further explained that Stoneco has paid for the application and has the right to submit a special exemption use permit and every time an application is submitted it is the Planning Commission's duty to proceed.

Motion by Homister, support by Jenkins to move deliberation to next month's meeting. All ayes. Motion carried.

**Zoning Administrator Nathan Mehmed:** Mehmed reported on Loomis Lake status and Trevor Smith's bond. He said the site has been stabilized, and EGLE has approved it. The Township does not have authority over the issue of water quality. He indicated that the Master Plan update is on hold for now and will bring it back when some of these larger projects are completed.

**Adjournment:** Homister moved to adjourn meeting, supported by Jenkins. All ayes. Meeting adjourned at 8:25 p.m.



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Craig Jenkins, Secretary

11.15.23

Date