

HOPE TOWNSHIP PLANNING COMMISSION

MEETING MINUTES

November 16, 2023

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

Members present: Jim McKelvey, Roger Pashby, Bob Norton, Junior Homister.

Members absent: Craig Jenkins, with notification.

Others Present: Township Planner/Zoning Administrator Nathan Mehmed, Township Attorney Catherine Kaufman, Township Engineer Dan Whalen, Toby Hayes, and about 40 members of the public.

Selecting Secretary Pro Tem: Motion by McKelvey, support by Norton to elect Homister Secretary pro tem for the meeting. All ayes. Motion carried.

Agenda: Motion by Homister, supported by Pashby to approve the agenda with an addition of a closed session meeting. All ayes. Motion carried.

Meeting minutes: Motion by Pashby, supported by Homister to approve the October 19, 2023 meeting minutes. All ayes. Motion carried.

General Public Comment:

The following general public comments were received:

Tim and Karla Schoonard, 6420 Rose Road: Live within the proposed mining buffer zone. Shared their concern regarding the ill-effects to their health. They believe Stoneco is aware of this issue, and there is a willful intent to harm them and their neighbors. They also expressed concerns regarding decrease in property values. Mr. Schoonard cited several studies that stated that silica dust is bad for human health. Ms. Schoonard stated that they spoke with a former mining operator who is struggling with adverse effects as a result of exposure to silica dust. She stated that she believes that mining operations are not appropriate for the recreational nature of the surrounding area, and reiterated the ill-health effects that the surrounding property owners would be subject to. Mr. Schnoonard read a definition and treatment information regarding silicosis.

Larry Heslinga, 8202 Nadell Street: He stated that he did research on the company and found that the parent of Michigan Materials and Aggregates is a company

located in Dublin, Ireland called Cement Roadstone Holdings (CRH). He stated that they have operations across the world. He stated there are 32 mining operations in Michigan, including the proposed location in Orangeville Township. He also stated that he sat in on a Barry County Planning Commission meeting and learned that the nearby site in Orangeville Township will last 20 to 50 years. He believes that there is not a need as defined in the Michigan Zoning Enabling Act (MZEA) for the mining operation in this location. He asked that the Planning Commission deny the request.

Ellen Berens, 8244 Nadell Street: She understands that gravel is an important resource, however she would not purchase gravel mined on her lake. She also cited the MZEA, stating that there is not a demonstrated need for this mine on Wilkinson Lake. She stated that the mining operation would be too loud for this location.

Bill Krueger, 8214 Nadell Street: Lives on Wilkinson Lake. He stated that he is a member of the Healthy Water Alliance. He stated that the public is angry and believes that there are many reasons to deny the application. Asked that the Planning Commission deny the application.

Don Sklenka, 8345 Wilkinson Lake Street: He thanked the community and stated that there was an impressive turnout. He explained that the health risks associated with cumulative exposure of smoke is something that is now understood. He related this to the silica dust from the mining operation. He stated that the magnitude of risk is unknown in regard to the mining operation, especially over the course of 30 years. He expressed that there could be property damage to homes near the mining site, and that the site sits higher than the surrounding land, putting those below the site at risk due to windblown dust.

Joe Reinheimer, 4 Oak Opening: He stated that he lives within 300 feet of the proposed mine site. He expressed his concern regarding mining trucks navigating the narrow winding roads in the Township. He said he has observed these trucks driving dangerously on local roads.

Greg Postema, 12 Oak Opening: He agreed with Mr. Sklenka regarding damage to homes from the mining equipment and mentioned a case in which property damage had occurred. He asked that the Planning Commission keep this in mind.

Ken Vermeulen, representing Stoneco: He stated that this application does not propose any mining truck traffic, crushing, washing, or hauling on this site. These processes would happen at the site across the street. He also stated that what is

proposed to happen at this site would not produce silica dust. He claimed there were no cases of silicosis as a result of gravel mining operations such as the proposed operation. He restated there is no threat of silica dust in this particular site.

Greg Berens, 8244 Nadell Street: He stated that Mr. Vermeulen had contradicted a previous statement regarding what might be found at this site, and that there could be future need for crushing and washing on site.

McKelvey questioned what the difference was between sand and silica dust. Mr. Vermeulen stated that the small particle size of silica dust (respirable silica) is what makes it dangerous when compared to sand. He stated that this current application is only for the mining operation, and no crushing/processing. That would require a separate approval they may have to return for later.

Closed Session: Motion by Pashby, second by Homister to enter into closed session with Attorney Kaufman. All Ayes. Motion carried. Closed session began at 7:10pm.

Closed Session meeting ended at 7:50. McKelvey motioned to reopen the meeting. Second by Homister. All ayes. Motion carried. Meeting resumed at 7:50pm.

Written Public Comment: Chair Norton stated that there were several written comments that were received prior to the meeting. They are as follows:

Written comments sent 10-18-23 and 10-19-23:

1. Two emails Pangea Environmental
2. Email Susan Harris
3. Email Molly & Steve Sage w/att
4. Email Krysten Avery
5. Email Gary Meeuwsen
6. Email Brian & Sara Meyers
7. Email Marilyn Breu
8. Email Healthy Water Alliance w/att

Additional written comments since 10-19-23:

1. 10-29-23 Letter Sheila & Tim Kennedy
2. 11-6-23 Letter Reverends Tim and Karla Schoonard w/att
3. 11-13-23 Email Healthy Waters Alliance
4. 11-14-23 Email R. Krueger

5. 11-14-23 Email Chris Raschke
6. 11-15-23 Email Healthy Water Alliance w/att
7. 11-15-23 Email Mark Leonhardt
8. 11-15-23 Email Evans-Wordell
9. 11-15-23 Email Don Sklenka
10. 11-15-23 Mark Hancock w/att
11. 11-16-23 Email Bill & Sue Krueger w/att
12. 11-16-23 Email Tom & Jill Kulpa

This list may not include all comments received the day of the meeting, November 16, 2023.

Unfinished Business - Stoneco Application: Attorney Kaufman stated that there are three different standards in the Michigan Zoning Enabling Act that must be discussed in regard to the mining operation: *Does the site contain valuable natural resources, is there a need for the resources in the market or by the person, and would any serious consequences result from the proposed mineral extraction.*

Chair Norton questioned whether there are valuable natural resources on the site. Mr. Vermeulen stated that there are. He did not know exactly where this conclusion was in the application materials. Chair Norton found the materials regarding the well logs and read them aloud. Attorney Kaufman and Mehmed directed the Planning Commission to more data in Appendix 8 in the application. Mr. Vermeulen explained the process in which bores are extracted to receive a boring log outlining the materials. Engineer Whalen expanded upon the explanation.

There was deliberation between Chair Norton and the applicant. Mr. Vermeulen stated that for the most part, the material identified in the soil borings were seen as valuable to Stoneco. He stated that there is always a market for these materials. Chair Norton stated that given that there is a predominance of valuable materials, the first standard of the MZEA mining standards could be met. Mr. Vermeulen does not know whether test pits or borings were used to identify these materials, but that Stoneco is confident there are valuable materials on site.

Pashby questioned whether similar materials were taken from the Otis Lake site. Mr. Vermeulen stated he believed there were.

Chair Norton asked whether Stoneco operates at a profit. Mr. Vermeulen said yes. Chair Norton asked whether it was possible to see financial statements from Stoneco. Mr. Vermeulen said it was not possible since they are a private subsidiary

of CRH. He also stated that a previous judicial notice states that the applicant would not be applying if they couldn't make money. He said Stoneco shows their need through the profits they have made. Mr. Vermeulen did not believe that the questions that were being asked were relevant to the conditions.

Pashby mentioned a case from Richland Township in which questions were asked whether other sites in the Township were feasible.

Mehmed directed the Commissioners to a borehole log found in Appendix 1. He said there are more data available on the specific materials found in the bores. Commissioners discussed the results. Engineer Whalen explained some of the boring data and the relation to the wells and water table.

McKelvey asked where the majority of the materials were located on site, and if there would be more hypothetical value away from the lake. The Commissioners discussed the data and locations of potentially valuable materials. Engineer Whalen stated that more borings would potentially be needed to fully understand what is there. Commissioners stated that it appeared there wasn't much of a difference across the site.

Norton questioned whether the Township would align with the previously stated judicial notice. Attorney Kaufman said that is a fair assumption. Commissioners agreed.

Motion by Homister, supported by McKelvey asserting that there are valuable natural resources on the property. All ayes. Motion carried.

Commissioners moved to question two, *is there a need for the natural resources for the person or in the market served by the person*. Chair Norton mentioned sales logs that were discussed by Mr. Vermeulen. The applicant stated that other nearby reserves are nearly empty, and therefore this site would be needed. The other sites were mined for decades. Chair Norton and Administrator Mehmed discussed when other nearby mines had closed. Mr. Vermeulen said that this site would be an efficient replacement for other mines. A customer log was provided showing sales by the ton.

Chair Norton read a section of the application materials which stated that as a result of recent infrastructure legislation, there is a higher demand of the materials, hence creating a need for these materials. Commissioners again discussed Stoneco's sales.

Chair Norton noted that the Planning Commission's bylaws require a motion after two and a half hours to either end the meeting or continue. Commissioners determined that they would continue their deliberation at the next meeting.

Other Business: Chair Norton discussed the cancellation of the December meeting. Next meeting will be on January 18, 2024.

Zoning Administrator Comments: Mehmed had no comments.

Adjournment: Motion to adjourn by Pashby, support by Homister. All Ayes. Motion carried. Meeting concluded at 9:01pm.


Junior Homister, Secretary Pro Tem

11-29-23
Date