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Hope Township Planning Commission

Special Meeting Minutes

March 11, 2024

The meeting was called to order by Chair Norton at 5:00 pm at the Hope Township Hall, 5463 S. M-43, Hastings, MI 49058. Pledge of Allegiance to the flag.

Members present: Jim McKelvey, Craig Jenkins, Bob Norton, Junior Homister.

Members absent: Roger Pashby, with notification.

Others Present: Township Planner/Zoning Administrator Nathan Mehmed, Township Attorney Catherine Kaufman, Township Engineer Dan Whalen, Toby Hayes, and about 35 members of the public.

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

Meeting minutes: Motion by McKelvey, supported by Homister to approve the February 22, 2024 meeting minutes. All ayes. Motion carried.

General Public Comment:

The following general public comments were received:

Larry Heslinga, 8202 Nadell Street: He wished to comment on the Stoneco application, and asked that the commissioners keep four things in mind. First, that the newly approved Orangeville Township mining site should provide the applicant with enough aggregate, and does not provide a reasonable case for need. Second, the lakefront location is a very serious consequence and unprecedented in Michigan. Third, this proposed mine is a large scale and long-lasting industrial operation. Lastly, this application is very similar to the last application for this site, which was reasonably denied. He asked that the Planning Commission deny the application.

Tim Schoonard, 6420 Rose Road: He furthered Mr. Heslinga's comments. He stated that 25 to 50 years is a long time to impact this land and scar the Township.

Marilyn Breu, 8226 Nadell Street: She believes it is unconscionable that one entity could impact the lives of around 300 residents. She also furthered Mr. Heslinga's comments about need, and detriment to the residents and Wilkinson Lake.

Don Sklenka, 8345 Wilkinson Lake Drive: Stated that over 1,268 days ago this process began. He reviewed the history of this particular process, and stated that the applicant has failed to provide data on the need for the aggregate on this site, and spoke about the serious hydrogeological consequences and the health of residents, wildlife, and the lake. They have also failed to provide any reason to pull aggregate from this site. Whereas, the public has provided supporting data for the denial of this application.

Paul Yelsna, 7102 Shoreline Drive: He stated that he was not from the Township, but he had an interest in this application. He said that he has researched what mining operations look like after the operations are complete. He believed the impact that these mines have require a lot of money and effort to clean up. Asked the Planning Commission take into consideration the needs of the future residents.

Joanne Murphy: 8946 Guernsey Lake Road: Said she didn't do her research into her neighbors when she moved into her current residence. She said she is very close to a property owned by another aggregate company. She said she is worried that there could be effects to her drinking water and to surrounding lakes and other residents.

Gary O'Dell: 6525 Woods Trail Drive: He wanted to make the planning commission aware that he is concerned about noise. He used to live near a different mine and was subject to loud noise there. He said the same goes for this site, and that noise will carry across the lakes.

New Business: There was no new business.

Old Business - Stoneco Mining Operation SEU Application:

Attorney Kaufman stated that there is a written legal opinion that the Planning Commission can review in closed session. Stated that there was a recommended motion that would require a roll call vote.

Motion by Homister that the Planning Commission meet in a closed session under Section 8(1)(h) of the Open Meetings Act, pursuant to Section 13(1)(g) of the Freedom of Information Act, to consult with the attorney regarding a written legal opinion. Support by McKelvey.

Roll Call Vote: All ayes. Motion carried.

Motion by Homister to leave closed session. Support by Jenkins. All ayes. Motion carried.

Chair Norton said he was eager to hear from Township Engineer Dan Whalen. Mr. Whalen began by explaining that at the beginning of this process he became concerned about the mining proposal due to its unique location and hydrogeology. Mr. Whalen indicated that there is no other site quite like the proposed mining location in Barry County. It sits on a regional groundwater and surface water divide that could send water to many different watersheds/lakes in all directions. Mining operations on this site could send contaminants toward approximately 58 wells in the 1,000-foot radius in all directions as a result. He explained that there are two different aquifers under this site, a shallow regional aquifer that sits at the approximate elevation of Wilkinson Lake, and another smaller aquifer perched above the lake elevation beneath the site. The surrounding 1/3 of drinking water wells are shallow enough that they are drawing water from the shallow regional formation that the proposed mining operation would operate just above. He also took exception to the perched system, despite the applicant's disinterest and how it relates to the shallow aquifer that people are drinking from.

Mr. Whalen cited a report he wrote that states the site was vulnerable to contamination. Groundwater moves in all directions from this "dome" and mining this aquifer could have a ripple effect on other water resources. The current overburden that is proposed to be scraped would include the perched aquifer, which could affect the aforementioned approximately 1/3 of wells nearby. He stated that the applicant has not presented anything demonstrating that doing so would not have negative effects on the surrounding wells and shallow aquifer below.

Mr. Whalen answered a question from a member of the public about EGLE permitting for drilling wells on the Orangeville Township site, and spoke about the amount of water being pumped from the site.

Chair Norton asked about the size of the perched aquifer. Mr. Whalen said it could be as large as the entire site, but more information is needed.

Chair Norton asked about the location of the drilled holes. Mr. Whalen said drillers stopped in at least several sites around the property. He reiterated that his concerns surround removing this perched aquifer as a part of the larger aquifer system. He

stated that he had never encountered a case as a groundwater geologist in which a particular aquifer was considered “irrelevant.”

Chair Norton asked about how often mining operations dig within close proximity to large aquifers, as proposed. Mr. Mehmed interjected that some aquifers are dewatered, though not as common. Mr. Whalen said that he has commonly seen it in other areas as close as 5 feet.

Mr. Homister asked to state in the minutes that an issue of National Geographic stated in December 2020 that drinking water was, or will be, more valuable than gold. Any contamination of the water system could affect all of the larger surrounding water systems.

Mr. Whalen reiterated that this is a very unique site in Barry County, and how water falling on the site would pass by all of the houses on the perimeter of the property before heading to many other watersheds.

A member of the public asked about how much the water table moves. She also explained how much water levels on Wilkinson Lake change between wet and dry seasons. Discussion ensued about lake water levels and how residents were concerned about changing water levels. Dan furthered that the shallow aquifer that residents are drinking from varies along with lake levels.

Chair Norton thanked the public for their presence, and thanked Mr. Whalen for his presence. He stated that the Commission may not be better prepared to make a decision after the preceding discussions, and that this application would continue to be discussed at the next meeting.

Zoning Administrator Comments: Mehmed mentioned future reviews coming to the Planning Commission and Zoning Board of Appeals.

Other Business: Commissioners briefly discussed renewable energy systems and new legislation in that regard. Asked Attorney Kaufman to continue providing them with any new updates and information.

Written Public Comments:

Chair Norton acknowledged the following written public comments that were received after February 22, 2024, and were distributed to Planning Commission members:

Email with attachments from Lawrence Heslinga (3-6-24)

Email from Molly Sage (3-6-24)

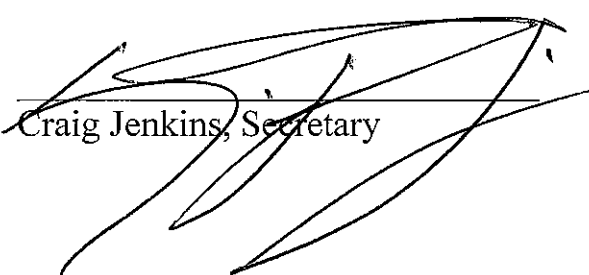
Email with attachment from Don Sklenka (3-7-24)

Email from Lawrence Heslinga (3-7-24)

Email with attachments from Bill and Sue Krueger (3-7-24)

Email with attachment from Healthy Waters Alliance (3-7-24)

Adjournment: Motion to adjourn by Homister. Second by McKelvly. All Ayes.
Motion carried. Meeting concluded at 6:35 p.m.


Craig Jenkins, Secretary

3.21.24
Date