



To guarantee that all conditions are being met in an appropriate fashion, he recommended an annual report be submitted by February 28 each year.

The Muskegon County Road Commission had responded to a request from the Planning Commission for their opinion regarding the information offered with the original application for a special use. The response was very in-depth and informative regarding longevity of roads similar in construction to Summit Avenue and several suggestions which should be included in any approval of the use of that specific road for large truck hauling.

A motion to open the public hearing on the sand mining application on Summit Avenue was made by Tom Jasick, supported by Glenn Gustafson and unanimously approved by all Planning Commission members. Members of the audience were reminded to state their name before expressing their question or comment.

Over twenty comments were offered from the audience; some were similar in nature but all were legitimate concerns covering damage to the Summit Avenue surface, noise from heavy equipment traveling on the road, the cost of maintaining the road for safe use by large vehicles and repair if damage occurred sooner than normal vehicular usage would warrant.

The volume of trucks traveling on Summit will be dependent on demand and is anticipated to be heaviest during spring, summer and fall. While it is obvious that volumes will vary, it takes about 10 minutes to load a truck, which will substantially increase traffic noise during times in the year when residents want to have house windows open. This is certain to disrupt the comfort and sleep of residents who currently enjoy the peace and quiet of their neighborhood.

Since Summit Avenue is a Township road, the cost for repair would ultimately be borne by the Township; Summit Avenue has been contracted with the Muskegon County Road Commission to receive resurfacing in the 2018 budget and the Road Commission has offered a detailed description of the existing road base, the current condition of the road surface and the potential for accelerated "wear and tear" if it is subjected to routine use by heavy equipment as opposed to occasional heavy traffic. Additionally, Township Ordinance 14-01 prohibits a commercial truck from operating on Summit Avenue from Brooks Road to Wolf Lake Road.

Another of the issues involving noise brought up the point that a sand mining operation in the past had agreed to not use vehicles which took advantage of the "Jake brakes" ability to reduce speed prior to slowing for traffic signals as the noise can be extremely annoying, particularly in a residential area. This issue was successfully addressed with a list of conditions agreed to by the former business prior to receiving approval for their special use permit. A similar list would undoubtedly be established for any business approved requiring the use of large vehicles.

Additional traffic on the road, which currently is primarily residential, was addressed since the Sheriff's department is currently responsive when contacted about traffic flow and control on Township roads. Speed limits may need to be reduced as well as the fact that truck traffic may be required to exit the work area to the east and subsequently turn either north or south on Wolf Lake Road. Fruitport Township established a weight limit on Brooks to the west

some time ago which would prohibit hauling in that direction from the sand mine. Clarification of any legal restrictions on Wolf Lake Road will be subject to its classification as a "Class A" road which is not within the jurisdiction of the Township.

Removal of a portion of the sand from the Township would alter the existing terrain without contributing any major return to the entire area. The zoning in this area is Rural Residential, which may include special permitted uses but is generally intended to provide property owners with a continuing safe, enjoyable place to reside. The general consensus from the audience seemed to be that a commercial use which results in a large increase in heavy truck traffic, potential for expensive and unusual repair of the road and a noise level which would not fall within existing standards would not be acceptable to adjacent property owners nor within the intent of current zoning.

Impact on surrounding existing wells and the water table was questioned when a large amount of sand is removed from a parcel. Monitoring wells were established for a previous operation of this type with no adverse results reported to the Township. However, some residents near the previous sand mining operation expressed a differing opinion and indicated they had adverse effects on their own water supplies.

At this time, the public hearing was closed by a motion from Tom Jasick, seconded by Jim Kotecki and approved by the Planning Commission.

The Professional Planner had not been aware of the Road Commission's comments and also suggested that the consequences of an application for a special use must be considered very seriously, such as degradation to essential natural resources or environmental issues associated with the property for which there is a need, prior to challenging a denial. Michigan law spells out what serious consequences are and, while the property owner has the right to use his property, should such use have disproportionate adverse effects on surrounding property owners, the use may be denied.

The Township Attorney will be contacted for an opinion on the issues and his advice will be discussed at a subsequent meeting prior to a decision. The Road Commission will also be contacted for their anticipated repair schedule. Additionally, the Planning Commission wished to explore further information from its Professional Planner, and the applicant also has some issues he needs to research. Further discussion on the application was tabled until the June 12, 2018, Planning Commission meeting based on a motion from John Carr and supported by Glenn Gustafson. Planning Commission approval of the motion was unanimous.

**Revision to Master Plan - Add "Recreation Plans:** A recreation plan was designed for the township a number of years ago and is referenced in the Master Plan. The full Recreation Plan needs to be reviewed and updated where necessary. The Professional Planner will review the existing plan and report back to the Planning Commission.

**Revision of Driveway Ordinance:** The Fruitport Public Safety Director has suggested that Sullivan Township review its driveway ordinance and consider conforming with Fruitport's ordinance since theirs is the equipment that Sullivan contracts to protect its residents in a case of fire. This will be a topic for a future meeting.

**Home Occupation Application - Buckshot Gun Sales:** Discussion revealed that since this is a permitted home occupation, approval of the operation should be made by the Zoning Administrator and does not involve the Planning Commission. A motion was made by Sue Buckner to refund the prepaid application fee to the applicant, supported by Tom Jasick and approved by the Planning Commission. The applicant will contact the Zoning Administrator for approval .

**5. SCHEDULED PUBLIC HEARINGS:** None

**6. OTHER MATTERS TO BE REVIEWED BY THE PLANNING COMMISSION:** None

**7. OLD BUSINESS:** Wording of an existing application for a cellular tower needs clarification. The applicant will attend an upcoming ZBA meeting, May 21, 2018, to revise it.

**8. OPEN DISCUSSION FOR ITEMS NOT ON THE AGENDA:** None

**9. CORRESPONDENCE RECEIVED:** None

**10. PLANNING COMMISSION MEMBERS COMMENTS:** None

**11. REPORT OF TOWNSHIP BOARD REPRESENTATIVE:** None

**12. REPORT OF PLANNING CONSULTANT:** None

**13. NEW BUSINESS:** None

**14. SETTING PUBLIC HEARING DATES:** None

**15. NEXT MEETING DATE:** June 12, 2018, at 5:30 p.m.

**16. MOTION FOR ADJOURNMENT:** A motion to adjourn at 8:45 p.m. was made by Glenn Gustafson, seconded by Sue Buckner and the vote to adjourn was unanimously approved.

Respectfully submitted:

Eloise Jarka, Secretary  
Sullivan Township Planning Commission