

**APRIL 5, 2023**  
**Huron County Planning Commission Minutes**

A meeting of the Huron County Planning Commission was held on Wednesday, April 5, 2023, in the Huron County Building, 250 E Huron Ave, Rm 305, Bad Axe, MI 48413.

**1. Call Meeting to Order**

The meeting was called to order by Chairman Bill Renn at 7:00 p.m. with the Pledge to the United States of America. Secretary Julie Epperson, called the roll of members: Roll call - Members present: Bernie Creguer, Julie Epperson, George Lauinger, Richard Swartzendruber, Jeremy Polega, Bill Renn, Todd Talaski, J. Dean Smith, and James Leonard. Approximately 25 guests were in attendance.

Member Renn asks if there are any nominations for Chairman. Member Epperson nominated Bill Renn to serve as Chairman, supported by Member Talaski. No further nominations. Motion by Member Swartzendruber, seconded by Member Talaski to close nominations and cast a unanimous ballot for Bill Renn to serve as Chairman. Motion carried.

Chairman Renn asks if there are any nominations for Vice-Chairman. Member Swartzendruber nominated George Lauinger to serve as Vice Chairman, supported by Member Polega. No further nominations. Motion by Member Talaski, seconded by Member Creguer to close nominations and cast a unanimous ballot for George Lauinger to serve as Vice Chairman. Motion carried.

Chairman Renn asks if there are any nominations for Secretary. Member Polega nominated Julie Epperson to serve as Secretary, supported by Member Talaski. No further nominations. Motion by Member Talaski, seconded by Member Swartzendruber, to close nominations and cast a unanimous ballot for Julie Epperson to serve as Secretary. Motion carried.

Member Talaski made a motion, seconded by Member Smith, to approve the agenda as presented. Motion carried.

**2. Approval of Minutes**

Member Talaski made a motion, seconded by Member Polega to approve the March 1, 2023 regular meeting minutes as presented. Motion carried.

**3. Public Comment** (Open Meeting Act.): None.

**4. Public Hearing** (Open Meeting Act – 3 minutes per speaker): None.

- A. **SAP 2023-01**, AGM Enterprises LLC is proposing a sand mining operation on a single parcel of land in Section 5 of Grant Township.
1. Overview of application
  2. Open public hearing - Public comment/correspondence received in B & Z office, etc...
  3. Close public hearing – PC discussion and vote

Zoning Administrator Jeff Smith provided project information and reviewed the application materials.

Martin Gentner stated that he is working with the Huron County Road Commission for bonding. The hours of operation is 7am to 7pm daily. There will be one driveway along

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the property line. They will be using a portable sand screener and portable crusher for recycling concrete.

Members asked about timeframe of the project. Mr. Gentner responded approximately 8 years.

Members asked about dust control. Mr. Gentner stated brine will be used. If additional measures need to be taken (per the language in the bond), they will reimburse the county for those costs.

Zoning Administrator Jeff Smith provided the correspondence that was received in the Building and Zoning Office.

- Email from Erik Tamlyn dated March 24 & April 5, 2023
- DeVere Sturm came into the B & Z office on March 28, 2023

Public Comment:

DeVere Sturm, McKinley Township. Mr. Sturm stated that he was utterly opposed to the sand mining operation at the proposed Kilmanagh Road site. He is concerned about the aesthetics of the site, now and in the future. He requested fencing be installed. He is also concerned about taxation and property values of the surrounding properties.

Julia Sturm, daughter of DeVere Sturm, stated that she had reviewed the proposal and has concerns that the last paragraph leaves it wide open to other processes that could take place at this location.

Luke Deming, Bad Axe, was concerned about well contamination and toxins.

DeVere Sturm commented on clay liners.

Public comment was closed.

Planning Commission Discussion:

Members discussed liners, lagoons, and fencing requirements.

Member Creguer made a motion to approve SAP 2023-01. There was no second. Motion failed.

Member Talaski made a motion to suspend until May 3, 2023 meeting to allow members additional time to visit the proposed mining site. Member Smith seconded the motion. Member Smith then added to table any action on SAP 2023-01 to the next meeting scheduled for May 3, 2023. Member Leonard seconded the motion. Roll Call Motion carried.

**Roll Call Vote: Table Action on SAP 2023-01 SPECIAL APPROVAL USE PERMIT: AGM Enterprises LLC**

Bernie Creguer	Nay	Bill Renn	Nay
Julie Epperson	Yea	Jeremy Polega	Yea
George Lauinger	Yea	Rich Swartzendruber	Yea
Kim Rosenthal	Yea	J Dean Smith	Yea
Todd Talaski	Yea	<b>7-Yea 2-Nay 0-Absent/Abstain</b>	

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- B. **SAP 2023-02**, AGM Enterprises LLC is proposing a sand mining operation on two contiguous parcels of land in Section 36 of Hume Township.
1. Overview of application
  2. Open public hearing - Public comment/correspondence received in B & Z office, etc...
  3. Close public hearing – PC discussion and vote

Zoning Administrator Jeff Smith provided project information and reviewed the application materials.

Martin Gentner stated that he is working with the Huron County Road Commission for bonding and will be adding a driveway on the East side of the property. The hours of operation is 6am to 9pm daily for bailing. They will be using a portable sand screener and signs will be posted. The South-West corner had trees that were removed. EGLE has notified them that the trees that are remaining need to remain and they need to replace the trees that were removed with new.

Members asked about timeframe of the project. Mr. Gentner responded approximately 8 years. There will not be any off-site material brought in and no crusher at this site.

Zoning Administrator Jeff Smith provided the correspondence that was received in the Building and Zoning Office.

- Email from Bill Goretski dated March 23, 2023
- Email from Erik Tamlyn dated April 5, 2023

Public Comment:

Bill Goretski, Hume Township Supervisor, stated his concern for dust and proper signage. He also requested that GPS location of any ponds be reported to local government for emergency situations.

Mr. Gentner stated there will not be ponds at this site.

Luke Deming, Bad Axe, asked if they will be running water for the screeners.

Member Renn stated there will not be any sand washing at this site.

Randy Miller, Huron County Emergency Services Director, asked about a safety program for the truck drivers, as they may be driving thru a school zone during certain times of the day.

Matt Hyzer, Hume Township Trustee, suggested the hours of operations be 7am to 5pm. He was also concerned about the signage and truck route.

Public comment was closed.

Planning Commission Discussion:

Members discussed hours of operation and a designated truck route.

Mr. Gentner stated that 7am to 7pm will be more common in the summer months with the possibility of 9am to 9pm, weather dependent. He stated that the truck traffic will average 4 trucks per hour.

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Member Smith made a motion to approve SAP 2023-02 and was seconded by Member Talaski. Roll Call Motion carried.

### **Roll Call Vote: SAP 2023-02 SPECIAL APPROVAL USE PERMIT: AGM Enterprises LLC**

Bernie Creguer	Yea	Bill Renn	Yea
Julie Epperson	Yea	Jeremy Polega	Yea
George Lauinger	Yea	Rich Swartzendruber	Yea
Kim Rosenthal	Yea	J Dean Smith	Yea
Todd Talaski	Yea	<b>9-Yea 0-Nay 0-Absent/Abstain</b>	

### **5. Communications:** None

**6. Report of Committees:** Member Swartzendruber made a motion to create a committee to research and draft Campground/RV Park and Mobile Home Park regulations. Members Talaski, Smith, and Epperson to serve on the committee. The motion was supported by Member Creguer. The motion carried.

### **7. Unfinished business:**

- A. Commercial Solar Energy Facilities Ordinance. Continue review of draft copy dated 04-04-23. The Members discussed energy storage as a separate ordinance. The definition on page 1 to be removed. Member Lauinger will research and work on a separate energy storage ordinance.

### **8. New Business:**

- A. PA 116 Enrollment Applications:
1. Guza, James, Sec 28 Bloomfield Twp., 80 acres (75 cultivated) 0 bldgs., 90 yrs.
  2. Guza, James, Sec 33 Bloomfield Twp., 40 acres (37 cultivated) 0 bldgs., 90 yrs.
  3. Guza, James & Melissa LE Trust, Sec 36 Lincoln Twp., 10 acres (9 cultivated) 1 bldg., 90 yrs.
  4. Damrow, Joyce & Jimkoski, Teri, Sec 25 Hume Twp., 30 acres (28 cultivated) 2 bldgs., 10 yrs.
  5. Dekker, Rene & Judith, Sec 8 Bingham Twp., 44 acres (44 cultivated) 0 bldgs., 30 yrs.
  6. Dekker, Rene & Judith, Sec 32 Bingham Twp., 40 acres (37 cultivated) 3 bldgs., 30 yrs.

A motion was made by Member Talaski and seconded by Member Smith to recommend approval all six of the PA 116 enrollment applications. Motion carried.

### **9. Final Public Comment:**

Keith Iseler, Huron Township, suggested there be an official time keeper for public comment. Hume Township was sensible in their requests. Some of the other comments were completely out of line. People want all the goodies in life (bacon & eggs), but don't want the bad stuff living next to them (pigs & chickens).

Luke Deming, Bad Axe, concerns about battery storage affecting the residents of the County, the ground water, and farm land. We need to think about the County and the lake. It shouldn't be about the taxes.

Steve Guza, Sigel Township, stated he felt that batteries are a step backward. He is not against solar, but what is the reason for the push? He suggested waiting for a year or two before moving forward with the ordinance.

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Larry Leipprandt, Caseville Township, suggested pumping the brakes on battery storage.

**10. Final Planning Commission Comment:**

Jeff Smith stated there was an article in the Township Focus, official publication of the Michigan Townships Association, reviewing the 2 House Bills concerning solar projects and the taxation. The bills proposed are for a non-traditional tax structure of a PILT (payment in lieu of tax). Depending on the owner of the land, the PILT could be as much as \$7000 per megawatt produced or as little as \$2000 per megawatt produced.

Member Talaski mentioned that renewable energy is being pushed right now and we need to be reasonable. We could be looking at a State mandate.

Member Swartzendruber stated that he will vote for the approval of SAP 2023-01, however he needed more time to consider.

Members then discussed fencing options and some members plan to visit the property in Grant Township proposed for sand mining.

**11. Adjournment**

Being there was no further business to come before the Planning Commission, it was moved on a motion by Member Creguer, to adjourn the meeting and seconded by Member Talaski. Motion carried. Adjournment was at 8:50 p.m.

Next **Regular PC Meeting** is scheduled on **Wednesday, May 3, 2023 @ 7:00 p.m., Room 305.**

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Bill Renn, Chairman

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Julie Epperson, Secretary

Date: \_\_\_\_\_

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