

**JUNE 4, 2025**  
**Huron County Planning Commission Minutes**

A meeting of the Huron County Planning Commission was held on Wednesday, June 4, 2025, in the Huron County Meeting Room 305, 250 E. Huron Avenue, 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 Richard Swartzendruber called the roll of members: Roll call – Members present: Bernie Creguer, Deborah Knarian, George Lauinger, Richard Swartzendruber, Jeremy Polega, Bill Renn, J. Dean Smith, and Julie Epperson. Absent: James Leonard. Approximately twenty-one guests were in attendance.

Member Knarian asked to add Dr. Katherine Albrecht to the agenda under 5. Communications C. Member Renn asked to change 4. A. Should be SAP 2025-04

Member Smith made a motion and seconded by Member Polega to approve the amended agenda. Motion carried.

**2. Approval of Minutes**

Member Polega made a motion, seconded by Member Smith, to approve May 7, 2025, regular meeting minutes as presented. Motion carried.

**3. Public Comment (Open Meeting Act.):**

Ella Hackett, Ranger Power – Proposed solar project in Rubicon & Sand Beach Townships. Asked about soil testing requirement since they have not seen the language in any other jurisdiction in the State of Michigan and concerned that the language is vague.

Steve Vaughan, Commissioner, urged the planning commission to use the soil testing language he sent to Jeff Smith.

**4. Public Hearing(s) (Open Meeting Act – 3 minutes per speaker):**

- A. **SAP 2025-04**, agent Chad Willing from Westside Sand Products, 2254 Geiger Rd., Bad Axe, MI, 48413 requests Special Approval Use Permit to mine sand from approximately 4.85 acres of the 40-acre parcel in Section 1 of Grant Township owned by Joshua Talaski.

Zoning Administrator Jeff Smith provided project information and reviewed the application materials presented to the Building & Zoning Office.

Chad Willing stated that most of the sand will be utilized by the Huron County Road Commission.

Public comment:

Mike Volmering, representing Norma Volmering, concerned about run-off water going back into the pond and contaminating the pond and ground water.

Chad Willing stated there will be berms and clay lining to contain the water.

Benjamin Reinhold owns the property adjacent to the proposed mining site and asked the following:

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What is the planned truck route? Does it stop at the north end of the proposed site? Where will the water be pumped? What is the proposed start date? What is the special use permit completion/end date? Has the required geological ground water study been completed and if so, can he get a copy of it? What is the dust mitigation plan? Is it just on Kilmanagh Road or the property?

The mining application proposes maintaining at least a 50-foot setback from all property lines per ordinance requirements. The proposed truck route will be along the east boundary property line within the 50-foot setback. The Reinhold and Reinhold Farms (R & R Farms) pheasant pen, barn and campsite on the neighboring parcel, parcel no. 3210-001-006-00 are not clearly identified on the application materials (R & R Farms pheasant pen is 70 feet south of the shared property line, barn is 175 feet, campsite is 280 feet, and the well is at 350 feet). R & R Farms have been raising pheasants under a DNR permit for this location and design of pens since 2021. It has been used as a camping site for weekends and weeks at a time since the property acquisition in 1994. The barn has been utilized in this location since construction in August 2011. The well was drilled in September 2014 for human & animal water use and consumption.

Arial images were provided.

Reinholds stated they feel there are consequences from the proposed mining: Raising pheasants will have additional challenges, including noise, stress from equipment and dust contamination of the watering system causing it not to operate properly and provide the pheasants with clean water. Use of the campsite and barn will be limited due to the dust and noise pollution. Well water quality and volume may be adversely affected, endangering water supply for owners and animals. The value of R & R Farms investments and the value of the property will severely be decreased. Without a physical barrier, there is an opportunity for curious children to want to see equipment working next door.

R & R Farms stated they would like mitigation efforts regarding dust, noise, and sight barrier. Push overburden along south property line of site 25' high berm. Put up a 20' high fence. Push back mining area 300' from property line. Other options for mitigation? Limit operation hours to: Monday – Thursday, 7am to 5pm; Friday/Saturday/Sunday – None. Concerned with statements made by owner Randy Willing as far as his responsibility for his employees and what they are doing on the job site. Concerned with what is proposed and if it gets approved, is the Commission going to police it and make sure that the site is graded to the proper slope and seeded with rye grass? The 20-acre parcel half a mile south of his property in 2021 has not been graded, no rye grass put down, and there is concrete everywhere. It is now up to Westside to prove that it will not be injurious to R & R. What is the mitigation and how will the Commission enforce it?

Chad Willing stated holes will be dug to contain the water and dust control will be maintained on Kilmanagh Road and within the property.

Benjamin Reinhold asked what is the plan for dust control?

Chad Willing stated dowflake chloride mixture will be help control dust on the roadway and the access driveway within the mining site.

Member Renn asked if they have an approximate start date?

Chad Willing replied that if approved, they will start as soon as possible and should be done mining in approximately one year.

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Member Renn suggested again that mining be completed within a year dependent weather.

Chad Willing replied yes.

Member Smith asked if that meant by the end of this year?

Chad Willing replied that they will need 12 months.

Art Reinhold, co-owner of R & R Farms, asked what is the mitigation that they are proposing? The bird pen is approximately 70 feet from the property line, the dust that is going to come over, and there is no way they can control all that dust, the noise and commotion, those pheasants are going to go nuts. We have 400 pheasants coming in two weeks. I have grandchildren and they are going to be curious. What about a berm or fence? We need something, they will be right on top of us. This will seriously disrupt the way we use this property and what we bought it for.

Chad Willing stated they plan to create a dirt berm to keep the noise down along the fence line within the 50-foot area and to keep out the curious people. There is a sand pit right next to this one that has no fencing, so they really should be treated the same.

Art Reinhold asked how high the berm will be?

Chad Willing replied that the berm will be 8 to 10 feet high.

Member Renn confirmed that Chad will be using a dozer or payloader to create the berm.

Art Reinhold stated that he was surprised that there is a sand pit right there since they have never come to a Planning Commission meeting for approval right next door.

Jeff Smith stated that the sand pit next door operated by Clancy Brothers Excavating was approved under special use permit many years ago, sometime around 2007 or 2008.

Art Reinhold asked if it has been documented that mining will be completed within one year and that we will have at least a 10-foot berm and enforced?

Member Renn stated that the man (Chad Willing) was good for his word.

Chad Willing asked if the berm was to stay after the project is done? Is that what we want? You would have to talk to the property owner about that.

Art Reinhold requested that the berm remain there during construction.

Jeff Smith stated there have been issues in the past with berms that materials trespass onto the neighbor's property from an erosion standpoint. The 50-foot buffer is for mining activity and is a requirement of the ordinance. Put the berm as close as possible to the pit and still leave a flat buffer area for vehicle access and maintenance. There is no height requirement for buffers in the ordinance. The 50-foot perimeter setback cannot trespass on your neighbor's, and dust control truck route. Once the project is done, reclaiming the site back to proper slopes per ordinance.

Chad Willing agreed with the requirements in the ordinance.

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Art Reinhold suggested the hours of operation be Monday through Thursday, so they can still use the property as a campsite for the weekend. We have been using it this way since 1994, and this will impede our use of the property.

Chad Willing stated mining hours of operation will be Monday through Friday, 8am to 5pm.

Jeff Smith stated the ordinance specifies that there is to be no fixed machinery within the 50-foot buffer, whereas determined by the Planning Commission to be a public hazard, it can require a 6-foot-high fence and be adequate to prevent trespass and shall be placed no closer than 50-feet to the top or bottom of any slope. No slope shall be greater than 45 degrees, no building shall be erected on the premises. The Planning Commission shall establish the truck route to and from the site to minimize wear on the public street and to prevent hazards and damage to properties in the community. That portion of access roads within the area of operation shall be provided with a dustless surface. All permitted installations shall be maintained in a neat, orderly condition to prevent injury to a single property, any individual, or to the community in general. Proper measures, as determined by the Planning Commission, shall be taken to minimize the nuisance of noise and flying dust or rock. Such measures may include, when considered necessary, limitations upon the practice of stockpiling excavated material upon the site. Where excavation operation results in a body of water, the owner or operator shall place appropriate "Keep Out Danger" signs around said premises not more than one hundred fifty (150') feet apart. When excavation and removal operations or either of them are completed, the excavated area shall be graded so that no gradients in disturbed earth shall be steeper than a slope of 3-1 (horizontal-vertical). A layer of airable topsoil, of a quality approved by the Zoning Administrator shall be spread over the excavated area, except exposed rock surfaces, or areas lying below natural water level, to a minimum depth of four (4") inches in accordance with the approved contour plan. The area shall be seeded with perennial rye grass and maintained until the area is stabilized and approved by the Planning Commission. All permitted installations shall be maintained in a neat, orderly condition to prevent injury to a single property, and individual, or to the community in general. The applicant shall provide evidence that the proposed extractive operation will not in any way contaminate the surface water or the water table of the area. On-site testing by a qualified soil scientist is required.

With no further comments, the public hearing comment period was closed.

PC Discussion:

Member Polega asked if the road commission was getting most of the sand?

Chad Willing responded that the bulk of the sand will go to the road commission and some others.

Member Knarian asked if the setback could be larger?

Chad Willing said that he could potentially work with a 75-foot setback, but with the size of the pond the owner wants to fit in there and we must stay away from the wetland area of the woods. So, it really cannot be moved farther away.

Member Knarian asked how about ending the hours on Fridays at Noon?

Chad Willing responded that if they are working with the road commission they will work on Fridays laying tubes, which would require his crew to work. There is a possibility that they could haul out materials on Friday and not actively excavate on those days.

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Member Knarian asked what is the bigger nuisance, the digging, or the moving for the campers?

Benjamin Reinhold stated that he does not want to listen to any of it and his biggest concern is the birds. It is injurious to him. The watering system is on gravity-fed waters and if the dust fills it up, it will not water the birds. So, now he will need to re-engineer the watering system before the birds are delivered in two weeks because he will be unable to make changes after the birds arrive.

Member Knarian asked if a change in the timeline was a valid discussion?

Chad Willing offered that if they started right away and took a pause for a week once the birds arrived, that may help.

Benjamin Reinhold stated that once the birds arrive, he will not be able to go into the pens to re-engineer the watering system while they are in there. Most of the birds are sold by October or November.

Chad Willing offered to work on the north end of the mining area during the summer months and work towards the south end of the property closer to October other than having to excavate for the berm up at the south end.

Art Reinhold stated the distance between the property line and the woods is about 300 feet. So, if we pushed that thing back to the 75-foot setback and build a berm, it makes sense to re-engineer how the pond is and not go all the way out to the point so they are not on top of them and that would solve a lot of the issues.

Member Renn stated it appears Chad (Westside Sand) is willing to work with them to resolve any issues the Reinholds may encounter during mining. The proposed project complies with the County guidelines, and he is trying to collaborate with them to resolve any issues.

Art Reinhold appreciates that Chad is willing to work with them because he feels it is very injurious to them.

Member Knarian asked if there is a 6-foot fence requirement?

Jeff Smith stated he is not aware of any required fencing with past projects, but fencing could be required by the Planning Commission. A fence and/or a dirt berm would serve the same purpose, in the event the Planning Commission requires such screening.

Benjamin Reinhold stated that the berm would be more beneficial for stopping the dust. The other major concern is the timeline. Are we going to drag this thing out for 8 years, listening to dozers, excavators, and trucks for the next 8 years? He acknowledged that Chad Willing had said that it would be done in a year.

Member Knarian asked about timelines and how is it enforced? Is there an end date for the project?

Member Renn stated there is no deadline for completion of the project. Chad has suggested that it may take a year, so that is the timeline we are looking at right now.

## **JUNE 4, 2025**

Member Smith made a motion and seconded by Member Creguer to approve SAP 2025-04.

### **Roll Call Vote: SAP 2025-04 SPECIAL APPROVAL USE PERMIT: WESTSIDE SAND PRODUCTS**

Bernie Creguer	Yea	Bill Renn	Yea
Debb Knarian	Nay	Jeremy Polega	Yea
George Lauinger	Yea	Rich Swartzendruber	Yea
Julie Epperson	Yea	J Dean Smith	Yea
James Leonard	Absent	<b>7-Yea 1-Nay 1-Absent</b>	

Roll Call Vote. Motion carried 7 Yea; 1 Nay; 1 Absent. Motion carried.

- B. **ZA 2025-01** Michigan Sugar Company, requesting zoning classification map amendment for (7) parcels of land in Section 5 and (1) parcel of land in Section 4 of Sebewaing Township to Industrial Zoning Classification.

Zoning Administrator Jeff Smith provided project information and reviewed the application materials presented to the Building & Zoning Office.

Stanley Stemp, Michigan Sugar Central District Ag Manager, was in attendance but had no comment.

Public Comment: None

Member Polega made a motion and was seconded by Member Creguer to approve ZA 2025-01.

Jeff Smith gave an overview of what happens to complete the process after the Planning Commission gives their approval.

### **Roll Call Vote: ZA 2025-01 RE-ZONING APPROVAL: MICHIGAN SUGAR COMPANY**

Bernie Creguer	Yea	Bill Renn	Yea
Debb Knarian	Yea	Jeremy Polega	Yea
George Lauinger	Yea	Rich Swartzendruber	Yea
Julie Epperson	Yea	J Dean Smith	Yea
James Leonard	Absent	<b>8-Yea 0-Nay 1-Absent</b>	

Roll Call Vote. Motion carried 8 Yea; 0 Nay; 1 Absent. Motion carried.

## **5. Communications:**

- A. Email from Luke Deming dated May 8, 2025, containing comments from Potato Growers of Michigan.
- B. Huron County Board of Commissioners Legislative Committee proposed sample soil testing language for utility-scale solar and battery energy storage systems.

Members discussed concerns about language on soil testing.

- C. Dr. Katherine Albrecht talked about St. Clair County Health Department Health Ordinance, solar inverters, and tonal noise.

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Members again discussed soil testing language.

Member Lauinger made a motion and was seconded by Member Epperson to support and recommend the following language in the Solar and BESS draft ordinances:

If the HCPC determines that soil sampling should take place during the life of the project, they may impose conditions relating to intervals and locations. This will be agreed to and paid for by the developer before site plan approval is granted. Data collected by sampling will be provided to the HCPC.

Members continued to discuss the language with the BOC members in attendance.

### **Roll Call Vote:**

Bernie Creguer	Yea	Bill Renn	Yea
Debb Knarian	Nay	Jeremy Polega	Yea
George Lauinger	Yea	Rich Swartzendruber	Yea
Julie Epperson	Yea	J Dean Smith	Yea
James Leonard	Absent	<b>7-Yea 1-Nay 1-Absent</b>	

Roll Call Vote. Motion carried 7 Yea; 1 Nay; 1 Absent. Motion carried.

### **6. Reports of Committees:** Campground, Mobile Home Park, and RV Park committee.

Jeff Smith discussed campground regulations and said that there are upcoming stakeholder meetings with state and local officials scheduled for June 10, 2025, and June 26, 2025.

### **7. Unfinished Business:** None

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

#### **A. PA 116 Enrollment Applications:**

1. Hitsman Daniel & Hitsman Makenzie & Leavine Larry; Sec 13 Dwight Twp., 30.18 acres (24 cultivated) 2 bldgs., 90 yrs.
2. Leipprandt Brothers LLC; Sec 13 Chandler Twp., 80 acres (80 cultivated), 0 bldgs., 10 yrs.

Member Polega made a motion and seconded by Member Smith to recommend approval of the PA 116 enrollment applications. Motion carried.

### **9. Final Public Comment:** Public input protocol (3 minutes per speaker):

Randy Miller, Emergency Services Director, DTE attended the Fire Association meeting to review some new procedure changes taking place, as well as a direct contact number to call a specific person at DTE should they have an emergency. The fire chiefs were extremely happy to have that information.

Patrick Hobin, DTE, offered the Planning Commission a tour of a solar facility that is in operation right now and answer any questions about the facility.

James Dean, Bad Axe, we learned tonight that we do not want that Chinese cheap crap. 15,000 acres equals 23 square miles, and the noise (conversation level) would be everywhere. The battery storage facilities are a business and have nothing to do with green energy.

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Gary Rumptz, Bingham Township, disagreed with Member Epperson's view that developers will go to the state if the county ordinance is too restrictive. He has a recording of Dr. Levin's presentation, and he would be happy to share it with the Planning Commission. We cannot fear the state. We need to represent the citizens of Huron County.

**10. Final Planning Commission Comment:** None

**Adjournment:**

Being there was no further business to come before the Planning Commission, Member Polega made a motion, seconded by Member Creguer, to adjourn the meeting. Motion carried. Adjournment was at 9:07 p.m.

**Notice of Upcoming Meetings:**

- Next **Regular PC Meeting** scheduled for **Wednesday, July 2, 2025 @ 7:00 p.m., Location: Room 305.**

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Bill Renn, Chairman

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Richard Swartzendruber, Secretary

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

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