

TOWNSHIP OF FREMONT
COUNTY OF TUSCOLA
MAYVILLE, MICHIGAN 48744
Planning Commission SLU Meeting

August 31, 2021

Board Present: Ken Bragg, Kim Vaughan, Greg Eggert, Rose Ann Laskowski, Tyler Ireland and Kyle Thom. **Board Absent:** Brandon Blatt

Guest Present: Lyle Fryers, Janice Slosar, Jennifer Miller (SLU applicant), Wayne Bamberg, Caren Bamberg, Steve Walton, Ron White, Pat Berridge, Dwight Berridge, Matt Blatt, Boyd Vollweiler, and Amy Holbrook (recording secretary).

Special Land Use Meeting opened at 7:00 p.m.

Bragg stated that the meeting was being held per Usko Farms / Jennifer Miller's request. She would like to renew her special land use from 2019 to remove rocks and stone from a 30 acre parcel at 2166 Brown Road. Tax ID# 011-032-000-3000-01.

Bragg stated that he has received two letters from residents regarding the special land use. One letter stated that there has been nothing done in two years so why does she need the extension. This resident was at the meeting and Bragg asked them if there was a dust issue and this resident said no. Bragg asked Lyle Fryers (Zoning Administrator) if there were blight violations on the property and Lyle stated that he has been there a few times and the last time he was there the vehicles had current plates. He stated that there was a lot of large equipment but he did not see that as blight. A resident that lives in Watertown Township mentioned that the house, trailer and barn are falling down and that there are vehicles everywhere. This resident stated that it is like a junk yard and isn't that blight?

Bragg read the other letter which stated that the property has several issues with blight and that it is the township board's job to enforce the ordinances. This resident stated that there are unregistered vehicles. They feel that there is favoritism at play and that maybe legal action needs to be taken. Bragg asked if the vehicles were licensed and Jennifer Miller mentioned that some may need to be renewed but she could go to the Secretary of State tomorrow and get that taken care of. Thom asked Fryers when the last time he was on the property and Fryers stated that it was around the time of the last special land use permit; so two years ago. Fryers stated that as far as the buildings are concerned, the township does not have a dangerous building ordinance and he does not know how we would enforce it.

Thom asked Jennifer Miller what her timeline was and she stated that she does not know her timeline but her purpose for the special land use is to remove large boulders and rocks and to return the acreage to farmland. Bragg asked her what has been done since the last special land use was granted. Miller stated that she has opened up some area, dug some holding ponds and did some screening. Thom asked if she had borings done and she stated that she had done some herself but not had it done professionally. She stated that she is not looking to operate a gravel pit which is typically why a person would do borings. Thom stated that he does not know any farmers that would bring in wash equipment to remove rocks from a field. He asked her if she was planning on selling the boulders and rocks and she stated that she was not planning on selling them she was planning on using them for herself. She said she would and only use them for her own projects. Thom tried to find out how many yards would be enough and Miller stated that she did not know because it depends on what projects she has going on.

Thom stated to Miller that there was been a lot of equipment brought in and wondered if it has been utilized. Miller stated that yes it has been utilized and she would not be requesting an extension if she did not need and want one.

A Resident asked if the purpose was to improve the farmland and put it back to farmland and Miller stated yes. Eggert stated that the goal is to return the property back to farm use. Eggert also questioned as to how deep she was planning on digging because if too many rocks are removed that would leave a hole and so how is she going to put that back to farm use. Miller stated that she will have to re-grade the property but her purpose is to remove the rocks and return it to farmland.

A Resident stated that Miller has brought in gravel and cement to build the berm. Miller stated that she brought in fill to build the berm but she did not bring in cement. Eggert asked if the berm was required from the last SLU and Miller stated that it was not.

It was also mentioned that the previous SLU required for her to get a bond which Miller stated that she had discussed this with the Road Commission and they told her that they do not give out bonds. They told her that she would need a haul agreement. She has requested a haul agreement (via several emails) from the Road Commission but they have never gotten back with her.

A Resident stated that they think there is a lot of concern because they see the current blight and are worried about how the property will look if she is granted the SLU. They are concerned because she does not take care of her property right now so is it only going to get worse? Thom mentioned that he thinks the people are worried about how the operation is going to be run. Thom asked if Miller lived on the property and she stated no. Thom stated that he thinks the people are concerned that the operation is going to be a complete nightmare and that affects the residents that live around the property.

Miller stated that she is only asking for a renewal; she is not asking for any changes other than the requested change of the haul route per the Road Commission. Blatt stated that the last time he had talked to the Road Commission that they had mentioned that they suggested she haul on Leix Road and not North Lake Road. Miller said that she has been waiting for the Road Commission to tell her what is required for the haul agreement. It was also questioned as to why this is the first time the Planning Commission is hearing that Miller could not get the required bond. Miller stated that she is pretty sure that she came to a meeting and told the Board. Fryers stated that the Zoning Ordinance does require that special land uses have damage bonds to ensure that the property is returned to a useable state.

Thom mentioned that he did not think the Board could go any further until they find out what is required from the Road Commission concerning the haul road, like which road it will be (North Lake Road or Leix Road). Eggert also agreed. Bragg mentioned that we definitely need to protect the township roads. Eggert asked who would contact the Road Commission and Blatt stated that if the Board would tell him what information they need that he would contact the Road Commission.

Miller stated that she needs to know what is going to required of her prior to the next meeting so that she can have everything she needed. It was mentioned that she will need a damage bond but that information would be set at the next meeting and then she would have a timeframe to obtain the bond.

The Board decided that they need to find out from the Road Commission the current condition of the road and what they will require in order for Miller to have a haul agreement.

A Resident asked if the haul route would be the same for entry and exit and Vaughan stated that it could be stipulated which route was required.

Motion:

Motion made by Thom, seconded by Vaughan to table this discussion until the Board can get more information from the Road Commission about the current condition of the road, standards for the haul agreement and whether or not they will grant a haul agreement. Motion carried.

Next meeting to discuss this Special Land Use will be September 28, 2021, at 7 p.m.

Meeting adjourned at 8:44 p.m.

Respectfully submitted by
Amy L. Holbrook, Secretary