

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

August 6, 2019

**Board Present:** Amy Holbrook, Kim Vaughan, Ron Curell, Ken Bragg, RoseAnn Laskowski, Tyler Ireland, Terry Glowicki.      **Board Absent:** None

**Guest Present:** Henry Wymore, Greg Eggert, Janice Slosar, Boyd Vollweiler, Jennifer Miller (applicant), Jennifer Leitzel, Robert Demaggio, Deborah Roper, Jerald Bomarito, Steve Walton, Pat Berridge, Kristie White, Ronald White, Dwight Berridge, James Ark, and Dennis Hendershot

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 remove rocks and stone from a 30 acre parcel at 2166 Brown Road. Tax ID# 011-032-000-3000-01.

**Jennifer Miller:** stated that she owns 117 acres at 2166 Brown Road and has been farming it since 2012. She stated that every year she has a lot of rocks and they usually pick them but with this years rain they have even more and it is hard on her farm equipment. She stated that if approved she plans on scrapping off the top soil and screening it to remove the rocks and then replace the top soil. She stated that she does not want to do this as a business; she just wants to get rid of the rocks and return the property to farmland. Curell asked how long she thought this process would take and she stated that at this point she does not know because she does not know how much dirt would need to be removed. Laskowski asked if she would be willing to agree to some special conditions and Jennifer stated yes.

**Public Comments:**

Robert Demaggio asked if Jennifer had the land surveyed before she purchased it so she knew what kind of property she was getting.

Janice Slosar stated that they did not want trucks hauling up and down the road all the time and Jennifer stated that she currently has trucks hauling when they harvest and Janice stated that hauling grain is not a constant thing and this will cause more traffic.

Pat Berridge wondered about the process and Jennifer stated that there will be an excavator or dozer and the soil will be screened. Pat asked how the screener was ran and Jennifer stated that it is a diesel engine. Pat asked how many years this process would take and Jennifer said she does not know until she starts the process.

A neighbor from across the road said that the rocks will be going through the screener for hours and they are going to have to listen to it all day. Jennifer stated that the rock shaker will not be that loud.

Kristie White asked if she was just going to do the 30 acre parcel or if she was going to go into the swamp and Jennifer stated that she would stay within the 30 acres shown on the provided map.

Kristie asked how deep she planned on digging and Jennifer stated that she does not know at this time but that a hole will not be left. She wants it returned to farmland.

Deborah Roper asked about the dust that would be created by the shaker. Jennifer stated that the shaker has a wash plant that will control the dust. Jennifer stated that if approved the township can put in something about controlling the dust.

Dennis Hendershot stated that he wants to know if it is going to take a month or five years. Jennifer stated that it will be longer than a month but she guesses that it will take between five to ten years.

Janice Slosar asked if it will make their property values go down and Laskowski stated that we do not determine the property values so we cannot answer that questions.

Mr. Ark asked where she is getting the water from and Jennifer stated that she was getting it from the ground. He then asked if she was digging a well and she stated that she has a few options, she can either take it from the water at the back of the property or drill a well.

Dennis Hendershot stated that this is the first year she has used a rock picker and this is the first year the fields are looking better than they ever have. Jennifer stated that even after using the rock picker she had more rocks within two weeks after it rained. She stated that the best route to get rid of the rocks is to screen the soil.

Boyd Vollweiler stated that if she would use the rock picker every year it would get manageable after a few years and she would not have to go through this screening process.

Janice Slosar stated that every year there will be more rocks and it will be a constant problem and Jennifer stated that is why she wants to use this process so she can remove them at one time.

Janice Slosar stated that she would not have as big of a problem with it if there was a timeframe but if it is open-ended it will never stop.

Pat Berridge stated that they have lived behind a gravel pit in the past (not that Jennifer is planning on having a gravel pit) so they understand the dust and noise but the property is already unkempt and does not look nice and she is afraid if she starts to pile rocks it will look worse. Jennifer stated that she does not have enough buildings to store all her farm equipment in so some of it stays outside.

Greg Eggert asked if she was not planning on selling it she could just pile it on her property but since she wants to remove it from the property she need a special land use. Bragg stated that yes that was the case.

### **Board Discussion:**

Blatt asked if she would be just selling the rocks or was she planning on selling the top soil and sand also. Jennifer stated that she is not selling any top soil but she may sell some sand.

Ireland asked if there are trees around the area for a sound barrier and Jennifer stated that there are just the woods at the back of the property.

Vaughan asked if approved when would she like to start and Jennifer stated she would get the screen and wash plant soon and do what she can on the property until the crops come off. She stated it is more of a spring job because she still wants to plant the property.

Ireland asked how she planned on getting the rocks out and Jennifer stated that she is going to have them placed into piles after the screening process and then have them removed from the property. She stated that she will manage the rock piles because she does not want them all over her property

Curell stated that he feels the people are upset because it is an open-ended special land use to sell rocks.

Laskowski asked what the difference was if she sells rocks or sells corn. She also stated that the Board can put a timeframe on it and if Jennifer needs more time she can come back to the Board.

Bragg stated that if the special land use is granted we need to have some conditions added. Conditions discussed were length of time of the SLU, hours of operation, days of operation, dust control.

Bragg asked how the screen plant was powered and Jennifer stated that it has a self-contained diesel

engine. Bragg also stated that due to certain Michigan laws regarding mining the request are usually not denied because there is a need for gravel, sand, etc.

Laskowski mentioned about setting the timeframe to two years and then if she needs more time we can discuss it and possibly increase it to a total of five years.

Curell stated that it should be permitted from just one year.

**Motion:**

The Planning Commission approves the special land use permit for Usko Farms, LLC / Jennifer Miller for mining of rocks and sand on the designated area as presented on the map provided located at 2166 Brown Road with the following conditions: Hours of operation are Monday through Saturday from 8am to 5pm, it is approved for two years (September 1, 2019 to September 1, 2021) and if the necessary material is not removed at that time she can return to the Board for an additional three years for a maximum of five years, no rock crushing, dust must be controlled on the access road and screener, water runoff must be controlled so it does not run onto the neighboring property, and a damage bond must be provided for the north portion of North Lake Road towards Saginaw Road and the west portion of Brown Road from the access road of the property to North Lake Road. Motion made by Bragg, seconded by Vaughan. Roll call vote: Bragg - yes, Curell - no, Holbrook - yes, Laskowski - yes, Vaughan - yes, Glowicki - no, and Ireland - yes. Motion approved.

Meeting adjourned at 8:28 p.m.

Respectfully submitted by  
Amy L. Holbrook, Secretary