

Danby Township Regular Meeting
November 29, 2018

The regular meeting was called to order at 7:00 p.m. at the Danby Township Hall, 13122 Charlotte Hwy.

The meeting was opened with the Pledge of Allegiance.

Roll Call Board Members: Supervisor Platte, Trustee Schafer, Trustee Nurenberg, Treasurer Kolarik, Clerk Platte

Approval of Minutes Regular Meeting October 25, 2018

Motion by Kolarik Seconded by D. Platte CARRIED
Motion to approve minutes as presented.

Approval of Agenda: Add under New Business #4 Emergency Services Building Inspection

Motion by D. Platte Seconded by Kolarik CARRIED
Motion to approve agenda as presented.

Communications:

Motion by Kolarik Seconded by K. Platte CARRIED
Motion to place communications on file.

Public Comment: Dan Otto a Danby Township resident discussed the Portland Trail Riders running their bikes until 11:00 p.m. on September 15, 2018. He also asked if there was an agreement between Danby Township and Portland Trail Riders. Mr. Otto also asked about shooting firearms after dark.

Unfinished Business:

Recycling Services – Danby Township notified Portland Township that effective December 31, 2018 they were pulling out of the joint recycling effort that was started in October 2017 between Portland and Danby Township. Supervisor Platte had checked and could not get liability insurance on the property that the recycling was being operated on. The Danby Township website lists other locations for Danby residents to take their recycling to.

New Business:

MacKenzie Mine Expansion –

**TOWNSHIP BOARD RESOLUTION OF APPROVAL OF
A SPECIAL LAND USE AND SITE PLAN AMENDMENT
FOR A MINING OPERATION BY MACKENZIE RECYCLING CORP.**

IN DANBY TOWNSHIP
Date Approved: 11-29-18
Resolution No. 18-01

[PARCEL NUMBERS TAX DESCRIPTION - 34-040-011-000-001-22 AND 34-040-012-000-006-20]

WHEREAS, MacKenzie Recycling Corp., has applied for a special land use permit and site plan amendment to revise previously approved mining plans for land off of Peake Road in the Agricultural Zoning District; and

WHEREAS, Section 205, as amended, of the Michigan Zoning Enabling Act of 2006 (the "Act") provides that extraction, by mining, of natural resources is a permitted land use upon approval as a special land use by the local unit of government, but subject to such conditions as are permitted under the terms of the Danby Township Zoning Ordinance Section 13.07 K, Mining of Natural Resources; and

WHEREAS, MacKenzie Recycling Corp., has applied for the mining facility special land use permit and site plan amendment authorized under Section 205 of the Act; and

WHEREAS, Section 5.03 of the Township Zoning Ordinance permits Mining of Natural Resources if approved by the Danby Township Board as a special land use; and

WHEREAS, after a comprehensive review of the site plan, the Danby Township Planning Commission finds that no very serious consequence or impact will result if the operation fully and timely complies with the terms and conditions of this resolution and section 13.07 K; and

WHEREAS, the Danby Township Planning Commission held a public hearing on the subject application and followed the public notice requirements of Section 502 of the Act, in accordance with Section 103, and per the Danby Township Zoning Ordinance Section 13.03, Notification, Hearing, and Review Procedures; and

WHEREAS, the Planning Commission conditionally recommends approval of the application for the special land use permit and site plan amendment dated November 7, 2018.

IT IS, THEREFORE, RESOLVED AS FOLLOWS:

1. ***Special Land Use Permit.*** Upon the terms and subject to the conditions of this resolution and referencing by inclusion the Township Planning Commission resolution, the Township Board approves the amended special land use permit and site plan for Mining of Natural Resources as defined and authorized by the terms of Section 205 of the Act, the special land use to be located on two (2) parcels of land located off of Peake Road and legally described as follows:

Tax Description - Parcel No. 34-040-011-000-001-22

COM AT SEC 11 NE COR, TH W 400 FT TO POB, TH W 50 FT, TH S 390 FT, TH E 450 FT, TH N 237 FT, TH W 400 FT, TH N 153 FT TO POB. SEC 11 T5N R5W, SPLIT FROM 001-20 FOR 2006. 2.62 ACRES

Tax Description - Parcel No. 34-040-012-000-006-20

COM AT NW SEC COR, TH S 153 FT TO POB. TH S 237 FT, TH E 750 FT, TH NWLY 635.94 FT, TH W 64.82 FT, TH SELY 249.73 FT, TH W 382 FT TO POB. SEC 12 T5N R5W, SPLIT FROM 006-00 FOR 2006. 3.85 ACRES.

2. ***Findings under Section 11.04, Site Plan Review Standards.*** Site plan review by the Planning Commission and Board is required for all special land uses in any district, under the terms of Section 13.02, Application Procedures, of the Danby Township Zoning Ordinance. Upon considering the site plan submitted by the applicant, covering the proposed special land use, the

Planning Commission and Township Board concludes that the revised site plan would satisfy the standards for approval of a site plan as stated in that section, if the operation fully and timely complies with the terms and conditions of this resolution.

3. *Findings under Section 13.04, General Standards of Approval.* The Township Planning Commission and Township Board determines that the special land use would comply with the special land uses standards stated in Section 13.04 of the Zoning Ordinance, if the operation fully and timely complies with the terms and conditions of this resolution and the Planning Commission resolution.

4. The above resolution (and the terms and conditions in the Planning Commission resolution) is an approval with conditions regarding the application for a special land use permit for mining of natural resources per section 13.07 K from MacKenzie Recycling Corp., by the Township Board.

5. Additional Conditions (if any):

CERTIFICATION OF APPROVAL BY THE TOWNSHIP BOARD

Offered by: Kolarik

Supported by: D. Platte

Yeas: Schafer, Nurenberg, K. Platte, Kolarik, D. Platte

Nays: none

Absent: none

STATE OF MICHIGAN)

COUNTY OF IONIA)

I, the undersigned, the duly elected Clerk of Danby Township, Ionia County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and complete representation of certain proceedings conducted by the Board of Trustees of said Township at a meeting held on this 29th day of November, 2018.

Kristina Platte
Danby Township Clerk

2019 Proposed Gravel – Supervisor Platte gave the Danby Township Board members gravel maps for the proposed gravel locations for 2019. Mr. Platte asked all board members to drive the gravel roads to check out the proposed roads and see if there may be any other roads that should be considered.

Recreational Marijuana – Supervisor Platte talked with MTA about what actions need to be taken by the township board since the new marijuana bill passed in November 2018. The MTA suggested the township take no action at this time as the State of Michigan is still finalizing all the regulations.

Motion by D. Platte Seconded by Nurenberg CARRIED

Re-appoint Elizabeth Kolarik to the 911 Central Dispatch Board for another term.

Hall Carpets – Supervisor Platte is going to get a couple of prices/bids from local area companies to get the carpets in the township hall and office area's cleaned.

Commission & Committee Reports:

Road Issues- Supervisor Platte hasn't received any complaints on the roads.

Planning Commission Update-The Planning Commission's next meeting is January 16, 2019.

Officer Reports:

Fire Runs- Clerk Platte reported 0 fire runs for October, the total number of fire runs of 10 for the year.

Bills- The bills were presented by Clerk Platte with the additions of Horizon Community Planning in the amount of \$632.50, SK Printing in the amount of \$185.00 and Postmaster in the amount of \$2500.00.

Motion by K. Platte Seconded by Schafer CARRIED

Pay bills as presented with the additions of Horizon Community Planning in the amount of \$632.50, SK Printing in the amount of \$185.00 and Postmaster in the amount of \$2500.00.

Treasurer's Report- Treasurer Kolarik presented the account balances with a total of \$589,025.32.

Cemetery Business – The cemetery has been cleaned up for the winter months.

Public Comment: The Board of Review will be held on December 11, 2018. Clerk Platte informed the board that Timothy Brown a township resident got approval to put land in the PA116 program. Supervisor Platte let the board and public know that the township hall was on the list to be hooked to the fiber optic line that Tri-County was running downing Charlotte Highway, it'll improve the internet speed.

Announcements: The next regular meeting is scheduled for December 13, 2018 @ 7:00 p.m.

Adjournment: Supervisor Platte adjourned the meeting at 7:56 p.m.

Kristina K. Platte
Danby Township Clerk