

DRAFT MINUTE
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APPROVED:___
Regular PC Mtg.
Oct. 16, 2025

Routing^{10/20/25}
Beukema
Email
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Mike Cunningham, Heritage Bay Dr. A mining ordinance is not a simple matter. State statute does not allow a township to prevent gravel mining from any property unless very serious consequences would result. I do not agree with the state on this. The Barry County ordinance does look like a good

**PUBLIC
COMMENT**

starting point, but it could be better. I have sent suggestions for improvements of our township mining ordinance to the PC and the Board. Some of the suggestions I have made are: distances separating mining activities from residential dwellings and property lines, a five day/week mining operation from 8 am or 9 am, shutting down at 4 pm, shutting down for holiday long weekends.

John Trygier, Barlow Lake Road. I sent an email to the PC with suggested recommendations for the mining ordinance. I have reviewed 8 other township ordinances and reviewed the zoning map and other pertinent documents. Recommendations: 1) provide a more detailed description of the review and approval process. I believe it is important that Special Use applications that result in permanent change to the Township should have final approval by the publicly elected officials. I'd recommend this approval process be added to the Landfill special use application process. 2) Recommended documents to be part of the application process include: a. Hydrogeological study, b. Topographic and Geological Analysis, c. Noise/Vibration study, d. Traffic Impact Study, e. Air Quality Analysis/Dust Control, f. Endangered Species Impact Study, g. Economic Impact Studies, h. Operational Plans, i. Site Plan Requirements, j. Other agency required permits with approvals as part of the application.

Charlene Silliman, Heritage Bay Dr. What is a safe distance from the lake? Does anyone know? Ann Arbor has lost their lake and wells. What will you (PC) do to protect us? We have to save our water. Charlene shared concerns about gravel mining close to the lake, water tables, environmental impact studies, air quality, and trucks. I appreciate your work. We are willing to help.

APPROVAL OF MINUTES: Regular Meeting of Sept. 18, 2025

Motion by Knowles with support from Frigmanski to approve the minutes of the Regular PC Meeting of Sept. 18, 2025.

ALL AYES. MOTION CARRIED

INQUIRY ON CONFLICT OF INTEREST:

ROLL CALL: *F. Fiala asked the PC members present if there was any conflict of any PC member with the agenda of requests and as modified this evening.*

All PC members noted: NO conflicts. No: 7, Yes: 0.

NEW BUSINESS:

None

OLD BUSINESS:

Discussion of the Mining Ordinance.

Ms. Bush thanks all who have sent emails and shared ideas and/or suggestions with the Planning Commission regarding mining in the township.

The PC went through the working copy of the Mining Ordinance: Yankee Springs Township, Barry County, Michigan, Draft No. 2. The committee has worked on this mining ordinance. Jim McManus, Township Planner is present tonight.

The PC members suggested changes to several sections of the document including an elimination of the small pit removal language and Section 2. Discussion also included a designation of mining operations no closer than 1000 feet from any RSF, RLF, GLRLF, SR, RR, RMF, or MHC zoning district, or Residential PUD district; number of copies of applications required; mining rotation of land in sections of active mining and reclamation of land, and **signage**.

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APPROVAL OF MINUTES

INQUIRY ON CONFLICT OF INTEREST

OLD BUSINESS

Discussion of the Mining Ordinance

Jim McManus pointed out two areas of potential challenge to the Draft Mining Ordinance: 1) Hours of operation, we are pushing for 7:00 am to 5:00 pm; 2) Surveillance Fee - an annual fee to defray the Township's costs.

Questions were raised about the roads and mining traffic. Mr. McManus explained that there is a measuring system that determines the quality of the road, so at the beginning of the project the traffic impact study would speak to that. Every five years there is a review which would include road conditions. In general, if the road can handle other truck traffic, you cannot discriminate against it. Oshtemo Township, however, has passed a law regarding limiting use of roads, and maybe YS can consider that. We can consult our lawyer on this to see if additional requirements can be put in place. We must work with the Road Commission for bonding. As far as escrow fees are concerned, there are 2 levels; one for upfront costs (surveys, studies, lawyers) and then the bonding process based on acreage, tonnage planned on removing, etc. There are two levels of protection for the township.

Observation by the PC: Yankee Springs is a residential, recreational township. YS is a unique township with much state owned land as well. A question was raised on whether any aspect of that uniqueness can be used here. Mr. McManus noted that in any gravel mining operation, there are two considerations. On the back end there are the very serious consequences, but on the front end you can look at the regional aspect and ask, is the product unique to this location and is there a need (limited supply)? When we look just north and south of us there are big gravel mines - maybe this can be used in considering the application.

Path forward:

- The attorney will be consulted on several topics for her recommendations.
- At next month's meeting the PC will review this document again. The December PC meeting, Dec. 18, at 7:00 pm is recommended for a Public Hearing or Open Forum to hear from residents and receive feedback to the proposed Mining Ordinance.
- We will have the buffer analysis (1,000 ft from residences) done to make sure the proposal is reasonable.
- Section 2, Small Pit Removal, will be eliminated.

Discussion of the Master Plan.

Community input on the Master Plan will be gathered in an Open Forum at our November meeting. Ms. Bush will send the copy of the current Master Plan to Jim McManus.

OTHER SUCH BUSINESS AS MAY PROPERLY COME BEFORE THE PLANNING COMMISSION

- The Annual Report is due in Dec. Ms. Bush will contact PC members for their input.
- The Capital Improvement Plan. Ms. Bush will have the information to PC members before the next meeting.

PUBLIC COMMENT: (3 minute limit)

Mike Cunningham, Heritage Bay Drive. Mike shared other suggestions for mining restrictions and emphasized the special circumstances for those living on Barlow Lake. Many are retired and enjoy the peaceful, recreational atmosphere. He suggested using escrow throughout the process so township residents don't have to pay.

John Trygier, Barlow Lake Road. We are working toward a new Barry County ordinance. Recommendations: having quarterly and annual reports; require the miner to be responsible for noise

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Discussion of the Master Plan

Other Such Business As May Properly Come Before the Planning Commission

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and dust monitoring; include a provision that the township be able to revoke the permit if needed and a detailed section on reclamation of the property. I look forward to receiving a copy of what you're working on so I can go through it and provide feedback.

Dave Laansma, Payne Lake Rd. I thank the PC and township for all the work you're putting into this. Would it be possible to post or share the draft you're working on now? It would be appreciated. Our experience with the other mining operation at Payne Lake Rd was that the crusher was working all the time. Suggest putting restrictions on hours of operation.

Mike Keyes, Heritage Bay Drive. My biggest concern is that Barlow Lake is 100% spring fed, and we feed Payne Lake and Gun Lake. Drying up the lakes needs to be considered.

Charlene Silliman - Heritage Bay Drive. In regards to the gravel crushing and rinsing, she has done research on the State of Michigan site regarding requirements and fines for violations. She shared concerns for the trees on the hill (Heritage Bay Drive), water runoff, wells, and sewer of nearby residents.

Robin Laansma - YS Precinct delegate. We live next to the two pits on Payne Lake Road. I suggest looking closely at operational start time - when trucks can start, crushers start, etc. Make it clear about the distance from the property line, green space, and berms. Have plans to follow up with violations immediately and retain the ability to revoke permits. Thank you for your time on this.

Ms. Bush invited input from residents via email noting that they value this feedback.

Public Comment closed at 8: 53 pm.

Additional Comment: None

ADJOURNMENT:

Motion by Beukema with support from Fiala to adjourn the meeting at 8:54 pm.
*All AYES. **MOTION CARRIED.***

Approved by: _____
Frank Fiala, Planning Commission Secretary Date

Respectfully submitted by
Diane Dykgraaf, Recording Secretary
Oct. 16, 2025

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**MEETING
ADJOURNED**