

**Barry County Planning Commission  
Meeting Minutes  
April 22, 2019**

The meeting was called to order by Clyde Morgan at 7:00 p.m. in the Community Room of the Tyden Center located at 121 South Church Street in Hastings. The Planning Commission members in attendance included: Morgan, Jack Miner, Joyce Snow, Ben Geiger, Robert Vanderboegh, and Jack Nadwornik. Those also in attendance included Warren Menck, Barry County Planning Director James McManus, and many other interested people.

Motion by Miner to approve the agenda as printed. Support by Snow. All ayes - motion carried.

Motion by Vanderboegh to approve the minutes of March 25, 2019 as printed. Support by Nadwornik. All ayes - motion carried.

**BUSINESS**

Morgan explained the procedures of a public hearing.

**Special Use**

**TABLED Case No. SP-11-2018**

**Menck Sand & Gravel LLC (Applicant)  
Carla Reid-Christle (Property Owner)**

Morgan recessed the Planning Commission, opened the public hearing, and asked Menck to present the request.

Menck noted he is working in a gravel pit and is sifting sand and stone. He said he is following all MSHAW guidelines. He noted he had updated the site plan and provided a questionnaire response.

Morgan asked if anyone wished to speak in favor of the request.

Rick Andersen noted the pit has been in operation for over 50 years and noted Menck is working to clean the site. He commented that more pollution will come from boat usage with lakes than a gravel pit.

John Laforge noted gravel is needed and it could make the product less expensive.

Morgan asked if anyone was opposed.

Diane Ossif expressed concern about noise and the volume of the trucks. She said working seven days a week is too much. She noted this will lower property values. She asked that the hours of operation be limited.

Ken Jones questioned how large the operation would be.

Pat Williams was concerned about the hours of operation.

Kathy Novelli said she heard large booms recently. She was concerned about the noise and hours of operation.

Rebecca Jones recounted a story that in 1952, four miners were buried alive in a gravel pit, some of whom were her family.

Scott Denny expressed concern about the noise, dirt, and diesel exhaust. He was concerned about the site being open seven days a week. He noted he tried to sell his house but no one wants to live near a gravel pit. He asked about adding berms and trees and noted he cannot do anything outside.

Wes Knollenberg presented a letter to the Planning Commission and went through it (see attached.)

Victoria Smith also heard the loud booms and noted that gravel trucks speed excessively.

Diane Morris said the noise is an issue.

Dwight Morris said he works 3rd shift and the noise affects his schedule.

McManus read a letter of opposition from Larry Rebert.

Menck said he only worked three hours in the pit last week so he had no idea where the noise was from. He said he does not work on Sundays. He noted the pit is 12 feet below the road level. He said his machinery exceeds the specifications.

Menck continued that the property is only 17 acres in size, and he is only working on 11.6 acres. He said he will move the operation back toward the house, and they are planning to buffer the back area. He said he was not permitted to build a berm along the road. He noted he would like to have working hours from 7-7 Monday-Friday and 7-Noon on Saturdays.

Morgan closed the public hearing and reconvened the Planning Commission.

Vanderboegh verified Menck would not work on Sundays. Menck agreed.

Vanderboegh asked about the Saturday hours. Menck said he is usually done by noon, but there are some days that a job may require longer hours.

Vanderboegh asked if other trucks came into the site. Menck said yes.

Vanderboegh asked if any full-size gravel train vehicles would come into the site. Menck said that would be very unlikely.

Vanderboegh asked about the equipment on site. Menck said he has a screener, an electric wash deck, an electric conveyor and a gas-powered water pump. He said he believes the noise from the machines is minimal.

Vanderboegh asked about a crusher. Menck said he will not have a permanent one on site, but noted he will have a company bring one in for 30 days.

Geiger asked about the history of the site. McManus noted the site had been used as a gravel pit, possibly since the 1950's, but he noted Menck wants to expand the operation. McManus noted that under state law, gravel pits cannot be denied except under circumstance with very serious consequences. He noted very few sites in Barry County meet that criteria. He noted the Planning Commission does have the ability to regulate berms, hours of operations, setbacks, and phasing.

Menck noted he is required to have a berm around the wet area, and he must have a 50 ft setback. He said he must have a fence around the back of the lot when they get there. He noted he was not permitted to have a berm in the front. McManus commented that the Planning Department did not prevent the berm.

Geiger commented that there were concerns from the neighbors, and he thought a berm could have value. Menck noted the site is 12 ft below the road so a berm will not change much.

Snow noted the lease is for five years and questioned what would happen if it were extended. McManus noted that could be a stipulation.

Snow asked about a reclamation plan. Menck said Reid-Christle wants the land to stay flat for the horses. Menck commented that the trees are basically scrub trees except for one big tree that will remain.

Miner asked about a berm. Menck said it will be too close to the road.

Miner asked about constructing a berm in the existing work area. Menck said no.

Miner asked if he moved back, could a berm be built. Menck said yes.

Miner asked about the crusher. Menck said it would be on site for 30 days.

Miner asked if it would run for full days. Menck said yes.

Miner asked how the water pump was run. Menck said with a 5 hp gas engine.

Miner asked about the hours of operation. Menck said he would like some flexibility on Saturdays, but 7-7 Monday-Friday.

Miner asked about the tree plantings. Menck said they would be evergreens.

Morgan noted there are many gravel pits in the county. He was concerned about safety, and he suggested the number of trucks be limited. He stated that he thought the berm would create a visual safety hazard.

Morgan asked about the shed. Menck said he brought it in for weather protection and for his kids.

Morgan said he was not overly concerned with the lack of topsoil.

Nadwornik asked if Menck would move the equipment toward the back. Menck said it will be going behind the house below the hill. He noted that area will be bermed.

Menck noted he will not be blasting on site.

Vanderboegh said gravel is needed to fix the roads.

Geiger suggested installing a berm when the equipment is moved further back.

Vanderboegh questioned the value of the berm since the equipment is well below the road grade. Menck said a berm would be useful in the rear.

Nadwornik asked about planting trees. The Planning Commission discussed safety and the view along the road.

Menck said he would like to use the west drive as an entrance-only drive.

Morgan noted dust control on the drives will be important.

Snow suggested the hours of operation be 7-6 Monday-Friday and 7-1 on Saturday.

Miner suggested having a rehearing at a later date. He asked when Menck would be moving the equipment. Menck said possibly by the end of the season.

Morgan asked how long the crusher would be there. Menck said 30 days, and it will be behind the pond.

Geiger suggested a rehearing prior to the crusher being brought in. Geiger asked how long the facility will operate. Menck said it cannot work below freezing.

Miner asked how many employees will be on site. Menck said two. Miner asked if Menck will be there all the time. Menck said no, but he will be there daily.

Menck asked about an office. McManus noted any building over 200 sq ft required permits.

Motion by Vanderboegh to approve Case No. SP-11-2018 per Section 2302 A.1.-7. with the stipulations that the hours of operation be 7-7 Monday-Friday and 7-2 Saturday, and a rehearing within two years. Support by Geiger.

#### Discussion

Geiger suggested amending the hours to 7-6 Monday-Friday and 7-1 Saturday.

Nadwornik suggested having a review prior to the crusher being brought in.

The Planning Commission set the hours to be 7-7 Monday-Friday and 7-1 Saturday.

Roll call vote on the motion and amended stipulations: 6 ayes - 0 nays - motion carried.

#### Set Public Hearing

McManus distributed a potential text amendment to strike Article Fifteen, Section 1505.3. from the ordinance. He noted public water and sewer has not been extended, and the Planning Commission has approved several projects without public services in the MU zone.

Motion by Miner to set July 22, 2019 as the public hearing date for Case No. A-1-2019.  
Support by Vanderboegh. All ayes - motion carried.

Motion by Miner to adjourn. Support by Vanderboegh. All ayes - motion carried.

Meeting adjourned at 8:30 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Joyce Snow".

Joyce Snow, Secretary