

**SANDS TOWNSHIP PLANNING COMMISSION
MINUTES
April 20, 2021**

1. Call to Order at 6:30 PM by Planning Commission Chair S. Brauer.
2. Roll Call: S. Brauer, S. Sundell, P. Lajewski-Pearson (late by Zoom), J. Yelle and C. Bushong
 - a. Others in Attendance: Randy Yelle, Pamela Roberts, Debra Hrejla (Cannabis Lupus Café), Simandl (North Country Engineering), Mona Consolmagno and Matt Johnson
 - b. Zoom Attendance: Bill Dufor (Flow Provisioning) and Gary Raffaelli (Oberstar)
3. Approval of Agenda: **Motion by S. Sundell, Supported by C. Bushong, to approve agenda as presented. Ayes: 4 Nays: 0 Motion Carried.**
4. Approval of Meeting Minutes from January 19, 2021: **Motion by S. Sundell, Supported by J. Yelle, to approve the minutes as presented. Ayes: 4 Nays: 0 Motion Carried.**
5. Public Comment: Mona Consolmagno requested time to speak on Item 6c.
6. Business:
 - a. Review and take comments on renewal request for Flow Provisioning, LLC.
 - i. R. Yelle stated that there have been no violations or complaints in regards to Flow Provisioning, LLC. Mona Consolmagno lives near the establishment and has no complaints.
 - ii. **Motion by S. Sundell, supported by C. Bushong, after performing the Ordinance 57 required review, and finding no reason to deny, the Sands Township Planning Commission hereby recommends that the Sands Township Board of Trustees grant the requested renewal for Flow Provisioning, LLC (Northern Lights Assets LLC) from June 1, 2021 – May 31, 2022. Ayes: 4 Nays: 0 Motion carried.**
 - b. Review and take comments on renewal request for Cannabis Lupus Café.
 - i. R. Yelle stated that there have been no violations or complaints in regards to Cannabis Lupus Café.
 - ii. **Motion by C. Bushong, supported by S. Sundell, after performing the Ordinance 57 required review, and finding no reason to deny, the Sands Township Planning Commission hereby recommends that the Sands Township Board of Trustees grant the requested renewal for Cannabis Lupus Café from June 1, 2021 – May 31, 2022. Ayes: 4 Nays: 0 Motion carried.**

c. Public Hearing: SUP21-01 United Parcel Service

i. Open Public Hearing: S. Brauer opened Public Hearing at 6:40 PM.

- A. Staff Input: R. Yelle stated that United Parcel Service has submitted a permit request to build a distribution center off County Rd 480, behind Flow Provisioning, LLC. He has received no negative comments or concerns regarding this project.
- B. Requester Input: Local representative for CVM Construction Managers, Kurt Simandl of North Country Engineering explained the building location and provided site plans for review. J. Yelle reviewed site plans in detail with Kurt Simandl and discussed vegetation buffers, traffic flow in and out of the facility, curb cuts and commercial property on both sides.
- C. Public Input: Questions brought forth by Mona Consolmagno: How far back from County Rd 480 is the UPS distribution center going to be; Kurt Simandl replied approximately 1000 feet. Will semi-trucks be coming/going to the distribution center during the day or night; Kurt Simandl replied incoming trucks are scheduled for (1) at 5:00 AM, (2) at 12:00 PM, (2) at 2:00 PM, outgoing UPS trucks are scheduled for 12:00 AM, 4:00 AM, 5:00 AM and 6:00 AM. What will the lighting be around the building; R. Yelle stated that the lighting cannot illuminate surrounding buildings/property. Expressed concerns about noise and back up sensors on the trucks. It was stated that these safety measures cannot be turned off. When does UPS anticipate the facility to fully operational; Kurt Simandl replied early in 2022. R. Yelle provided Mona Consolmagno a small site plan map for her personal use.

ii. Close Public Hearing: S. Brauer closed the Public Hearing at 6:50 PM.

iii. Commission Discussion and Action: After discussion on driveway concerns, proper curb cuts and the possibility of further entrance requirements (all addressed by R. Yelle and Kurt Simandl) the Commission agreed this is a good location for this UPS Facility.

C. Bushong moved, S. Sundell supported, that, after conducting the required public hearing, receiving input from Township staff, Township residents, the general public and the requester, and after reviewing the Township's Zoning Ordinance and Master Plan, the Sands Township Planning Commission grants approval for Special Use Permit SUP21-01, with the following conditions:

- **Comply with Sands Township Zoning Ordinance sections 310 (Commercial use), 317 (wholesale & warehousing), 412 (Buffers and/or Fencing), Article VII, Article IX (signs within Commercial District), and Article X. (Access Management).**
- **Comply with all Local, County, State and Federal requirements addressing this type of business.**
- **Required Curb Cut at the ingress as well as the egress, per Article X. (Black Top and/or Concrete, minimum of fifty (50) deep off of County Road 480).**

- **Signage shall comply with Sections 906 and 911, of the Sands Township Zoning Ordinance.**
- **West side easement is a shared easement with parcel 4 as noted on the site plan.**

Ayes: 5 Nays: 0 Motion carried

d. Public Hearing: SUP21-01 Oberstar, Inc.

i. Open Public Hearing: S. Brauer opened Public Hearing at 7:01 PM

A. Staff Input: R. Yelle stated that Oberstar, Inc. is requesting approval to enlarge their existing sand extraction area located within the Township of Sands, T47N-R25W-Section 2, off of Glasses Curve, east side of State Highway M-553 North. R. Yelle stated he has received one letter opposing the project from the Bollinger family who owns property on an adjacent parcel. No other negative comments or concerns regarding this project have been received.

B. Requester Input: Gary Raffaelli from Oberstar introduced himself.

C. Public Comment: Matt Johnson who owns property nearest to the proposed expansion site has no issues with the project and said Oberstar has been extremely professional and a good neighbor.

ii. Close Public Hearing: S. Brauer closed the Public Hearing at 7:01 PM

iii. Commission Discussion and Action: After discussions on the pit reclamation plan and questions about impacts on Silver Creek (both addressed by Gary Raffaelli and R. Yelle), **P. Lajewski-Pearson moved, C. Bushong supported, that, after conducting the required public hearing, receiving input from Township staff, Township residents, the general public and the requester, and after reviewing the Township's Zoning Ordinance and Master Plan, the Sands Township Planning Commission grants approval for Special Use Permit SUP21-02, with the following conditions:**

- **Comply with all Local, County, State and Federal documents regarding mineral extraction.**
- **Comply with the Sands Township Noise Ordinance.**
- **At time of closer and/or abandonment (No longer used) recovery of the area will be reclaimed to its natural state including grading to no more than a 2.5 slope, top soil as needed for seeding of area and trees, per zoning ordinance section 414 (C) within one year. See attachment A.**
- **Reclamation shall be accomplished in stages, as areas are no longer used.**

Ayes: 5 Nays: 0 Motion carried

7. Administrative Report:

- a. Violation report: R. Yelle gave an update on Violations and progress in the township.
- b. Authority update: R. Yelle gave an update on MCSWMA activity and progress on the installation of the Dry Hydrant on County Rd NP.

8. Public Comment: None

9. S. Brauer adjourned meeting at 7:15 PM.

S. Brauer
Chairman

P. Lajewski-Pearson
Secretary

P. Roberts
Recording Secretary

DRAFT

Attachment A



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Oberstar's CR 553 sand pit reclamation plan

Once sand has been removed from an area, and there is no need for us to go back into that area the pit will be sloped so all sides are at a 3:1 slope or flatter and then organic soil added to the surface. After the organic surface is installed it will then be covered with seed and mulch to start vegetation growing on it. As the vegetation is growing there is often a need to "touch up" a spot or two that may have eroded and then re-seed it again.

Along with the re-sloping, there is also 4' high berms installed at the top of those slopes for safety of vehicles, etc.

With a site of this size there will also be a permit that will have to come from EGLE to monitor the erosion of all parts of this pit. The permit requires quarterly inspections, water sampling, and yearly written reports submitted to the state. The soil erosion measures are all left in place, and maintained, until vegetation has been established.

*attachment SUP 2021-03 is one of
the conditions of approval*

Randall Z. Gellb.
04/19/2021