

**Leighton Township  
Planning Commission  
Minutes**

**Date:** December 11, 2019

**Members Present:** Scott Chestnut, John Hooker, Harry DeHaan, Tom Smith, Ben Potts, Matt VanderEide

**Members Absent:** Louis Murray (with notice)

**Also Present:** Township Planner Andy Moore, Zoning Administrator Eric Thompson, and three residents.

1. **Call to Order:** Chairman Chestnut called the meeting to order at 7:00 PM
2. **Approval of Minutes from October 10, 2019:** Minutes were accepted as submitted.
3. **Public Comments for items not on the agenda:** A letter was received from the Dorr Township Planning Commission communicating of its intent to update its Master Plan pursuant to Section 39 of the Michigan Planning Enabling Act, as amended.

No other comments were received.

4. **Inquiry of Conflict of Interest:** None

5. **Public Hearing:**

- a. **Velting Contractors Special Land Use.** Moore read the public hearing notice. Scott Velting presented the application for Velting Contractors to use the parcel at 4719 Argon Ct for stockpiling concrete and asphalt that would be hauled in from their job sites. Occasional crushing would occur with a portable crusher, as needed. Velting indicated that they generally crush in the winter or spring when windows are closed to minimize disturbances. It might be a year or two before they have enough material to crush as you need 10,000 tons to justify a bringing in a crusher. They would prefer to access the site from their property to the north and not have a driveway on Argon Ct. Velting indicated that they will use topsoil from the site to build the berm; it may not be 7' tall but it would be in that range. Velting Contractors own the parcel directly to the north, so this would be considered accessory to that main use of a contractor's yard. They generally did not have any issues with anything in the planner's report.

Moore reviewed his planner's report, noting that it met all of the standards and specifically noting that a fence or berm on the eastern property line would be needed and that the properties would need to be joined or restricted so ensure that this use remains an accessory use to the contractor's yard. Velting indicated that they would work with the

farmer directly to the east on creating a berm to satisfy the screening requirement on the east. The Planning Commission indicated that this was acceptable.

Chestnut open the public hearing. No comments were heard, so Chestnut closed the public hearing.

Commissioner deliberation centered around when crushing operations would occur. They settled on permitting crushing from November through March only, and only for 2-4 weeks at a time and hours would be limited to between 7 am to 7 pm. Commissioners also discussed the need to combine the two parcels, (1105 Electric and 4719 Argon) which the applicant was agreeable to.

**Motion by DeHaan, supported by Potts to approve the special land use with the following conditions. The motion was approved unanimously via roll call vote.**

- 1) **No demolition or earthwork shall be undertaken on the site until a building permit has been issued consistent with this site plan approval.**
  - 2) **Prior to issuance of any permits, the applicant shall have paid all application, permit, and other fees related to this request.**
  - 3) **Any stipulations of the Leighton Township Fire Department, Township Engineer, and County Drain Commissioner shall be met.**
  - 4) **The applicant shall either combine the parcels or submit a copy of a restrictive covenant confirming the common ownership and prohibiting the separate conveyance by way of sale or lease of either lot, along with evidence of the recording with the Allegan County Register of Deeds.**
  - 5) **The applicant shall construct an approved landscape screen, wall, or solid fence along the eastern property boundary, or move the location of storage materials back 100 feet from the eastern property boundary.**
  - 6) **The crushing facility shall only be in operation from November through March of each year, for no more than 30 days total (whether consecutive or non-consecutive) and shall only operate between the hours of 7:00 am and 7:00 pm, Monday through Saturday.**
  - 7) **No contaminated soils or materials shall be stockpiled on the site, used for remediation, or otherwise used in the asphalt or concrete processing operations.**
6. **New Business:** None
  7. **Unfinished Business:** Master Plan Discussion. Moore updated commissioners on the status of the Master Plan and indicated that a draft is would be distributed for commissioner review in the next week or two.
  8. **Public Comments:** None

9. **Commissioner Comments:** None

10. **Adjournment:** Motion by Hooker, supported by Smith to adjourn. Motion carried unanimously via voice vote at 7:37 PM.

Respectfully submitted,

Andy Moore, AICP  
Leighton Township Planner