



Minutes

THOMAS TOWNSHIP PLANNING COMMISSION

Thomas Township Public Safety Building, 8215 Shields Drive, Saginaw, MI 48609

January 17, 2018 at 7:00 p.m.

Rod Iamurri called the Planning Commission meeting to order at 7:00 p.m.

Present in addition to Mr. Iamurri were: Dave Sommers, Ruth McDonald, Pat Lynch, Jennifer Curry, Steve Yockey and Doug Bird. Also present was Dan Sika, Director of Community Development, Connie Watt, Planning Assistant/Code Enforcement Officer, and several interested parties.

Absent: None

1. *Call to Order and Roll Call*

2. *Pledge of Allegiance.*

3. *Approval of Agenda:*

It was moved by Sommers, seconded by McDonald to approve the Agenda for the January 17, 2018 meeting. Motion carried unanimously.

4. *Approval of Minutes:*

It was moved by McDonald, seconded by Sommers to approve the minutes of the November 8, 2017 with one incidental grammatical correction. Motion carried unanimously.

5. *Communications – Petitions – Citizens Comments – None.*

6. *Presentations-None*

7. *Sign Board of Appeals-None*

8. Hearings

A. Special Use Permit Request by Consumer's Energy for the Schomaker Valve Site Tax I.D. 28-12-3-33-2006-000; for Utility Building and other Utility Control Functions.

Iamurri opened the Public Hearing at 7:02 p.m. Linzy Pedersen of Consumer's Energy, 1945 West Parnall Road, Jackson, Michigan addressed the Planning Commission. She stated that Consumer's is seeking a Special Use Permit for the valve site off of Schomaker Road. This is part of the Saginaw Trail Pipeline improvement that is being completed. The site will consist of a couple of above grade buildings, valve and pipelines. The odorizing of the gas will take place here. Doug Scott of Rowe PSC spoke. He noted that the site is 2.25 acres in size. It will have two (2) small buildings and will be completely fenced in. The site will be covered with crushed lime to keep the vegetation down. There will be two driveways, one to the North and one to the East. Each will be paved and have concrete curb and gutter. A single light pole will be inside the site containing two (2) light fixtures with LED lights facing downward. Also a street light will be placed outside of the fencing at the curve of Schomaker Road as requested by the Township. Landscaping will be planted outside of the fence. There will be a minimal amount of landscaping as not to diminish visibility into the site. Regarding drainage, we have been working with the Township Engineer concerning the drainage plan. There will be a detention pond where the water will be contained and will outlet to the west side. There is no signage planned for the site other than the typical "Danger" or "No Trespassing" signs. The station will not be manned and only occasionally will have staff on site to check on it unless there should be some issue with something. Sommers questioned the existing Consumer's sites (4) located in the Township and if this addition of the Schomaker Valve site would eliminate any of those. He did mention the issue that arises on occasion with these sites leaking the odor of gas. Linzy Pedersen stated that Consumers does have a five (5) year plan that depends on available funding. This involves rebuilding the Saginaw City Gate on Dutch Road, and putting in this Schomaker Site. Once this is done, they will be retiring the Gratiot Road site near Taco Bell in about 2020 and removing the odorizer at the Dutch Road site. Sommers questioned the 7800 Gratiot site and where it stands. Pedersen stated it was a regulation station and does not contain an odorizer. She was not aware of anything with that site. Sommers asked about the site in the 11000 block of Schomaker. Pedersen noted that was the Hemlock City Gate and there were no plans for any work at that site. Iamurri asked if the new valve site will have an odorizer built in? Pedersen stated that the odorizer system will be put in at the site which would allow a slow drip to add the smell to the gas. This is necessary since the gas is odorless so it can be detected. Iamurri then questioned the installation of sidewalks at the site or providing a signed sidewalk agreement as outlined in the ordinance. Joe Lawson of Consumers responded by stating that they do understand the ordinance requirement. He noted they have been going back and forth with the Township staff. He is aware they have two options; one to install the sidewalk at the time of construction and second to sign an agreement to install sidewalks at a future date if and when the Township should decide they need to be installed. Another option Consumers presented was a payment in lieu of option where a check would have been given to the Township for the current cost to install the sidewalks. This option was not one that was chosen. Iamurri asked if the agreed upon option was to be if/when the Township decided to install sidewalks then Consumers would be responsible to cover the cost. Lawson said the sidewalk agreement has been going between the attorneys to narrow the options down. Sika stated that the Township Attorney has

already recommended two things; either Consumers installs the sidewalks along the frontage now or secondly signs the sidewalk agreement as it is written deferring the installation until such a time the Township would request the sidewalks be installed. He does not recommend any change to the existing agreement or process. Iamurri asked if Consumers was in favor of this and willing to do the installation or sign the agreement? Lawson stated that he was correct and they did understand and would comply with the ordinance requirement of the sidewalk agreement/installation. At this time Iamurri opened the hearing up to public comment. He read a statement received via a telephone message on January 17th, 2018 by Carrie Burns of 10528 Schomaker Road. It read as follows:

- With Schomaker being a dirt road, the concern is with the huge construction trucks that will be coming and going on the road during the work at the Valve Site. There is a concern with what these trucks will do to the road. Previous work that was done by Consumers have caused the culvert to become blocked and they have promised that it will be fixed but this new work is going to cause a lot of wear and tear and it is felt that since the road is maintained by the county with the township paying for it there should be some sort of compensation for the cost to repair it or an agreement to insure it is done and done correctly.

Lawson from Consumers responded that if required a surety bond is provided that the road holds up. With the type of construction to take place at the site, there aren't going to be any huge trucks so he does not see much damage taking place. He noted again that if required by the county or township they would post a bond. Sika explained the Township cannot request a bond but is looking for some assurance that the road will be repaired and returned to its current state. Lawson stated that they do a before and after of the road and it will be left the same. Rodney Roger Romain of 1265 S. Graham, 1165 S. Graham and 10824 Schomaker Roads spoke. He asked what the black dots were on the site plan and was advised they are trees. He then explained that he is concerned with the water. There is no place for it to go. This is wetlands. What water is at this point comes ½ mile from the west and works its way down there and floods him out. He is concerned if any chemicals become mixed with the water that it will kill his trees. He stated Consumers has to provide a means of getting rid of that water. The second thing the lady forgot to mention is the 27" main they are going to tie into. This is untreated natural gas. This is a low pressure 27" main, a supply main of what I would estimate 1200 to 2000 pounds of pressure. To get the gas from low to high pressure the building will have to have a pump in it. Concerned with the pump in winter time. Humidity is low, ground is froze and depending on the condition of the snow we now have noise pollution. That will travel a long ways. He feels the Township will need to get specs on the noise level because this is a great concern for a lot of us. He added that the reason only a few of the neighbors were present is because they did not receive letters. He asked what the noise level is going to be put out by this pump. He added that Consumers did not mention that there was going to be a pump there. Lawson from Consumers responded. There is no compression station at this site. The pipe that is going in will be new. It will run parallel to the existing low pressure pipe so there will be two. The compression station is not located anywhere in Thomas Township but much further to the east and south. The pipeline is pressurized in a different location. Romain stated with all this valving, he was told by the construction crew that they would suck the gas out of the 27" and put it into the other pipe so in order to do this there has to be a pump. To get from the 27" low pressure pipe to the new pipe

there has to be a pump to transfer. Lawson answered that there will be no pump at this station. Romain questioned why they were odorizing there then. Lawson stated the odorizer is added there but the gas drips in; there is no pump and no pressure.

Iamurri addressed the issue of letters not being sent to residents and did confirm with the CDD staff that residents within 500' of the proposed site were sent a notification letter regarding this evenings public hearing/meeting. Romain asked if all the names on the list had received letters. Iamurri clarified that if you were a resident within 500' of this construction site then a letter was sent to you. Romain reiterated that he is concerned with the water. Scott of Rowe spoke and noted again that there will be a swale all the way around the site along with a detention pond where the water will drain into. Water will perk into the ground and anything that may be in addition to that will come out a small eight inch (8") pipe slowly into a ten foot (10') wide area over time. He said there will not be any tremendous amount of run off. Harriet Romain of 1165 S. Graham spoke. She questioned if Mr. Scott had ever been to the site. Scott answered that he has. H. Romain added that the water goes west on and under their property into a ditch and then out. Every spring they are flooded. Scott stated they are not creating any additional water at the site. Romain added he'd like to see a two foot (2') clay berm in case the water becomes contaminated so that there is not the run off. Scott added that they have worked with the Township and the Engineer and have met all of the necessary requirements for the Storm Water Management. Charles Van Marter of 9855 Schomaker spoke. He said that five years ago the Saginaw County Road Commission was digging up a path and uncovered a culvert which they cleared out and changed the water flow. It now drains on his property. He has tried to get an answer and cannot. No one will fix it. He is hoping this construction does not add to the problem but thinks it may.

With no more public comment; Iamurri closed the public hearing at 7:31 p.m. Motion by McDonald, supported by Yockey to approve the request for a Special Use Permit and of the Site Plan for the Consumers Energy Schomaker Valve site, parcel #28-12-3-33-2006-000, contingent upon a signed sidewalk agreement being received for the site. Motion passed unanimously.

Ayes: Curry, Bird, Lynch, Iamurri, Sommers, McDonald, Yockey
Nays: None
Absent: None

B. Text Amendment to Section 12.5; Table 24 of B-5 Exclusive Business District Uses; Uses By Special Permit.

Iamurri opened the Public Hearing at 7:34 p.m. Sika explained that the text amendment brought before the Planning Commission was to add Planned Unit Developments (PUD's) to the B-5 Zoning District which currently allows for one and two-family dwellings. This would be added as a use by Special Permit and would still have to come before the Planning Commission if a developer ever decided to do this on a B-5 property. The PUD's give the developer more ability to be creative and have more options when designing. After no public comment, the public

hearing was closed at 7:40 p.m. A motion was made by McDonald, supported by Yockey to approve the text amendment to Section 12.5, Table 24, B-5 Exclusive Business District Uses By Special Permit with the addition of PUD's (Planned Unit Developments). Motion carried unanimously.

9. *New Business*

A. Residential Berms-Discussion Only

Sika explained that some concerns had been raised by residents regarding residential berms being installed in the Township. Photographs of various berms were presented to the Planning Commission. Sika noted that there is nothing in the ordinance at this time that disallows residential berms. The berm in question has been inspected by the Road Commission and is out of the right-of-way and they have found no issue with it. After discussion, the Planning Commission felt that these type of berms were not causing any negative impact on the Township. Rodney Romain of 10284 Schomaker Road made public comment that he felt the berms were beneficial. He felt they were an environmental asset by not allowing for water run-off from a lawn that may potentially have fertilizer on it and secondly helped to muffle any sound from the road.

B. Planning Commission Annual Report for 2017

The annual report of all items that have been considered by the Planning Commission was reviewed and discussed. Iamurri had a suggestion that for future reports the Business of the Year Awards also be noted.

10. Administrative Review-Informational Only

A. Consumers Saginaw City Gate.

Sika explained to the Planning Commission that an Administrative Review had been completed and was approved for the Consumers Saginaw City Gate located on Dutch Road.

11. *Old Business*

A. Medical Marijuana Information.

Informational articles were presented to the Planning Commission for their review.

12. Receive and File All Correspondence-Planning & Zoning News-October, November and December 2017.

13. Adjournment

Motion by Sommers, seconded McDonald by to adjourn the meeting at 7:50 p.m. Motion carried unanimously. **The next regular meeting date is February 21, 2018.**

Respectfully submitted by Connie Watt, Planning Assistant/Code Enforcement Officer