

BOWNE TOWNSHIP PLANNING COMMISSION

ADOPTED MINUTES

REGULAR MONTHLY MEETING

TUESDAY, NOVEMBER 12, 2024 7:00 pm

The Bowne Township Planning Commission's regular monthly meeting was held at the Alto Elementary School Gymnasium, 6150 Bancroft Avenue SE, Alto, Michigan, Kent County.

1. CALL TO ORDER:

The meeting was called to order by Member Oosting at 7:00 pm.

2. ROLL CALL:

MEMBERS PRESENT: JAMES OOSTING – CHAIR
LARRY WINGEIER – VICE-CHAIR
SARAH LARSON – SECRETARY
JAY BARNHART
DAVID FUSS – TOWNSHIP BOARD REPRESENTATIVE
FRED OESCH
ROGER GRAHAM
DAVE HOEKSTRA

NOT PRESENT: SHAWN WENGER

OTHERS PRESENT: TRICIA ANDERSON – WILLIAMS & WORKS
CLIFF BLOOM – TOWNSHIP ATTORNEY
TOWNSHIP ENGINEER – MIZE OEZER
TOWNSHIP CLERK – KAREN HENDRICK
TOWNSHIP SUPERVISOR – RANDY WILCOX
APPROXIMATELY 30 MEMBERS OF THE PUBLIC

3. AGENDA: MOTION

Chairman Oosting inquired from the Commission if any changes to tonight's agenda were required. Commissioner Larson motioned to amend the agenda submitted for the November 12, 2024, regular Planning Commission meeting to move the Magna and Alto Gas applications before the public hearing for the SKS Biodigester, seconded by Commissioner Fuss. Motion carried.

4. MINUTES: MOTION

Chairman Oosting asked if there were any changes, additions, or corrections to the September 3, 2024, regular Planning Commission Draft Meeting Minutes. Commissioner Larson motioned to adopt the September 3, 2024 meeting minutes, and Commissioner Fuss supported it. Motion carried.

5. ACKNOWLEDGEMENT OF THE PUBLIC

Chairman Oosting acknowledged and welcomed the members of the public.

6. PUBLIC COMMENT AND CORRESPONDENCE CONCERNING ITEMS NOT ON THE AGENDA

No comments.

7. COMMISSIONER COMMENTS

No comments.

8. OLD BUSINESS:

a. Alto Gas Site Plan Review

The Township Engineer explained that he reviewed the plans and believes they are acceptable. He asked that the applicant provide stormwater and grading details. Stormwater is expected to drain to a grass area to the east but asked that the applicant submit specific details.

The applicant indicated that their consulting engineer did not believe stormwater and grading details were required, however he stated that the site plan could be revised to add these details. Additionally, lighting was not addressed in the site plan but the applicant stated details could be provided.

Secretary Larson asked about new signage. The applicant stated he did not believe any signage would be constructed, but that a temporary sign would be present onsite during construction. The Township Engineer reiterated the need for grading and stormwater plans to be submitted for review.

Tricia Anderson of Williams & Works introduced herself and explained that Township Planner Kotrba believed the site plan could be approved with certain conditions, including grading, stormwater, lighting, waste management, and parking adjustments.

The Commission added a condition that the site plan meet Township engineering requirements.

63 Secretary Larson motioned to approve the site plan with the listed conditions. Seconded by
64 Commissioner Wingeier.

65 All ayes. Motion carried.

66 **9. NEW BUSINESS:**

67 **a. Magna Mirrors Addition Site Plan Review**

68 Chairperson Oosting introduced the application and invited the application who is the
69 General Manager of the plant to speak regarding the application. He stated that the
70 expansion to the existing manufacturing building had already been constructed. Previously,
71 the structure was not required to have Township approval, and the prior general manager
72 incorrectly believed approval was not required for this expansion. The applicant is now
73 attempting to retroactively receive the proper zoning approval.

74 Township Attorney Bloom clarified whether building or zoning permits were received by the
75 applicant, to which the applicant answered that permits were not received. Attorney Bloom
76 asked if the building was presently being used. The applicant stated that it was in use.
77 Attorney Bloom stated that it should not be in use, and that the Township may issue a stop-
78 work order and that the applicant should apply for zoning and building permits as soon as
79 possible.

80 Tricia Anderson indicated that the applicant may wish to reach out to the Township Planner
81 and the Township Clerk to clarify what else would need to be provided by the applicant, and
82 that overall, the submitted site plan appears to be largely adequate. She also stated there is
83 an issue with screening. In order to meet the requirements, there should be 40 trees along
84 the berm to the west of the building. Additionally, there should be an agreement in place
85 between Magna Mirrors and the property owner with the stormwater detention basin.

86 Chairperson Oosting and commissioners discussed whether or not the application should be
87 tabled over legal and landscaping issues. The applicant added that Magna was awarded
88 contracts for manufacturing mirrors on several new models of vehicles. The expansion was
89 necessary for storage and shipping, and a stop work order would have adverse effects on
90 the business.

91 Secretary Larson indicated that tabling the request would only prolong the process, and
92 approving the site plan could be feasible. The Township Attorney agreed, and stated that
93 ensuring that all issues are addressed in detail in the conditions is very important. The
94 chairperson asked whether the applicant was aware of the lighting concerns brought forth
95 by the Township Planner. The applicant indicated they were, and that two new shielded
96 lights were added to the building, and shielding could be added to existing lighting.

97 Eric Thompson from PCI introduced himself, and asked whether the applicant was aware of
98 what information would need to be provided to the Township. The applicant stated that
99 some building details has been provided, and asked for clarification on screening. They
100 agreed to the interpretation of the Township Planner to increase the number of trees along
101 the berm by 40.

102 Secretary Larson motioned to approve the site plan with the following conditions, seconded
103 by Commissioner Wingeier:

- 104 1. The site plan be updated to show an additional 40 trees along the berm to meet the
105 screening requirements of the Township ordinances.
- 106 2. The applicant shall submit information regarding outdoor lighting, and fixing the
107 existing lighting screening issue for administrative approval.
- 108 3. The applicant shall indicate where waste is stored on site, whether or not it is
109 screened, and confirm that all waste handling capacity is adequate for the
110 property's usage.
- 111 4. Stormwater issues are addressed, including ensuring an easement is in place for the
112 detention pond to the southwest of the structure, and ensuring the pond is
113 adequately maintained.

114 All ayes. Motion carried.

115 **b. 13130 76th Street – SKS, LLC Renewable Natural Gas Utility Anaerobic Biodigester (Public**
116 **Hearing)**

117 Chairperson Oosting introduced the agenda item and asked the Commission if there were
118 any comments. There were no comments.

119 Commissioner Oesch excused himself from this agenda item.

120 Secretary Larson motioned to close the regular meeting and open the public hearing.
121 Seconded by Fuss.

122 All ayes. Motion carried.

123 Dana Kirk on behalf of Consumers Energy addressed the Planning Commission and explained
124 the gas collection and energy production process. He indicated there would be a tank and
125 small operations building on site staffed 12 hours per day, 7 days per week. There would
126 also be remote monitoring of the site. A flare would also be included as an emergency
127 bypass which would likely not be used frequently after the plant comes online. Manure
128 would be supplied from the farm processes across Wingeier Avenue and would be pumped

129 underground to the digester facility. After processing, the gas would be piped into the
130 Consumers Energy natural gas system.

131 Chairperson Oosting asked the applicant to clarify the digestion process and byproducts. The
132 applicant stated that byproducts coming out of the digester would be screened in a separate
133 building operated by the dairy farm. Porous fibers would be separated, dried, and returned
134 to dairy operations to be used as bedding. Any remaining liquid byproducts would be
135 returned to lagoons on site.

136 Chairperson Oosting asked whether the bedding would eventually be used on fields. The
137 applicant stated that as bedding becomes mixed with manure and returns to the digester,
138 particles will become smaller overtime and will eventually become part of the liquid
139 byproduct that is released into the lagoons.

140 Attorney Bloom questioned the applicant about ownership of the plant. The applicant
141 clarified that SKS is an agent and owner's representative of Consumers Energy. Once
142 construction is complete, Consumers will be the owner and operator of the facility.

143 Bonnie Davis encouraged planning commissioners to review comments from Planner Kotrba
144 and ask questions of the applicant regarding the site plan. One concern she had was lighting
145 and the potential for light pollution. She requested that the planning commission to inquire
146 about lighting. She also noted that the assurance bond provided by the applicant is for an
147 incorrect sum, and is out of date. Additionally, she stated that Consumers Energy did not
148 inform residents on 84th Street that the recently installed gas line on the street was a high-
149 pressure line. She presented concerns about wastewater, and ensuring the plant does not
150 affect groundwater in the area. Finally, she reiterated that the planning commission has a
151 duty to ensure that any project such as this meets the special use standards of the
152 Ordinance, including compatibility with surroundings. She worries that the plant will be
153 incompatible with its rural surroundings.

154 A member of the audience asked how far south the bedding building would be located on
155 the site. The applicant stated that the building was outside of the scope of the project, and
156 outside of the Consumers Energy easement area. The Right to Farm Act prohibits regulation
157 of farm buildings, including their placement. A member of the Oesch family answered that
158 the building would be located as close to the digester facility as possible.

159 Another audience member spoke regarding the public interest in this project, and the
160 attendance of this meeting. She wished there had been more opportunity for the public to
161 interact with the proposal and provide feedback. She stated that she was not happy with
162 Consumers Energy's approach to this process. She reiterated previous comments about
163 incompatibility with the surrounding area and potential light pollution.

164 A member of the audience commented about Consumers Energy, and the lack of clear
165 communication to the community members. He stated he does not feel confident in the
166 utility company. He explained a negative personal experience with Consumers Energy.

167 The Township Engineer stated in response to a question from the planning commission that
168 he would like to see more information included on the site plan. However, preliminarily the
169 plan is generally good enough to be fleshed out with the Township Planner.

170 Another audience member asked about methane gas and other hazardous materials, and
171 what kind of plan is in place in the case of an emergency such as a fire. The applicant
172 responded that while there is a fire potential, it is very low. Discussion was had between the
173 applicant, engineer, and the audience about isolations zones relating to the potential
174 release of hydrogen sulfide. The applicant stated that he had not heard of any isolation
175 zones related to this project, and reassured the commission that first responders receive
176 site-specific emergency response training annually.

177 Secretary Larson motioned to close the public hearing. Seconded by Hoekstra.

178 All ayes. Motion carried.

179 Township Attorney Bloom noted that there are two potential paths the commission could
180 take, either table the request and wait for more details from the applicant, or make a
181 tentative decision and allow details to be handled at a later date.

182 Commissioners discussed whether to tentatively approve or deny the application, or to table
183 it. The Township attorney read the commission a draft potential motion to approve the
184 application.

185 Commissioner Larson believed there were a number of conditions noted in Planner Kotrba's
186 memorandum that needed to be addressed before a motion could be made. Attorney
187 Bloom explained that a tentative approval with the listed conditions would result in a final
188 approval at a later date, at which time the commission could reevaluate the conditions.

189 Commissioner Larson then motioned to tentatively approve the special land use site plan
190 request by Consumers Energy Company to install and operate a biodigester on the Swiss
191 Lane Farms property contingent upon the Township Planner and Township Attorney drafting
192 a final decision resolution to that effect and the planning commission adopting that
193 resolution at a subsequent or later meeting. Seconded by Commissioner Graham.

194 All ayes. Motion carried.

195 **10. Public Comments**

196 Bonnie Davis spoke about the special land use approvals, including the Magna Mirrors building.
197 She stated she surprised that this situation happened, and voiced concerns about stormwater
198 run-off on the site. She also stated her concern about the cost of the Township Planner and
199 Attorney's time reviewing these applications, and indicated that she would have preferred the
200 time spent making changes to these applications be the responsibility of the applicant.

201 **11. Adjourn**

202 Commissioner Graham made a motion to adjourn the meeting. Commissioner Hoekstra supported
203 it. Motion carried. The meeting was adjourned at 8:00 PM.

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Bradley Kotrba
Recording Secretary