

Planners seek more details on proposed gravel pit

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PETOSKEY — After hearing Elmer's Crane and Dozer's plans for a sand and gravel mining operation along Pickerel Lake Road, the Emmet County Planning Commission on Thursday asked for more information about the proposal.

Representatives from Elmer's answered a number of questions that had been raised about the proposed sand and gravel pit when the Bear Creek Township Planning Commission conducted a hearing on the plans in late July. The majority of concerns involved traffic and safety, noise impacts, effects on nearby property values and whether the mining and removing sand and gravel could negatively impact nearby residential water wells.

Elmer's Crane and Dozer hopes to use the property located at 4281 Pickerel Lake Road, between Kolinske and Fletcher roads, for extracting sand and gravel, as well as for crushing gravel and used concrete. The site has single-family residential and farm/forest zoning. The company has not yet purchased the site.

Based on test digs, the company believes it will be able to extract about 450,000 cubic yards of sand or gravel, and would dig to an average of 20 feet on the site.

Company representatives pointed out that five gravel pits exist near the site, already generating some truck traffic. Eric Ritchie, the chief financial officer of Team Elmer's, said the company would request a stop light at the intersection of Pickerel Lake Road and U.S. 31.

Ritchie also explained that the traffic for outbound trucks once full would follow similar routes as those coming from other nearby gravel pits, following Pickerel Lake Road east to Bellmer or Fletcher Road. If a truck heads north, the route would head north to Graham Road, and then west to U.S. 31. Southbound or westbound trucks would take Fletcher to Country Club Road, then head west to Alcan Drive, and then south to Mitchell Road. Trucks heading southeast would travel south on Fletcher until they reach Mitchell Road.

Ritchie also noted that the idea for obtaining an easement northwest of the property — to allow access through the Fochtman Industrial Park — would not be viable, since the location is considered a wetland. He said the company would protect the wetlands near and on its property.

The company noted in application materials that its proposed operation would involve 50 truck trips a day, but at the meeting stated the number was a worse-case scenario. Ritchie said depending on the amount being excavated and the type of truck used for a job, Elmer's would likely have an average of 10 trips a day.

Elmer's also identified potential traffic adjustments near the site entrance to help reduce accident risks, and noted the company is willing to pay for many of these.

In regards to concerns on water levels, the company hired Otwell Mawby, an environmental engineering firm based in Traverse City, to complete a hydrogeological test for the surrounding area, and determined it would not affect groundwater quality for nearby wells. Elmer's provided the results of the evaluation to the planning commission the day of the meeting.

Looking at the evidence

The Emmet County Planning Commission noted that while Bear Creek Township officials recommended denial of the request, the county has to have evidence of extreme detrimental consequences before it can deny the permit.

Emmet County planning and zoning director Tammy Doernenburg explained that the Michigan Zoning and Enabling Act limits a local government's ability to prohibit the extraction of valuable natural resources unless serious consequences would result from its removal.

Planning commissioner James Scott said he would have to see strong evidence

"The issue is, do we have the legal right to deny it? You know, for years, I've sat up here and listened repeatedly that we don't have that right. So I need to see something that convinces me that this is an unusual request. I'm not saying I like it, but I want to be convinced that we can comfortably say no," Scott said.

Planning commissioner Kelly Alexander said he understood the concerns of the community residents, but added that state law makes it challenging to turn down a special-use permit for mining valuable resources.

"I respect the township position and what they're trying to do. This is basically being stuck between a rock and a hard place. I don't want to go against the law," Alexander said.

Planning Commissioner Jon Scheel pointed out that because current concerns are subjective, it would be important to complete a more objective study to determine whether the gravel pit would bring detrimental effects.

"We need to see more evidence on this. And that evidence could come back to say 'there aren't any problems with this site,' but our discussions shouldn't say that the evidence will prove one outcome or another," Scheel said.

After discussion, the planning commission tabled the decision and asked that independent studies be completed to determine the impact gravel mining at the site would have for four key factors: the environment, traffic around the area, the surrounding groundwater and property values of nearby residences.

Only planning commissioner David Laughbaum voted against the decision to postpone the decision. After the meeting, he told the News-Review that when planning commissioners considered similar special-use permits in the past, they didn't request additional studies to approve the permit.

"I think the board should consider that information, but you shouldn't ask for that halfway through the case. I don't think that's appropriate," Laughbaum said.