

**Homestead and Inland Townships  
Joint Planning Committee Public Hearing  
Homestead Township Hall  
11508 Honor Highway  
Honor, MI 49640  
March 24, 2009 at 7:00P.M.**

Meeting Called to Order: 7:00 pm.

Pledge of Allegiance Recited.

**Members Present:** Bruce Andersen, Christy Andersen, Cathy Demitroff, Roger Hubbell, Marshall Lambertson, Mary Miller, Dan Moore, Fred Poynor, Jessica Wooten, Sharon Peregoy.

**Others present:**

Inland Township: David Grant, Lorraine Richmann, Mark Richmann, Ed Wicoent, Earl Rayner, Gloria Lentz, Clarence Merchant, William and Lynell Singer, Douglas Gosha, Matt Pelky, Rogelle Leffring, Gabriel Andersen, Christina and Ross Kniffir, Keith Schaub, Jerry Bush, Robert Randall, Gail Randall, Dave Gray, Randy Miller, Scott Abner, Larry Langly, Brent Nichols, Mark and Trish Smith, Steven Schuktel, Tim and Lynne Peck, Juere Garver, A. Frixen, Brian Drobe, J. Sage, Lennet Parks, Darlene and Rily Gideon, Chris and Mary Weaver, Grave Truax, Arnold Truax, Lawrence Wright, Sam Collinsworth, and Peggy Wright.

Homestead Township: Carol Moore, Roger Williams.

Platte Township: Paul Solem, Alison Michalak.

Presidium Antrim West, LC: Shane Miller.

Agenda: Cathy Demitroff made the motion to accept the agenda as written, Mary Miller seconded the motion. All Ayes, No Nays, Motion Carried.

Correspondence: None.

Approval of Bills and Vouchers: Roger Hubbell asked that all vouchers be turned in at the end of the meeting as it is the end of the billing cycle.

Presentation by David Grant (Attached): Mr. Grant stated that his family is in the process of trying to sell a piece of property that they own and some questions have come up. Mr. Grant stated it is Residential property or can it be made Commercial property from Residential? Can it be sold with the house/outbuildings and/or sell the property separate? The beneficiaries were wondering if the JPC could answer some of those questions tonight.

Roger Hubbell stated that he did not feel as if the JPC was in a position to answer those questions at this time.

Mr. Grant said it is currently up for sale and a sign is up with a total of 70 Acres for sale.

Roger Williams stated that he would look in to this, and that he does believe that this may be changed to commercial property, but at this time there is no application to do so.

Open Public Discussion: Roger Hubbell opened the Public Discussion at 7:07 pm.

No public comment at this time. Close of Public Discussion at 7:09 pm.

Open Public Hearing: Roger Hubbell opened the Public Hearing at 7:09 pm. Bruce Andersen excused himself from the board discussion and deliberation due to a conflict of interest stated in Section 2-1 of the Homestead Inland Joint Planning Commission Bylaws.

Presentation by Presidium Antrim West, Shane Miller: Mr. Miller passed out a map (attached) that shows the property that is up for public discussion. Mr. Miller stated that they have requested that the property in question be changed from Residential to Commercial property. Mr. Miller stated that the current use for the property, should it be zoned commercial, is a field office and storage area for 4 vehicles that they currently own. Presidium Antrim West also currently uses the house on the property 3 to 4 days a week as an office and do have someone local there during those times.

Questions from the Board:

Christy Andersen asked what is the proposed storage area?

Mr. Miller: They plan on using the garage that is currently on the property to store some equipment and there is a low lying area about half-way back into the property that he could see them potentially using this as a storage area somewhere in the future. Mr. Miller also stated that they do have some natural gas development in the area but that it may be up to three years before they are actually in this area, so there is no need to use it now. However, when they get closer to the site they may need to use the middle half of the property in the low lying area to store their trucks but that it cannot be seen from the highway.

Roger Hubbell: What kind of trucks or equipment do you plan on storing there? Are you talking drilling rigs?

Mr. Miller: Right now all we have is a trailer, a dump truck, a plow truck but as we get closer to the area we will need some sort of storage area.

Roger Hubbell: Is there any plans of a transfer station being put on the property?

Mr. Miller: Like I said, we are a long way from being in this area.

Roger Hubbell: There are no plans to put anything in there that will cause a foul odor or things like that?

Mr. Miller: We have no plans for that. There is a pipe line that runs through that property. In 2008 they drilled some test wells in the area. The idea was for us to come in and test the area, gain some scientific data and make sure that the area is worth while in the investment. We are a long way away from there right now; we are currently in Almira Township.

Roger Hubbell: Are there any plans for putting in something like a scrubbing station or a well or transfer station?

Mr. Miller: I don't think we have the ability to see that far at this time. But any type of compression facility will need to be located close to the well.

Roger Hubbell: Roger Williams (Homestead/Inland Zoning Administrator) that would then require a land use permit at that time? For a transfer station/compression station?

Roger Williams: That's correct another public hearing, land use permit, and site plan approval.

Jessica Wooten: Do you see this creating jobs for local people or will people from your company come in?

Mr. Miller: We feel that we try very hard to use as much local workers as possible. We are currently using a local company to lay all our pipeline and we plan on doing that where ever we go. If we do come up to this area we plan on using some of the local companies. We are not bringing in out-of-state contractors.

Dan Moore: You were talking about storage areas outside, how do you plan to do that?

Mr. Miller: We are going to put a fence up around the area with a lock for liability and protection and so forth.

Fred Poynor: You mentioned using the present buildings, so you don't plan on building anything other than what is already there?

Mr. Miller: The only thing that we may need to build is a pole barn or maybe a shop. I would not rule it out that we may put a shop in at some point. We currently use the house for an office and the garage for storing the plow truck.

Christy Andersen: How much traffic would you generate at this point?

Mr. Miller: Currently our operations are south of here, two or three times a week currently. When we do get set up in there we have hired a local lady to work there and she would be there Monday through Friday. Then maybe one or two crews would be there a couple of nights a week. If we do get to the point where we are using it for a storage facility, and we are in and out there for pipeline, I can see the frequency increasing overtime.

Christy Andersen: So you are not looking at asking for an improvement for a commercial driveway or anything like that? Nothing would really change?

Mr. Miller: No.

Jessica Wooten: (directed to Roger Williams) Would they need to go to Commercial Zoning with what they are planning to do with this property?

Roger Williams: In their application they talk about a field office and that is within our commercial district, that is a use allowed with a land use permit, and beyond that, as far as storage and if that happens, then they would have to come back to you for a permit, so I do think they should have Commercial Zoning for that.

Cathy Demitroff: You were saying that eventually you might put a shop up, is that indicating that there may be more trucks coming in and that you may be working on them?

Mr. Miller: I wouldn't say for sure that we will be doing that.

Cathy Demitroff: I guess I am just trying to get an idea how big you eventually will go?

Mr. Miller: With eleven acres? We will try to utilize it as best we can.

Cathy Demitroff: You were saying that you had four pieces of equipment.

Mr. Miller: It would be a home for the back hoe. We picked this spot because the center half of it is lower and would not be a big eye sore. We have a professional surveyor on our staff. He does a great job on minimizing the impact on all of our land and he does a fantastic job of hiding things. He is one of the reasons we purchased this property.

Marshall Lambertson: You mentioned several times what you are planning for and that you want to utilize the property as well as you can so can you give us a little more detail as to what your needs are?

Mr. Miller: The reason that we asked for it to be rezoned is that we want to start utilizing our field office to minimize our expenses, such as, hotel stays and fuel from traveling. That is why we are here. Some of the other questions we don't have finalized plans or future plans. There is no way for me to say that we are going to have a compression facility there. We know that we have to have one close to where the gas is located. If there is no gas in this area, then there will be no compression station, it needs to be where the gas is. Our immediate plan is to use this as a field office and storage facility. But down the road we would want to utilize it more effectively.

Roger Hubbell: So, you would just have the trucks there?

Mr. Miller: Yes, we would have the plow truck, the dump truck, a trailer, and the dozer. We do our own reclamation of the land when we pull a rig. That is why we have this equipment.

Roger Hubbell: So there won't be like 25 trucks there?

Mr. Miller: No, there may be semi trucks. We use local companies to do the drilling of the well, the placement of the well, completion of the well, and laying the pad. We do the reclamation ourselves. Most companies contract out reclamation to the lowest bidder and don't care about it. We want to restore the land as best we can, we hire people that live in this area, we have always taken a personnel interest in the reclamation of all drill sites and pipelines.

Dan Moore: How long do you project before you are here? Are you looking at five years? Ten years?

Mr. Miller: Three years.

Public Input (Attached Petition):

Scott Abner: I have a couple of concerns about compression, or flares putting off gases. How is this going to be managed? I only live 180 yards away from this property. Will there be a transfer station?

Mr. Miller: The reason you see gas flares is that when people were drilling for oil, they had to go through gas pockets and the price of natural gas was so low they did not want to bother with it, so they burned it off because they did not have a market for it. We are actually going for that gas so there is no reason to burn it off. We will not have a scrubbing station; we will be sending all of the dirty gas to Kalkaska where they will clean it.

Robert Randall: What if any chance is there about needing barriers around the property? To keep sound down from the trucks coming in and out. Is there any way to put in a contract that he is responsible for putting in those barriers?

Larry Langly: I hope that everyone will look at their consciences when this meeting is over and ask themselves, would I want this in my back yard? From what I have seen so far, no I don't want it in mine.

Rogelle Leffring: My concern is that right now the property is zoned residential and that to be commercial property the house and the property will have to be brought up to commercial standards. There will have to be curb cuts and the house will have to have a lot of work to be made commercial. I also worry about the kind of things that they are going to store there like chemicals and such.

Mark Richmann (Reynolds Road): I have ten acres that butt up against this property. I guess my main question is if you wanted commercial property then why didn't you buy commercial property?

William Singer (Robin Ridge Road): I was just wondering even though you use a lot of local service providers, would those service providers be parking their rigs there? I would like to follow up on Marks question, if there is no plan to put in a compression station why would you want to buy property in this area, or get the pipeline in this area?

Brent Nichols: I am one of the owners of the property that Matt leases for the car lot there. I apologize for not being here at the beginning. It is zoned, according to Master Plan and the fact sheet here, that is it intended for Commercial property for better or worse. Already zoned commercial; we have the gas station, we have the boat repair facility, we have the tank facility, we have commercial across the street. I don't know if in fact it is part of the Master Plan, how its intended use cannot be commercial. I can sure sympathize with the concerns of flaring; I don't think that there is anywhere enough information here to make any kind of decision as to what impact it would have on our/my commercial property. I am talking with two faces here, but the zoning plan calls for commercial and I realize that there is a lot of objection here tonight, but I don't know where you would go seeing that there is commercial property across the street and both sides. So, I guess I am a little bit neutral, but I don't know how you would stop it from being commercial. The question is, that not a special use of some other kind, because you are in the immediate back door of so many residents. My intention is that I bought it (his property) to make money; I didn't buy it to build a home on it. The only reason I bought my property is because it was zoned commercial. I can sympathize and appreciate the comments of the other speakers who spoke to the needs for barriers. I too lost a commercial entrance to the opposition of the DOT over much strong objection. I did not have to go to the extremes of the other speaker because I was grandfathered in. The fact remains in my belief that the value lies in the potential value as commercial. It looks to me that we have mostly commercial and that it complies with the Master Plan.

Gail Randall: Is there something in the Master Plan that states that it can only be zoned commercial so many feet back from the highway? I know down state you only had so many feet back and then after that it was zoned commercial.

Gabriel Andersen: I have a five acre parcel on Robin Ridge and I guess I am a little confused, as far as compression station goes. I am just wondering if they are going to have a sleep over station where they can sleep the guys or whatever or are they going to drill for gas? Where does it end? Are they going to drill there eventually? I mean they said they have to test for gas. I am a little concerned about building a house there in the next couple of years; I would just as soon dump it.

Douglas Gosha (Robin Ridge Road): That property backs up basically to my back yard. I moved out here for fresh air and peace and quiet, what do you have to do to guarantee that? Where is it going to stop? There is so much commercial property around here, isn't that what this is for? You want to make it commercial, why not just buy commercial. Don't move into residential and ruin it for the rest of us. It just doesn't make since.

Lorraine Richmann: People are just scared with all this commercial property. We just don't want to get one more thing slipped in on us like the propane station. What is that going to look like ten years from now, when I look at that piece of property? Is my property value going to be destroyed? Well because things did go better and we did not foresee all this, but what am I going to see in ten years if they are very successful? What am I going to smell? Am I going to have ground water issues? Is my savings lost because my property is worth nothing? To me if I had some guarantee that this was only on the front and not back 1300 feet, and it was going to be a commercial outfit like all the other ones along there, that is acceptable to me that the Master Plan wants commercial. That's fine. But we need to see how far ahead are we going to go? What did we get ourselves into? What is this going to end up being? But when we are talking about storage and piping and it turns into a transfer station, you don't do all that, if you are just going to have what you said. I think this is going to be a much bigger operation than anticipated.

Dave Gray: My question is on the Master Plan also. At some point the Master Plan should dictate what the guidelines are for that. That would be for corridors and for property owners on US 31.

Robert Randall: Just one more time. Everyone is talking about a guarantee. Not allowing this is your guarantee. Bottom line there is your guarantee.

Roger Hubbell Closed the public hearing at 7:46 pm.

Roger Hubbell asked for questions from the Joint Planning Commission on comments and concerns that were voiced in the public hearing.

Jessica Wooten: Are you requiring Easements?

Mr. Miller: We have applied for Easements all across Benzie County and have purchased the rights to lay pipe in the road way right-of-way in the entire county from the County Road Commission.

Marshall Lambertson: Have you got set hours of operation or will there be traffic coming in and out of there at three in the morning?

Mr. Miller: It is a 24-hour operation.

Marshall Lambertson: What is your position within the company and what is your job description?

Mr. Miller: I am the Operations Manager. I am responsible for the day-to-day operations, make sure the wells are drilled in the correct spot, and communication with land owners and make sure they are happy with our operations and too put fires out.

Marshall Lambertson: Does the company have an attorney?

Mr. Miller: yes we have Lawyers.

Marshall Lambertson: Why did they send you here today?

Mr. Miller: I am the Project Manager. This is my project; I am responsible for the development and strategy of it.

Jessica Wooten: Would it be conceivable that in the future this property look like the Halibuton camp up in Kalkaska?

Mr. Miller: Like I talked about earlier, they have all their equipment and things up there. The only equipment that we have is for reclamation, we use our farm equipment for that. We may need to get a seeder, but as far as that goes that is all we have and that is what we use it for. As far as storage it would be just for the vehicles and maybe some pipe just to have it at a central location.

Roger Hubbell: How much pipe are we talking about?

Mr. Miller: We usually order 4 to 5 hundred thousand feet at a time, but it could fluctuate.

Mary Miller: I have a question for Roger Williams. It is my understanding that we cannot ban Commercial in this area, even if the majority of the people do not want commercial in the area, for commercial development down the road.

Mr. Miller: If I could just say one thing about that. We did research that before we bought the property and we were told that this property will be commercial at some point.

Christy Andersen: What we have currently in commercial and what our Master Plan shows, going back eventually a quarter mile and the next two parcels to the north are both zoned commercial already. Do we have the option of splitting this in half, and saying that the front half where the house and garage are right now, can be zoned commercial so that it will fit better with what we already have, and leave the back half of the property residential for right now? And then in the future, when the rest of the property becomes Commercial, we can go back and revisit the north half of the property?

Roger Williams: What you are doing is recommending to the two Township Boards. The Township Boards would actually have to change the zoning. The application is for the entire parcel. You can recommend whatever amount you want to to the Township Boards.

Jessica Wooten: Really the point of making this commercial is so that they can have their office building. At what point do they have to get a land use permit, if they wanted to put in a transfer station or anything like that?

Roger Williams: They would have to start with a new application and then have a site plan approval by you.

Jessica Wooten: So then at this point if it did go to commercial, that is not giving them the means to go full board. It would just be giving them permission to use the house that is there?

Roger Williams: If you, for whatever reason decide to only rezone the South half commercial or recommend that to the Township Board, then if in the future, they wanted to do something more with the North part of that property, they would have to come back and go through the whole process again. We do allow light industrial business in the district, but the JPC does not have a separate industrial district.

Jessica Wooten: I would like to give the gentleman the opportunity to say what he wanted to.

Speaker did not give name: I have a letter from a local resident (Chris/Mary Weaver, attached) who could not be here because he is in Alaska.

Here are some of my concerns about the proposed amendment to the Inland Homestead Joint Zoning Ordinance. Stanley Creek crosses the property in question. Flowing from East to West through our property. Our well water that we use at our residence is less than 30 feet deep with excellent water. Will this affect our water? Possible hazardous run off from stacks, drilling rigs, and storage tanks. Who will pay for the monitoring of water runoff? If the property is rezoned commercial who will monitor the property if used for gas and oil storage? Underground pipelines that are used for oil and gas are hard to detect for leaks and problems. Stanley Creek runs into the fish hatchery that raises game fish. We are opposed to an oil and gas storage facility of any kind. Would there be mandatory testing of natural occurring radioactive material? Before we purchased our home, we did research to make sure that there was no oil/gas drilling rigs, storage tanks, filling stations, dumps nearby, or electrical stations as we most certainly would have not purchased a home near any of these. It is for the health and wellness of our family that we made these informed decisions to live in an area free of the above listed, activities. I am a concerned Citizen and I make these statements, as I understand very well, the risk factors involved in this line of business, as I am a Drilling Manager in Alaska. I speak of true concern for my own, my neighbors in the subject area. Thank you.

Mark Smith: I feel that we need to look into other facilities that started out this way. Stores and car lots are acceptable, but when you start coming in and saying we are just going to be parking trucks there for now, we are not that stupid not to know, that there is going to be more there and if every body would take a minute and say no. Is there no doubt that US 31 is an exposure road, sure it is. If you want to put in a flower shop, sure go ahead, but is this what we want there? Oil companies there, no. But I am not the one to say no. You folks in this room are the ones who have to research it a little more, and make the right decision, for all of us. That is what I am counting on. Is it going to affect me? They are going to be running up and down Reynolds Road and Fewins Road 24-7. This is not your typical little commercial property on US 31. We love the businesses that are there. You people need to think for us. That is all I have to say.

Cathy Demitroff: Have you walked the property?

Mr. Miller: Yes.

Closed Public Hearing:

Action on Application: Christy Andersen made the motion to recommend to the Township Boards that we rezone the South half of the subject property to Commercial. Dan Moore seconded the Motion.

Discussion:

Fred Poynor: It is in our Master Plan that full depth calls for commercial and I think that is the way it should be.

Marshall Lambertson: We can't say what happens ten years from now. We can't say what happens to the car lot tens years from now. The only thing that comes in is the use of land. At this point all we are doing is if we want to zone it commercial or not.

Dan Moore: Master Plan shows commercial. Dividing it maintains his short term goals and keeps us in control.

Cathy Demitroff: How can we deny a request to rezone it, if we do all of it or half of it. It is proposed in the Master Plan to be commercial. It is next to commercial. It is sitting across the highway from commercial. It is not like it is going to be sticking out there all by itself. It is going to be commercial in the future and that was our corridor of commercial use.

Fred Poynor: I am still against splitting it. When you split it you are creating a piece of property that is not usable or sellable. It would be creating a dead piece of property.

Motion on Application: Motion to recommend to the Township Boards to rezone the South half of the property to be rezoned commercial.

Roll Call: Christy Andersen-yes; Cathy Demitroff-no; Roger Hubbell-yes; Marshall Lambertson-no; Mary Miller-yes; Dan Moore-yes; Fred Poynor-yes; Jessica Wooten-yes. Total: 2 No, 6 Yes, Motion Carried.

Public Input:

No Name Given: I don't have a problem with commercial property, if this is approved. Would they be required to submit a site plan for anything they want to do on the property? That house is not a commercial house and the garage is not up to commercial standards. They are already using this for commercial property.

No Name Given: So the plan is to make the whole thing commercial. There is no law that says you have to make a decision on that right now. If you wait 4 or 5 years from now this guy will go somewhere else.

No Name Given: Have you been to Kalkaska lately to see what is going on up there? I would be more than happy to rent a bus or a van and take you on a field trip to see what has happened up there, and show you what this is going to look like in five years.

No Name Given: It does not make sense. I mean, if it is to be commercial all the way back here, are we going to have to sell our property because it is going to be rezoned commercial?

No Name Given: There are places for things like this. They are called Industrial Parks. Would a special use permit require a Public Hearing about what is going to go in there?

Board Go Round: Nothing.

Adjourn: Mary Miller made the Motion to adjourn the meeting, Christy Andersen seconded the motion, All Ayes, No Nays, Motion Carried.

Submitted by  
Sharon Peregoy  
JPC Recording Secretary

Approved by  
Dan Moore  
JPC Secretary