

**DEWITT CHARTER TOWNSHIP  
1401 W. HERBISON ROAD, DeWITT, MI  
PLANNING COMMISSION MINUTES  
MONDAY, JANUARY 5, 2009**

The regularly scheduled meeting of the DeWitt Charter Township Planning Commission was called to order at 7:00 p.m. by Chairperson Zimmerman.

The Pledge of Allegiance to the Flag was said by those present.

ROLL CALL by Secretary Shively.

MEMBERS PRESENT: Marsha Zimmerman, Bruce Keilen, Dale Dailey, Terrie Shively, Kim Smelker, Steve Gobbo and Trustee Ross.

MEMBERS ABSENT: Jason Flower.

VACANCY: One

STAFF PRESENT: Township Planner Jim Foulds and Recording Secretary Linda Parkinson.

APPROVAL OF AGENDA: **Keilen moved to approve the Agenda as printed. Supported. MOTION CARRIED.**

APPROVAL OF MINUTES: **Ross moved to approve the minutes of the November 3, 2008 Regular Meeting as presented. Supported. MOTION CARRIED.**

CORRESPONDENCE: The following correspondence was received and noted by the Planning Commission.

1. Committee and Commission meeting dates for 2009.
2. Bath Charter Township – Comprehensive Development Plan Referral.
3. Charter Township of Lansing – Notice of Intent to Plan.
4. Correspondence dated January 5, 2008 from David Christian of DC Engineering regarding Request for SUP 08-990009 from Ron Jona & Associates.

PUBLIC COMMENTS: None.

UNFINISHED BUSINESS:

- I. Request for Special Use Permit 08-990009 from Ron Jona and Associates** for property located at 1171 and 1121 E. Webb Road, DeWitt, MI 48820 and 12651 and 12649 S. US 27 DeWitt, MI 48820, at the northeast corner of S. US-127BR (formerly US-27) and Webb Road, in the southwest ¼ of Section 10 of DeWitt Charter Township, to allow the applicant to construct a 13,579 sq. ft. drug store with a drive through pharmacy. **Note: Planning Commission postponed action at the November 3, 2008 meeting.**

Jim Foulds, Township Planner, briefly reviewed the nature of the request and advised that a correspondence dated January 5, 2009 was submitted on behalf of the applicant from David Christian of DC Engineering requesting that Request for SUP 08-990009 from Ron Jona & Associates be withdrawn.

**Ross moved that the Planning Commission receive the correspondence dated January 5, 2009 from David Christian of DC Engineering requesting the withdrawal of Request for Special Use Permit 08-990009 from Ron Jona & Associates and that the Commission remove the request from the Agenda. Supported. MOTION CARRIED.**

NEW BUSINESS:

- I. Capital Region International Airport Waste Incinerator Application.**

Jim Foulds gave a brief report of staff's memorandum dated December 29, 2009 outlining the proposed airport incinerator project, Clinton County Solid Waste Plan, Site Review Committee, and proposed incinerator site location.

Foulds advised that the Airport Authority has been granted port of entry status. As part of this approval the Capital Region International Airport (CRIA) will be handling international flights. As a function of that action they will be receiving waste from flights entering the facility. Therefore, CRIA is proposing to construct a solid waste incinerator on site which requires an amendment to the Clinton County Solid Waste Plan. As a part of that amendment process the local planning agency (DeWitt Charter Township Planning Commission) is required to make comments and recommendations to Clinton County.

As part of the County's review process they have established a Site Review Committee to make a recommendation to the Clinton County Board of Commissioner's. The Site Review Committee has scheduled a Public Hearing to be held on January 20, 2009. The final determination will be made by the Clinton County Board of Trustees.

In closing, Foulds noted the Planning Commission has been provided a packet containing a copy of the application submitted to Clinton County and copy of the permit from the Air Quality Division of the Michigan Department of Environmental Quality (MDEQ).

Mike Daigle, Deputy Executive Director of Operations and Maintenance, Capital Region Airport Authority, presented information regarding the purpose for the request, content of the application and procedures for obtaining approval. He further advised that the Airport is interested in importing and processing waste from international flights. He noted that waste from Canada is exempt and considered domestic waste. Implementation of this project would contribute to bringing more jobs to the area and will be a very positive addition to the community.

Daigle went on to give a brief update of additional projects that CRIA has completed or is currently in the process of completing such as the runway extension, relocation of DeWitt Road, the air cargo ramp extension, and the Federal inspection station.

The proposed site for the incinerator was chosen because CRIA has the land available and an infrastructure system is already in place. In addition, the incinerator is not intended to burn large volumes of trash and is rated at about 200 pounds an hour. It also meets all U.S. clean air standards.

Dailey questioned if there were other incinerator facilities in the State of Michigan that the Capital Region International Airport could use.

Daigle stated that the only other airport incinerator facility located in the State of Michigan is in Detroit. The drawback to utilizing that facility is that hauling the trash to that site is very costly. It would be very advantageous for Capital Region International Airport to have their own incinerator facility to allow the airport to evolve into a first class international airport and to utilize every economic benefit that goes with having port of entry status.

Zimmerman questioned if other airports would be utilizing the proposed incinerator facility and how the materials would be transported.

Daigle advised that other international ports would be allowed to use the facility in order to defray the cost of operation.

Dan Otto, Consultant to the Capital Region Airport Authority, advised that the waste brought to the proposed incinerator facility would only be from the other 6 to 8 international airports within the State of Michigan. This would exclude Detroit Metro due to the fact that they have their own incinerator. Otto further stated that Detroit Metro does not accept waste from other airports. Therefore, Capital Region International Airport has to ship their trash to a USDA approved landfill in Ohio.

Gobbo questioned what defines "waste".

Daigle explained that typically the trash incinerated would be paper, napkins, plastic, etc.

Gobbo asked if the facility is required to be on airport property. Further, why is the proposed site located on the northern portion of the airport property where there are no other buildings?

Daigle advised that the site was chosen because there is a natural gas line and road structure in close proximity to service the facility.

Keilen questioned if the size of the proposed incinerator would provide for future growth.

Daigle stated that initially the facility will not process anywhere near the capacity of trash that it is capable of handling.

Ross questioned when the Site Review Committee will meet and if there is anticipated difficulty with amending the Clinton County Solid Waste Management Plan.

Daigle advised that no problems are anticipated.

Cara Clore, Waste Management Coordinator, Clinton County Department of Waste Management advised that the Site Review Committee will hold their first meeting on Monday, February 2, 2009. Representatives of DeWitt Charter Township will be Ken Pung, resident and Jim Foulds, Township Planner. There will also be a Public Hearing held on Tuesday, January 20, 2009.

Gobbo questioned why international trash is required to be incinerated and what requirements are placed on the actual storage of trash until it is processed.

Daigle advised that Customs and Border Protection requires that international trash be incinerated for a host of reasons. The most likely reason would be to protect public health and safety. With respect to storage of trash, there will be an enclosed structure (approximately 12 ft. by 12 ft.) placed in close proximity to the incinerator where it will be stored for a very short period of time.

Shively questioned if the facility would produce any loud noises.

Daigle was not aware of exceedingly loud noise levels related to the operation of the incinerator.

Ross questioned how the CRIA would insure that no items containing mercury would be incinerated.

Daigle advised that the application requires the implementation of an entire plan that would insure that no mercury products are incinerated.

Smelker questioned how other area international airports are currently disposing of their trash; if another option might be to autoclave the trash; and if terminal trash would also be incinerated.

Daigle stated other airports transport their trash to other facilities. The autoclaving process is another option. However, it does not lend itself to handling large volumes of trash. Also, the end product still has to be transported to a landfill. Lastly, the facility would only process international waste. No trash from the terminal would be burned.

Brief discussion followed regarding the possibility of a "Host Community Agreement". It was noted by staff that such agreements are usually intended for larger facilities such as landfills.

Clore stated that the site review process within the Solid Waste Management Plan requires the Township to make a decision on an application prior to the County going through a complete review, including a Public Hearing. Perhaps the Planning Commission might consider providing approval of this facility application, conditional to the findings of the Site Review Committee.

Clore went on to state that some of the key considerations of the Site Review Committee are as follows: reviewing the types of emissions that will be coming from the facility; the cost differential between the incinerator and the autoclave process; and economic benefits to the area. In closing, Clore advised that the review process will include review the application with the assumption that the facility will be operating at its maximum capacity with the understanding that in reality it will be operating at a much lower volume.

Clore further pointed out that the Air Quality Division of the Michigan Department of Environmental Quality authorized the permit for this facility in advance of working with the Waste and Hazardous Materials Division. Ideally, Clinton County would proceed with the review and approval process first, followed by other agencies approval.

Discussion followed regarding the notification process for the Public Hearing; an incinerator operation at Michigan State University that is not licensed to handle the type of trash that the airport will generate; the fact that the only airport currently incinerating in the State of Michigan is Detroit Metro; and other alternative methods for processing trash such as autoclaving

Dailey stated he would be interested in knowing why other airports in the State have made the business decision to not implement an incinerator facility on site.

Concerns were expressed by some Commissioners regarding the commercial aspect of the operation

Discussion followed regarding possible approval contingent upon findings of the Site Review Committee and the Public Hearing.

Cara Clore, Waste Management Coordinator, Clinton County Department of Waste Management advised that a report will be submitted that will include the findings of the Site Review Committee, as well as the Public Hearing. The Planning Commission will have a time frame to consider the findings of the report. It will then go to the Clinton County Board of Commissioners. She noted that the recommendation of the Planning Commission will be very strongly considered. It would be helpful if the Township could provide a correspondence to the Site Review Committee explaining any concerns or conditions of approval.

Discussion followed regarding the required review process of the application.

Gobbo reiterated his question and concern with why the proposed incinerator facility site was chosen to be located so far to the northern boundary of the airport property. He noted that residential communities are in close proximity and expressed concern with potential negative impacts that the proposed facility may have on them.

Keilen stated that he is not necessarily in favor of an incinerator facility. However, sometimes it is the most effective and expeditious way to eliminate trash that could cause contamination if it were transported to a landfill.

Ross asked for clarification as to whether the Airport Authority has already purchased the incinerator and if any approvals have already been granted.

Daigle advised that the incinerator has been purchased and approval has been received from the Air Quality Division of the Department of Environmental Quality.

Gobbo stated he is not comfortable with a blanket approval of this facility. If he were to consider an approval it would be with the condition that several questions raised at this meeting were addressed by the Site Review Committee.

Keilen stated that perhaps approval of this facility is out of the Planning Commission's realm of expertise. It appears as if there are plenty of regulations in place under other governmental entities that would address concerns discussed at this meeting.

Shively stated she would concur with Gobbo and ask that any approval be conditioned upon additional information being provided to the Planning Commission that would address questions raised at this meeting.

Dailey again questioned why several other airports in Michigan came to the conclusion that they do not need an incinerator facility.

Keilen questioned how much property is owned by CRIA that is north of the maintenance garage.

Otto advised that there is approximately one half a mile from the existing maintenance garage to the northern property line.

Chairperson Zimmerman called for public comment.

Ken Cain, 12651 S. US 27, DeWitt, MI 48820, stated he feels too many questions are still unanswered and urged the Planning Commission to postpone action until Clinton County holds the Public Hearing.

Ross stated the Planning Commission should take into consideration the fact that approval of this facility would allow Capital Region International Airport to grow and prosper and be a vital economic contributor to the area.

**Gobbo moved to recommend approval of the Capital Region International Airport application for placement of a waste incinerator on Airport property for the disposal of waste from international flights contingent upon satisfactory modification of the Clinton County Solid Waste Management Plan and the compliance agreement, and contingent upon answers to the following questions:**

- 1. What would the proposed hours of operation for the proposed incinerator be?**
- 2. Why was the proposed location chosen and are there other alternative locations?**
- 3. Are other airports considering incinerators and what conditions would be attached to projects of this nature?**
- 4. What factual information is available regarding the operation of the mechanism; including materials created as part of the incineration process, and prevailing wind direction and land uses impacted.**
- 5. What other scientific information can be provided relating to public health safety and welfare?**

**In addition, approval is subject to the Planning Commission's review of the Site Review Committee's recommendation and compliance agreement, as well as the results of the upcoming Public Hearing. Supported.**

No discussion.

**ROLL CALL vote on motion:**

**AYES: 6    NAYS: 1 (Keilen)    ABSENT: 1 (Flower)**

**MOTION CARRIED.**

Gobbo stated that he understands the business needs of the applicant regarding this request. However, he has concerns when the business need exceeds the scope of the local community. For clarification, the Planning Commission is asking for due diligence to be completed prior to the Planning Commission taking possible action to recommend approval.

## **II. Election of Officers for the Year 2009.**

Chairperson Zimmerman opened the floor for nominations for the office of Chairperson.

**Keilen moved to nominate Marsha Zimmerman for the office of Chairperson.**

There were no further nominations.

**Hearing no further nominations, Keilen moved to close the nominations for Chairperson and cast a unanimous ballot for Marsha Zimmerman for the office of Chairperson. Supported.**

**ROLL CALL vote on motion:**

**AYES: 7    NAYS: 0    ABSENT: 1 (Flower)**

**MOTION CARRIED.**

Chairman Zimmerman opened the floor for nominations for the office of Vice Chairperson.

**Ross moved to nominate Steve Gobbo for the office of Vice Chairperson.**

There were no further nominations.

**Hearing no further nominations, Ross moved to close the nominations for Vice Chairperson and cast a unanimous ballot for Steve Gobbo for the office of Vice Chairperson. Supported.**

**ROLL CALL vote on motion:**

**AYES: 7    NAYS: 0    ABSENT: 1 (Flower)**

**MOTION CARRIED.**

Chairperson Zimmerman opened the floor for nominations for the office of Secretary.

**Shively nominated Dale Dailey for the office of Secretary.**

There were no further nominations.

**Hearing no further nominations, Shively moved to close the nominations for Secretary and cast a unanimous ballot for Dale Dailey for the office of Secretary. Supported.**

**ROLL CALL vote on motion:**

**AYES: 7    NAYS: 0    ABSENT: 1 (Flower)**

**MOTION CARRIED.**

**The Planning Commission Officers for 2009 are:**

**Marsha Zimmerman, Chairperson**

**Steve Gobbo, Vice Chairperson**

**Dale Dailey, Secretary**

EXTENDED PUBLIC COMMENTS ON NON-AGENDA ITEMS:            None.



REPORTS:

I. Trustee:

Trustee Ross gave a brief report on business conducted and action taken at the November 10, 2008, November 24, 2008, December 8, 2008 and December 30, 2008 meeting of the Board of Trustees.

II. Zoning Board of Appeals:

Commissioner Gobbo reported that there was no Zoning Board of Appeals meeting held on December 17, 2008, due to no applications being filed.

III. Committees: None.

IV. Staff – Report on Wind Energy Siting and Policy Issues Workshop

Jim Foulds, Township Planner, advised that he attended a Wind Energy Conference on December 11, 2008 at Michigan State University. The intent of the conference was to inform local officials on what options they might consider for the regulation of wind generating mechanisms. He questioned if the Planning Commission would be interested in future discussions regarding the regulation of such uses.

It was the consensus of the Planning Commission that the Township should further investigate regulating wind generating mechanisms.

The Planning Commission directed staff to set up public work session at a future Planning Commission meeting for the purpose of gathering public opinion and sharing additional information to allow the Township to decide how to proceed with the possibility of regulating wind generating mechanisms.

DISCUSSION: None.

ADJOURNMENT: **Ross moved to adjourn the meeting at 8:37 p.m. Supported. MOTION CARRIED.**

---

Linda K. Parkinson, Recording Secretary

---

Theresa Shively, Secretary