

OFFICIAL PROCEEDINGS  
OF THE  
PLANNING-CITIZEN ADVISORY COMMISSION  
CITY OF LOWELL, MICHIGAN

For the Regular Meeting of the Planning-Citizen Advisory Commission on Monday, October 24, 2011, at 7:00 p.m.

The Meeting was called to order at 7:00 p.m. by Chair Hall and City Clerk Betty Morlock called the Roll.

Present: Commissioners Dave Cadwallader, Don Green, Shannon Hanley, Maryalene LaPonsie, Rachael Schwab and Chair Jim Hall.

Absent: Commissioner Mathews.

Also Present: City Manager Mark Howe, City Clerk Betty Morlock, DPW Director Dan DesJarden, Zoning Administrator Adam Lynema, Lowell Light and Power General Manager Greg Pierce, Lowell Light and Power Employee Tom Russo, Councilmember Jeff Altoft and Mayor Jim Hodges.

IT WAS MOVED BY LAPONSIE and seconded by GREEN to excuse the absence of Commissioner Mathews.

YEA: 6. NAY: 0. ABSENT: 1. MOTION CARRIED.

Item #1. **APPROVAL OF AGENDA.**

IT WAS MOVED BY LAPONSIE and supported by CADWALLADER to approve the agenda as written.

YEA: 6. NAY: 0. ABSENT: 1. MOTION CARRIED.

Item #2. **APPROVAL OF THE MINUTES OF SEPTEMBER 26, 2011.**

IT WAS MOVED BY GREEN and seconded by SCHWAB to approve the minutes of the regular meeting of September 26, 2011 as written.

YEA: 6. NAY: 0. ABSENT: 1. MOTION CARRIED.

Item #3. **NEW BUSINESS.**

Chair Hall stated he would abstain from discussion on the following topic, noting he serves on the Lowell Light and Power Board. The meeting was turned over to Commissioner LaPonsie. Vice Chair Mathews recently had surgery and was not present.

## A. SITE PLAN REVIEW

1. 625 Chatham Street (Anaerobic Bio digester) – Lowell Light and Power. Commissioner LaPonsie stated Jay Kilpatrick of Williams and Works provided a memo regarding the site plan.

City Manager Mark Howe reported on a few staff questions relating to the project. The first relates to traffic and intended traffic flow. Also, there should be discussion relating to the condition of the roads leading into the site. There is a proposal for water and sewer utility services and how this would be handled. Outstanding environmental issues should also be considered and if any assessments have been performed.

The memo from Williams and Works refers to landscaping and screening. The ordinance refers to the structure being in an enclosed fence area.

Anaerobic Digesters have been around for 20 to 30 years as a process to take biodegradable waste and use the waste process to generate methane gas. The gas can be used to generate electricity as the primary function. In 2008, Michigan passed a renewable portfolio standard. It requires utilities in the State to develop an alternative energy portfolio and states 10% of the source of energy must come from alternative sources by 2015. The typical sources are wind, solar or anaerobic digesters. The process that Lowell Light and Power is pursuing is to comply with the State. At the same time, Lowell has already been active in the alternative energy arena. An anaerobic digester is no different than a landfill except in this case, rather putting waste in the ground, it is being put in a digester process where the waste is captured more efficiently and more quickly. It creates compost, which can be used productively in our environment.

The visual view of the facility is clean. There is a proposal to install opaque fencing as part of the fencing structure. They will maintain the fencing that is already there. The proposed structure will blend well naturally with the environment. Trees are proposed on the north side of the project.

This is a proven technology and the efficiencies are such that it's about 20% better than standard technology.

There will be approximately 20 to 30 trucks coming into the site off of Smith Street.

Jack Barr with Nederveld stated all of the proposed infrastructure will be surrounded by a fence and is contained within the setbacks. The tanks will have concrete foundations. The area between the tankage and machinery will be some type of permeable surface such as grass, gravel or crushed concrete. The proposed infrastructure will be built approximately one foot higher than the floodplain.

LaPonsie asked if Smith Street was in good enough shape to handle the amount of traffic. DPW Director DesJarden was unsure. He noted the street needs to be designated as a truck route and the cross section needs to be checked to determine if it could be classified as a class A all-weather road.

Kilpatrick noted lighting has not been provided, but believed it could be approved by staff. Parking standards relate to the square footage of the space. There is really no parking standard and there is plenty of asphalt. The City has inquired regarding the number of employees that may be on the

site. Kilpatrick went on to state with respect to conditions and approval; they would strongly suggest no work be undertaken until permits have been issued. City staff can decide regarding the fencing. The trees along the property line are adequate for landscape standards. The north line provides some screening to the school property. These should be maintained and stay in a healthy condition. The container for the solids shall be sealed and not opened to the air. The zoning administrator shall review the lighting issues. Then based on tonight's discussion, it would be appropriate to take a look at the truck route and condition of Smith Street and determine if this works. The City needs to consider if there is the infrastructure to support a development such as this.

Over all, Kilpatrick saw no reason the Planning Commission could not take action for approval, subject to a series of conditions that would be set forth. The Commission is only reviewing the boundaries of the property. Therefore, if something is being done to the boundaries of the property and has off site impacts which the City cannot handle, then the recommendation would be to deny. However, the applicant is interested in working with the City and therefore the City can place a condition for an approval on such issues being worked out.

Jeff Altoft of 611 W. Main Street saw no reason to delay the project.

Lowell Light and Power General Manager Greg Pierce thanked the Commission for reviewing the project. They are excited about the project. There is a lot of potential for Lowell Light and Power and the community.

LaPonsie questioned how often waste would be put into the system. It was noted this would be done on a daily basis. LaPonsie stated the odor and the condition of the street were her two big issues. If these are resolved then she was comfortable with the project. Green wanted more assurance that the odor would not be a problem.

Howe believed the main discussion involved Smith Street and whether or not we would want to include something that relates to City assessing and do we have the infrastructure to be able to handle the use on the site. Everything else has either been answered or relates more to policy issues and things that may come up later for the City Council.

Green stated DPW, City staff and City Council should review and provide approval on the infrastructure. LaPonsie also suggested striking #2. Smith Street should be included as well as adding in truck traffic.

Green considered Kilpatrick's recommendations as part of the motion and noted the following:

- approval and review by the DPW, City Staff and City Council on the infrastructure
- the infrastructure will be built one foot above the 100 year flood plain
- all DEQ permits to be secured before a building permit is issued
- #2 to be stricken.
- issue regarding Smith Street added
- truck traffic and additions to the system be done only during business hours
- information of how water is going to be reclaimed (subject to staff review)

IT WAS MOVED BY GREEN and seconded by CADWALLADER to approve the site plan subject to the conditions mentioned by Jay Kilpatrick of Williams and Works striking Item #2 and adding the use of Smith Street, including times and infrastructure feasibility be approved by City Staff, DPW Director and possibly City Council if necessary. Truck traffic hours should be subject to staff recommendations.

YEA: 6. NAY: 0. ABSENT: 1. MOTION CARRIED.

With the return of Chair Hall, the meeting was turned back over to him.

Item #4. **ANY OTHER BUSINESS/ON GOING BUSINESS.**

A. Planning/Zoning Comments. The Commissioners thought the meeting went well and the training was appreciated.

Item #5. **BUILDING INSPECTORS REPORT.** Commissioner LaPonsie questioned the status of the parking at 422 E. Main. Zoning Administrator Adam Lynema stated the police are issuing tickets to anyone who parks there. LaPonsie stated the site plan indicated something be done to make the lot nonparking by either seeding or blocking it off. Howe reviewed the situation and had a discussion with the homeowner and City attorney. He understood the approval was based on either something being done to the site or an agreement with the bank to provide parking spaces. The agreement with the bank has been executed.

Item #6. **PUBLIC COMMENTS AND COMMUNICATIONS CONCERNING ITEMS NOT ON THE AGENDA.** No comments were received.

Item #7. **COMMISSIONERS REMARKS.** Commissioner Hanley asked if there was a way to have more time to review issues such as tonight. Commissioner LaPonsie explained many times a preliminary site plan is reviewed and there is initial discussion. This is an unusual project with a deadline in order to receive funding assistance.

Commissioner Schwab had similar concerns as well.

Commissioner Green read a letter into record stating he will be moving out of the City and therefore was withdrawing from running from City Council. He will continue to serve on the Planning Commission until he moves out of the City.

IT WAS MOVED BY LAPONSIE to adjourn at 7:17 p.m.

DATE:

APPROVED:

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Jim Hall, Chair

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Betty R. Morlock, City Clerk