

**CHARTER TOWNSHIP OF VAN BUREN
PLANNING COMMISSION MINUTES
SEPTEMBER 8, 2010**

The meeting was called to order by Chairperson Thompson at 7:30 p.m. Commissioners present: Johnson, Boynton, Koscielny, McKenna, Budd and Thompson. Absent excused: Kelley. Staff present: Director Swallow and Secretary Queener. McKenna Associates representative present: Sally Hodges. There were 23 people in the audience.

APPROVAL OF AGENDA:

**Motion Boynton, Koscielny second to approve the agenda as presented.
Motion carried.**

MINUTES:

**Motion Johnson, McKenna second to approval of minutes from August 25, 2010 meeting as presented.
Motion carried.**

PUBLIC HEARING:

ITEM #1

TITLE: THE APPLICANT IS REQUESTING SPECIAL APPROVAL TO CONSTRUCT A LANDFILL GAS TO ENERGY PROJECT. SPECIAL LAND USE APPROVAL IS REQUIRED PER SECTION 14.03, SUBSECTION 6. OF THE CHARTER TOWNSHIP OF VAN BUREN ZONING ORDINANCE.

LOCATION: PARCEL NUMBER V125-83-045-99-0020-705 ALSO KNOWN AS 1 VILLAGE CENTER DRIVE, AN APPROXIMATELY ONE (1) ACRE SITE. THIS SITE IS LOCATED ON THE SOUTH SIDE OF ECORSE ROAD, BETWEEN I-275 AND HANNAN ROAD, ON THE FAR WEST SIDE OF THE GRACE LAKE CORPORATE CENTER.

**Motion McKenna, Boynton second to open the public hearing.
Motion carried**

Jeff Stander representing Ameresco stated the stakeholders in the project include Waste Management of Michigan, the Landfill owner and provider of landfill gas (LFG) to Ameresco. Ameresco has purchased the LFG rights, is the project Developer, and contractor to Hoosier Energy. Hoosier Energy will be the owner of gas pipeline and cogeneration facility. Visteon is the landlord and utility supplier to tenants of the Grace Lake Corporate Center. General Electric is the largest tenant of Grace Lake and a major equipment provider to the project. Hoosier Energy is a member of the Touchstone Energy Cooperative. Touchstone Energy is a nationwide alliance of more than 600 cooperatives in 45 states that delivers power and energy solutions to more than 22 million customers every day.

Touchstone Energy Cooperatives do business with integrity, accountability, innovation and commitment to the community. Hoosier Energy is headquartered in Bloomington, Indiana, where they supply power for approximately 800,000 residents and business. They own and operate approximately 1,755 MW of generation capacity, and they also own and operate approximately 1,450 miles of transmission lines and 20 primary substations.

Landfill gas that is currently flared, will be collected and dehydrated at the landfill. A low pressure HDPE pipeline will transport LFG to a cogeneration building. The LFG will then be filtered by a regenerative carbon filter system. LFG will be combusted in four engines generating 10.8 MW of electricity and 5,000 btu/hr of hot water. Power will be delivered to the DTE substation, and hot water will be used to heat the Grace Lake Campus. The landfill gas originates solely from the Woodland Meadows landfill and is utilized in a manner that provides heat, cooling, and other forms of energy to existing and/or future developments located on the Grace Lake Campus and electricity to the public electricity grid.

Mr. Stander stated the local benefits would include an increase in local tax revenues at no cost to the Township, and will allow for added revenue for schools, services, and roads. The low operating costs at the Grace Lake campus will lead to more competitive lease rates, higher occupancy, more local jobs and local economy enhancement. Less flared gas allows for more saved natural gas, the conservation of natural resources, and more environmentally responsible energy production. This project meets all performance, environmental and safety standards establish by the MDNRE and Van Buren Township Zoning Ordinance. At the behest of public comment and in a spirit of good will and cooperation, Hoosier Energy REC agreed to incur the high cost for moving to the current location on the west side of the campus.

Pat Doher representing JJR, stated according to Van Buren Township Zoning Ordinance this project is permitted under special use approval. The proposed setbacks are more then what is required according to the ordinance, and there will be minimum amount of disturbance to the woodland area, where they are removing 59 trees and replacing them with 30, 8 foot trees. The proposed building will match the existing buildings in the Village. The building will be 24 feet tall with stacks that are 49 feet in height, and the site will have black coated chain link fences with landscaping.

Pam Ruff read a letter dated September 7, 2010 from George Deverich, 39540 Tyler Road, stating he was opposed to any re-zoning, special use or otherwise, that would enable the development of a cogeneration building in the Office Technology District.

John Delaney stated the neighbors have asked about visiting an existing site so they can hear how loud this would be and they have been told there isn't one that is comparable.

Mr. Tozer, 9200 Hannan Road, agrees with Mr. Deverich's letter. The neighbors attended study sessions regarding the Grace Lake Plan and they reviewed the Office Technology District and thought that would be the best fit for the neighborhood. The proposed development was not a consideration. The applicant continues to indicate that they will not make money on this project they will lose money. If that is the case why don't they pull out? Mr. Tozer stated under the zoning ordinance this is considered a prohibited use.

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Pam Ruff stated a letter from Township attorney and McKenna Associates concluded Hoosier Energy is not a public utility and this is not a permitted use. It does not qualify.

Director Swallow stated the proposed use is being considered as a special use application, which provides for similar uses to those permitted in the District.

Commissioner Thompson stated that applicants change their application on regular basis, and the Planning Commissioners have not seen the site plan for this project.

Delaney stated he feels the residents are doing more research than the Commissioners.

Director Swallow stated the Planning Commissioners are not allowed to deliberate and discuss an application outside a public meeting. The residents have had the advantage of separate informational meetings with the applicant.

Commissioner McKenna inquired about the definition of an essential service building. Office Technology reads that it is for lower intensity, with minimal impact outside the building.

Sally Hodges reviewed the allowable items under essential services, stating this is a challenge and it is not straight forward application. The Commissioner will have to listen to the comments from the public and make a decision whether this use is permitted or not.

Commissioner McKenna inquired about the equipment that would be used.

Mr. Stander stated the main equipment would be 20-cylinder reciprocating engines made by GE.

Commissioner Johnson stated he understands the neighbors' concerns, and he would like to be sure there is no impact on the neighbors in regards to noise, vibrations or odors. He would like to see the modeling better detailed with the barriers in place, and with variables such as temperature and time of year. He would also like to see better data on the vibration levels. He inquired how the electrical lines will be routed, if the sound levels can be reduced, or if the building could be moved north by the ITC corridor?

Mr. Stander stated the electrical lines will be underground. He further stated there are silencers on the generators, the engines are not the source of the noise, and that most of the noise is from the radiator fans and the louvers. The building cannot be moved north due to a conservation easement which limits where this building can go.

Commissioner Boynton inquired further about where the noise would be coming from, and asked if using different water cooled systems would be less noisy. He also read into the record a letter from Mark Laginess dated September 8, 2010 in support of the project.

Commissioner Koscielny stated he would like to keep this at a minimum impact on the neighbors.

Commissioner Budd requested staff to have an independent noise study done regarding the noise and the vibration.

Rosemary Otzman resides at 15280 Haggerty Road inquired about the location of a project like the proposed one.

Director Swallow stated that there was one in Jefferson City, Missouri.

Mr. Stander stated the one in Missouri is an offsite location away from residential uses.

Commissioner Thompson stated she was on the Planning Commission when the Office Technology district was established. This location was proposed as a campus with larger buildings, a bank, dry cleaner, and other amenities for the people using the campus. The focus was not on services and they did not think of this type of use. We need to understand how the action on this application could impact this zoning district. Thompson would like to understand how the application qualifies as an essential services building, she would like clarification. This proposal is a brand new use; we will rely on staff to bring the Commissioners information about how the landfill gas can and should be used, and about selling back to the grid.

**Motion McKenna, Boynton second to close the public hearing.
Motion carried.**

UNFINISHED BUSINESS:

ITEM #1

TITLE: ADOPTION OF THE PROPOSED “BELLEVILLE ROAD DISTRICT PLAN AND MARKET ANALYSIS” AMENDMENT TO THE MASTER PLAN OF THE CHARTER TOWNSHIP OF VAN BUREN.

Sally Hodges stated the public hearing was held on August 25, 2010 and changes were made after receiving a letter with minor comments from the City of Romulus.

Motion Boynton, Koscielny second, to adopt the following resolution:

Whereas, the Van Buren Charter Township Board created the Van Buren Township Planning Commission for the purposes provided by law, including the preparation and adoption of master plans, and

Whereas, the Belleville Road District Plan provides a land use and development framework for a major geographic area of the Township that:

- *Is coordinated, adjusted, harmonious, efficient and economical,*
- *Considers the character of the planning jurisdiction and its suitability for particular uses, judged in terms of such factors as tends in land and population development,*

- *Will, in accordance with present and future needs, best promote public health, safety, morals, order, convenience, prosperity and general welfare,*
- *Includes adequate provisions for a system of transportation to provide for safe and efficient movement of people and goods, a healthful and convenient*

distribution of population, good civic design, public utilities, recreation and the use of resources in accordance with their character and adaptability, and

Whereas, the Van Buren Township Planning Commission has provided multiple opportunities for public participation in the planning process and public hearing conforming to the requirements of the Michigan Planning Enabling Act, and

Whereas, the plan was distributed for review by surrounding communities and other public agencies as required by the Michigan Planning Enabling Act.

Now Therefore be it Resolved, that the Van Buren Township Planning Commission hereby adopts the Belleville Road District Plan and Market Analysis, as presented at a public hearing held on August 25, 2010 following consideration of the comments received at the public hearing.

Roll call:

Yeas: Boynton, Koscielny, McKenna, Johnson, Budd and Thompson.

Nays: None.

Absent: Kelley.

Motion carried.

GENERAL DISCUSSION:

Commissioner McKenna inquired about attending the Citizen Planner training classes planned in Detroit.

Director Swallow stated he thinks this a reasonable request, and he will look into it.

Commissioner Koscielny inquired about the railroad tracks on Elwell Road, stating the conditions of the tracks are getting much worse and asked if the tires at the animal shelter have been removed.

Swallow stated he had called the Wayne County Roads New Boston Yard about the tracks, and advised Commissioner Koscielny he would look into the cost of disposal for the tires at the animal shelter.

Motion Budd, McKenna second to adjourn at 10:10 p.m.

Motion carried.

Respectfully submitted,

Patricia Queener,
Recording Secretary