

CITY OF MASON

201 West Ash St.
Mason, MI 48854-0370

City Hall (517) 676-9155
Fax (517) 676-1330

PLANNING COMMISSION SPECIAL MEETING - COUNCIL CHAMBER Thursday, February 28, 2013

6:30 p.m.

Agenda

1. Call to Order
2. Roll Call
3. People from the Floor
4. Public Hearing
 - A. Special Use Permit – 300 East Kipp Road – Disposal of Soils

Resolution 2013-05 – A Resolution Approving a Preliminary Site Plan and Special Use Permit to Dispose Approximately 20,000 Cubic Yards of Soil on Property at 300 East Kipp Road
5. Adjournment

City of Mason

201 W. Ash St.
P.O. Box 370
Mason, MI 48854-0370
www.mason.mi.us



City Hall 517 676-9155
Police 517 676-2458
Fax 517 676-1330
TDD 1-800-649-3777

MEMORANDUM

TO: Planning Commission

FROM: David E. Haywood, Zoning & Development Director 

SUBJECT: Preliminary Site Plan Review – 300 East Kipp Road

DATE: February 25, 2013

The applicant is requesting preliminary site plan and special use permit approval to fill in depressions and low lying areas with approximately 20,000 cubic yards of clean, compacted clay fill with the purpose of making the area suitable for construction of future buildings and improvements on property located at 300 East Kipp Road. The parcel is zoned M-1 Light Manufacturing. Section 94-177(s) permits the disposal of soils by special use permit. Section 94-192(4) establishes the special use standards for disposal of soils.

The subject site is the former site of the old pallet yard. The applicant is proposing to clean up the miscellaneous piles of pallet material, rubble, and fill and grade the site to make it useable and marketable for future development. No fill is proposed within the designated wetland or below water line areas.

LAND USE AND ZONING:

The surrounding land uses and zoning are as follows:

	Current Land Use	Zoning	Future Land Use
North	Undeveloped	M-1 (Light Manufacturing)	Mixed-use
East	Institutional (Mason High School)	RS-1 (Single Family Residential)	Public
South	Vevay Township	Vevay Township	Vevay Township
West	Industrial, undeveloped	M-1 (Light Manufacturing)	Mixed-use

SITE PLAN REVIEW:

Plan Details:

The application indicates the hours of operation will be 7:00 a.m. to 5:00 p.m. Monday through Friday. Approval is recommended with the condition that the hours of operation for the proposed filling activity be limited to that listed above.

The application indicates that top soil will be stockpiled for future redistribution, however it is not shown on the plan where the topsoil will be located or in what amount. Approval is recommended with the condition that this be shown on the plan.

The application and site plan do not provide enough information regarding the soil type or origin. Approval is recommended with the condition that a revised site plan and/or letter provide a more detailed description of the soil type and origin.

Height, Bulk, Density, and Area Requirements:

No structures are proposed at this time.

Off-Street Parking & Circulation:

There is no proposed use for the site at this time that requires off-street parking.

Landscaping:

Because there is no final land use proposed for this site, staff recommends that no landscaping be required for the proposed activity. However, Section 94-241(c)(8) requires that one tree be planted for each 10,000 square feet of disturbed area of the site, or fraction thereof. At roughly 4.5 acres (as listed on the application for soil erosion and sedimentation permit), 19 trees are required to be planted.

Signs:

No signs are proposed for the proposed activity.

Construction Schedule:

The applicant has provided a construction schedule indicating that the project will commence on March 1, 2013 and be completed August 1, 2014.

PUBLIC SERVICES AND FACILITIES:

Streets, Traffic, and Site Access:

The site is located between the Jackson and Lansing Railroad to the west and South Barnes Street to the East, and East Kipp Road to the south. South Barnes is a two lane street and is under the jurisdiction of the City of Mason. East Kipp Road is a four lane road and is under the jurisdiction of Ingham County. The interchange of South Barnes and Kipp Road is controlled by a four-way blinking light requiring Barnes Street to stop at all times (red) and Kipp Road to pass (yellow). No changes are proposed to either street.

The proposed use will undoubtedly create truck traffic in the vicinity of the site. A primary concern with regard to truck traffic is the safety of school aged children in the vicinity of the Mason High School immediately to the east of the site on South Barnes Street. Staff recommends that a condition of approval be included to limit truck traffic to Kipp Road and US 127 as much as practicable and in no instance shall truck traffic use South Barnes Street.

The plan does not show where the site will be accessed by truck traffic and excavation equipment. It is assuming that the site will utilize the existing entrance on Kipp Road. Staff recommends approval with the condition that truck traffic access the site utilizing the existing entrance and that it shall be labeled on a revised site plan.

Water, Sanitary Sewer and Storm Water Management:

The site is served by a ten inch sanitary sewer line at Kipp Road and an eight inch sewer line at the north east corner of the site on Barnes. The site is served by a ten inch water line at Kipp Road and an eight inch water line along Barnes.

Additional Agency Comments:

The Jackson and Lansing Railroad Company responded with comments indicating concerns relative to drainage, site access distance to railroad, and clear vision between road traffic and railroad.

Comments from the remaining agencies are attached. No additional concerns have been received regarding this site plan review at this time.

ANALYSIS:

It appears that the site and proposed use will comply with the site plan review standards listed in Sections 94-227 of the Code, provided the previously noted conditions are met.

In addition to these standards, Section 94-191(f) of the Mason Code provides the Basis of Determination for Special Use Permits. These standards must be met before a Special Use Permit can be approved. The standards and staff commentary regarding compliance follow:

(1) Be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will not change the essential character of adjacent property or the zoning district in which it is proposed.

The location is currently zoned for industrial use. As was mentioned before, the purpose of the proposed activity is to clean up the site and make it useable for future development.

(2) Not be hazardous or disturbing to uses in the same general vicinity and will be a substantial improvement to property in the immediate vicinity and to the community as a whole.

Staff is not aware of any additional conflicts of a hazardous or disturbing nature associated with the proposed use. The proposed activity is for a finite period ending in August 2014.

(3) Be served adequately by essential facilities and services, such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewage facilities, and schools.

The use does not require public utilities and no changes to the systems in the vicinity are proposed.

(4) Not create additional requirements at public cost for public facilities and services.

It does not appear that the proposed use will create additional public costs.

(5) Not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any person, property, or the general welfare by noise, fumes, glare, or odors.

Staff is not aware of any conflicts of this nature. Excavation and truck traffic will be limited to the hours of 7am to 5pm, M-F.

(6) Not be located such that it will directly or indirectly have a substantial adverse impact on the natural resources of this city.

Staff is not aware of any conflicts of this nature.

(7) Be in compliance with other applicable local, county, state, or federal rules and regulations.

It appears that the proposed use is in compliance, provided the specified conditions of approval are met.

In addition to the site plan and special use permit standards, Section 94-192(4) of the Mason Code provides seven requirements related specifically to disposal of soil. These standards must be met before a Special Use Permit can be approved. The standards and staff commentary regarding compliance follow:

(a) A fence, adequate to protect trespassing children, and at least six feet in height shall be placed around the entire periphery of the property and no closer than 50 feet to the top of any slope.

Since the proposed project is to reclaim and level the site, there will be no open pits or other severe slopes warranting protection of this sort. In addition, much of the site is currently fenced along Kipp Road and South Barnes Street.

(b) No slope shall exceed an angle with the horizontal of 45 degrees.

No slopes of this magnitude are proposed.

(c) The planning commission shall establish truck traffic haul routes where necessary to minimize traffic hazards and road damage to and from the site.

As noted above and included in the resolution is proposed truck route limited to Kipp Road and US 127.

(d) Depleted or abandoned areas shall be rehabilitated progressively to a condition entirely lacking in hazards, inconspicuous and blended with the surrounding ground topography. A site reclamation plan must be submitted and approved by the planning commission prior to the granting of a special use permit.

The purpose of this project is to rehabilitate the site to accomplish the goal of safety and marketability.

(e) All slopes, banks, pits and denuded areas shall be reasonably graded, filled and treated to prevent erosion.

All proposed grading of the site appear to be reasonable.

- (f) *All materials used for fill for landfill shall be reasonably leveled, covered and graded and no refuse shall be dumped at any location, which might imperil the city water supply or endanger persons or property.*

No refuse is proposed to be dumped at this site other than fill dirt.

- (g) *A performance guarantee in accordance with section 94-100 of this chapter may be required to assure compliance with these requirements.*

A performance guarantee will be required as part of the soil erosion permit.

RECOMMENDED ACTION:

The Planning Commission approve Resolution No. 2013-05.

Attachments:

1. Resolution
2. Application
3. Owner Authorization Letter – Mason State Bank, February 5, 2013
4. Revised Construction Schedule, February 5 & 15, 2013
5. MDEQ Wetland Delineation letter, February 7, 2013
6. Agency Comments
 - a. City of Mason POTW Supervisor
 - b. City of Mason Chief of Police
 - c. Ingham County Drain Commissioner
 - d. Jackson & Lansing Railroad Company
 - e. City of Mason Public Works Supervisor
 - f. City Engineer
 - g. City of Mason, City Administrator/Public Works Director
7. Section 94-227, Standards for site plan review and approval, of the Mason City Code
8. Site Plan

Introduced:
Second:

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2013-05**

**A RESOLUTION APPROVING A PRELIMINARY SITE PLAN AND SPECIAL USE
PERMIT TO DISPOSE APPROXIMATELY 20,000 CUBIC FEET OF SOILS ON
PROPERTY AT 300 EAST KIPP ROAD**

February 28, 2013

WHEREAS, a request has been received from John Fischer, for preliminary site plan and special use permit approval to be allowed to dispose 20,000 cubic feet of soils at 300 East Kipp Road; and

WHEREAS, the subject property is further described as: All that part of South ½ of SW ¼ of Sec. 9 which lies East of MCRR R/W and West of Barnes St., Sec. 9, T2N, R1W, City of Mason, Ingham County 24.99 acres; and

WHEREAS, upon compliance with the conditions listed herein, the plans will comply with the site plan review standards listed in Section 94-227 of the Mason Code; and

WHEREAS, approval is granted with the following conditions:

- 1) The hours of operation shall be limited to the hours of 7am to 5pm Monday thru Friday.
- 2) The truck traffic route shall be limited to Kipp Road and U.S. 127 as much as practicable and shall not utilize South Barnes Street.
- 3) That a revised site plan be submitted labeling the site access point for truck and excavation equipment and that truck traffic shall be limited to this single point.
- 4) The applicant shall provide a revised site plan indicating where, what type and in what amount soil will be stockpiled.
- 5) That a City soil erosion and sedimentation permit is required prior to commencement.
- 6) The plans shall address the expectations of the Public Works Supervisor as stated in his memorandum of February 22, 2013.
- 7) The plan shall show 19 additional replacement trees as a result of site disturbance (one tree per 10,000 square feet) pursuant to Section 94-241(c)(8) of the Zoning Ordinance.
- 8) The special use permit shall expire on August 1, 2014, where the site shall be final graded per plan and final soil erosion controls established; now

THEREFORE BE IT RESOLVED, that the Mason Planning Commission does hereby approve a preliminary site plan and special use permit to dispose of approximately 20,000 cubic yards of soil on property located at 300 East Kipp Road based on the site plan dated February 15, 2013.

Yes ()
No ()

CLERK'S CERTIFICATION: I hereby certify that the foregoing is a true and accurate copy of a resolution adopted by the Mason Planning Commission at its regular meeting held Thursday, February 28, 2013, the original of which is part of the Planning Commission minutes.

Deborah J. Cwierniewicz, City Clerk
City of Mason
Ingham County, Michigan



APPLICATION – SITE PLAN REVIEW/SPECIAL USE PERMIT

City of Mason

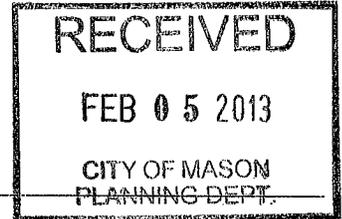
Planning Department • 201 W. Ash Street • Mason, MI 48854

Phone: 517/676-9155 • Fax: 517/676-1330

www.mason.mi.us

Applicant– Please check one of the following:	
<input type="checkbox"/>	Preliminary Site Plan Review
<input type="checkbox"/>	Final Site Plan Review
<input checked="" type="checkbox"/>	Special Use Permit*
* includes Preliminary Site Plan Review	

PLANNING DEPARTMENT USE ONLY	
Application Received:	<u>2/5/13</u>
Tax ID:	<u>09-352-001</u>
Fee:	<u>\$ 275.00</u>
Receipt #:	_____



I. APPLICANT INFORMATION

Name John P. Fischer

Organization J&J Properties of Mason, LLC

Address 225 E. Kipp Rd Mason, MI 48854

Telephone Number 517-202-6466 Facsimile Number 517-676-0466

Interest in Property (owner, tenant, option, etc.) Pending Owner

Note: If applicant is anyone other than owner, request must be accompanied by a signed letter of authorization from the owner.

II. PROPERTY INFORMATION

Owner Mason State Bank Telephone Number 517-676-0500

Property Address 300 E. Kipp Rd, Mason, MI 48854

Legal Description: If in a Subdivision: Subdivision Name N/A Lot Number N/A

If Metes and Bounds (can be provided on separate sheet): _____

All that part of South 1/2 of SW 1/4 of Sec. 9 which lies East of MCRR R/W and West of Barnes St.,

Sec. 9, T2N, R1W, City of Mason, Ingham County 24.99 acres.

APPLICANT CERTIFICATION

By execution of this application, the person signing represents that the information provided and the accompanying documentation is, to the best of his/her knowledge, true and accurate. In addition, the person signing represents that he or she is authorized and does hereby grant a right of entry to City officials for the purpose of inspecting the premises and uses thereon to verify compliance with the terms and conditions of any Special Use Permit and/or Site Plan approval issued as a result of this application.

Signature [Handwritten Signature]

Date 2-5-13

III. **REQUEST DESCRIPTION**

A. **Written Description** – Please use this section to describe the use or uses proposed. Attach additional pages, if necessary.

Fill in depressions and low lying areas with clean, compacted clay fill material with the purpose of making the area suitable for construction of future buildings and improvements. Approx. 20,000 CYD.

Stockpile topsoil for future redistribution.

B. **Available Services**

Public Water YES NO
Public Sanitary Sewer YES NO

Paved Road (Asphalt or Concrete) YES NO
Public Storm Sewer YES NO

C. **Estimate the Following**

Traffic Generated trucking traffic only

Total Employees 2 Shifts 1

Population Increase 0

Employees in Peak Shift 2

Hours of Operation 7 AM to 5 PM

Total Bldg. Area Proposed 0

Monday through Fri day

Parking Spaces Provided existing gravel lot

D. **Project Phasing**

This project will be completed in: One Phase Multiple Phases – Total No. of Phases: _____

Note: The phases of construction for multi-phase projects must be shown on the site plan

IV. **APPLICATION MATERIALS**

The following are checklists of items that generally must be submitted with applications for Preliminary Site Plan Review, Final Site Plan Review, and Special Use Permits. Applicants should review Articles VI and VII of Chapter 94 of the Mason Code for a complete listing of application requirements. All site plan drawings must comply with the requirements of Section 94-226(d) of the Zoning Ordinance. Incomplete applications will not be processed.

- Completed application form
- 20 copies of site plan drawings (**30 copies for Special Use Permits**)
- 1 – 11" x 17" copy of the site plan
- Legal description
- Proof of ownership/owner authorization
- Construction schedule for proposed project **March 1, 2013 - August 1, 2013**
- Construction calculations for utilities **N/A - no utilities proposed**
- Fee (see below)
- Any other information deemed necessary

Application Fee – all requests must be accompanied by a fee, as established by the City Council. The fee schedule for Preliminary Site Plan Reviews, Final Site Plan Reviews, and Special Use Permits is as follows (As of October 16, 2006):

<u>Preliminary Site Plan Reviews</u>	\$200.00
<u>Final Site Plan Review</u>	\$100.00
<u>Special Use Permits</u> (includes preliminary site plan review)	\$275.00
<u>Engineering Review</u>	\$220.00*

*minimum fee for projects increasing demand on public utilities, fees are billed to applicant upon completion of review

V. APPLICATION DEADLINES

Preliminary Site Plan/Special Use Permit Review – Applications for Preliminary Site Plan Review may be submitted at any time. Complete applications must be received a minimum four (4) weeks prior to a Planning Commission meeting to be placed on the agenda. Upon receipt of a complete application, a public hearing will be scheduled for the next regularly scheduled meeting (for Special Use Permits only). The Planning Commission has the final authority to approve, approve with conditions or deny an application for Preliminary Site Plan/Special Use Permit Review. The Planning Department staff will issue a letter to the applicant advising of any changes or revisions that may be necessary prior to making application for Final Site Plan Review.

Final Site Plan Review – Complete applications must be received a minimum of four (4) weeks prior to a Planning Commission meeting to be placed on an agenda. The Planning Commission has the final authority to approve, approve with conditions or deny an application for Final Site Plan Review. Planning Commission meetings are held on the second Tuesday after the first Monday of every month, unless the Tuesday is a Township recognized holiday, in which case the meeting is held on the following day (Wednesday).

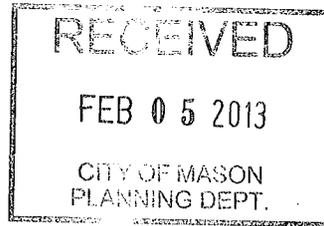
VI. STAFF REPORT

The Planning Department Staff will prepare a report to the Planning Commission regarding an application for Preliminary Site Plan Review, Final Site Plan Review or Special Use Permit. The report will explain the request and review whether it complies with the zoning standards of the Mason Code. Staff will present the findings of that report during the Planning Commission meeting. An applicant who wishes to obtain one (1) copy of that report, at no cost, prior to the meeting must provide a written request to the Planning Department. The report is generally complete on the Friday before the meeting and can be mailed to the applicant or picked up by the applicant in the Planning Department.



February 5, 2013

City of Mason
111 N. Rogers
Mason, MI 48854



RE: Parcel 33-19-10-09-352-001

Please allow this letter to serve as permission for J & J Properties to apply for special use permits and variances relative to development of the parcel noted above. J & J Properties of Mason, LLC currently is under contract to purchase said parcel.

Sincerely,



Timothy P. Gaylord
President & CEO

Main Office
322 S. Jefferson Street
Mason, Michigan 48854
Telephone: (517) 676-0500
Facsimile: (517) 676-0528

Cedar Office
661 N. Cedar Street
Mason, Michigan 48854
Telephone: (517) 676-0516
Facsimile: (517) 676-0510

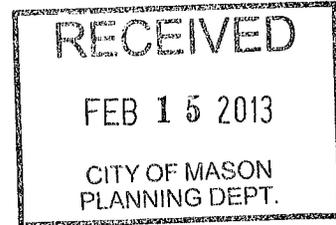
Leslie Office
810 W. Bellevue
Leslie, Michigan 49251
Telephone: (517) 589-0500
Facsimile: (517) 589-5932

East Lansing Office
2200 Coolidge Road, Suite 14
East Lansing, Michigan 48823
Telephone: (517) 337-5000
Facsimile: (517) 337-5648



February 15, 2013

Dave Haywood
City of Mason



Subject: Special Use Permit Application for 300 E. Kipp Rd, Mason

Dear Mr. Haywood,

The Special Use Application originally submitted indicates a construction schedule of 3/1/2013-8/1/2013. Please note that this was a clerical typo, the construction schedule should read 3/1/2013-8/1/2014 as indicated on the construction schedule included with the Site Plan.

Sincerely,

A handwritten signature in black ink, appearing to read "John P. Fischer". The signature is fluid and cursive, with a long horizontal stroke at the end.

John P. Fischer
J&J Properties of Mason, LLC

CONSTRUCTION SCHEDULE

2013

Task ID	Task Name	Duration	March	April	May	June	July	August	September	October	November	December
1	Installation of Construction Access Drive	2 Days										
2	Installation of Silt Fence	3 Days										
3	Removal of Existing Pallet and Debris	60 Days										
4	Strip Topsoil and Vegetation	150 Days										
5	Installation of Clean Fill Clay Material, Compacted	210 Days										
6	Re-spreading of Topsoil	210 Days										
7	Temporary Seeding and Erosion Control	210 Days										
8	Permanent Seeding and Vegetation Establishment	60 Days										

2014

Task ID	Task Name	Duration	March	April	May	June	July	August	September	October	November	December
1	Strip Topsoil and Vegetation	150 Days										
2	Installation of Clean Fill Clay Material, Compacted	90 Days										
3	Re-spreading of Topsoil	75 Days										
4	Temporary Seeding and Erosion Control	75 Days										
5	Permanent Seeding and Vegetation Establishment	15 Days										
6	Removal of Silt Fence	3 Days										

RECEIVED

FEB 15 2013

CITY OF MASON
PLANNING DEPT.



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING DISTRICT OFFICE



DAN WYANT
DIRECTOR

February 7, 2013

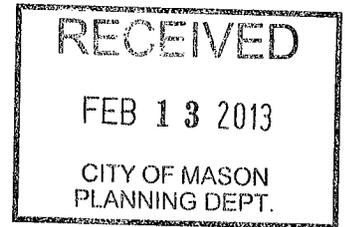
Mr. John Fischer
J and J Properties of Mason
225 East Kipp Road
Mason, Michigan 48854



COPY

Dear Mr. Fischer:

SUBJECT: Preapplication Meeting
Michigan Department of Environmental Quality (MDEQ)
File Number 13-33-0007-P



This letter is a follow-up to our February 5, 2013, pre-application meeting regarding the proposed project in the City of Mason, Ingham County. The purpose of a preapplication meeting is to provide you with information that will clarify the permit process, answer preliminary questions about your specific project in order to avoid delays at a later date, and to determine, if possible, the need for wetland or inland lakes and streams permits.

During this meeting we reviewed the need to obtain a permit under Part 301, Inland Lakes and Streams; and Part 303, Wetlands Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA). The review was based on discussion of the proposed project, the proposed site, the wetland delineation conducted by Cardno JFNew dated February 2013, and potential modifications to the project discussed during our meeting. During the review of the project site, the MDEQ's Water Resources Division (WRD) staff made the following findings regarding the need for a permit under Part 301 and Part 303 of the NREPA:

1. A permit is required for any fill proposed within the wetland boundary as depicted on the Cardno JFNew Figure 1: Wetland Delineation Map (enclosed).
2. A permit is not required for any fill placed within the upland as depicted by the hatched area on the Cardno JFNew Figure 1: Wetland Delineation Map (enclosed).

This determination is based on the attached project plan prepared by Cardno JFNew and dated February 2013, along with other information provided in the pre-application request and at the time of this meeting only. Provided that the proposed project and location are not altered, this determination is binding on the MDEQ for a period of two years from the date of this meeting.

During the meeting, we also discussed a number of issues related to the project, including the following:

- Information on completing an application form.
- Possible alternative design options to minimize project effects on aquatic resources.

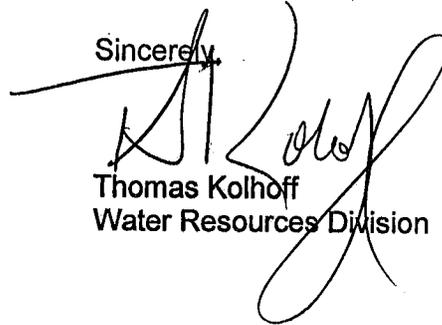
- The need to clearly define the purpose of your project in the permit application.
- The need for a thorough analysis of alternative methods or locations in the permit application.

Please note that this is not a permit. The WRD cannot indicate during a preapplication meeting whether or not a permit will be issued. The WRD cannot make a decision regarding a permit until it has considered all of the information provided in the final permit application, and, in some instances, has also considered comments received in response to a public notice of the project. Therefore, WRD staff cannot legally tell you whether the project will be permitted in advance of a permit application being submitted and reviewed.

The MDEQ file number assigned to this project is 13-33-0007-P. Please keep a record of this file number, and use it when submitting a final application or otherwise corresponding with our office on this project.

We appreciate the opportunity to meet with you or your representative to address these concerns. We have established a file for this project, and the information submitted to date will be used to facilitate processing of the final application. If you should have follow up questions before then, please contact me at 517-335-6270 kolhofft@michigan.gov; or MDEQ, WRD, Lansing District Office, 525 West Allegan Street, 4th Floor-North, Lansing, Michigan 48933-1502.

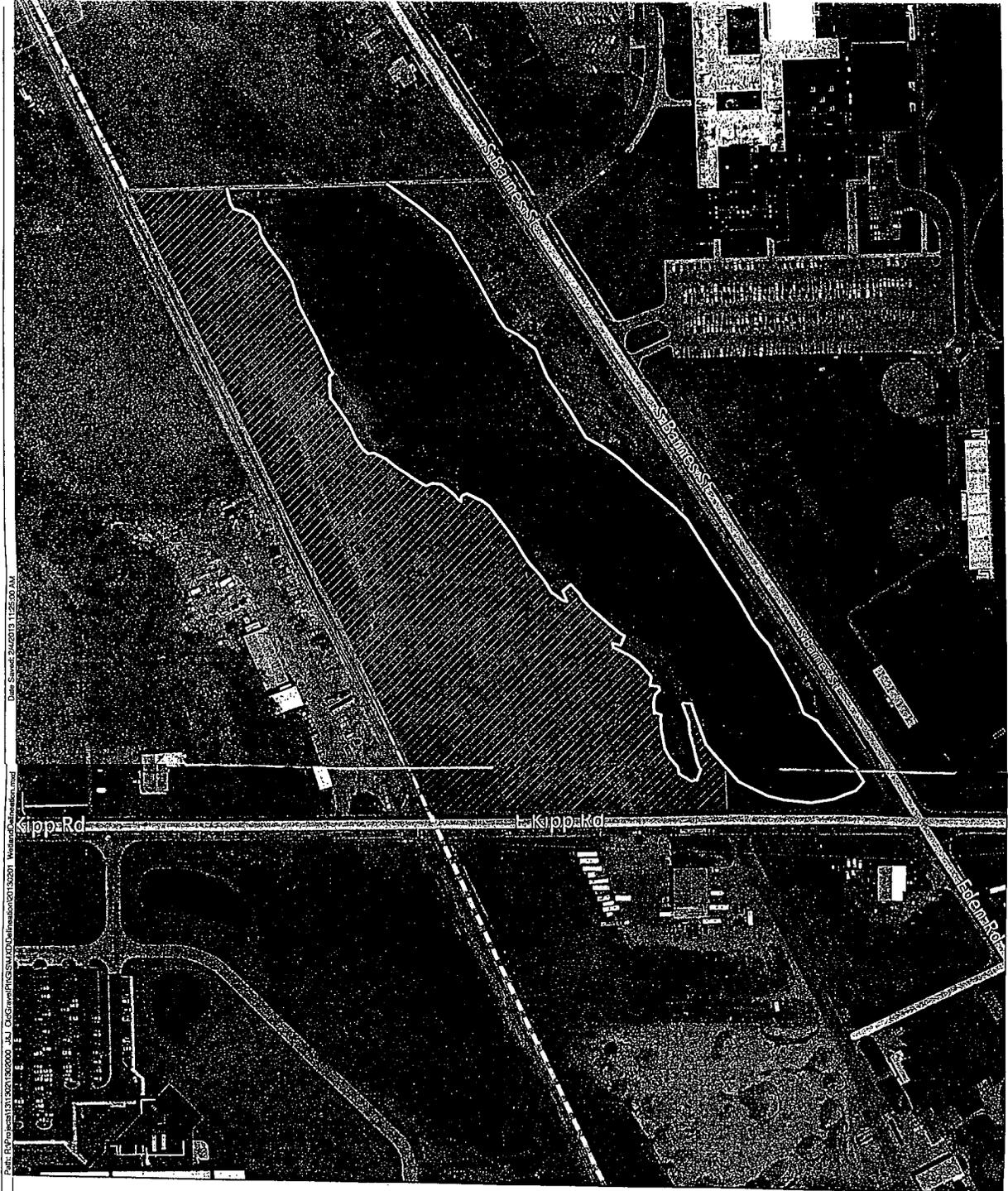
Sincerely,



Thomas Kolhoff
Water Resources Division

Enclosure

cc: Ingham County CEA



Source: Bing Maps Hybrid - (c) 2010 Microsoft Corporation and its data suppliers
 Wetland Boundary: Delineated by Cardno JENew
 Projected Coordinate System: NAD 1983 StatePlane Michigan South FIPS 2113 Feet Intl

FEB 05 2013

WATER RESOURCES DIVISION

Figure 1: Wetland Delineation Map
 Old Gravel Pit Project
 J & J Properties of Mason, LLC
 Ingham County, Michigan

February 2013 Job No. 1302000

Legend:

- Wetland Line
- Upland Area (~11.78)
- Property Boundary (-)

Area of Interest

1181 Marwell Avenue, West Olive, MI 49480
 Phone 616-847-6180 / Fax 616-847-8870
 www.cardnofram.com

DEQ FILE # 13-33-0007-P
 SHEET 1 OF 1

MASON POTW / CPF MEMORANDUM

TO: David Haywood / Zoning & Development Director
FROM: Sam Bibler / POTW Superintendent.
DATE: February 14, 2013
SUBJECT: Special Use Permit - 300 E. Kipp Rd. (Disposal of Soils)

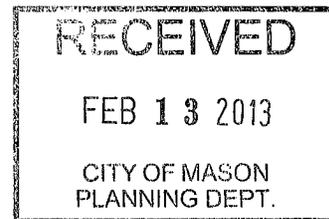
David:

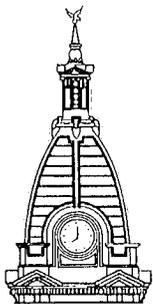
I have reviewed the application and site plan for 300 E. Kipp Rd. The addition of 20,000 cubic yards of soil for the leveling of the property and the stockpiling of top soil for future use should not affect the wastewater treatment plant's normal operations.

If you have any questions, please contact me.

Thank you,

Sam.





Mason Police Department

201 W. Ash St.
P.O. Box 370
Mason, MI 48854-0370

JOHN STRESSMAN
Chief of Police

Office: (517) 676-2458
Fax: (517) 244-9024
MASON_PD@ingham.org

MEMORANDUM

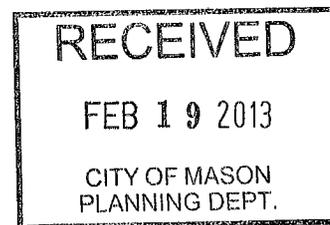
To: David Haywood
Planning and Development Director

From: John Stressman
Chief of Police

A handwritten signature in black ink, appearing to be 'JS', written over the printed name 'John Stressman'.

Date: February 18, 2013

Ref: Special Use Permit - 300 East Kipp Road



I have reviewed the Special Use Permit for 300 East Kipp Road, Mason, Michigan, and have no comments at this time.

If you have any questions, please contact me.

JS/jal

David Haywood

From: Love, David [DLove@ingham.org]
Sent: Tuesday, February 19, 2013 2:46 PM
To: David Haywood
Subject: 300 E. Kipp Rd

David, we don't have drains associated with this property and also do not have any knowledge of drainage to or from the property.

Dave

David Love, Ingham County Drain Engineer
Ingham County Drain Commissioner's Office
707 Buhl Street
Mason, MI 48854
517-676-8395 (Office)

517-719-4900 (cell)
517-676-8364 (fax)

Jackson & Lansing Railroad Company

38235 North Executive Drive - Westland, Michigan 48185-1971
Telephone 734-641-2300 FAX 734-641-2323

February 17, 2013

Mr. David E. Haywood
Zoning and Development Director
City of Mason
Post Office Box 370
Mason, Michigan 48854-0370



Re: Special Use Permit
300 East Kipp Road, Mason

Dear Mr. Haywood:

Jackson & Lansing Railroad Company ("JAIL") has received your letter dated February 12, 2013 relative to a special use permit and preliminary site plan review application from J & J Properties of Mason, L.L.C. for permission to dispose approximately 20,000 cubic yard of soil on property located at 300 East Kipp Road, Mason.

Please be informed that JAIL has no objections to the proposed special use permit, **PROVIDED:**

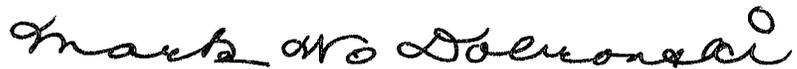
- (1) The slope of the land shall not be altered to cause any drainage to be directed toward the JAIL right-of-way; all drainage shall be directed away from the JAIL right-of-way;
- (2) Any driveway or other vehicular access point to the subject property along East Kipp Road, if any, shall be at least 600 feet distant from the JAIL railroad track grade crossing;
- (3) The property owner shall cut trees, shrubs, and any other obstructions in the southwest corner of the subject property to maintain appropriate clear vision areas at highway-railroad grade crossings for moving highway vehicles and trains as set forth at Appendix B, "Clear Vision Areas", in *Guidelines for Highway-Railroad Grade Crossings* published by the Michigan Department of Transportation, and assuming a train speed of 60 miles per hour.

Mr. David E. Haywood
City of Mason
February 17, 2013
Page 2 /

Thank you for allowing JAIL the opportunity to comment upon the application and site plan submitted. Should there be any questions or further comments in this regard, please direct same to the attention of the undersigned.

Very truly yours,

JACKSON & LANSING RAILROAD COMPANY



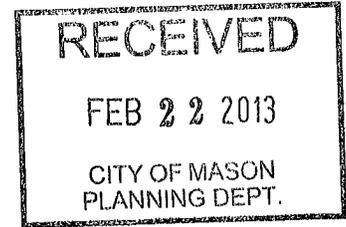
Mark W. Dobronski
President

MWD/hp

cc: J & J Properties of Mason, L.L.C.
Attention: John P. Fischer, Member
225 East Kipp Road
Mason, Michigan 48854-9291

Mason State Bank
Attention: Timothy P. Gaylord, President
322 South Jefferson Street
Mason, Michigan 48854-1652

ec: davidh@mason.mi.us



Memo

To: David Haywood, Zoning and Development Director
From: Kenneth Baker, Superintendent of Public Works
Date: February 22, 2013
Re: Site plan review for the Kipp Road (Disposal of Soils)

My comments on the proposed plans dated 2/12/2013 for the disposal of material at the 300 E. Kipp Road site in the City of Mason.

Below are comments about what will have to be addressed before a final approval.

Storm Water

Need to have a soil erosion permit.

Make sure there is a plan in place to manage the storm water and soils on site.

I am referring to the managing soils so they will not be tracked off site.

What kind of soil are they putting here?

This is within our well head protection area and we do not want contaminated soil that could leach into the water supply.

I am available for further discussion

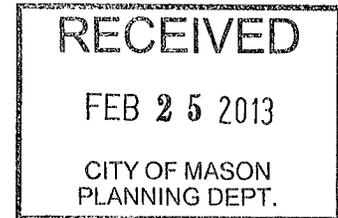


Wolverine Engineers & Surveyors, Inc.

312 North Street • Mason, Michigan 48854 • 517.676.9200 • Fax 517.676.9396

February 25, 2013

Mr. David Haywood, Zoning & Development Director
City of Mason
201 W. Ash Street
Mason, MI48854



RE: Special Use Permit - 300 E. Kipp Road

Dear Mr. Haywood:

We have received and reviewed the proposed Special Use Permit application and preliminary site plan from John Fischer for the property located at 300 E. Kipp Road.

It is understood that approximately 20,000 cubic yards fill is proposed to be placed along the western side of the property, adjacent to the on-site pond. It is also our understanding that the site has been evaluated for wetlands and as long as no filling takes place in or below the water line of the existing ponds the State of Michigan will not require permits.

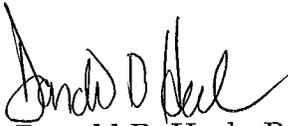
We were provided a grading plan as completed by Enger Surveying & Engineering dated February 15, 2013. The plan indicates the fill is to be placed to direct storm water runoff into the existing pond with a 3:1 slope toward the water's edge. The overall depth of fill appears to be two (2) feet at the greatest point.

From an engineering perspective, we take no exception to the proposed Special Use Permit for 300 E. Kipp Road.

As always, if you have any questions or additional comments, please do not hesitate to call.

Sincerely,

WOLVERINE ENGINEERS & SURVEYORS, INC.


Donald B. Heck, P.E.

DBH:ood

Established 1919

City of Mason

201 W. Ash St.
P.O. Box 370
Mason, MI 48854-0370
www.mason.mi.us



City Hall 517 676-9155
Police 517 676-2458
Fax 517 676-1330
TDD 1-800-649-3777

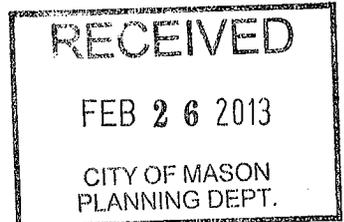
MEMORANDUM

TO: DAVID HAYWOOD/ZONING AND DEVELOPMENT DIRECTOR

FR: MARTIN COLBURN/CITY ADMINISTRATOR/DPW DIRECTOR

DT: FEBRUARY 26, 2013

RE: J&J Properties SUP & Site Plan Review for 300 East Kipp Road



Having reviewed this submittal, I raise a question regarding the ingress/egress to the mapped property. This map demonstrates only one means of ingress/egress, located on the southern end of the property, along Kipp Road. Not knowing the specific future use of the land, I would want to communicate that the future uses have the ingress/egress being properly located to allow traffic flow to interact safely in accordance to site distance and speed limits. Note: The distance of the future outlet be mindful of safe distances to the railroad crossing at Kipp at the Southwest corner of the property.

Under section 94-191(g) (2) Conditions – that the appropriate conditions may include those necessary to protect the natural environment and conserve natural resources and energy, to insure compatibility with adjacent uses, and to promote the use of land in a socially and economically desirable manner. This section would include that the proper soil erosion methods be in place with the infill and that any wetlands and significant natural resources be damaged or destroyed.

I am available for any further questions or review of this property.



Mason, MI Code of Ordinances

**CODE OF ORDINANCES
CITY OF
MASON, MICHIGAN**

2011 S-8 Supplement is current through
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Sec. 94-227. Standards for site plan review and approval.

In reviewing an application for site plan review and approval the following standards shall apply:

- (1) The site shall be developed so that all elements shall be harmoniously and efficiently organized in relation to the size, shape, type and topography of the site and surrounding property.
- (2) The site shall be developed so as not to impede the normal and orderly development, improvement, and use of surrounding property for uses permitted in this chapter.
- (3) All buildings or groups of buildings shall be arranged to permit emergency vehicle access by some practical means to all sites.
- (4) Every structure or dwelling unit shall have direct access to a public street or indirect access to a public street via an approved dedicated private street.

(5) Appropriate measures shall be taken to ensure that the addition or removal of surface waters will not adversely affect neighboring properties, that controls are in place to minimize sedimentation and erosion, and that topographic alterations are minimized to accommodate storm water management.

(6) Provisions shall be made for the construction of storm sewer facilities including grading, gutters, piping, on-site storage, and treatment of turf as required to handle stormwater and prevent erosion.

(7) Secondary containment for above ground areas where hazardous substances are stored or used shall be provided as required by the city fire chief.

(8) Exterior lighting shall be designed and located so that the source of illumination is directed away from adjacent properties, the intensity of lighting is the minimum necessary, and the direction of lighting is downward as much as is possible and appropriate for the project.

(9) All loading and unloading areas, outside storage areas, and refuse receptacles shall be screened from casual view from the public rights-of-way and adjoining land uses.

(10) Site plans shall meet the driveway, traffic safety, and parking standards of the city in such manner as necessary to address the following:

- a. Safe and efficient vehicular and non-vehicular circulation, including parking areas, non-motorized linkages to abutting parcels, uses, sidewalks, and trails.
- b. Shared driveways and service drives.
- c. Adequate and properly located utilities.

(11) Provisions shall be made for proposed common areas and public features to be reasonably maintained.

(12) The site plan submittal shall demonstrate compliance with all applicable requirements of this chapter, chapters 58 and 74, the building code, and county, state, and federal law.

(Ord. No. 152, 5-1-2006)

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