

Lapeer Township Special Land Use Review Standards Section 6.02 Proposed Use: Newark Aggregate & Landscape Supply – Soil Removal and Composting Operations, 1865 M-24 Date: 7/13/2015		
Standard	Complies	Does not Comply
1. The proposed special land use shall be of such location, size and character that it will be in harmony with the appropriate and orderly development of the surrounding neighborhood and/or vicinity and applicable regulations of the zoning district in which it is to be located.		
<i>Staff Comments:</i> <i>The site is an existing gravel mining with composting operations located on 246 acres. The proposal is to continue the mining operation for up to an addition 10 years and to expand the composting operation. The current operation has resulted in development of lakes that might provide for enhanced residential use long term, but the proposal would involve the use of the site for composting for the foreseeable future. The site is buffered with berms and due to grade differences from the surrounding residential and agricultural property. The proposed composting operation will be expanded to locate closer to existing residences</i>		
Planning Commission Member Notes: 		
2. The proposed use shall be of a nature that will make vehicular and pedestrian traffic no more hazardous than is normal for the district involved, taking into consideration vehicular turning movements in relations to routes of traffic flow, proximity and relationship to intersections, adequacy of sight distances, location and access of off-street parking and provisions for pedestrian traffic, with particular attention to minimizing child-vehicle interfacing.		
<i>Staff Comments:</i> <i>The proposed operation would increase truck traffic from an average of 10 vehicles per day (maximum of 20) to 20 vehicles per day (maximum of 40). Access will remain as is, from M-24. Comments provided by the MDOT and the Lapeer County Road Commission that no change in the access would be required as a result in the increase in traffic.</i>		
Planning Commission Member Notes: 		

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<p>3. The proposed use shall be designed as to the location, size, intensity, site layout and periods of operation of any such proposed use to eliminate any possible nuisance emanating therefrom which might be noxious to the occupants of any other nearby permitted uses, whether by reason of dust, noise, fumes, vibration, smoke or lights.</p>		
<p><i>Staff Comments:</i></p> <p><i>A primary concern expressed by residents in the surrounding area is the current odor caused by the existing compost operation and the impact of expansion of that aspect of the facility would have on their quality of life. A secondary concern was the potential for the operation to attract rats and other vermin due to the inclusion of garden waste in the material to be composted as well as the ability of the facility to accept up to 5% food waste under MDEQ guidelines. The applicant has responded that a composting facility that is properly operated can minimize both of these potential impacts.</i></p>		
<p>Planning Commission Member Notes:</p>		
<p>4. The proposed use shall be such that the proposed location and height of buildings or structures and location, nature and height of walls, fences and landscaping will not interfere with or discourage the appropriate development and use of adjacent land and buildings or unreasonably affect their value.</p>		
<p><i>Staff Comments:</i></p> <p><i>No new buildings are proposed. The applicant is proposing to maintain the existing berms and landscaping.</i></p>		
<p>Planning Commission Member Notes:</p>		

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5. The proposed use shall relate harmoniously with the physical and economic aspects of adjacent land uses as regards prevailing shopping habits, convenience of access by prospective patrons, continuity of development, and need for particular services and facilities in specific areas of the Township.		
<i>Staff Comments:</i> <i>The proposed uses is not of the character to impact prevailing shopping habits, convenience of access by prospective patrons, continuity of development, and need for particular services and facilities in specific areas of the Township to any greater degree than the existing operation.</i>		
Planning Commission Member Notes:		
6. The proposed use is necessary for the public convenience at the proposed location.		
<i>Staff Comments:</i> <i>The proposed location is an ongoing facility and could be considered convenient due to the fact that it allows for use of a facility already established for a higher intensity use.</i>		
Planning Commission Member Notes:		

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7. The proposed use is so designed, located, planned and to be operated that the public health, safety and welfare will be protected.		
<i>Staff Comments:</i> <i>Review of the site's compliance with Ordinance #5 is necessary to address discharge of storm water of site and traffic safety.</i>		
Planning Commission Member Notes:		
8. The proposed use shall not be detrimental or injurious to the neighborhood within which it is to be located, nor shall such use operate as a deterrent to future land uses permitted within said zoning district, and shall be in harmony with the general purpose and intent of the Zoning Ordinance.		
<i>Staff Comments:</i> <i>Single family residences are a use allowed in the AE district. The Planning Commission must determine if compliance with state standards for operation of a compost facility would be adequate to reasonably protect surrounding property owners from impacts of the proposed expansion of the composting facility.</i>		
Planning Commission Member Notes:		