

Richland Township Planning Commission
Wednesday, September 6, 2023

Members Present:

Greg Turner
Larry Engel
Chris McNally
Susan Neuenfeldt
Terry Keyser
Matt Bray

Members Absent:

David King

Others Present:

Rob Grose, Twp Manager
Scott Crofoot, Zoning Administrator

Call The Meeting to Order: Chairman Greg Turner called the meeting to order at 7:00 p.m.

Approval of Agenda as Presented: Motion by Susan Neuenfeldt, supported by Terry Keyser to approve the agenda as presented. Unanimous vote. **Motion Carried.**

Motion to Recess into a Public Hearing and to Call the Public Hearing to Order: Motion by Matt Bray, supported by Chris McNally to recess into a Public Hearing and call the meeting to order. Unanimous vote. **Motion Carried.**

Z-2023-04 – Hemlock Semi-Conductor Operations, LLC is requesting to rezone five (5) parcels of land totaling 80.01 acres from A-1, Agricultural – Farmland Preservation to M-1, Industrial. Manager Grose presented an overview of the rezoning request. Richland Township’s Master Plan and Future Land Use Map designate these parcels as developing into an M-1, Industrial District, which is consistent with the land use directly east of the proposed parcels. The applicant is requesting to rezone these parcels in a manner consistent with the Master Plan and Future Land Use Map as well as the character of the established area.

Richland Township has historically adhered to rezoning requests when the request is consistent with the Township’s Master Plan and Future Land Use Map and character of an established area. At the time of a rezoning, there is no requirement that an applicant provide plans for any potential future development of the property. Any proposed future development of the property would need to comply with the Zoning Ordinance requirements at the time a proposed development is submitted to the Township for review. In this case, however, the owner has indicated a desire to rezone the parcels to accommodate a future manufacturing facility, which is permitted in an M-1, Industrial District.

The combined parcels contain 80.01 acres and measures 2,640 feet along O’Hara Road and 1,320 feet along North Orr and Pruess Roads. Therefore, the site is capable of being developed into a manufacturing facility.

It is important to note that the 2014 Master Plan and Land Use Map also designated these parcels developing into an M-1, Industrial District.

Staff recommends approval of the rezoning request as it is consistent with the 2022 Comprehensive Development Plan and Future Land Use Map.

Grose also indicated that two documents were dropped off to the Township regarding this public hearing. One from Ms. Debbi Shepherd who operates an organic farm on O'Hara Road between Pruess and Fordney Roads. The second document is from Mr. and Mrs. Tyler Shepherd who operates an organic farm, including raising organic chickens. They reside at 1735 Pruess Road. Both documents will be included in the minutes of this meeting.

Chairman Turner asked for comments from the public

Other public in attendance that spoke included Jerry Shepherd, Luanne Krueger, and Martin Neuenfeldt. Their comments included concerns related to light trespass, noise, buffer areas that will be required, storm water run-off, chemical spills, chemical releases into the air, decline of property values, hunting distances required from buildings, where are complaints made to regarding the development issues and operation matters, and contractors leaving HSC's current site, and parking along Pruess Road and O'Hara Road during lunch periods. Some littering is taking place.

Manager Grose indicated there are several questions that the Township cannot answer at this point because a site plan has not been submitted. He indicated that the Township has a Noise Ordinance, Lighting Ordinance, Buffering Ordinance, and a Storm Water Management Plan will need to be reviewed and approved by the Saginaw County Department of Public Works. Complaints regarding the future operation of the proposed manufacturing facility need to be directed to the Township Zoning Administrator or Manger. Grose will have Pruess Road and O'Hara Road patrolled by the police department between the hours of 10 am and 2 pm.

Motion to Close the Public Hearing: Motion by Larry Engel, supported by Susan Neuenfeldt to close the public hearing. Unanimous vote. **Motion Carried.**

Approval of the Minutes of the Regular meeting held on Wednesday, July 12, 2023: Motion by Susan Neuenfeldt, supported by Chris McNally to Approve the Minutes from July 12, 2023 regular board meeting. Unanimous Vote. **Motion Carried.**

Building Inspectors Report: Motion by Susan Neuenfeldt, supported by Larry Engel to receive and file the Building Inspectors reports for July and August. Unanimous Vote. **Motion Carried.**

Zoning Administrators Report: Motion by Matt Bray, supported by Susan Neuenfeldt to receive and file the Zoning Administrators reports for July and August. Unanimous Vote. **Motion Carried.**

Public Comment: No public comment. Motion by Larry Engel, supported by Chris McNally to close public comment. Unanimous Vote. **Motion Carried.**

New Business:

- A. **Motion to Recommend the Township Board Approve Rezoning 80.01 Acres from A-1, Agricultural – Farmland Preservation to M-1, Industrial.**

Motion by Susan Neuenfeldt, Supported by Matt Bray to recommend the Township Board approve the rezoning of 80.01 acres from A-1, Agricultural – Farmland Preservation to M-1, Industrial. Unanimous Vote. **Motion Carried.**

Public Comment: No Public Comment. Motion by Terry Keysor, supported by Larry Engel to close public comment. Unanimous Vote. **Motion Carried.**

Adjournment: Motion by Terry Keysor, supported by Larry Engel to adjourn the meeting at 8:05 p.m. Unanimous vote: **Motion Carried.**

Respectfully submitted by:

Rob Grose on behalf of Susan Neuenfeldt

Richland Township Planning Commission Secretary

Kim Reiss

From: Debra Shepherd <debrashepherd12@yahoo.com>
Sent: Tuesday, September 05, 2023 2:36 PM
To: zoning@richlandtownshipmi.com
Cc: jerry.shepherd11@yahoo.com
Subject: Questions for Planning commission Public Hearing 9//
Attachments: Rezoning Meeting.docx

Several question I would like to have discussed at the Richland township planning commission notice of public hearing on September 6th.

Rezoning meeting questions

- 1) There are two organic farms that are next door neighbors (190 acres) only a road barrier and another 100 acres within a mile; should there be any contamination from these new or any HSC facilities, who is responsible for the income loss for the current year and the next three years, during the recertification process? With the yearly income and time clock restarting with each contamination episode.
- 2) During the construction phase what are the roads you are planning on using, because O'Hara and Preuss roads are not capable of supporting that kind of traffic?
- 3) Who is responsible for fixing these roads and when, when they become a muddy mess?
- 4) Is this one single business owned by HSC, or are multiple businesses planned to go into this space? Will there be multiple entities? Basically, another industrial park.
- 5) What kind of chemicals are expected to be used on this property, which ones are specifically hazardous?
- 6) What kind of infrastructure will be needed to support this/these business, water, septic, electrical, upgrading roads? Will Richland township be the ones who will be paying for these upgrades?
- 7) Will there be a buffer/berm built up around this property, as there is at the road frontage round HCS?
- 8) Currently, the water from much of this property is drained, slowly, through field tiles to the Northwest corner of the property. When there is a lot of rain or heavy rainfall, there can be standing water at the South side corners of O'Hara. Water from the fields on the south side of O'Hara Road must flow through a drainpipe under the road. Should this water from this development create a bigger issue with more water or water collecting faster into this corner, causing more crop damage; will HSC take responsibility for rectifying the problem?
- 9) What is the likelihood that Orr Road will be closed off to public access, and or O'Hara or Preuss roads, temporarily and or permanently?
- 10) It is my understanding that Geddes Road is scheduled to be upgraded for this project. With the Geddes Road upgrade, will there be, or do you foresee there to be a truck traffic change that will make Fordney Road the preferred route? I realize because Geddes Road is closed due to water/wastewater upgraded that the temporary truck traffic route is Fordney; It is bad enough to see so many empty Trichlorosilane trucks traveling down Fordney Road, but I find it extremely concerning to see how many **loaded** HCL (Hydrochloric acid) trucks are traveling this road which does not have much of a shoulder.
- 11) Just a final comment to the Richland township board, you all have been spouting the evils of the solar farms that are coming into the township and probably have created a car-deer problem

Kim Reiss

From: Tyler Shepherd <shepherdorganic@gmail.com>
Sent: Tuesday, September 05, 2023 10:23 PM
To: zoning@richlandtownshipmi.com
Subject: Rezoning Meeting 9/6/2023
Attachments: Rezoning Meeting Notes 9.6.2023.docx

Good evening,

Please see the attached letter regarding tomorrow's meeting. Thank you for taking the time to read our questions and concerns.

Thank you,

Tyler & Hannah Shepherd
Shepherd Organic Produce & Poultry LLC
1673 Pruess Rd. Hemlock, MI 48626
989-395-4001

September 6, 2023

TO: Richland Township Planning Commission

FROM: Tyler & Hannah Shepherd

Owners of Shepherd Organic Produce & Poultry LLC (1673 Pruess Rd.) & Home (1735 Pruess Rd.)

SUBJECT: HSC Rezoning

We are writing this letter in regards to the rezoning of the land across the road from our Home and Farm. We ask that you take our questions and concerns into consideration.

1. As our farm and the surrounding farm are Certified Organic (200+ acres), who will be responsible if/when there is a spill or release on our land or the surrounding land. If this incidence occurred our farm would be put out of business for many years as we cannot operate without our certification. The process to recertify would take at least 3 years after the incidence, IF the property is recoverable.
2. Our business relies solely on the sales of our produce & poultry. We are **extremely** concerned that our customers will deter from shopping at our business when they learn we live across the road from a chemical plant. With this decrease in sales, we are quite sure that our business may not survive. With our business being the only Certified Organic produce & poultry farm in Saginaw County this would harm our community as well.
3. If this rezoning is approved and an industrial park/chemical plant is built, what will the township be doing to address our property value and taxes as our property will lose all value across from an industrial park. We have our life, money, time, and future invested into our property and this could all be turned upside down by a chemical plant within yards of our property.
4. An additional concern that we have is regarding our health. We spend about 80% of our time outside in the fields during the summer harvesting our crops, taking care of our animals, and spending time with our family. What is this going to do to the health of our family if there is a release or just for the plant being in operation?
5. Our township is spending a lot of money to improve our schools and invite others to move to our community, however, we are now inviting a chemical plant and several thousand acres of solar farms to our township which would deter citizens from joining our small town. Where will homes be built when land is being utilized by chemical and solar companies. What is the future of our Township? It seems as though the residents are seeing conflicting visions.
6. Pruess and O'Hara Roads are already extremely busy with contractors at all times of the day that stop in front of our farm and on the sides of the roads for their lunch/smoke breaks leaving behind trash and cans, what will the township be doing to address the traffic situation since this

is going to increase? The speed of traffic down our dirt road is a huge concern; will there be speed limit signs posted to help? Who is going to pay to maintain Pruess and O'hara roads as these will be highly utilized?

7. What are the set backs that will be placed on how close this plant can be built to the road and in addition a home? Our house is directly across the road from this plant, within feet of this property. What is being done to protect our residence from the effects of this plant?
8. Are there noise ordinances that will be put into place? We can already hear the loud sounds of HSC such as construction, fans blowing, and ongoing regular operation. What is the township going to put into place to prevent us from having to hear the noise of the chemical plant 24/7? This cannot be good for the health of nearby residents.
9. Will there be light ordinances put into place? It is no secret that the current lights of HSC are extremely bright. They illuminate the inside of our house at night. Now this is going to be even closer to our home, what is going to be done by the Township to prevent this?
10. The farm field across the road often floods along the woods. If there is infrastructure built, I am assuming there will be additional water drainage. Will the Township be fixing the ditch to flow to the McCullen run? In addition to this question, what will be in the water run off from this new chemical plant? If this floods and travels across the road to our property this will contaminate the farm fields.
11. As I am sure the Township will approve this rezoning due to the tax dollars that will be received, however, can you please tell us how these tax dollars are going to be used to benefit the Township?

We started our specialty produce & poultry farm 5 years ago on land farmed by our family for over 50 years and our dream is to pass it down to our family one day, however, this decision in the Township's hands is going to affect this. We again kindly ask that you take these concerns to heart and think about how this will affect our family and our small community in Richland Township where we were both raised and plan to raise our family.

On a final note, we encourage you to come and see the current state of our farm and the residents surrounding us. Come and visit our currently quiet, peaceful farm where our products provide healthy, Certified Organic options for our community and feed thousands of mouths each year.

If/when this rezoning is approved, this will show that the Township cares more for the tax dollars from a Chemical plant than it does its' own residents.

Tyler & Hannah Shepherd
shepherdorganic@gmail.com
989-395-4001