

**Minutes**  
**Planning Commission**  
**Charter Township of Portage Twp. July 22, 2013**

The quarterly meeting of the Portage Township Planning Commission was called to order at 7:00 PM on Monday, July 22, 2013 by Chair Rob Wittig. Present were Bernie Carr, Ted Soldan, John Ligon, Peggy Anderson, Jim Gale, Melanie Watkins, Rob Wittig, and Dave Rulison. Visitors were Bruce Petersen, Pat Coleman, and Sally Santeford.

Chair Wittig at this point turned the meeting over to Pat Coleman from UP Architects and Engineers for the purpose of gathering any final input for the proposed master plan.

The committee talked about township commissioner John Ollila's letter to the planning commission (see attached,) and the quarry property. Members of the commission looked at maps and discussed future uses for the property.

Bernie Carr made a motion to change the SE quarter of section 10 and the NE quarter of section 15 on the proposed map to mixed use, which would make it contiguous with the mixed use to the northwest, and offers the township future flexibility for land use. The motion was seconded by John Ligon. There was a great deal of discussion, mostly centering on the continued functioning of the Moyle gravel operation on this property. It was noted that Moyle has a consent agreement to operate on this property regardless of the zoning. A hand vote was called for by chair Rob Wittig. The motion failed with 3 aye and 6 nay votes.

Next, the commission discussed the future use for the old REA property on Green Acres Rd. After the discussion a straw vote was held to give Pat Coleman some guidance on the map in the master plan. The vote to change this property from rural residential to commercial was passed 8 ayes and 1 nay.

Another straw vote was held regarding the Harris property next to the REA property on Green Acres Rd. Commission members were allowed to vote as many times as they liked. The vote was how to list this property on the master plan. The voting was as follows:

Commercial – 5  
Rural Residential – 4  
Mixed Use – 2  
Industrial – 2

The date for the public hearing on the master plan was then held. Monday, August 26 at 7:00 PM at the township office was chosen.

Jim Gale made a motion to adjourn at 9:25 PM. The motion was seconded by Ted Soldan and passed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ted Soldan".

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Ted Soldan, Secretary

Planning Commission Members,

I have a few comments regarding the current Master Plan draft.

An earlier map designated the quarry area and all residential properties to the ease as industrial, including a large wetland with expansive open water. I believe that map has been changed to delineate the quarry area as the only land in sec. 15 that would be designated industrial. I've been on the road a lot lately with lots of driving time to think – these are my thoughts.

If only the VVQ land in sec. 15 is designated industrial or if that area is changed to the Farm/Forest zoning classification, the township is going out on a limb and inviting litigation. Courts have universally held that spot zoning (zoning which benefits a single landowner) is illegal. The Consent Judgment which Portage Township signed with Moyle Inc. gives VVQ the right to operate in perpetuity. The surrounding area could for example be zoned wilderness in the future, yet VVQ would have the legal right to operate because of the court enforced Consent Judgment. All of sec. 15 should remain Rural Residential so all landowners within are classified similarly. This would not prevent VVQ from conducting business; this classification would be consistent with the Consent Judgment; and this classification would not invite litigation.

Additionally the Master Plan should at least acknowledge some of the skeletons in the closet. Much of the township is underlain with miles of flooded mine tunnels, holding who knows what. In that same vein there are many former dumps leaching into the ground. Foremost in my mind would be the large Hurontown dump draining into Huron Creek just upstream from the city of Houghton's waterfront park. And there is the large active dump near Toro Road north of Tapiola, plus other dumps, old spoil sites, and junkyards. I think the Master Plan should indicate these problems do exist and their remediation may have to be planned for in the future.

Sincerely,

  
John Ollila

Sign in:

7/22/13

- ✓ 1 Bruce Petersen
- ✓ 2 Dave Puliser
- ✓ 3 Tim Gole
- ✓ 4 TED SPODAN
- ✓ 5 Melanie Watkins
- ✓ 6 Pat Coleman ~~UPPER~~
- ✓ 7 Bernie Carr
- ✓ 8 John Lijz
- ✓ 9 Bob Lutz
- ✓ 10. Peggy Lee Andra

Guests

Bruce Peterson  
Pat Coleman, Melanie Watkins,  
Sally Santeford