

ENVIRONMENTAL CONCERNS COMMITTEE

December 18, 2019 MEETING MINUTES

- MEMBERS PRESENT:** Paul Manstrom, Chair; Phil Dietrich, Vice Chair; Joe Bower; Eric Brown; Sharon Dever; Lauri Holmes; Ian Magnuson; Scott Schmidt; Gail Walter; Aaron Wright
- EXCUSED ABSENCES:** Mary Clare Griffith; Kevin Weller
- STAFF:** Jamie McCarthy, Development Coordinator; Malissa Drzick, Staff Liaison; Amy Thomas, Recording Secretary
- OTHERS:** Jeanne Hess, City Commissioner; Tom Dewhirst, Retired Director of Household Hazardous Waste Center; Wayne Bond; Bobby Glasser

1. ROLL CALL (Excused Absences)

- Roll Call was completed; a quorum of members was present.

2. APPROVAL OF AGENDA:

- There were no changes to the agenda.
- **Mr. Dietrich, supported by Mr. Wright, moved approval of the December 18, 2019 ECC Agenda. With a voice vote, the motion carried unanimously.**

3. APPROVAL MINUTES (November 20, 2019):

- The following changes were requested: Page 3, last sentence, should refer to 110 housing units next to Kleinstuck Preserve. Page 4, the air quality data from the City of Kalamazoo water reclamation plant is not available to the public at this time. The water reclamation facility began using the program in October. Page 5 under wildlife and natural resources, 4th bullet, the webinar can be accessed without a charge.
- Mr. Wright, supported by Mr. Glasser, moved approval of the November 20, 2019 ECC Minutes as amended. With a voice vote, the motion carried unanimously.

4. ANNOUNCEMENTS:

- Ms. Dever was contacted by a company wanting to know if the City of Kalamazoo is interested in solar panels.

5. COMMENTS BY OTHERS ON NON-AGENDA ITEMS:

- Introduction of guests.

6. UNFINISHED BUSINESS/UPDATES/DISCUSSION:

City of Kalamazoo Sustainability and Climate Action Plan Progress Report

- Ms. McCarthy stated that the Sustainability Team met in December. They did a goal mapping exercise.
- A Google spread sheet was created from the map. The spreadsheet will be utilized to request feedback; she will forward that document to Mr. Manstrom.
- Six themes and subtopics were discussed at the meeting. Input is being requested about possible relevant topics to be added to the Plan.
- People who took the survey think of climate change every day. The City of Kalamazoo survey is similar to a survey done by Iowa City. Both cities have a similar population (approximately 75,000 people), a university, etc.
- Most of the people who took the survey felt climate change is impacting their lives now. Ms. McCarthy provided further details regarding feedback from the survey. The results will be available on the City of Kalamazoo website.
- The interns have been gathering data and there should be more to report in February. The survey will be open until the end of January 2020. It takes about ten minutes to complete the survey. The survey had been closed but it was reopened again.
- Mr. Magnuson inquired as to how the focus groups mesh with complete streets. Ms. McCarthy advised that Katie might be focusing on that in the future.

Vermeulen Property Rezoning

- Discussion followed regarding the Vermeulen property. Ms. McCarthy has not seen the rezoning request for that property, which is approximately 17 acres located at the southeast corner of Stadium Dr. and Drake Rd.
- The three parcels on that property are each zoned slightly different. They are currently zoned residential. The Master Plan shows that property as commercial on the Future Land Use Map; Stadium Drive is a commercial area. The Vermeulen property has a unique character because it is adjacent to Asylum Lake.
- The Current owner of the Vermeulen property has proposed a strip mall, car wash and residential use for that property but it needs to be rezoned to allow the proposed uses. The owner submitted an application to have the property rezoned.
- It was suggested that further information could be obtained from Pete Eldridge, City of Kalamazoo Planning Department, regarding the application that was submitted. Community Commercial was the requested zoning designation for that property. Ms. McCarthy was uncertain if that zoning designation was requested for all three parcels.
- Ms. Holmes advised that the next Planning Commission meeting is scheduled for January 14th. Ms. McCarthy stated that the City Attorney's Office will review the application. The Planning Commission usually meets on the first Thursday of the month, but the meeting will be on the 14th of January at 7 p.m. in City Commission Chambers. The proposed Vermeulen property rezoning request should be on that agenda unless there are issues.
- The Planning Department will mail a public notice regarding that meeting. The Planning Commission and the City Commission meetings are open to the public. The rezoning request would be heard first by the Planning Commission and then by the City Commission.
- Mr. Wright mentioned that the map regarding future commercial use was taken from the Master Plan that was created ten years ago. Ms. McCarthy stated that there were other changes to that map: commercial nodes, corridor improvements, changing land use in neighborhoods, etc. Additional work was done to develop the current map. Ms. Dever stated that the former Vermeulen property was designated as future green space back in the 1970's.
- Mr. Magnuson inquired if there is any reason the City Commission would say no to the rezoning. Mr. Manstrom advised that the Planning Commission could make a recommendation and then the City Commission could say no based on public input. The Community Commercial zoning designation is one of two zones that allows car washes, and it is the most flexible.
- The parcels on the former Vermeulen property are included in the Natural Features Protection Overlay District. The Overlay would provide environmental protection for Asylum Lake if the rezoning is approved.
- Ms. McCarthy confirmed that the January Planning Commission agenda would be presented with staff recommendations. She suggested asking Christina Anderson or Pete Eldridge if a partial approval could be a possibility.
- Mr. Manstrom stated that City staff can recommend the rezoning with conditions. The Planning Commission can approve the rezoning request with conditions even if City staff doesn't recommend conditions. The ECC is not scheduled to meet again before the Planning Commission meets in January.
- It would be helpful to have as many statements as possible detailing concerns about the potential for negative impacts on the Asylum Lake Preserve from adjacent developments. The ALPA (Asylum Lake Preservation Association) is working on communications with the Planning Department. They are also communicating with WMU to emphasize the value this property has for the University.
- The car wash proposed for the former Vermeulen property will be larger than the one on West Main Street and it is less than a mile away.
- An inquiry was made as to what the recommendation would be for how the former Vermeulen property should be used. Ms. Holmes stated that parcels A & B should have minimal commercial use. Parcel C should have minimum development and a hundred-foot buffer from the property line at the edge of the Asylum Lake Preserve.
- The CC (Commercial Community) zoning classification was requested by the developer but there has been concern that would not be an appropriate classification. There are four or five commercial zones, some of those zones don't allow car washes.
- Concern was expressed about having any development on that property. The City's Future Land Use Map only specifies commercial use of that land. If the proposed commercial use is denied by the Planning Commission, they are not rejecting all commercial uses of that land.
- Mr. Glasser stated that the developer would have to request a variance based on the amount of property where vegetation will be removed. If trees are removed, they will have to be replaced.
- The former Vermeulen property cannot be made part of the Preserve because it is residentially zoned (RS-5), private property. Construction of an apartment building would require an RS-15 zoning designation. If the zoning is

changed, the property will still need to be reviewed by the Natural Features Protection Overlay Board and the City Commission.

- Mr. Dietrich inquired as to how the future land use map is binding on the City. No one could remember a meeting where that was discussed regarding the commercial designation. What has changed since that zoning was proposed? - Increased awareness of how precious that land is. That is one argument for not having a commercial development there.
- **Mr. Wright, supported by Mr. Dietrich, moved to state that the ECC concludes that the requested community commercial zoning designation for the former Vermeulen property is inappropriate. The ECC recommends that the requested commercial zoning change be denied. With a voice vote, the motion carried unanimously.**
- Mr. Manstrom offered to review the rezoning application. He will work with Ms. Holmes and the ALPA Board to determine who this statement will be sent to. It was suggested that this statement could be forwarded to the Planning Commission, Audubon Society, Winchell Neighborhood Association, the Sierra Club, The Parkview, Parkwyn and Oakwood Neighborhood Associations.

December Committee Election Coordination – Chair & Vice Chair Candidates, Candidates for Open seat on the Board, Election Procedure.

- **Mr. Manstrom, supported by Mr. Dietrich, moved to nominate Mr. Wright as the Chair of the ECC starting in January of 2020. With a voice vote, the motion carried unanimously.**
- The Vice Chair provides support to the Chairperson and helps run the ECC meetings when the Chair cannot be present. The Chair and Vice Chair also deal with absenteeism of the ECC members. Further duties are outlined in the bylaws which are on the shared drive. It's a one-year appointment, usually starting in January. The Chairperson creates the ECC Agendas and e-mails them to the ECC members.
- The staff liaison forwards ECC applications to the Chairperson. The Chairperson communicates with the applicants.
- **Mr. Wright, supported by Mr. Bower, nominated Mr. Dietrich for Vice Chair of the ECC. With a voice vote, the motion carried unanimously.**
- Ms. Drzick will confirm how long the Chairperson and Vice Chairperson can continue serving on the ECC.
- Mr. Manstrom is terming out and there will be an open seat on the Committee.
- **Mr. Dietrich, supported by Mr. Schmidt, nominated Mr. Glasser to fill the open seat. He brings specific knowledge and expertise to ECC as the only geoscientist on the Committee. With a voice vote, the motion carried unanimously.**
- The City has a rule against people serving on multiple City boards unless they have specialized knowledge that is required by those boards. Mr. Glasser has attended the ECC meetings faithfully as an associate member. He also serves on the Natural Features Protection Overlay Board and is the only geoscientist among both groups. He has been a good liaison between the NFP Board and the ECC. Mr. Bond would be next to fill an opening on the ECC.
- Mr. Glasser mentioned that the NFP Board has one, two and three-year appointments so that all the seats do not have to be filled at the same time.
- Ms. Holmes suggested the possibility of expanding the number of ECC members to allow more people on Committee. Mr. Bond commented that if the number of board members is increased, there should be an odd number for voting purposes (no possibility of a tie vote).
- Discussion followed with regard to the size of other City boards, which are usually smaller. Larger boards might not be as effective. There was a period of time when people weren't as interested in serving on the ECC; more input might be helpful. An increase in members on the Committee means that the number of members required for quorum would also increase.
- Mr. Manstrom will remain on the ECC as an associate member until the Climate Action Plan is completed.

7. NEW BUSINESS

Kleinstuck Preserve

- Ms. Walter reported that the Stewards of Kleinstuck Preserve are pursuing the purchase of property that adjoins the Preserve. They made another offer that was not accepted but they haven't given up. They have a commitment for pledges totalling \$300,000. The current price of the property is \$700,000.

8. SUBCOMMITTEE REPORTS:

NFP Review Board

- Mr. Glasser reported that 500 Golden Dr., The Heritage senior citizen community, applied for a variance for a demolition. Mature trees on the property will be affected by the proposal. Removal of the trees was approved conditionally.

- Also, 3825 Stadium Dr. is the future home of a cannabis retail shop behind other businesses. There is an issue involving the slope at this property. They will be constructing a retaining wall, which was approved conditionally. The developer made changes due to the NFP review.

Air and Water Quality

- Mr. Manstrom met with Chris Bovid, President of the Woods Lake Neighborhood Association regarding the salination of the lake. The City of Kalamazoo responded to past concerns by providing more frequent leaf pick ups. There is more information on the shared drive in the air and water quality folder.
- The ECC needs to follow up with the salination issue. Woods Lake has the only public beach in the City of Kalamazoo.
- Mr. Wright received an e-mail from EGLE regarding the odor nuisance issue. There is a public comment period on the proposed permit conditions for the expansion of Graphic Packaging. Public comment can be submitted in writing through January 30th. There will be a public meeting on January 30th at 5:30 p.m. at the Lincoln Elementary School and a public hearing at 7 pm.
- Mr. Wright will comment at that meeting on efforts to get Graphic Packaging to use odor monitoring technology.

Wildlife and Natural Resources Protection

- Ms. Walter attended a presentation by Dr. Ned Walker regarding Eastern Equine Encephalitis (EEE), which is in Kalamazoo due to the geology of this area. Dr. Walker was consulted regarding the decision to spray for mosquitoes in Kalamazoo in the summer of 2019.
- Ms. Walter will try to get additional information from Dr. Walker. He might be willing to give a presentation to the ECC. He didn't address what the treatment would be going forward. He spoke about the history and biology of EEE. ECC follows a predictable pattern based on weather.
- Ms. Holmes mentioned that EGLE fined WMU \$18,000 as a result of the storm water erosion at BTR2 back in June.

Waste Management/Litter

- Ms. Dever reported that the Waste Management/Litter Subcommittee did not meet in December. They are planning to meet in January.

Planning Commission

- No report.

Tree Committee

- Mr. Dietrich reported that the Tree Committee did not meet in the month of December.

Asylum Lake Policy & Management Council P

- Previously discussed.

Parks & Recreation Advisory Board

- Mr. Wright advised that there was nothing new to report.

Wellhead Protection Program Committee

- No report.

9. ADJOURNMENT:

- The meeting adjourned at 6:15 p.m.



Recording Secretary