

**CHARTER TOWNSHIP OF VAN BUREN
ENVIRONMENTAL COMMISSION AGENDA**

Wednesday, June 15, 2022 – 7:00 PM
Van Buren Township Hall Denton Room
46425 Tyler Road, Van Buren Township, MI 48111

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CALL TO ORDER

ROLL CALL

ENVIRONMENTAL COMMISSION

Chairman DeBuck	_____	Board Representative Boynton	_____
Commissioner Ross	_____	Vacant	_____
Commissioner Gibson	_____	Director Lockett	_____
Commissioner Merritt	_____	Director Power	_____
Commissioner Creal	_____	Recording Secretary Zantop	_____

APPROVAL OF AGENDA

ACCEPTANCE OF THE MINUTES OF THE PREVIOUS MEETING

1. September 15, 2021 Minutes

COMMUNICATIONS

UNFINISHED BUSINESS

NEW BUSINESS

1. Introductions
2. Election of officers
3. Wayne Disposal, Inc. Landfill Liner Modification Request
4. Wayne Disposal, Inc. Acquisition
5. Open Discussion and Updates

ANNOUNCEMENTS/COMMENT**ADJOURNMENT**

***** If you are unable to attend, please contact Developmental Services at 699-8913 before noon on June 14, 2022*****

CHARTER TOWNSHIP OF VAN BUREN
Environmental Commission
Wednesday, September 15, 2021
MINUTES

To mitigate the spread of COVID-19, protect the public health, and provide essential protections to Van Buren Township residents; the meeting was called to order by **Chairman DeBuck** at **7:03 p.m.** via Virtual Meeting:

ROLL CALL:

Present: Chairman DeBuck, Commissioner Ross, Commissioner Gibson, Commissioner Creal, Trustee Boynton

Absent/Excused: Commissioner Merritt

Staff: Director Best, Executive Assistant Dohring, and Recording Secretary Zantop

Additional Present: Donna Lavin (League of Women Voters)

APPROVAL OF AGENDA:

Motion Trustee **Boynton**, Second Commissioner **Creal** to approve the September 15, 2021 meeting agenda as presented.

Roll Call Vote: (4) AYES – DeBuck, Ross, Gibson, Creal, Boynton

(0) NAYS

Motion Carried

APPROVAL OF MINUTES:

Commissioner Ross pointed out a typo on page 2 of the minutes. Change Rough to Rouge.

Motion Commissioner **Ross**, Second Commissioner **Gibson** to approve the minutes of January 20, 2021, as amended.

Roll Call Vote: (4) AYES – DeBuck, Ross, Gibson, Creal, Boynton

(0) NAYS

Motion Carried

COMMUNICATIONS:

None.

UNFINISHED BUSINESS:

None.

NEW BUSINESS

1. Van Buren Landfill Land EPA Clean-up Discussion

Director Best discussed the history of properties at the intersection of Ecorse and Michigan Ave that were contaminated in the past. The State of Michigan placed a condition that the property be placed in a trust to ensure clean up. The RACER Trust company was founded to do this. Over the last 15 years, RACER Trust has been working to clean up the site following Environmental Protection Agency (EPA) guidance. The Township Received the Statement of Basis from the EPA for the proposed soil and groundwater cleanup at the site. The airport is to the south, US-12 is to the west, the railroad track to the north, and the GM facility is to the east of the site. The site is approximately 68 acres of heavily wooded area. The property was used for agriculture in the '40s until 1966. Van Buren Development Company (not associated with the Township) used the land as a sand quarry and a landfill from 1966-1969. The property has been vacant since the closure of the landfill in 1969. Environmental remediation activities have been performed by RACER Trust with approval and oversight of the EPA. A settlement set aside approximately 3.2 million dollars for the clean-up of this property. While the property was used as a landfill demolition waste, domestic refuse, incinerator ash, 55-gallon drums of oil, and liquid waste were disposed of there. The cleanup planning process began in 2011 and investigations were ongoing until 2017. Twenty-five test pits, thirteen soil borings, twelve monitoring wells, and three surface water samples areas have been used to characterize the extent and quality of the waste. Monitoring wells and boring were put into place to delineate groundwater pollutants. An Ecological Risk Assessment was completed in 2017.

Director Best overviewed the Statement of Basis document that outlines the clean-up. The EPA has given RACER Trust guidance on how to prepare their clean-up plan. RACER Trust will follow the proposed remedies to develop their clean-up plan for the site. The three remedial Threshold Criteria are to protect human health and the environment based on anticipated land use, achieve clean-up objectives, and control the sources of any future releases. The Statement lays out what the remedy will be and various alternatives. In the future, there will be a plan showing how RACER will clean up the site. That plan will be approved/reviewed by the Township, EPA, and State. The site will be capped to hold waste in place and there will be continuous monitoring. No wells will be installed adjacent to the property. A long-term monitoring plan will be put into place to make sure the site stays in compliance. The Statement of Basis document is an outline for RACER Trust to use to develop a clean-up plan.

Chairman DeBuck asked if \$3.2 million was enough to fix all of the issues. Director Best explained that this amount was the money set aside from the initial trust. RACER has to financially assure the clean-up to its completion and long-term care of the site. Chairman DeBuck asked if this would be considered a brown site by the federal government. Director Best stated to his understanding the site would be considered a brownfield redevelopment site. There could be potential for money from the federal government. Chairman DeBuck expressed concern for the barrels that were disposed of on the site rotting out. Director Best stated according to the data there has not been mitigation of waste from the landfill offsite. There are more concerns about the groundwater leaving the site with contaminants.

2. Discussion on US Ecology Landfill (Gibson)

Commissioner Gibson discussed a concern at the US Ecology Landfill. He noticed there was a lot of waste exposed at the facility. Commissioner Gibson contacted Director Best to ask if US Ecology has to cover their waste at night as the municipal landfills are required to do. Director Best stated he read the permits and this would be something they would discuss on the upcoming tour. This is because it could depend on what area of the site is in question. Some sites are under construction and there are some cells that they are moving encapsulated materials. Some sites may not need to be covered as they are making changes. While other sites are required to be covered. Questions that the commission has can be answered by US Ecology staff. The Environmental Commission will meet at US Ecology on September 22, 2021, at 5 o'clock for a tour of the facility.

3. Discussion on Lakeshore Ordinance Issues (Gibson)

Commissioner Gibson asked for an update on the BYC docks. Director Best explained that the Township dismissed the charges but there is an ongoing court action. Earlier this year docks were found being installed at the BYC that did not comply with the shoreline ordinance. Permanent docks require permits and approval from the Township and the State of Michigan. The Township brought in the property owner and contractor to discuss how to proceed with voluntary compliance. The State of Michigan cited a violation for the lack of an EGLE permit for the docks. Currently, the BYC is in negotiations with the State of Michigan. The Township's violation notice of the ordinance was dismissed under the order of the judge that the property owner has until November 15, 2021, to comply or get permission from the state. The BYC is in the process of designing a site plan for the State to make a marina at this location. If the plan is amenable to the State, it would then be brought to the Planning Commission and potentially the Board of Zoning Appeals to be reviewed for approval. It is up to the applicant to take action to see if they can do what they want to do. The township will continue to work towards compliance with the property owner.

4. Update on French Landing Park

Director Best discussed the updates at French Landing Park. All of the site work is almost complete. The sidewalks will be poured before the end of the year. Landscaping may be pushed off until the spring so the plants have the best chance for survival. The tent like pavilion is up at the park. It is a unique addition and it is as large as the pavilions at Van Buren Park. French Landing will be a great spot to enjoy views of the lake and have activities like yoga, aerobics, and fishing club meetings. The Parks and Recreation Department has ideas for staff members to lend out games such as corn hole, horseshoes, giant chess boards, and other backyard activities. The new sign was approved by the Board and will be installed at the site. At the budget hearings, the Board of Trustees heard a proposal for additional money to be allocated to projects that are in excess of what was planned in 2022. The projects will use funds that were saved over 2020 and 2021. The Board will consider up to \$2.6 million of projects most that are in the parks. One would be the completion of the French Landing Master Plan. Including additional benches and a brand-new walkway/fishing area along the shoreline. If the Board approves the budget with those items the work would begin in 2022.

Chairman DeBuck asked if they could visit the site on their own. Director Best stated you see the park but a majority of the site is fenced in for safety and security. A cistern was found during construction that was from the old property owner. There was a cistern for lake water to collect for a sprinkler system. The area was capped and covered when it became park land. It is the process of being dug out and filled in. You can see through the fence and can see the new tent pavilion and all of the improvements that have been made. Commissioner Creal asked when the completion date is for the park project. Director Best stated the earthwork, sod, pavement, and sprinklers should be done by the end of the year. In 2022 the park sign will be installed and additional landscaping/planting will be put in. Phase 1 should be completed in 2021 and phase 2 in 2022 if approved by the Board of Trustees. Director Best stated the Board of Trustees will be considering work at Riggs Park including maintenance of the native areas, more pavilions at Van Buren Park, and additional work on the Iron Bell Trail.

Chairman DeBuck asked how the saddle portion at Van Buren Park is coming along. Director Best stated he was able to look at the finished product early. It has a bike and walking path, safe 16 ft travel for vehicles, a retaining wall, and a view of the lake. Director Best stated there is going to be a grand opening ribbon cutting at the saddle that the Board of Trustees will invite the community to. Chairman DeBuck asked if there has been any progress on the Iron Belle Trail easements. Director Best stated the section of the trail that comes from Washtenaw County by Grove Road where it connects inside the park to the saddle was put on hold due to covid. That project will move forward shortly. The Township has paid for the permit and the plans are done for this section. The finished trail in the park leads back into the woods towards the failed bridge at Van Buren Park that crosses Edison Lake and Belleville Lake. A project is currently being designed for a brand new span bridge that will lead to Denton Rd from Van Buren Park. The third section is from Denton Rd to Belleville going across the Denton Rd Bridge. It is in the design phase with the Township's consultant PEA. Commissioner Creal asked if the plan would potentially include widening the bridge. Director Best stated that would cost too much money and he does not think Wayne County would ever do that but there are ways to make the pedestrian traffic safer. The section of the trail in the city of Belleville is being worked on now. The section that has the easements is from the eastern side of the City of Belleville border to Riggs Park along Huron River Dr. In the last update, there were four easements now there are ten with two more in the works from two of the churches. The Township is working with residents who are still on the fence and in opposition of having the trail in front of their property. The plan is to implement this section of the trail in 2022. The next section is from Riggs Park to the railroad crossing. The township entered into an agreement with Norfolk Southern Railroad to design a pedestrian crossing along the railroad on Huron River Dr that would be safe and at grade. Director Best mentioned an article in the Independent Newspaper that said Huron Metro parks are going to do the pathway from the park entrance all the across the bridge to where Haggerty Rd is. Director Best's understanding is that the Metro Park will cross Huron River Dr with a signal light and the Township will pick up the rest of it. This project is being designed right now with PEA and Norfolk Southern Railroad because the railroad crossing would be a part of this project. There have been sets back due to covid and impediments with the County. Wayne County as the owner of the road has the ultimate responsibility to make sure it is safe motorized travel and they have a lot of rules to follow. It makes planning a trail difficult to design and plan to meet the County's

standards. The Township is working closing with Wayne County and the consultants to get this done.

Chairman DeBuck inquired about the old Kmart Plaza and if there is any information on what might happen there. Director Best stated the Kmart Plaza commercial developer is currently in the process of looking at options of what to do with the property. Chairman DeBuck asked if a Kroger would fit in the site. Director Best stated Kroger has been approached by residents and staff. The site is too close to another Kroger location and the number of rooftops that their current market study requires them to have to open a new store is not enough.

ANNOUNCEMENTS/COMMENT

Donna Lavin introduced herself. Donna is on the Board of Directors for The League of Women Voters for northwest Wayne County. Donna or her husband Manny are residents in Van Buren Township and will be at future meetings. Members of the League are volunteers and are able to choose to participate in meeting they have an interest in. Donna stated members of the league are there to observe, learn, and pass along best practices.

ADJOURNMENT: Motion to Adjourn **Ross**, Second **Creal**, Meeting adjourned at **7:59 p.m.**

Respectfully submitted,

Kendyl Zantop
Recording Secretary