

From: [beth book](#)
To: [Mike Archinal](#)
Subject: Re: I live 1/4 mile West of Victory Road
Date: Thursday, December 2, 2021 1:15:39 PM

Thank you so much

Sent from my iPhone

On Dec 2, 2021, at 12:03 PM, Mike Archinal <Mike@genoa.org> wrote:

Ms. Book,

Thank you for your comments regarding the proposed Capital Asphalt project. I have forwarded your email to the Township Board of Trustees.

Best regards,

Michael Archinal, AICP
Township Manager
Genoa Charter Township
2911 Dorr Road
Brighton MI, 48116
mike@genoa.org

From: beth book <ht1956@aol.com>
Sent: Wednesday, December 1, 2021 6:33 PM
To: Mike Archinal <Mike@genoa.org>
Subject: I live 1/4 mile West of Victory Road

Mr. Archinal,

I would like to thank you ahead of time for reading this very important report below;

In a North Carolina study by the Blue Ridge Environmental Defense League (BREDL), **45% of residents!!** living within a half mile of a new asphalt plant **reported a deterioration of their health, which began after the plant opened!!**

Reported losses of up to 56% on property values!

I ask you to consider the above and vote **NO on the proposed asphalt company.**

I live in the Lakeshore Apartments located a 1/4 mile west of Victory Drive. (I will have to move if my health will be compromised.)

Thank you, Beth Book

616-481-1467

Sent from my iPhone

From: [Rgriewsk](#)
To: [Mike Archinal](#)
Subject: Re: FW: Asphalt Factory is a NO NO NO.
Date: Thursday, December 2, 2021 12:13:29 PM

Thank you Sir

On Dec 2, 2021 at 12:02 PM, <[Mike Archinal](#)> wrote:

Mr. Griewski,

Thank you for your comments regarding the proposed Capital Asphalt project. I have forwarded your email to the Township Board of Trustees.

Best regards,

Michael Archinal, AICP
Township Manager
Genoa Charter Township
[2911 Dorr Road](#)
[Brighton MI, 48116](#)
mike@genoa.org

From: Rgriewsk <rgriewsk@comcast.net>
Sent: Thursday, December 2, 2021 8:23 AM
To: Mike Archinal <Mike@genoa.org>
Cc: Richard Griewski <rgriewsk@comcast.net>; Claudia Capos <capocomm@sbcglobal.net>; Douglas Taylor <taysag3@sbcglobal.net>
Subject: Asphalt Factory is a NO NO NO.

Why Do we have to go through this! NO is a no brainer! Asphalt in town?!

The smell and the cost of short and term damage to Grand River avenue from the heavy trucks is enough about NO.

Down river Detroit can be our learning example.

I can already hear the trains and smell enough from Howell light industry cross Thompson lake. This will trash properly values.

Please find alternative site!

Thanks

From: [Adam VanTassell](#)
To: [Mike Archinal](#)
Subject: FW: Township Concern/Question
Date: Thursday, December 2, 2021 3:10:39 PM
Attachments: [image001.jpg](#)

From: Jessica Grima <jgrima@midcoursecorrection.org>
Sent: Thursday, December 2, 2021 12:31 PM
To: info <info@genoa.org>
Subject: Township Concern/Question

December 02, 2021

To Whom it may Concern:

I am emailing to voice not only my concerns but my opposition in the proposed rezoning to build the asphalt facility. To keep this to the point my concerns are as follows;

The industrial emissions of harmful carcinogenic toxins that will be released as a result, will compromise the integrity of the quality of the air that we will be breathing for not only human beings but all that residents of the surrounding areas, effecting creatures and the delicate ecosystems of the many nearby lakes. This will have severe environmental consequences and be hazardous and detrimental to public health and safety.

I feel allocation of this new zoning can and will hinder beneficial future growth. The rezoning of this plot of land that's proposed to be used in this intended manner, surely does not promote the highest and best use for the land that is on the doorstep of the immediate residential area. It is my understanding that the purpose of zoning is to segregate land uses that might be incompatible. In this specific location if rezoning is granted and this intended plant is built it would indeed be incompatible. Erecting factories next to a residential community will have its many consequences and a negative impact on the quality of living in the area.

Furthermore, a study performed by Blue Ridge Environmental Defense league was brought to my attention. This study shows that having an asphalt plant nearby negatively affects property values by

as much as 56%. As property owner, plummeting values would not only be a financial hardship to myself and others to endure, but would be a burden to live near.

In additions to these concerns, I would like to know; with the increase of traffic and the many large trucks that will be frequently transporting materials to and from this facility combined with increased commuting traffic, How will the influx and flow of traffic will be resolved and mitigated as a result if this rezoning is approved?

Aside from fires and the many more pollutants released as a result of fires, what are the possible foreseeable risks and dangers that the hazardous materials that are stored on site have to the general public?

My final thoughts and question is directed towards our elected zoning board commission. Are you yourself okay with going into work everyday and being endlessly exposed to the mass discharge of extremely toxic contaminants and harmful gases that have been recognized by OSHA as being known cancer causing agents. Putting any financial gains on a Pedestal while sacrificing quality of life and health of yourself and others that have put their good faith in your hands, turning a blind eye to the outweighing and disastrous negative effects this approval will have?

If the factory is built it can certainly have some advantages. This can potentially increase economic growth and bring more job opportunities to local peoples. However, I believe it will do more harm than good, especially in the proposed area. Location is key and simply put, is not the location for this facility! This is something that needs to be in a remote area much further from residing families, a largely populated region and bodies of water with thriving ecosystems. The bad effect that the factory would cause in its proposed location is a matter we simply can't ignore.

Thank you for taking the time to read my concerns. I am looking forward to your response addressing my concerns and my questions.

Sincerely,

Jessica Grima

--

Jessica Grima

Program Director

Phone: 810-227-0243 Cell: 517-528-7067 Fax: 517-376-6358

www.midcoursecorrection.org



<https://www.everydaygrace.net/>
(Personal Blog)

From: [Todd Smith](#)
To: [Mike Archinal](#)
Subject: Ashaplt letter
Date: Thursday, December 2, 2021 7:42:07 PM
Attachments: [Genoa Township Asphalt Letter.pdf](#)

Keep your head down 😊

I don't want to be that guy on this but I think this may become a pretty large war that Bill will not win if I have any say in the matter

Hope you are doing well! I don't envy you this coming Monday.

I have attached a letter which I would hope you consider Monday evening

Thank you

Todd Smith

Kelly VanMarter

From: Mortensen
Sent: Friday, December 3, 2021 1:32 PM
To: Mike Archinal
Subject: Fwd: Asphalt letter
Attachments: Genoa Township Asphalt Letter.pdf

-----Original Message-----

From: Todd Smith <todd@michigangolfshow.com>
To: jim@genoa.org
Sent: Thu, Dec 2, 2021 7:29 pm
Subject: Asphalt letter

Hope you are doing well! I don't envy you this coming Monday.

I have attached a letter which I would hope you consider Monday evening

Thank you

Todd Smith

From: [Douglas Taylor](#)
To: [Mike Archinal](#)
Cc: [Bill Rogers](#); [Polly](#); [Robin Hunt](#); [Jean Ledford](#); [Terry Croft](#); [Diana Lowe](#); [Jim Mortensen](#)
Subject: More re Proposed Asphalt Plant - Taylor
Date: Friday, December 3, 2021 11:21:05 AM

Mr. Archinal:

Thank you for acknowledging my E-mail.

I urge you and your board to keep our regional air as free of pollutants and onerous smells as possible. That would involve keeping out ventures that have unwanted side effects.

Many businesses are needed by all of us to make our quality of life good and better. But some, while necessary, are not compatible with the quality of life in and value of the community. An asphalt plant is one such incompatible entity ... here, a plant whose negative effects can reach far beyond Genoa's borders. And why would the Genoa Township officials want to offer part of its territory as a "sacrifice zone" (look this phraseology up). Certainly some of Genoa's citizens live within a short distance of this proposed plant ... are they castaways? And what about all the businesses that Genoa has within a short radius of this proposed plant? Are their employees and customers also castaways?

Even though the EPA has delisted such plants as a major source of pollution (but compared to what???), it has not delisted the contaminants from these plants. Many sources cite asphalt manufacture as pollution generators: "**Asphalt plants are known to produce toxic air pollutants, including arsenic, benzene, formaldehyde, and cadmium, that may cause cancer, central nervous system problems, liver damage, respiratory problems and skin irritation.**"

And yes, improvements in plant design and reduction in emissions have been made over the years. But the October 12 Genoa Township summary of this issue said remedial steps would be taken by plant operators if/when obligated to correct problems. This suggests that all safety design features have not been included. And getting an entity such as Capital Asphalt (its "shell" – Net Lease South Associates, LLC) to implement remedial steps may entail long and costly court battles. Why would the Township not have demanded ALL the best safety features be included as a condition to even proceed to successive review/approval steps?

In another Michigan municipality: **Sept. 2021:** "The Flint City Council has also approved a resolution authorizing city officials to do all things necessary to object to the air permit and agreeing to forward comments it has received to the state from groups and individuals who oppose the project. The council resolution opposing the permit cites studies that say homes near asphalt plants have reported losses in value of up to 56 percent." Certainly there are "near-by" homes that will be negatively impacted by this plant if/when operational.

Many businesses are needed by all of us to make our quality of life good and better. But some, while necessary, are not compatible with the quality of life in and the value of the community. An asphalt plant is one such incompatible entity ... here, a plant whose negative effects can reach far

beyond Genoa's borders.

Your vote will impact the lives of people and businesses not just in Genoa Township, but also in the surrounding townships and municipalities. For the good of the businesses and residents of your own and other communities, please deny this company permission to build the proposed plant, and urge (and work with) the property owner/seller to seek an alternative buyer/user of his/her land.

Douglas Taylor

From: Mike Archinal [mailto:Mike@genoa.org]
Sent: Thursday, December 2, 2021 12:34 PM
To: taysag3@sbcglobal.net
Cc: Jim Mortensen; JeanLedford; tcroft; Diana Lowe; Bill Rogers; Robin Hunt; Polly; Kelly VanMarter
Subject: FW: Proposed Asphalt Plant - Taylor

Mr. Taylor,

Thank you for your comments regarding the proposed Capital Asphalt project. I have forwarded your email to the Township Board of Trustees.

Best regards,

Michael Archinal, AICP
Township Manager
Genoa Charter Township
2911 Dorr Road
Brighton MI, 48116
mike@genoa.org

From: Douglas Taylor <taysag3@sbcglobal.net>
Sent: Monday, November 29, 2021 12:30 PM
To: Mike Archinal <Mike@genoa.org>
Cc: Bill Rogers <Bill@genoa.org>; Polly <pskolarus@genoa.org>; Robin Hunt <Robin@genoa.org>; Jean Ledford <Jean@genoa.org>; Terry Croft <Terry@genoa.org>; Diana Lowe <diana@genoa.org>; Jim Mortensen <Jim@genoa.org>

Subject: Proposed Asphalt Plant - Taylor

Mr. Archinal:

I write as a concerned area resident. Odors from asphalt plants do not confine themselves to Township borders. And odors are always a by-product of asphalt production. Depending on wind direction/speed these odors can extend for miles, encompassing residential and business districts far beyond the plant's immediate environment. The Township may enjoy the revenue of a new business, but this could be, in this asphalt manufacturing business, at the expense of [quality of life](#) and property values of, and fresh air in, its and adjoining established residential and business communities.

That a business's proposal advanced in zoning reviews does not make it "right" for the community. And here I mean, not only the Genoa Township community, but also the whole geographic area around and up and down-wind of this proposed site. It is reported that two other Townships (Tyrone and Hamburg) have rejected this proposed asphalt plant locating within their jurisdiction. Genoa isn't, then, even a first or second choice ... just a softer touch target?

[The welcome of potentially 30 new jobs for this plant \(many likely not to be filled by Genoa residents\) should not be the determinant for approval. Nor does the simple availability of a site for such a plant \(without an immediate alternative use\) suggest approval should be given. The offsetting negatives for all of us in the immediate and adjoining vicinity would be significant.](#)

Genoa Township is not a poor entity struggling for added revenue from any source. I hope that the Genoa Township Board will vote for the community and not just for a business wanting entry – a business that can be injurious for all.

Douglas Taylor
Brighton Township

P.S. The October 12 minutes re this issue said that the asphalt company (Net Least Associates South ?) would address any odor problem should it occur (a "remedy could be put in place"); but the minutes did not mention what the company's "how" [would be](#); nor [did it mention what](#) timing of a fix would be [put in place when needed](#) or any further detail – "trust me" is not a business/municipality option these days. And if such an option exists, why would it not have been included in the original plan by the asphalt company ([its strategy to go "least expensively"](#) if possible) or be demanded by the Planning Board or any subsequent Township review/approval group before such approval to proceed would be given? Seems like an error or omission by the Planning Board.

From: [Adam VanTassell](#)
To: [Mike Archinal](#)
Subject: Fwd: Capital Asphalt conflict of interest
Date: Friday, December 3, 2021 12:25:22 PM

From: Laura Wildman <sunbum97@yahoo.com>
Sent: Friday, December 3, 2021 12:06:56 PM
To: info@genoa.org <info@genoa.org>
Subject: Capital Asphalt conflict of interest

I have heard rumblings of a conflict of interest but have steered clear and focused on the absurd location of the proposed Capital Asphalt factory.
I have steered clear until today.

This article has ratcheted the CONCERN about who and what is driving the bus for this noxious and dangerous plant.

The location DOES NOT MAKE SENSE.
Please reconsider.

Respectfully,

Laura Wildman
810 333 2591

<https://thelivingstonpost.com/battle-shaping-up-over-asphalt-plant-in-genoa-township/>
[Sent from Yahoo Mail on Android](#)

From: [Mortensen](#)
To: [Mike Archinal](#)
Subject: Fwd: asphalt plant
Date: Saturday, December 4, 2021 6:13:37 PM

-----Original Message-----

From: CHRISTINA BINKLEY <binkleyc@comcast.net>
To: jim@genoa.org <jim@genoa.org>
Sent: Sat, Dec 4, 2021 2:35 pm
Subject: asphalt plant

Dear Board Member:

I am very opposed to the continuation to approve this asphalt plant in Genoa Township. There are several case studies and professional organizations that identify major health issues surrounding these plants. The National Institute for Occupational Safety and Health states asphalt fumes are considered carcinogens. The Federal EPA states that Asphalt fumes are known toxins. Even at "safe" EPA levels communities have several known cases of people becoming ill around these plants. This is not something our community wants or needs. Are you willing to personally be responsible for making people sick in this community? It is a known fact that people will become ill around these asphalt plants. Neighborhoods around these plants have increased health issues all the time. A door to door survey around plants reported 45% of residents living nearby had a deterioration of their health which began after the plant opened. I am requiring a full explanation as to why you believe an asphalt plant is so important that you are willing to make people in our community sick.

I look forward to hearing your explanation and I will assume you did not realize the negative impact these plants have on a community. Please feel free to contact me any time and I will await your response.

Respectfully,
Christina Binkley
(cell) 517-862-9908

From: [Hull, John](#)
To: [Mike Archinal](#)
Subject: Rezoning for asphalt plant
Date: Sunday, December 5, 2021 10:44:54 AM

Mike,

I'm not sure if you are the right person to send this to, but I wanted to let the township know that I am opposed to rezoning to allow for an asphalt plant in the township. This will affect air quality and possibly groundwater and other things. I don't think creating these issues is the right thing to do. Any benefits we may gain are not worth it.

Sincerely,

John Hull
1065 Sunrise Park
Howell, MI 48843

John Hull
Director- Global Injection and PET Blow Process Teams
Plastipak Packaging
41605 Ann Arbor Rd
Plymouth, MI 48170
Office- 734 354-7097
Cell- 734 564-3030

From: [Mortensen](#)
To: [Mike Archinal](#)
Subject: Fwd: Please VOTE NO on asphalt plant!!!
Date: Sunday, December 5, 2021 12:54:45 PM

-----Original Message-----

From: John and Cheryl Judd <juddc@sbcglobal.net>
To: robin@genoa.org <robin@genoa.org>; jean@genoa.org <jean@genoa.org>; jim@genoa.org <jim@genoa.org>; terry@genoa.org <terry@genoa.org>; diana@genoa.org <diana@genoa.org>
Sent: Sun, Dec 5, 2021 10:42 am
Subject: Please VOTE NO on asphalt plant!!!

We sent the email below, and then found a few more Genoa email addresses, so please see the email from my husband and I that we just sent to your peers at the township:

----- Forwarded Message -----

From: John and Cheryl Judd <juddc@sbcglobal.net>
To: bill@genoa.org <bill@genoa.org>; mike@genoa.org <mike@genoa.org>; kelly@genoa.org <kelly@genoa.org>; polly@genoa.org <polly@genoa.org>; mary@genoa.org <mary@genoa.org>; sharon@genoa.org <sharon@genoa.org>; amy@genoa.org <amy@genoa.org>
Sent: Sunday, December 5, 2021, 10:35:30 AM EST
Subject: Please VOTE NO on asphalt plant!!!

We ask that you kindly forward this email to anyone we may have missed on this email, that has a vote in this matter.

We were very concerned to learn that Genoa Township is considering letting a toxic asphalt plant come to our neighborhoods. To say this is a huge health concern for our community is an understatement. This is not what we thought Genoa Township stands for.

We are perplexed as to why Genoa Township would consider this idea, after two other nearby townships defeated allowing this plant come to their neighborhoods.

We urge you to place a NO VOTE on the asphalt plant decision. Not only will property values plummet, more importantly, the health of our entire community is at stake. How many giant asphalt trucks per day would be traveling our roads?

We have read that sources of emissions from asphalt plants are neither regulated nor monitored, and depending on the size of the operation can release 300+ TONS of toxic air emissions annually. And even if it were regulated/monitored, more times than not these tests are flawed and grossly underestimate the public health risk to obtain their desired outcome.

We have a school where children are outside playing. The school athletics fields are used by thousands of children each year between football, baseball, soccer, track and cross country. To subject children to the toxins in the air emitted by this plant would be criminal.

We are assuming that at least some of you, if not all of you also live in Genoa Township and we are wondering why you would even consider having this in our township.

We implore you to please, please, please VOTE NO on the asphalt plant for Genoa Township.

Thank you, and again, please forward this email to all people at Genoa Township who have a vote on this subject. We are unable to be present at the meeting on Monday evening and submit this email as our opinion on the matter.

Sincerely,
Cheryl & John Judd
4686 Crooked Lake Road
Howell, MI 48843
810-599-0186

From: [Crossroads SierraClub](#)
To: [Bill Rogers](#); [Polly](#); [Robin Hunt](#); [Jean Ledford](#); [Jim Mortensen](#); [Terry Croft](#); [Diana Lowe](#)
Cc: [Mike Archinal](#)
Subject: Re: Rezoning of parcels #4711-08-100-009 and 4711-05-303-015
Date: Sunday, December 5, 2021 9:20:23 PM
Attachments: [image.png](#)



Crossroads Group of the Sierra Club
PO Box 306 Brighton MI 48116
<https://www.sierraclub.org/michigan/crossroads>
Representing 1300 members in Greater Livingston County

December 5, 2021

Genoa Township Board of Trustees

Re: Rezoning of parcels #4711-08-100-009 and 4711-05-303-015

We would like to take the opportunity to address the proposed rezoning of parcels #4711-08-100-009 and 4711-05-303-015 from Industrial District (IND) to a Planned Industrial Development (PID) overlay district and the proposal of siting an asphalt plant in the township. Although the Genoa Township Planning Commission and the Livingston County Planning Commission have recommended this action for your approval, we are alarmed that there seems to be no concern for the extreme impact on the greater community that asphalt plants have. To rely on state agencies that have been routinely underfunded, and to put the frontline defense of the community on an unprepared local township administrator to regulate this type of industry, is not only risky but naïve.

It is clear that Genoa Township has not or is not aware of the most critical questions to ask which include: Who will be charged with the day-to-day regulation of such a toxic industry? What type of fuel will be used to power the plant? Will any scrubbers be installed to address toxic emissions and particulates? The applicant has offered to build up the roads they need to use, extend water, and clean up the property. These improvements are meaningless compared to the common practice of asphalt production externalizing the cost of doing business onto the local community with the impacts of toxins and particulates on human health and the degradation of our land and water. Asphalt plants are well known to contribute to the air pollution in a community. Emissions typically coming from asphalt production include sulfur dioxide, nitrogen oxides, carbon monoxide, VOCs (volatile organic compounds), dioxin, lead, other toxic air contaminants, and particulates. Health effects range from headaches and coughing to lung, stomach, and skin cancers. Because air pollution can become water pollution, potentially more toxins could be added to our already tainted inland lakes where we are warned every year to not eat the fish. The value and enjoyment of our homes will be degraded, most likely in the warm summer months when asphalt production is high and we want to be outside with family and friends barbecuing or boating. This will be the legacy of this decision. In your deliberations on this proposal, have you ever found an asphalt plant that did not have harmful impacts on the local community?

To imply that passing a new ordinance, No. Z-21-02, will alleviate some of these risks is mistaken. Z-21-02 states that the rezoning from IND to PID achieves the purposes of Section 22.04. This section mandates that you consider impacts on the environment, traffic, and potential influence on property values among others but offers no detail on how this is to be achieved for such a complex project. Ironically, this proposed ordinance claims the rezoning is consistent with “strict compliance with the Township Zoning Ordinance”. It is unclear how

both of these statements can be true.

The community deserves to know the answers to their questions. You all owe the residents the assurance that you, the decision-makers, thoroughly understand the ramifications of the choice to allow an asphalt plant here. That has not been proven.

For the safety of the community we urge you to deny the rezoning or at the very least table it until you are able to verify for yourselves the real dangers of an asphalt plant of the magnitude under consideration.

Sincerely,

Sue Kelly

Conservation Co-Chair, on behalf of the Crossroads Group of the Sierra Club

--

Crossroads Group Sierra Club

Explore, Enjoy and Protect the Planet

PO Box 306

Brighton MI 48116

<http://www.sierraclub.org/michigan/crossroads>
crossroads.sierraclub@gmail.com

From: [Mortensen](#)
To: [Mike Archinal](#)
Subject: Fwd: Proposal of an asphalt plant at 3080 Toddiem Dr.
Date: Sunday, December 5, 2021 10:56:26 PM

-----Original Message-----

From: Denise Thornton <denisedthornton@me.com>
To: jim@genoa.org
Sent: Sun, Dec 5, 2021 1:35 pm
Subject: Proposal of an asphalt plant at 3080 Toddiem Dr.

Hi Jim,

The Board of Trustees will be discussing the proposed asphalt plant located at Victory and Toddiem Drives, on December 6, 2021. We are opposed to this proposal due to the pollution, the smell, the heavy truck traffic that will tear up the roads. Commercial, residential and apartment dwellers will also have these problems. Also, Tyrone twp. Denied this proposal
We recommend a No vote for the proposed asphalt plant at 3080 Toddiem Dr.

Sincerely,
Denise Thornton
Precinct Delegate Genoa twp. #5

Sent from my iPad

From: [Adam VanTassell](#)
To: [Mike Archinal](#)
Subject: FW: Additional Information - Against the Capital Asphalt
Date: Monday, December 6, 2021 9:38:16 AM

From: Robin Redwine-Fischer <robred99@aol.com>
Sent: Monday, December 6, 2021 9:23 AM
To: info <info@genoa.org>
Subject: Additional Information - Against the Capital Asphalt

Dear Genoa Township Board,

Please do not approve Capital Asphalt proposal to build in this area. Do not allow the air pollution. DEQ - See complaints site Rule 901 of Part 55 of NREPA. Township has not set up any local regulations to work with State and Federal.

The current owner should be required to clean up property prior to any transfer of property. I would hope the property doesn't end up in a situation like the I-696 - PFAS debacle. Should the Township request DEQ assistance.

The post and photo of current owner of property on Rogers FB Bill Rogers for Genoa Supervisor was deleted over the weekend. Since Bill Rogers has a relationship with the current owner, who was also a large contributor to his Supervisor campaign, it should be disclosed publicly and Rogers should disqualify self from voting on this matter due to conflict of interest.

Links to other asphalt proposals and why they were turned down.
[Crains Detroit Asphalt Investigation](#)

[Tyrone Township](#)

Please do not allow this to come into a small community such as ours.

Robin Fischer
5766 Long Point Drive
Howell, MI 48843

From: [Sue Kelly](#)
To: [Mike Archinal](#)
Subject: In person meeting tonight
Date: Monday, December 6, 2021 3:03:13 PM

Dear Mr. Archinal,

I am very disappointed to find out that there will be no alternative to the in-person meeting to decide on the rezoning for the asphalt plant. Considering how high the case rate in this county is it would appear there is no concern for those who are adhering to the CDC guidelines of masking, social distancing, and not gathering in large crowds in small spaces.

Please consider adding a Zoom component tonight.

Sue Kelly
Crossroads Group Sierra Club
suekelly77@gmail.com

From: andreashorkey@gmail.com
To: [Mike Archinal](#)
Cc: [Bill Rogers](#)
Subject: Tonight's Scheduled Meeting
Date: Monday, December 6, 2021 3:40:49 PM

Hello,

I am a Genoa township resident in opposition to the asphalt plant being planned in the area of Grand River and Latson Rd. I am writing you today to express my frustration at the vague answers that I received when I inquired about the plan for tonight's meeting.

I was told the entire meeting may be adjourned and rescheduled if a large crowd shows up tonight. I was told this is something the township is considering due to the amount of calls the township has been receiving on this subject.

This is inconsiderate to your constituents who are making the drive in snowy conditions at night, or have to arrange for childcare, or rearrange work schedules to come out to attend this meeting tonight. If you already have the information to predict that this meeting may exceed the limits of your room capacity (which is what number, by the way? The person I spoke to was uncertain) and will need to postpone/reschedule this meeting, why can't you give your constituents notice to make an appropriate change of plans by making the call before the start of the meeting?

Regarding future meetings, I am very disappointed that there is not going to be any sort of alternative way for our community to participate in this meeting that is inclusive for everyone, like a Zoom option. I think everyone is aware of COVID-19 and our county's numbers right now. Since your meetings do not accommodate for 6 feet of distancing, or have any mask enforcement, you are putting our community members that are unable or uncomfortable attending in person at a serious disadvantage. They have the right to attend and submit a comment at this meeting just as much as anyone else in our community.

Thank you for your time.

Sincerely,
Andrea Shorkey

Sent from my iPhone

From: [Mortensen](#)
To: [Mike Archinal](#)
Subject: Fwd: Asphalt plant approval
Date: Monday, December 6, 2021 4:07:15 PM

-----Original Message-----

From: Todd Smith, Say no to Genoa Asphalt Plant <tsmith@laurexrealestate.com>
To: jim@genoa.org
Sent: Mon, Dec 6, 2021 3:10 pm
Subject: Asphalt plant approval

Wanted to provide an update that Genoa Township is holding its hearing tonight to approve an 86' Hgh Silo Asphalt plant.. Based on history throughout the county, smells can travel up to 10 Miles in any direction depending upon winds. Recently Flint and The City of Detroit denied a plant in their community. Keeping Livingston County Healthy and rural is an utmost priority.

Please voice or email your feelings to Genoa Township as your an intergral part of your community.

<https://thelivingstonpost.com/battle-shaping-up-over-asphalt-plant-in-genoa-township/?fbclid=IwAR0DtDeRNdPOnBqB7CH33zng-HQsF0TUloSVIWqsoqTfmoymTZ0hJ2rBprw>

This message was sent by Show Promotions Plus at <http://michigangolfshow.com>
[Click here](#) to immediately opt out of future mailings to jim@genoa.org.

From: [Douglas Taylor](#)
To: [Robin Hunt](#)
Cc: [Bill Rogers](#); [Polly](#); [Jean Ledford](#); [Terry Croft](#); [Diana Lowe](#); [Jim Mortensen](#); [Mike Archinal](#)
Subject: RE: Proposed Asphalt Plant - Taylor
Date: Monday, December 6, 2021 2:44:55 PM

Ms. Hunt:

Thank you for the acknowledgement.

Genoa has the jurisdiction to decide to allow or disallow, and if approved, to mandate the most stringent safety/anti-pollution controls (October minutes suggest the best is not planned – “a remedy could be put in place” if pollution were problematic). The land owner (heretofore with a good community philanthropic reputation) too has his option to sell or not, hopefully not to a concern/project that has the potential to harm the greater community (and tarnish his own reputation) – health of the respiratory sufferers and others, quality of life and value of properties within the radius of the plant’s polluting air should govern.

That much has been done to advance this project is behind us, tonight’s discussion and possible vote does not have to support this project. Just because 1. it has advanced in the approval process or 2. that land has been cleared in anticipation of approval, 3. or because it is likely to generate more tax revenue or 4. that it could be a “payback” to a past/present community supporter in other respects, or 5. that is getting support from certain State officials/representatives are not reasons to vote approval for a project that will degrade the entire area of many communities.

Please vote not to approve of this project. If you are unsure about taking such action, propose and vote to “table” the issue until more input can be obtained, and if passed in the future, require that the most ironclad safety/anti-pollution controls (and penalties for non-compliance) are firmly written into any approval. The latter will cost Capital Asphalt more money, but will save the greater community countless times more.

Doug Taylor

P.S. After hearing from the public, “Table” this tonight without a vote. Meet with the property owners and tell them Genoa Twp. (and hopefully other area communities) will work with them to help find alternate uses and buyers for this the property. Your vote can impact the lives of many people and many local companies who rely on the clean environment this area offers. Our greater community does not need an asphalt plant; bring in something that will enrich this area, not degrade it.

From: Robin Hunt [mailto:Robin@genoa.org]
Sent: Monday, December 6, 2021 12:39 PM
To: Douglas Taylor
Subject: RE: Proposed Asphalt Plant - Taylor

Just wanted to let you know that I received your email, along with many others, and to also thank you for taking the time to send me your thoughts & concerns regarding the proposed Asphalt plant.

Your comments will be taken into consideration as we go through this required process.

Robin Lynn Hunt
Genoa Township Treasurer
810-227-5225
robin@genoa.org

From: Douglas Taylor <taysag3@sbcglobal.net>
Sent: Monday, November 29, 2021 12:30 PM
To: Mike Archinal <Mike@genoa.org>
Cc: Bill Rogers <Bill@genoa.org>; Polly <pskolarus@genoa.org>; Robin Hunt <Robin@genoa.org>; Jean Ledford <Jean@genoa.org>; Terry Croft <Terry@genoa.org>; Diana Lowe <diana@genoa.org>; Jim Mortensen <Jim@genoa.org>
Subject: Proposed Asphalt Plant - Taylor

Mr. Archinal:

I write as a concerned area resident. Odors from asphalt plants do not confine themselves to Township borders. And odors are always a by-product of asphalt production. Depending on wind direction/speed these odors can extend for miles, encompassing residential and business districts far beyond the plant's immediate environment. The Township may enjoy the revenue of a new business, but this could be, in this asphalt manufacturing business, at the expense of [quality of life](#) and property values of, and fresh air in, its and adjoining established residential and business communities.

That a business's proposal advanced in zoning reviews does not make it "right" for the community. And here I mean. not only the Genoa Township community, but also the whole geographic area around and up and down-wind of this proposed site. It is reported that two other Townships (Tyrone and Hamburg) have rejected this proposed asphalt plant locating within their jurisdiction. Genoa isn't, then, even a first or second choice ... just a softer touch target?

The welcome of potentially 30 new jobs for this plant (many likely not to be filled by Genoa residents) should not be the determinant for approval. Nor does the simple availability of a site for such a plant (without an immediate alternative use) suggest approval should be given. The offsetting negatives for all of us in the immediate and adjoining vicinity would be significant.

Genoa Township is not a poor entity struggling for added revenue from any source. I hope that the Genoa Township Board will vote for the community and not just for a business wanting entry – a business that can be injurious for all.

Douglas Taylor
Brighton Township

P.S. The October 12 minutes re this issue said that the asphalt company (Net Least Associates South ?) would address any odor problem should it occur (a “remedy could be put in place”); but the minutes did not mention what the company’s “how” would be; nor did it mention what timing of a fix would be put in place when needed or any further detail – “trust me” is not a business/municipality option these days. And if such an option exists, why would it not have been included in the original plan by the asphalt company (its strategy to go “least expensively” if possible) or be demanded by the Planning Board or any subsequent Township review/approval group before such approval to proceed would be given? Seems like an error or omission by the Planning Board.

From: [Mortensen](#)
To: [Mike Archinal](#)
Subject: Fwd: Audacity comment
Date: Tuesday, December 7, 2021 3:12:31 PM

-----Original Message-----

From: Todd Smith <todd@michigangolfshow.com>
To: jean@genoa.org; polly@genoa.org; 'Robin Hunt' <Robin@genoa.org>; terry@genoa.org; diana@genoa.org; jim@genoa.org
Sent: Tue, Dec 7, 2021 12:51 pm
Subject: Audacity comment

Since Mr Rogers was quoted as saying how dare I have audacity to question his recusal. I am attaching below some of the reasoning that I had requested he step aside from this vote.

Thank you everyone for your patience and I apologize as to my heated comments. I just have never seen anything worse proposed in the Township over the last 30 years!!

Thank you to everyone who came to the township meeting.

I would like to clarify some remarks and comments from the news media and others

In regards to my request for Mr. Bill Rogers to recuse himself:

1. I would never envision or suggest that Mr. Rogers has done anything for a personal financial gain! He has been in the community for many years and in no way do I think nor should anyone else suggest that there is any financial matters involved.
2. I suggest that Mr. Rogers recuse himself exactly for the reasons that WHMI and other local media have suggested.

He has a long relationship with the Seller of the property to the Asphalt Plant

He is the only board member who publically stated that this was a good use at this location prior to hearing any public comment!

Once it was pointed out that the post with the Seller supporting him for his election and that he was the only member publically supported by the Seller, He removed the post. This further misleads the public as to the information that is out there.

He continues to mislead the public stating that this is just a rezoning as he stated last night to several residents! In fact, there are three motions as part of this action. One is rezoning for the PUD, One is for approval of the environmental impact statement which is incorrect and flawed from start to finish and the final is for a Binding Contract between the Asphalt Company and the township. This contract gives to the Asphalt company items that were of concern to the Township Planning commission. Specifically, they asked if they could revisit the Height and the above ground Storage tanks

(See planning commission min). Mr Rogers and his administration have inserted the 86' high and the approval of above ground storage tanks as part of this contract. This removes all future rights to site plan approvals in relation to these items.

It is true that I had spent many years as a township trustee.

During that time we always strived for the very best developments and to maintain quality of life.

I ask that he recuse himself as he has lost any vision for the betterment of the Township. This

Asphalt Plant and its impacts has to be the very worst use that has been proposed in the township for the past 30 years

Finally, I have asked that he recuse himself as he is to represent the township residents and businesses and to have their best interests in mind. If he has already publically committed to this is a good location, he obviously has forgotten why he was elected and has drastically failed to have the best interests of the township in mind.

From: [Claudia Capos](#)
To: [Mike Archinal](#); [Polly](#); REllis@cityofhowell.org
Subject: Detroit Nixed Asphalt Plant -- Genoa Twnshp Should do so too
Date: Tuesday, December 14, 2021 2:21:43 PM

After flood of opposition, Detroit turns down asphalt plant proposal

ANNALISE FRANK

[TWEET](#) [SHARE](#) [SHARE](#) [EMAIL](#)

REPRINTS

Courtesy of Asphalt Specialists

The city of Detroit denied Pontiac-based Asphalt Specialists Inc.'s proposal to build an asphalt mixing plant in Detroit at 12155 Southfield Service Dr., on the site where the former Farmer Jack headquarters stood.

The city of Detroit turned down a Pontiac company's proposal to build an asphalt mixing facility Tuesday after receiving a flood of opposition letters.

From: [Mortensen](#)
To: [Mike Archinal](#)
Subject: Fwd: Capital Asphalt Plant
Date: Tuesday, December 14, 2021 11:48:37 AM

-----Original Message-----

From: Nancy Smith <smithnjbd@att.net>
To: jim@genoa.org
Sent: Tue, Dec 14, 2021 10:29 am
Subject: Capital Asphalt Plant

My husband and I are both seniors, 73 years old. We moved to Howell (Genoa Township) to live a healthier lifestyle during retirement. We are extremely opposed to having an asphalt plant so near our home. This should be allowed out in the country, away from residential areas. Please do not vote to change zoning which would allow this plant to be built in Genoa Township.

Thank you,
Nancy Smith

From: [McColl, Rob](#)
To: [Polly](#); [Robin Hunt](#); [Mike Archinal](#)
Cc: [Sheryl Spagnoletti](#); [Kim K](#); [Gregory Towler](#); [Dave deBoer](#); [Alfredo Torres](#); [DENIS MCCARTHY](#); [dancocontracting@yahoo.com](#); [Grabow, Jay & Chris](#); [Krumm Matthew \(PS/ETW1.1-NA\)](#); [Larry and Candy L](#); [Marsha Reid](#); [McGrath, Ron](#); [McQuade, Scott](#); [Robin Muir](#); [annettemcgrath49](#); [Xochitl VanderPlas](#); [bkroberts1024@gmail.com](#); [dawnkrumm@gmail.com](#); [margaret.l.mccoll@gmail.com](#); [sara McQuade](#); [tomvpjr@gmail.com](#)
Subject: Proposed Zoning Change and Asphalt Plant NorthEast of Chilson Meadows
Date: Monday, December 27, 2021 8:43:46 PM

Honorable members of the Genoa Township Board please oppose the proposed zoning change and proposed Asphalt plant and consider the following points...

- a. If the proposed zoning change is passed and the asphalt plant defeated then there is no telling what the next toxic plant proposal will come across your desk.
- b. In otherwords approving the zoning change is a slippery slope and path towards decimating our local area.
- c. What benefit could this provide the township that trumps destroying existing residents homes/apartment complexes?
- d. I worry there is more at play here than the well-being of the township residents.
- e. Are you aware this site is right next to a 300+ unit apartment complex with playgrounds?
- f. Are you aware this site is within ½ mile of several subdivisions?
- g. Are you aware this site is right next to the Marion/Genoa Drain watershed?
- h. Reading through the December mins. the data shows that asphalt plants are the highest regulated. If that were really true then why looking at geo-maps to other plants does it show degraded homes/businesses.
- i. In short there is no living in harmony with an Asphalt Plant period as well as the proposed zone change.
- j. Please show me one long time standing plant that has \$500,000+ homes within 1 mile.
- k. If it is so regulated then why do we have to live with the smell of molten petroleum?
- l. There currently sits a metal scrapyard that can barely be seen or heard. There are no odors emitted from it. Scratching my head thinking what does the Board see that I don't and who are the target beneficiaries?
- m. The proposed zoning makes no sense for Genoa township and makes it easier for other toxic entities to be created.

Please read the [genoa.org](#) website mainpage and below the picture of the township hall reads.
"GENOA TOWNSHIP is a charter township located in the heart of Livingston County, Michigan. Lakes and wetlands, rolling hills and meadows, state parks and wildlife all abound in this beautiful community of country living."

There is no win in this for the township and will be the starting event of decimating our community. The township is well run and healthy financially thanks to all of you our Board. I am very worried there are motivations beyond the well-being of the township residents at play here for which I'll never know. Respectfully requesting the Board Oppose the zoning change which if passed will start us down a path of no return for which is contrary to the goals within the community.

Again please don't pass the zoning change.

Regards,

Rob and Margaret McColl (proud township residents for over 30years)
2610 Chilson Meadows Ln
Howell, Mi 48843

From: [Kim K](#)
To: [Mike Archinal](#); [Polly](#); [Robin Hunt](#)
Subject: Fw: Proposed Zoning Change and Asphalt Plant NorthEast of Chilson Meadows
Date: Friday, December 31, 2021 4:28:07 PM

Hello Genoa Twp Board,

I would like to show my support in every point Rob said in the below email. Our sub is ½ mile away as the bird flies which is too close to home.

On a personal note, my entire family has died of cancer. My mom passed earlier this year from leukemia which was environmentally induced. I moved to Genoa Twp 24 years ago to raise my family away from the polluted city life. Being put in a position of possibly living near a toxic chemical plant which is known to cause cancer is deeply disturbing. I absolutely hate the idea of moving but will do so if this goes through.

It seems that many residents share the same concerns. Are you hearing any of us? Isn't the point of your committee to be the voice for your residents? Is this plant in the best interest of the residents that make up the township?

I've heard from a few people that you plan to approve it despite how many residents protest this. That is deeply disturbing and I truly hope it's not true.

Please do the right thing and DO NOT rezone this property. Keep your residents safe from toxins!

Thank you!

Kim Macey
2455 Chilson Meadows Ln.
Howell, MI 48843

----- Forwarded Message -----

From: "McColl, Rob" <rob.mccoll@siemens.com>
To: "polly@genoa.org" <polly@genoa.org>, "robin@genoa.org" <robin@genoa.org>, "mike@genoa.org" <mike@genoa.org>
Cc: "Sheryl Spagnoletti" <boxerlady69@msn.com>, "Kim K" <kikee5@yahoo.com>, "Gregory Towler" <g.stowler@yahoo.com>, "Dave deBoer" <ddeboer1721@gmail.com>, "Alfredo Torres" <alfretoma@yahoo.com>, "DENIS MCCARTHY" <mccarthy3981@yahoo.com>, "dancocontracting@yahoo.com" <dancocontracting@yahoo.com>, "Grabow, Jay & Chris" <golferjay@att.net>, "Krumm Matthew (PS/ETW1.1-NA)" <matthew.krumm@us.bosch.com>, "Larry and Candy L" <laidbacklou@hotmail.com>, "Marsha Reid" <mdiamondreid@gmail.com>, "McGrath, Ron" <rmcgrath53@gmail.com>, "McQuade, Scott" <joescottmobile@gmail.com>, "Robin Muir" <robin.muir@fcagroup.com>, "annettemcgrath49"

<annettemcgrath49@gmail.com>, "Xochitl VanderPlas"
<xochitlvp@gmail.com>, "bkroberts1024@gmail.com"
<bkroberts1024@gmail.com>, "dawnkrumm@gmail.com"
<dawnkrumm@gmail.com>, "margaret.l.mccoll@gmail.com"
<margaret.l.mccoll@gmail.com>, "sara McQuade"
<sec19792003@yahoo.com>, "tomvpjr@gmail.com" <tomvpjr@gmail.com>

Sent: Mon, Dec 27, 2021 at 8:33 PM

Subject: Proposed Zoning Change and Asphalt Plant NorthEast of Chilson Meadows

Honorable members of the Genoa Township Board please oppose the proposed zoning change and proposed Asphalt plant and consider the following points...

- a. If the proposed zoning change is passed and the asphalt plant defeated then there is no telling what the next toxic plant proposal will come across your desk.
- b. In otherwords approving the zoning change is a slippery slope and path towards decimating our local area.
- c. What benefit could this provide the township that trumps destroying existing residents homes/apartment complexes?
- d. I worry there is more at play here than the well-being of the township residents.
- e. Are you aware this site is right next to a 300+ unit apartment complex with playgrounds?
- f. Are you aware this site is within ½ mile of several subdivisions?
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- m. The proposed zoning makes no sense for Genoa township and makes it easier for other toxic entities to be created.

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There is no win in this for the township and will be the starting event of decimating our community. The township is well run and healthy financially thanks to all of you our Board. I am very worried there are motivations beyond the well-being of the township residents at play here for which I'll never know. Respectfully requesting the Board Oppose the zoning change which if passed will start us down a path of no return for which is contrary to the goals within the community.

Again please don't pass the zoning change.

Regards,

Rob and Margaret McColl (proud township residents for over 30years)
2610 Chilson Meadows Ln
Howell, Mi 48843

From: [Jay](#)
To: [Mike Archinal](#)
Subject: Asphalt plant
Date: Sunday, January 2, 2022 3:56:31 PM

Good afternoon,

I'm sending this email in opposition to the Asphalt plant being proposed. As a residence of over 20 years in Genoa Township this proposal will not only destroy the value of our homes but also destroy the beauty of our township, the quality of life of the people and animals in the area and the air quality to the surrounding areas. My house is within a half mile of the proposed site so having to live with the smell and possible toxins the plant will put in the air is not an option to me and shouldn't be an option for the township. I will not be able to attend the meeting tomorrow night but I just wanted to address a couple of my concerns to the township.

Thank you , Jay Grabow

Sent from my iPad

From: [Laura Wildman](#)
To: [Mike Archinal](#)
Cc: [Suzanne La Rotonda](#); [Dawn](#)
Subject: Proposed asphalt location email question.
Date: Monday, January 3, 2022 3:39:53 PM

Happy new 2022 Mike!

Are you, or someone at the township, able to provide details on the number of emails received by the township in December 2021 that relate to the proposed asphalt zoning issue?

We are interested in the number received and a consensus of the pro emails versus the concerned opposition.

Hoping everyone has been civil about this sensitive topic and that no one feels disrespected. We appreciate the position and challenges that so many trustees and planning board members have to navigate in this stressful mindfield of a proposal.

Looking forward to your response.

All the best,

Laura Wildman
810 333 2591.

[Sent from Yahoo Mail on Android](#)

cc: Michael Archinal, Township Manager (via email to mike@genoa.org and First Class Mail)

From: [beth book](#)
To: [Mike Archinal](#)
Subject: From Beth Book
Date: Monday, January 10, 2022 6:34:05 AM

Mr. Archinal,

I live in the Lakeshore Apartments located a 1/4 mile west of Victory Drive. (I will have to move if my health will be compromised.)

I want to restate my serious concerns. This is in a residential area, this is no place for an asphalt plant.

Once again, I would like to thank you ahead of time for reading this very important report below;

In a North Carolina study by the Blue Ridge Environmental Defense League (BREDL), **45% of residents!!** living within a half mile of a new asphalt plant **reported a deterioration of their health, which began after the plant opened!!**

***Reported losses of up to 56% on property values!**

I ask you to consider the above and vote **NO on the proposed asphalt company.**

I would love your thoughts on this,
Thank you,
Respectfully, Beth Book
616-481-1467

Sent from my iPhone

From: [Craig A.](#)
To: [Bill Rogers](#)
Cc: [Mike Archinal](#); [Kathleen Murphy](#); [Sharon Stone-Francis](#)
Subject: Genoa Township Community Concern For Health, Safety, And Quality Of Life
Date: Monday, January 17, 2022 12:08:08 PM

Good day, Supervisor Rogers.

I am writing to raise my voice on the subject of the proposed asphalt plant in close proximity to the residential, recreational, and commercial areas in our Township. I am sending this message on behalf of my great-great grandparents, my great grandparents, my grandparents, my mother and father, myself, my children, and my children's children.

I am fortunate beyond description that I have deep family roots in the Howell/Lake Chemung area. I am a direct descendent of the Frisbee, Pfau, and Thompson (Thompson Lake) families – all of whom were significant parts of Howell's early history. My mother was born and raised in Howell, my father moved to Howell as a teenager, and he met my mother at Lake Chemung. My mom and dad were married in Howell within days of my father's discharge from the Air Force after serving in the Korean War. Howell, more specifically Lake Chemung, is the most important location in my family's history.

My grandfather and great-uncle purchased property and built a cottage on Pathway Drive at Lake Chemung over one-hundred years ago. This property has remained in our family and is our little slice of heaven. Lake Chemung holds many of our fondest memories that are irreplaceable.

Over many decades the area has changed significantly, with more residential, recreational, and commercial development than I could have ever envisioned as a child in the 1960s. As much as I could wish that some things wouldn't change, I've always felt that the explosive growth was managed professionally and with the best interests of the Township's residents in mind. The sky is still a beautiful blue and the sunsets are still the most stunning I've ever seen!

With that being said, the proposed construction of an asphalt plant in such close proximity to our residential, recreational, and commercial areas is a huge departure from the best interests for our community. In fact, I can't identify any benefit to the Township, and there is clearly no benefit to residents, recreational areas, or the nearby commercial establishments. Toxic air pollutants, noise, and traffic in such close proximity to densely populated residential, recreational, and commercial areas make building this proposed asphalt plant a detrimental decision for the residents of our community.

I urge you, and each of the other members of the Township Board, to reject the asphalt plant in accordance with the expectations of your constituents. While I understand the need for asphalt, the plant should be built in a less populated area where it won't have the negative impact on the health and safety of the community.

Best regards,

Craig S. Adams



From:
To:
Subject:

[beth book](#)
[Mike Archinal](#)

Hi Mike, I'm sending you today's relevant article. I would love your thoughts on this. Ty Beth Book-a concerned resident

Date: Monday, January 17, 2022 9:19:08 AM

GUEST OPINION: Asphalt plant doesn't follow Genoa's master plan



BY [JUDY DAUBENMIER](#)

JANUARY 17, 2022 1



Last fall Genoa Township hosted an open house to solicit public comment on its master plan.

One segment asked



Location of the proposed asphalt plant in Genoa Township.

what kind

of "gateway" we would like for the entrances to our township to solidify the township's identity in visitors' minds. The options were a piece of art, a building, a banner, a street, lighting, or landscaping.

I don't remember which one I selected, but I know for sure none of the options was an 86-foot-high smokestack belching noxious odors and

carcinogens.

And for good reason. That doesn't fit with the vision laid out in the master plan for the area right next door to the plant. The existing master plan says the west Grand River area should be a regional retail and commercial area that would create a strong sense of community identity for Genoa. It would include shopping and restaurants.

Yet less than a month earlier, the Genoa Township Planning Commission had approved a zoning change that would allow an asphalt plant to be built in an area right next door to the envisioned regional retail and commercial area.

How could the planning commission have made such an oversight? Did it forget to compare the zoning request with what's in its own master plan?

Genoa Township residents concerned about their community have found other oversights by the planning commission. These include:

- Wetlands on the site of the property may be subject to state regulation. But no delineation of the wetlands has been carried out as required by Part 303 of the Natural Resources Environmental Protection Act and no assessment made of the plant's impact on them. The township has an ordinance regulating wetlands of at least 2 acres, but no determination has been made of the size of these wetlands. As they are located within 500 feet of surface water, they would fall under state regulation regardless of their size. But this issue is

barely mentioned in the environmental impact statement.

- The plant plans to discharge groundwater from the site into the wetlands, and that requires a state permit — a Michigan Industrial Stormwater permit No. MIS110000. But no permit has been issued to allow the discharge of groundwater from the site into the wetlands.
- The environmental impact statement submitted in connection with the zoning is inadequate and fails to address both those issues in the necessary depth.
- The proposed plant violates the purpose of the master plan enterprise. As the existing master plan states, its purpose is to ensure a “logical development pattern while maintaining community character and protecting natural resources. ... (and to) ensure that Genoa Township remains a desirable community in which to live, work, or visit.” Nothing about the 86-foot tall smokestack emitting toxins will improve the quality of life in Genoa Township. Nothing is logical about putting this plant next to what is planned as a regional shopping and business center.
- The proposed plant is not an improvement over the existing use, despite the comments of one planning commissioner and the township supervisor. What’s there now isn’t pretty, but it doesn’t stink, doesn’t emit toxins into the air, and doesn’t cause air pollution that will drop into our

lakes.

- The existing use may be causing groundwater pollution, according to one planning commissioner. If so, why hasn't this been addressed? Shouldn't the township require it to be cleaned up before another development takes place?

The township board has the chance to fix these oversights on Feb. 7 when it can reject the rezoning for the plant.

As the master plan says, "Poor planning decisions are difficult to eliminate, most linger forever. The master plan can be viewed as a community blueprint for the future, a mechanism to help ensure each decision fits as part of the whole."

The Genoa Township board should heed the guidance of its own master plan and recognize that this plant does not fit as part of the whole.

Sent from my iPhone

From: [Laura Wildman](#)
To: [Mike Archinal](#); [Bill Rogers](#); [Jim Mortensen](#); [Jean Ledford](#); [Diana Lowe](#); [Robin Hunt](#); [Terry Croft](#); [Polly](#); [info](#)
Subject: Please Google "McKinley Park Asphalt"
Date: Tuesday, January 18, 2022 12:54:21 PM

First and foremost – THANK YOU to those who have taken the time to acknowledge my previous emails; your responses are greatly appreciated (and NOTED).

Please Google "McKinley Park Asphalt" and read the various real-time, real life , nightmarish articles, graphs, videos, stories, fines, government involvement related to MAT Asphalt LLC located in Chicago.

It is probably one of the most compelling and disturbing searches you can do while preparing for the Capital Asphalt review. Read the articles and see in real-time, what an active belching asphalt will do to a neighborhood.

Please find a way to say NO to the proposed location here in Genoa.

Sincerely and respectfully,

Laura Wildman
Genoa Township resident
810 333 2591
658 Pathway Drive
Howell MI 48843

Sent from [Mail](#) for Windows

From: [Adam VanTassell](#)
To: [Mike Archinal](#)
Subject: FW:
Date: Friday, January 28, 2022 9:21:48 AM

From: robred99 <robred99@aol.com>
Sent: Thursday, January 27, 2022 6:49 PM
To: info <info@genoa.org>
Subject:

Please distribute this email to all BOTs and add to the overhead display for the February 7, 2022 BOT meeting

Adding some "Lessons Learned(Things Gone Right/Things Gone Wrong)" observations to this Asphalt situation to capture for future improvements. I am sure other observations can be added to the below. Hopefully voted down, but a blessing that brings awareness of our Strengths, Weaknesses, Opportunities and Threats (SWOT). This is a way of analyzing the systems of an organization, even government system.

Weakness - Do we have a community regulation that protects the overall goals/objectives for "way of life" and "style of community" we want created. How do we prevent becoming a random collection of residential, retail and industrial structures and operations guided only by a zoning map. Do we want to retain the integrity as a "Town and Country" type community? An example; Boca Raton, FL, a small city in Southeast FL has a regulation requiring all buildings and facades be of a Spanish Style for overall cohesiveness of the community. We are years behind that, but Genoa should be able to similarly be proactive putting regulations in place of how we want our community shaped before we grow, so we don't end up in the randomness that fell upon communities like Flint or Lansing.

Opportunity- We have found we need strong and complete township regulations backed up with County and State laws to stand up to organizations with big pockets. The asphalt company and land owners found the gaps in our regulations and using against us.

Assets - Federal and State Regulations The Townships (ours and neighboring ones that could reversely impact us) clearly need to be encouraged to review, define and make sure existing state and federal laws/regulation are not only incorporated into the township zoning, but ENFORCED.

THREAT - Will we have to fight another "asphalt like or heavy industrial" again. Either here or maybe in neighboring community where zoning regulations are not robust.

Threat - From the class action lawsuit in CA previously posted(it is one of many filed) across the USA, it's the failure ongoing monitoring and enforcement of laws that resulted in injury to citizens and devalued neighborhoods.

Weakness - If the elected Board members don't know or knowingly do not enforce existing higher level laws/regs within township ordinances, they could be setting the Township up for threat of legal issues from the asphalt company, landowner, citizen groups, neighboring townships, the county, or state.

What additional SWOTs have been observed? There needs to be a collective group brainstorming activity and address all areas.

Sent from my Verizon, Samsung Galaxy smartphon

Regards,
ROBIN Fischer

From: Sue Kelly
Subject: Rezoning of parcels #4711-08-100-009 and 4711-05-303-015
Date: Monday, January 31, 2022 3:38:20 PM
Attachments: SC logo (4).png



Crossroads Group of the Sierra Club

To explore, enjoy, and protect the earth
PO Box 306, Brighton Michigan 48116
<https://www.sierraclub.org/michigan/crossroads>

January 31, 2022

Genoa Township Board of Trustees
Via email

Re: Rezoning of parcels #4711-08-100-009 and 4711-05-303-015

Asphalt plants stink. The gagging smell is not just annoying but dangerous to human health and a clean environment.

We urge you to deny the request for rezoning the properties in question from IND to PID. We also urge you to adhere to the most strict and protective restrictions available if a request for siting an asphalt plant continues to be an issue in Genoa Township. There are glaring concerns around this proposal and since you live here too, we assume that you will make this decision as if your children or grandchildren live downwind of this proposal because ours do.

Issues that must be addressed by the Township:

1. According to the ASTI Environmental wetland delineation for 3080 Toddiem Dr. there are five wetlands that should be regulated under NREPA (1994 P.A. 451, Part 303) and Genoa Township Zoning Ordinance Sec. 13.02. In addition, Genoa Township also has a 25' setback requirement from any regulated wetland. Please speak to how the Township will regulate and enforce these laws.
2. EGLE (previously MDEQ) has been consistently underfunded over the last few years due to the political response to businesses' desire for less regulation. With EGLE being extremely short staffed how will the Township staff be engaged in the regulation of an asphalt plant? Do you expect to hire expert staff or train existing township staff on this topic?
3. Asphalt plant pollution will almost certainly affect the water quality of lakes and rivers nearby. How will you assure riparian landowners that the quality of their lakes will not be polluted with these toxins?
4. The Impact Assessment from Desine Inc. on behalf of Net Lease Associates, North LLC and South LLC, includes many vague claims. The community needs clarification on these:
 - a. Under C. *Impact on Natural Features* states that, "The proposed changes and modifications for the surface drainage conditions will not **significantly** impact local aquifer characteristics or groundwater recharge capacity." **Significantly** must be defined better. Is it insignificant to damage 1 well or 15 wells in the area? What is the sacrifice being made by the community in this regard?
 - b. Very concerning, under E. *Impact on Surrounding Land Uses*, "The proposed use of the property **does not create any significant emissions** of smoke, airborne solids, odors, gases, vibrations or glare discernable and **substantially annoying or injurious to person and/or property beyond the lot lines.**" Again, "**significant**" is not clear on who will be affected and what health outcomes due to toxic emissions are acceptable. The phrase "**does not create any ...emissions...substantially annoying or injurious to people and/or property beyond the lot lines**" has never been experienced in any community we have encountered where an asphalt plant has been built. Please elaborate on how this statement can be remotely true.
 - c. Under F. *Impact on Public Facilities and Services* the report claims "The proposed uses will not create any direct adverse impact on the public schools." What is a direct vs. indirect adverse impact? Where is the verification for this claim? Please be specific on which of our children are safe from these toxins and which of our children will be exposed on a regular basis.
 - d. The section titled H. *Storage and Handling of Any Hazardous Materials* states that a Pollution Incident Prevention plan (PIPP) is being prepared and will be submitted with the final PID plan for review and approval. The community deserves to know before this proposal goes any further who will receive the complaints; what the response time will be 24/7; and how soon the community will be notified if there is a hazardous waste incident. Who at the Township will be responsible for this?
5. Issues of concern from the Planned Unit Development Agreement Toddiem/Victory Drive PID:
 - a. Other than a better road and extending water for the applicant to mostly benefit from, what is/are the clear public benefit from this project?
 - b. How does this project promote the public health, safety and welfare of the Township?
 - c. How will the deviations of this proposal result in a higher quality of development than using conventional zoning standards when the zoning standards of the existing IND district are much more protective of the public?
 - d. Raising a stack for emissions by 56 feet does nothing to reduce the emissions but just spreads it out further in the region exposing more people to hazardous air during normal weather patterns. In the event of a temperature inversion, pollution can be trapped close to ground level.
 - e. A million gallons of liquid asphalt is an enormous quantity. Refer to part d. of #4.
6. Please detail how the groundwater, the emissions, the onsite wetlands, local businesses, and the enjoyment of their private property by Genoa Township residents will be guaranteed.
7. Local restaurants have suffered immensely during this pandemic. Many have been creative and offered outdoor dining. Are you willing to place a further burden on our local restaurant industry by exposing their outdoor dining facilities to asphalt fumes? How many existing local businesses are you willing to lose to an asphalt plant?
8. Please cite other communities where an asphalt plant has increased the quality of life. Have you visited them personally?
9. The Application for Site Plan Review includes several items that need to be considered:
 - a. "There is demand for an asphalt plant in Livingston County". It is our understanding that the existing asphalt plants in the county are only running at 50% capacity. Please ask for the study that shows there is an additional demand for asphalt.
 - b. "No adverse noise or air quality impacts will be experienced by neighbors." As stated previously, there is no factual basis for this claim based on the experiences of other Michigan communities living near asphalt plants. The opposite seems to be true.
 - c. "No residential uses or planned uses are anywhere nearby on the existing or future land use map." **Anywhere nearby** needs to be defined as there are homes at Lakeshore Village less than one mile to the west and hundreds of homes northeast of this site. There are numerous businesses that are occupied during normal business hours, Cleary University, and High Flyers Gymnasium that offers classes to children. It is ridiculous to insinuate that no one will be affected.

There is ample evidence that this proposal should not proceed. There are too many critical questions that remain unanswered. The residents in the township are solidly opposed to this. The Genoa Township Board of Trustees must understand the gravity of the decision to approve an asphalt plant as well as thoroughly understand all of the issues. There are no second chances here to make the right decision. The legacy you leave shouldn't be this choice.

Sincerely,
Susan Kelly

Crossroads Group of the Sierra Club
sue.kelly@michigan.sierraclub.org

From: [Douglas Taylor](#)
To: [Bill Rogers](#); [Polly](#); [Jean Ledford](#); [Terry Croft](#); [Diana Lowe](#); [Jim Mortensen](#); [Mike Archinal](#); [Robin Hunt](#)
Subject: Proposed Asphalt Plant - Taylor
Date: Monday, January 31, 2022 4:02:40 PM

On Feb. 7 you will be meeting to hear and discuss pros & cons and perhaps decide on that date the fate of the proposed Capital Asphalt manufacturing plant.

The pros: 1. potentially 20-30 new jobs will be created, 2. a current eye-sore trash waste location will be cleaned up/removed, 3. a prominent land owner will sell his parcel and 4. some political recipient may well get a pledge/donation (perhaps up to \$20,000 or more?) from the asphalt company.

The cons: 1. asphalt plants spew harmful/toxic emissions and offensive odors, 2. these fumes have an effect up to a 10-mile radius - wind directions changes will thereby include most of Genoa Twp. and surrounding municipalities, 3. area residents with respiratory (and some other) health issues will be negatively affected by these fumes, 4. property values will likely drop, affected by obnoxious odors in the air when residents and business try to sell their properties, 5. Genoa Twp. will lose its appeal and forfeit its status as a "good neighbor" of other municipalities and 6. ... more reasons many others can cite.

That a business proposal has advanced in zoning reviews does not make it "right" for a community. A monetary donation from a business, a higher tax base on the subject property and political favors do not offset loss

of some residents' health or accepting poorer quality of air in a community and thus diminishing its desirability.

My request is for you, the custodians of Genoa Township, to deny this proposed use - and to come up with alternative buyers/uses for this property:

- To start with, plant a row of mature arborvitae trees along I-96 to hide the objectionable visual features of the existing site (this addresses one of Mr. Rogers' concerns.)
- Work with the property owner to assuage his immediate desire for disposal of this property (i.e. tax exemption until sold, etc.)
- Invite in and work with officials in the City of Howell, Oceola Township, Brighton Township and others to come up with alternatives for this site.

Genoa Township is not a poor municipality, struggling for added revenue from any source. It is inviting and prosperous, with a healthy outdoor orientation and a citizen base that wants to keep it that way.

I hope that the members of the Genoa Township Board will vote against this asphalt plant ... vote for the community and not for this business wanting entry - a business that can be injurious to us all.

Douglas Taylor
Brighton Township

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Objective:

To review plans and procedures under consideration by Capital Asphalt, LLC and local authorities for the new asphalt plant to be located in Genoa Township, Michigan, to provide assistance to assure compliance with applicable statutes and local requirements and goals and to ensure optimization of plant operations and environmental compliance.

Summary:

The plant and site as designed are in compliance with local codes and conditions and will result in minimum impact on the community. The areas that were examined in order to reach this conclusion are listed below with a summary of the reasons for the conclusion. Some of these comments serve as a response to published public comments for Board consideration.

A substantial investment of time and capital is made to satisfy local codes and state environmental requirements. This investment additionally is made to minimize any detrimental aspects that the community envisions, consistent with the approval and the operation of the plant. It is understood that many people do not want an asphalt plant in the area; however, if a plant proposal is able to meet all state and local requirements and if the property is properly zoned for the plant, then it is important for it be allowed. Capital Asphalt has every intention of being a “good neighbor”.

1. Zoning and Land Use Issues

The application under consideration is for an asphalt plant. The current Industrial zoning specifically allows for this use. The change from Industrial Zoning to a Planned Industrial Development does not change either the requirements of the Industrial Zoning nor the applicable uses for the property. Rather this change allows flexibility in the design of the property so that the land can be more appropriately used and provide an improved situation for the developer and for the community in the site design and operation.

The site is located near railroad tracks and close to an Interstate highway making the use of the plant for a use that is often designated as heavy industry extremely applicable. The site does not border on any residential or commercial properties. The plant and site design, approval, implementation and operations will be under initial review and approval and subsequent substantial monitoring to insure that it operates in a manner which precludes environmental damage or disruption to the area.

The Industrial Zone in which the proposed plant site is located is part of the Comprehensive Plan. This industrial area was specifically designated to allow for industrial activity in the Genoa Township/Livingston County area and is an integral part of the planning and development process. It would not be appropriate to deny the use of such land for the industrial uses for which the area is designed. If there was to be public interest, the time for such interest has passed. There has been no previous objection to the area designation from the public even though the area was zoned Industrial in the Comprehensive Plan and even though an asphalt plant is allowed in the Genoa Township Zoning Ordinance. It is important that land owners be able to rely upon existing provisions of Plans and Ordinances for their property. Clearly this plant is allowed.

Compliance with local ordinances is being effected through coordination between the staffs of applicable governmental agencies and Capital Asphalt's staff and contractors.

2. Air Pollution and Emissions Controls

Some questionable information has been published and distributed in various medium regarding the potential air quality and emissions from the plant. In response, validated by the environmental consultant and in discussions with EGLE (Environmental, Great Lakes, and Energy), the plant is required to operate within specific constraints as defined and approved by EGLE. "EGLE ensures that Michigan's air remains clean by regulating sources of air pollutants to minimize adverse impact on human health and the environment". EGLE has some of the most stringent environmental restrictions in the country. The plant cannot be permitted to be built or operated without the approval of EGLE. An Air Quality Permit Public Hearing will be held subsequent to the local authorities' approvals and prior to final approval of the permit. It is at this hearing that concerns regarding air quality should be addressed. The plant will be under the dictates and approvals of EGLE and issues with their policies or regulations or

statutes regarding air quality must be addressed at that meeting. Regarding the local authority approvals, the plant site is appropriately located and properly zoned to allow the plant.

3. Height of Structures:

The allowance for an increased allowable height of structures that is included in the PID submission is intrinsic to the application for an asphalt mixing plant on site. Table 8.02 (Schedule of Industrial Uses) of Article A (Industrial Districts) of the Zoning Ordinance includes “Cement and concrete product or ready-mix operation requiring elevator, storage tanks, conveyors and batching equipment and asphalt batch plant, asphalt mixing, batching or paving plants.” There are no concrete batch plants or asphalt plants with storage tanks that are less than 30 feet in height. This fact clearly makes the case that these uses, of which an asphalt plant is included, should automatically allow for the height approval.

4. Stormwater

EGLE is the EPA-authorized agency for the stormwater plan to prevent environmental hazards which may result from stormwater leaving the proposed asphalt plant site. As in air quality, the controls and approvals for an asphalt plant are specific to the industry and are both restrictive and detailed. In addition to the required approvals prior to site development and operation, there is the requirement for a Storm Water Pollution Prevention Plan (SWPPP) that outlines the maintenance of the controls on the site. In summary, the site will have the necessary facilities to prevent the possibility of environmental damage if it is allowed to be constructed or operated. The agency to address these concerns is EGLE which establishes and enforces the applicable regulations.

5. Traffic

As noted on a letter of January 31, 2022, from Desine Inc, the engineer for Capital Asphalt, the off-site improvements include “construction of Toddiem Drive between Victory Drive and Grand Oaks Drive.” The proposed road will meet the requirements of Livingston County Road Commission standards and those of Genoa Township. The proposed road improvement will provide both improved access to the area and allow a secondary access for emergency vehicles. A transportation plan will be submitted for approval.

6. NOTE: Public expressed area of concern:

There have been assertions in the public domain that local real market values will substantially decrease as a result of the plant approval. We find no substantiation for this issue. Such an issue would require a very in-depth study eliminating other market factors and we find no such study. There is, however, in the absence of such a detailed study, specific evidence refuting such an allegation. NOTE: The closest residential homes to the plant site are approximately 1900 feet from the proposed plant. This same residential area is approximately 600 feet from a sewage treatment facility.

New asphalt plants reflect advances in equipment and process design and, therefore, operate more cleanly with respect to air emissions than older plants. Furthermore, typically, new plants are subject to new and frequently more restrictive regulations than existing plants. New plants such as the plant under consideration are important to the economy of an area. Approval of this plant will contribute to continued economic progress in the local area and in the State of Michigan.