

# SUMMIT TOWNSHIP PLANNING COMMISSION

## October 21, 2003

**MEMBERS PRESENT:** Raymond McQuillan, Chairman; Dennis Hackett, Secretary; Richard Erhardt, Kenneth Strobel, Patrick Dunigan, Margaret Reason, Stephen Artz, Gordon Heins Township Board Liaison; and John Worden, Summit Township Zoning Administrator.

**MEMBERS ABSENT:** Robert Simmons.

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The meeting was called to order by Chairman McQuillan, on Tuesday October 21, 2003, at 7:00 pm at the Summit Township Fire Station #2.

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A motion was made by R. Erhardt, supported by D. Hackett to approve the September 19, 2003 minutes of the Planning Commission meeting as written. The motion carried unanimously.

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R. McQuillan, Chairman, gave instructions to the audience on giving names and addresses when speaking on issues before the Planning Commission.

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Case #03-10-0026 – Special Land Use Junk Yard – 2735 Page Ave. – Stanley Fowle and Mary Stull – Former Kurpinski Property

A public hearing was held on the request of Stanley Fowle and Mary Stull of 1414 Locust Street, Jackson, and on behalf of McEldowney's LLC, 1905 Grovedale, Jackson, owner of the property, for a Special Land Use Permit to operate a junk/salvage yard at 2735 Page Avenue Jackson.

Stanley Fowle, applicant, explained that the operation would be in the rear of the property in the Industrial Zoned area and would have hours from 9:00 am to 5:00 pm Monday thru Saturday only. Mr. Fowle acknowledged he had received the requirements of the Zoning Ordinance concerning Junk Yards and would comply with them. Mr. Fowle also stated that approximately 200 plus cars would be on the property.

Public/ Commission Comment:

R. McQuillan, chairman, asked if there were licenses required. Mr. Fowle replied that after approval by the Township he would apply to the State for a license.

R. Erhardt, member, asked if there would be fluids disposed on the property. Mr. Fowle stated that all fluids from salvage operations would be placed in drums and disposed of by a waste hauler.

S. Artz, member, asked Mr. Fowle if he owned or leased the property. Mr. Fowle stated that he was leasing the property on a one year lease at this time.

Duane Daugherty, 2609 W. Morrell, familiar with the property, stated that he felt the fence was not necessary because the trees acted as a fence.

R. McQuillan, chairman, stated that there were specific requirements of the Zoning Ordinance for the fence.

A motion was made by R. Erhardt, supported by P. Dunigan to recommend to the Township Board approval of the Special Land Use Permit for a Junk Yard with hours of operation being 9:00 am to 5:00 pm daily Monday thru Saturday and compliance with all of the requirements of Section 5.5.9 B Additional Development Requirements for Certain Uses. Motion passed unanimously.

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Case #03-10-0028 – Conditional Use Permit – Radio Towers – Hague Ave. and Emmons Rd. East Side – Spring Arbor University and Jackson Community College.

A public hearing was held on the request of Spring Arbor University for a Conditional Use Permit to locate three (3) radio towers on property owned by Jackson Community College east of Hague Avenue. The property is zoned Agricultural (AG-1) and is currently the site of the sewer disposal lagoons for Jackson Community College.

J. Worden explained that the request was a result of wetland and soil issues as determined by the Department of Environmental Quality for the State of Michigan (DEQ).

E. Harold Munn, Jr., Secretary-Treasurer of Spring Arbor University, stated that the relocation would be 1200 to 1300 feet southeast of the previous site on the Osborne property. Also the situation is becoming critical because the radio station must be in operation by March 2004 or the University risks losing their license to operate. Mr. Munn described the soil conditions of the old site as houghton muck which is very unstable soil, and the new location on Jackson Community College is a sandy Loam.

Public Comment:

Scott Hazard of 2882 East Kimmel Road stated his objection to the towers based on the visual effect from his home.

A motion by P. Dunigan, and supported by S. Artz to recommend to the Township Board approval of the Conditional Use Permit to locate radio towers on the property owned by Jackson Community College. Motion passed unanimously.

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Case # 03-10-0029 – Site Plan Review – Radio Towers – Spring Arbor University – Jackson Community College Property – East of Hague Avenue off Emmons Road sewer lagoon area.

A public hearing was held on the request of Spring Arbor University for a Site Plan Review to relocate three (3) broadcasting towers for radio station WJKN from Floyd Avenue to property owned by Jackson Community College in an area east of Hague Avenue off Emmons Road. The property is used as part of the sewage disposal system for Jackson Community College.

J. Worden explained that many items for compliance from the previous Site Plan still applied, including the letter from the Jackson County Road Commission. New letters were received from the Jackson County Drain Commissioner and the Michigan Department of Environmental Quality. OMM Engineering must still approve the exact location of the towers on the site to avoid any conflicts with the sewer system.

A motion by P. Dunigan and supported by S. Artz to recommend approval of the Site Plan for three (3) broadcast towers for Spring Arbor University to be located on property owned by Jackson Community College in the area of the sewer lagoon system for the College and contingent upon the letters from the Jackson County Road Commission, Jackson County Drain Commission, Michigan Department of Environmental Quality, approval of OMM Engineering and license approval by the Federal Communication Commission (FCC). Motion passed unanimously.

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Case # 03-08-0020 – Rehearing – Rezoning from Agricultural (AG-1) to Light Industrial (I-1) – 24 acres in the 3000 block of South Meridian Road (north of the Grand River) – a facility to manufacture automotive parts – Synchronous Manufacturing.

R. McQuillan, Chairman, stated the reason for the rehearing was the result of the opinion letter and conversation with the Township Attorney concerning the vote for approval, which failed on a three to two vote. There needed to be a new motion for denial, which did not occur at the Planning Commission; therefore, the Commission must rehear the rezoning request as if the request was a new application. All notices were republished and mailed.

A public hearing (rehearing) was held on the request of Synchronous Manufacturing, represented by Michael Thorrez of 760 Lakeview, Clark Lake, George Svinicki of Svinicki and Associates, and Fred Bishop, attorney. Mr. Thorrez stated that Synchronous Manufacturing is currently located at 4050 Page Avenue, Michigan Center and currently has 27 employees on a two shift operation. The building is no longer large enough, and for the past 18 months plus, they have been looking for property on which to locate a new facility. They would need approximately 9 acres, and the building would be approximately 3500 sq. ft.

Public Comment:

G. Sivinicki, project engineer, inquired about the Land Use Plan and the use shown for the area in question. Answered by R. McQuillan, chairman, the Township Land Use Plan shows an industrial use.

Fred Bishop, attorney for the applicant, stated that the current zoning for the property is agricultural, and he and Mr. Sivinicki would be able to answer questions concerning the project.

Don Calbert, 910 Oakridge Drive, is the owner of the property and had purchased the land in the late 1960's. At that time the property was zoned industrial. As a result of the blanket rezoning in 1971, the property was rezoned to agricultural, and he was not aware of this until 1988. At that time he approached the Township Board and requested that the property be rezoned back to industrial. He was informed that when a site plan was presented, consideration would be given to the rezoning request. In 1998 he received a sizable increase in his assessment on the property and after inquiring was told that the taxing of the land was based on industrial use.

Frank Pratt, 4876 Woodlane, was involved in economic development for Jackson Alliance for 25 years and supports the project. He feels that whenever possible, the tax base should be supported by industrial projects and the rezoning would be the best use of the property.

S. Artz, member, asked the size of the proposed building and if all 24 acres would be used. Answer: Mr. Thorrez stated that the building would be approximately 35,000 sq. ft. and about one third of the property to the south and west would be in the wetlands. The building would be on the north side of the property in the high area. S. Artz asked if there was a drawing available showing the proposal. J. Worden stated that a drawing was submitted at the last hearing and was re-sent to the Commission members and larger drawings were available.

Wandell and Areen Pryor of 3101 South Meridian Road, both are opposed to the rezoning and they do not want a factory in their front yard. Mr. Pryor was also concerned about the use of a septic tank system.

Tom Armstrong of 3701 South Meridian Road, does not support the rezoning and wants housing to be developed on the land and the project located at a different site. He is also very concerned about the truck traffic and feels that more traffic accidents are likely and that the remaining land not used for this project would become an industrial park.

Delores Thomas of 3709 Emelia, is opposed to the rezoning and stated that the Commercial Fuels site located at East South and South Meridian is a neighborhood problem causing noise and heavy truck traffic on South Meridian Road and the proposed factory would only add to the problem, increasing traffic and potential accidents. She moved to the area because it was residential.

Sharon Ficek of 3719 S. Meridian Road, is opposed to the rezoning and agrees with the others. She feels that the lower income homeowners in the area would be punished by locating a higher tax paying industrial use nearby and is also concerned about the negative effect on the tree nursery and child care facility in the area. Mrs. Ficek read a lengthy statement in opposition to the rezoning. A copy was not presented for the record.

Cheryl Globensky of 2129 Schelling Drive, is opposed to the rezoning and is concerned about the impact on the nearby river, wildlife, and wetlands. The project would be bad for the character and appearance of the residential area, and property values would drop. There are new homes being built and the area is expanding; and increase in industrial traffic would be bad for the area. Other locations are available for the factory. A list of 116 persons who are opposed to the project was shown to the Commission. A copy was not presented for the record.

Lilian White of 3251 South Meridian Road, is opposed to the rezoning and stated their life savings have been invested in their home.

Robert Cummins of 2106 Schelling Drive, is opposed to the rezoning.

Ron Cunliff of 2104 Schelling Drive, is opposed to the rezoning and is concerned that the noise that would be generated from the factory would be greater than the noise from the Micor Park area.

Jeff Resseguie of 2131 Schelling Drive, is opposed to the rezoning and is concerned that the Grand River will be polluted. Mr. Resseguie has visited the Page Avenue site of Synchronous Manufacturing and took several pictures of the area showing barrels and other material at the rear of the building. The pictures were shown to the Commission members however, no copies were given to the Commission for the record.

Shelia Hetherington of 2135 Schelling Drive, is opposed to the rezoning and is concerned about the safety of the children in the area.

Donald Ficek of 3719 S. Meridian Road, is opposed to the rezoning and stated that the 24 acres is being leased as farmland purposes at this time.

Dennis Miller of 2710 Julia Street, agrees with all of the stated opposition, he has river front property next to the property in question and does not want he pollution that would be generated from the factory to enter the Grand River.

Chris Smith of 1117 Streator Street, stated that the current location of Synchronous Manufacturing on Page Avenue has several pollution problems.

Fred Bishop, attorney for the applicant, stated that the Michigan Department of Environmental Quality (DEQ) has very strict requirements that would have to be met and that the proximity of the factory to the Grand River would cause monitoring to be more intense.

Mike Thorrez, owner, stated that the barrels in the pictures were empty and would be shipped back to the suppliers.

A motion by P. Dunigan supported by R. Erhardt to recommend to the Township Board approval of the Rezoning request of twenty four (24) for Synchronous Manufacturing from Agricultural (AG-1) to Light Industrial (I-1). The motion passed on a roll call vote with R. McQuillan, R. Erhardt, P. Dunigan, S. Artz, and G. Heins voting yes; D. Hackett, M. Reason, and K. Strobel voting no.

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Other Business:

J. Worden explained that there would be a rezoning request for 2508 Spring Arbor Road at the November meeting the request would be for office use. Also the November meeting should be at the Township Meeting Room if the construction work is completed.

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A motion was made by S. Artz, supported by G. Heins to adjourn the meeting. The motion carried unanimously. The meeting was adjourned at 8:25 p.m.

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Respectfully submitted,

Dennis Hackett Secretary  
Summit Township Planning Commission