

**CHARTER TOWNSHIP OF FENTON PLANNING COMMISSION  
MINUTES FOR SPECIAL MEETING OF APRIL 21, 2011**

**TOWNSHIP CIVIC COMMUNITY CENTER  
12060 MANTAWAUKA DRIVE, FENTON, MICHIGAN**

Chairperson Pro-Tem Carlson called meeting to order at 6:08 p.m.

Present: Carlson, Franz, Lorraine, McGuirk, Richard

Recording Secretary: McDonald

Also Present: Doug Piggott, Zoning Administrator

Absent: Tucker

**APPROVAL OF AGENDA:**

Motion to approve the agenda presented

Motion by: Carlson

Seconded by: McGuirk

Ayes: Carlson, Franz, Lorraine, McGuirk, Richard

Nays: None

Absent: Tucker

Motion carried

**NEW BUSINESS**

**PUBLIC HEARINGS:**

**SUP11-002 DPT LLC 13159 Harborview Dr.:**

06-02-400-005

2111 W. Thompson Rd.

Special Use Permit: Light Fabrication

Secretary McGuirk reviewed file. Dean Nitsos, 13159 Harborview Dr. sworn in. Nitsos explained request to fabricate patio furniture. He stated the product is an all wood patio table of various sizes. He stated in the beginning they will be starting with one station, 7 saws and 2 routers. Nitsos stated they did not plan on making any changes to the exterior of the building or parking lot. The majority of the building will be used to warehouse raw material and finished product ready to ship. There will be no use of paint, stains, varnishes or any other type of sealer. The finished product is natural wood ready to be finished by the vendor or customer. Nitsos said it is hoped the company will grow with a potential of 6 stations and a larger assembly area. Nitsos noted they estimate 10,000 sq. ft. of fabrication and assembly area in the beginning. All finished products will be stored indoors. There will be some outdoor storage of raw material. Nitsos added they anticipate 1 to 2 shifts Monday through Friday. With the hope the company will grow and add a 3<sup>rd</sup> shift, possibly running 7 days a week. Initially they plan to employ 10 to 15 people. There is a potential for as many as 70 employees per shift. Nitsos said they will be using environmentally friendly green products and all product waste will be recycled. There will be a dust collector at each station, utilizing quiet, highly efficient, self contained internal systems. There will be no dust collecting systems outdoors. None of the equipment rates higher than 100 decibels to ensure that the sound outside the building will be kept to a minimum. Franz asked if the furniture is completely assembled on site and how the tables are put together. Tim Gallagher, DPT, LLC. explained the units are shipped in 3 pieces, they are assembled using air nailers and screws. He also asked about the outdoor storage and material delivery. Gallagher said some of the raw materials will have to be stored outdoors, it is anticipated that lumber will be delivered by semi trucks approximately 8 to 10 trucks per day with 53 ft. trailers. The supplier is going to be Carter Lumber, a local company and it is all Douglas Fir – the product stored outside will be covered, it will be moved by electric fork lift. Franz stated concerns about sound outside the building. Gallagher said the fork truck and semi trucks do make some noise, but it will not exceed that of any M-1 use. The loudest equipment used in the fabrication is the router, he offered to build a sound room to contain the routers if it is necessary. McGuirk stated concerns about the overhead doors being open especially during the heat of the summer and at times when product is being brought in from the outdoors. Gallagher said the front approximate 3<sup>rd</sup> of the facility is air conditioned and all fabrication will take place in the front or north portion of the facility. Richard stated concerns that

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there where no photographs or samples of the product for the Planning Commissions benefit. Gallagher noted it is a new company and production is only done on a limited bases at this time. Franz stated concerns about the noise level outside the building and 8 to 10 loads of product being delivered daily at all times of the day and night. He questioned 8 to 10 loads lumber being considered low intensity. Lorraine stated concerns about truck maneuvering and adequate parking if the operation is running 3 shifts with 70 employees per shift. Gallagher said they will have to stagger shift times to ensure adequate parking. Zoning Administrator, Piggott explained there would have to be 1 parking space for every 1.5 persons on the largest shift or 1 space for every 550 sq. ft. of useable floor area. He added this will be part of the review of their business license if the special use permit is approved. Chairperson Pro-Tem Carlson called for audience comments. Paul Martel, 16453 Dawnlight explained there are over 100 paved parking spaces which should be more than adequate. Richard asked about the semi trucks maneuverability. Martel stated the prior business had 150 employees and frequent truck maneuvers without any problems. Bryan & Leslie Confer, 11400 Audubon, Roger Redick, 2088 Wiggins & Chris Schramm, 11404 Audubon expressed their opposition stating concerns about the proximity of the facility to the residential units, noise, safety of children with outdoor activities, operation of 3 shifts, deliveries all hours of the day and night and allowing a special use permit which gives the right to operate a more intense fabrication on property zoned to be a buffer between the heavier uses and the residential. Secretary McGuirk acknowledged a letter in file from Jeff Crim, 11394 Audubon which was in opposition of the request stating many of the same concerns listed above. McGuirk asked Piggott to review the uses allowed in the M-1 district. Piggott stated animal shelter, industrial service establishments, low intensity, laboratories, landscape contractor manufacturing establishments, low intensity, public utility buildings and uses, research and development establishments, sales & storage, low intensity and towing service (without outdoor storage) are uses permitted by right. Contractor establishment without outdoor storage. educational institutions, non-profit, light fabrication, towing service (with outdoor storage) are permitted by special use permit. Piggott explained that he classified this as light fabrication because of the nature of the production. He noted that woodworking is defined as a business involved in the construction of furniture small portable structures and similar products, primarily out of wood. Woodworking is allowed by special use permit in the C-2 and C-3 districts ie, cabinets decks gazebos and other one of a kind limited production units. The proposed use differs in that it is fabrication of the same product over and over. The Commission asked what hours of operation the applicant was considering. Gallagher stated a first shift of 75 maximum employees that would operate from 7:00 am. until 5:00 pm. to start. If and when a second shift is added they would plan on 25 to 50 employees. Gallagher added this facility would not be large enough to accommodate the business at ideal full production. They selected this facility because it is a great place to start. They looked at larger facilities elsewhere that were not nearly as nice and as a new company they wanted a building that vendors could view and conduct business that was in a good location and presented a pleasing appearance. Richard asked what would be done with the refuse collected in the dust collectors and left over from the production. Gallagher said it will all be recycled loaded in trucks and taken off site. Carlson stated concerns about the noise and noted ear protection must be worn at 85 decibels. Gallagher stated there will be noise exceeding that level inside the building but they are willing to do whatever they need to do to ensure it will not be that loud outside the building. He noted much of the area they plan on using for the fabrication is already insulated with a product capable of deadening the sound. He added they are willing to construct a sound proof area within the building to further protect neighbors from the sound. McGuirk stated if this permit is approved conditions can be put into place to mitigate concerns about the sound. He added he would like to see conditions include hours of operation, limited, specific areas within the building utilized for fabrication and any outdoor storage area fenced and screened from public view. Gallagher stated they can and have planned on locating the noise generating equipment, saws and routers in that front portion of the building, however the plan is to do some assembly in the portion that will be used for warehousing. Carlson concurred with McGuirk in favor of a very limited scope, one shift, limited hours of operation and limiting the area used for fabrication. Lorraine said it looks like the applicant has a good business plan and could start

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with the first phase on a limited basis with the ability to amend the special use in the future if expansion is necessary and the business is operated in way that does not adversely effect the residence. Lorraine stated it will be up to the applicant to buffer and screen the operation as conditioned by the permit. Franz stated he still had concerns about the sound and number of variables that effect it's impact, including the opening of the overhead doors, times for deliveries and the buildings proximity to the residential development on the east. The Commission and the applicant discussed hours of operation and noise level at the property line. The applicant stated with no equipment exceeding 100 decibels they felt they could function with a level set at 65 decibels at the property line and they would begin with a first shift 7:00 am. to 7:00 pm. Monday through Friday. The audience protested stating this application is stretching the intent of zoning and leaving the burden of proof on the neighboring residents.

Motion to grant a special use permit for Light Fabrication at 2111 Thompson Rd. parcel 06-02-400-005 with the following conditions:

- The sound produced by the Light Fabrication equipment shall not exceed 65 decibels at the property line.
- Hours of operation shall not exceed 7:00 am. to 7:00 pm. Monday through Friday.
- The noise generating fabrication equipment shall be located in front (northern most) 20,000 sq. ft. of the building.
- There shall be no activity related to or associated with this business outside on the east side of the building.
- Any and all outdoor storage area(s) shall be fenced and opaquely screened from the public. view

Motion by: McGuirk  
Seconded by: Lorraine  
Ayes: Carlson, Franz, Lorraine, McGuirk, Richard  
Nays: None  
Absent: Tucker

Motion carried

**PUBLIC COMMENT & COMMUNICATION CONCERNING ITEMS NOT ON THE AGENDA:**

There were none

**MINUTES:** There were none

**ADJOURN** 7:45 p.m.

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Sandra Carlson, Chairperson Pro-Tem  
Minutes Posted 05/03/11

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James McGuirk, Secretary