

**CHARTER TOWNSHIP OF FENTON PLANNING COMMISSION
MINUTES FOR SPECIAL MEETING OF AUGUST 16, 2011**

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

Chairperson Tucker called meeting to order at 6:01 p.m.
Present: Carlson, Franz, Hemeyer, Lorraine, McGuirk, Richard, Tucker
Recording Secretary: McDonald
Absent: None

APPROVAL OF AGENDA:

Motion to approve the agenda
Motion by: Lorraine
Seconded by: Franz
Ayes: Carlson, Franz, Hemeyer, Lorraine, McGuirk, Richard, Tucker
Nays: None
Absent:
Motion carried

PUBLIC HEARINGS:

SUP11-003 TMI Custom Air Systems Inc. 200 Quality Way, Holly:

06-02-400-005

2111 W. Thompson

Special Use Permit: Light Fabrication

There is currently a special use permit for light fabrication for this property. The conditions of the permit are being requested to be amended.

Secretary McGuirk reviewed file he noted letters in the file from Jeff Crim, 11394 Audubon were opposed to the request and any special permit granted for the property. Leo Seide, Cooper Commercial, 3487 S. Linden, Flint and Greg Freitas, TMI Custom Air Systems, 200 Quality Way, Holly sworn in. Seide explained that TMI is a first class operation and major producer of quality in demand products and the building at 2111 W. Thompson is in need of a tenant. Freitas stated he has been employed with TMI for 23 years. The company was founded in 1982 and has been growing ever since. They offer a vast array of products that service the HVAC industry from complex units with dehumidification to direct fired 100% outdoor air rooftop units. TMI is the top supplier to owners, architects, engineers & mechanical firms across the country and around the world. They recently acquired a very substantial production order and with the facility on Quality Way already at capacity they need to find space to assemble the units for shipment. Freitas explained this plant will be used for assembly only. The units will be produced at the plant in Holly and the components assembled at the Thompson Rd. facility. He noted that he understands the concerns of the neighbors and the Township regarding noise and stated this assembly requires the use of MIG welders, hammers, tack guns and some grinding. Freitas stated, if approved the company will be entering into a 6 month open ended lease in order to fulfill this particular job. The assembly will move into full use of the facility and full assembly which for this job will wind down in December and January. Freitas added it is their desire to be good neighbors, TMI is an upstanding company with a clean track record and will do every they possibly can to address the concerns of the Township and the neighbors. Carlson asked if they are only seeking a permit for 6 months. Seide stated the lease is an open lease and the property owner would like to have the tenant for as long as they have a need for the building. Chairperson Tucker called for audience comments. Leslie Confer, 11400 Audubon stated that she and her husband were pleased with the discussion and conditions of the special use permit that exist for the patio furniture but were concerned with the amendments that include a second shift. She said she has already been awakened in early morning hours by the sound of music, grinding and men's voices. She stated additional concerns about the noise during shift change. Chris Schramm, 11404 Audubon, stated concerns included the night shift, the use of public address systems, back alarms on fork and other trucks. Jeff Crim, 11394

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Audubon said the special use permit is actually a rezoning of the property that will set a precedent for even more intense uses. He added the property was zoned high tech as a buffer to protect the neighbors. He alleged that the tenants are already loud and working outside the hours of the current permit. He said he did not feel that this large business cares or respects the neighbors nor will they adhere to the conditions of the permit. He questioned the logic of the Township when they allowed a residential subdivision to be built next door to and so close to an industrial building. Tucker asked if the business was operating in the building at this time. Freitas stated they have been making repairs to the wiring to get ready to occupy the front 20,000 sq. ft. of the building under the current special use permit. Brian Confer, 11400 Audubon concurred with Crim with regard to the zoning and stated an average decibel of 65 dB is not expectable, he also stated concerns about people loitering outside the building. Roger Redick, 2088 Wiggins agreed that this action is in essence a rezoning of the property he stated concerns about the overhead doors being open and about making these changes to the existing permit. Tucker read the conditions of the existing permit and explained this request is to use the entire building, expand the hours of operation and average the decibel limit. Tucker noted he would not be inclined to use an average dB. The Ordinance limits the dB to 65 at the property and he sees no reason to change this limitation. Franz asked how the product is transported to and from the facility. Freitas explained the units are usually transported on a low boy where they are loaded by overhead cranes. Richard asked how many cranes they plan to have at the site. Freitas said they plan to utilize 1 for sure and possibly 2 at times. Richard asked if the cranes are gasoline or diesel powered. Freitas said there is 1 overhead crane in the building the 1 that will be used outdoors is a large diesel powered crane that will be brought in when needed but will not be located at the site on a permanent basis. Lorraine asked about the number employees on each shift at the facility. Freitas stated there will be 25-30 during the day shift and 10-15 at night. Tucker asked if TMI is able to commit to the 65 dB limit. Freitas said without having done some sound test he could not give a definitive answer. Richard asked if they could adjust the proposed hours of operation. Freitas stated the 2nd shift is necessary. Lorraine asked if the company has a back up plan if this request is not granted. Freitas stated this is not the only building they have considered but it best fits their needs, they have secured a facility in Imlay City. He further explained they prefer this facility because of its close proximity to the facility in Holly. Carlson asked if there was room for expansion at their current site. Freitas said they have been considering an expansion it is much more efficient to operate under 1 roof, however the need for this space is immediate, they have a commitment to fulfill. Tucker asked that they consider reducing the noise level after 7:00 pm. Lorraine asked if ear protection will be required for any equipment used at this site. Freitas said no and added even at the existing site the number of employees required to wear ear protection is minimal. Tucker asked if they could consider not operating or limiting operation on the weekends. Freitas stated it is not their desire to work on Sunday, however they do have to meet their demands. Lorraine asked if the facility on Thompson Rd. is insulated. Craig Allen, one of the owners of the building said it is insulated with 6" batting throughout. Tucker noted that there are several questions that the applicant is not able to answer at this meeting and suggested they do some sound testing and consider some modifications to the requested hours of operation. Lorraine suggested doubling the 1st shift production possibly eliminating the need for a 2nd shift. Freitas asked that this matter be postponed to allow some research into these concerns but stated time is of the essence. Tucker postponed this request until 6:00 pm on the following Tuesday, August 23, 2011.

POSTPONED

ELECTION OF OFFICERS:

Tucker nominated Carlson

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McGuirk supported the nomination
All were in favor

Carlson nominated Tucker for Vice Chairperson
Lorraine supported the nomination
All were in favor

Tucker nominated McGuirk for Secretary
Lorraine supported the nomination
All were in favor

PUBLIC COMMENT & COMMUNICATION CONCERNING ITEMS NOT ON THE AGENDA:

5 Minute Limit – There was none

ADJOURN: 7:38 p.m.

John Tucker, Chairperson
Minutes Posted 08/24/11

James McGuirk, Secretary