

ARCADIA TOWNSHIP PLANNING COMMISSION  
PUBLIC HEARING - GAWLAS  
April 26, 2022

A Public Hearing of the Arcadia Township Planning Commission was held on Tuesday, April 26, 2022 at the Arcadia Township Hall, 4900 Spencer Street, Lum, Michigan. Chairperson Lashbrook opened the meeting at 7:57 p.m. This public hearing followed another public hearing which started at 7:34 pm.

ROLL CALL: Members present: Lashbrook, Woloszyk, Howe and Poniatowski. Absent: Arnold, McClelland. Others present: Please see sign in sheet, Recording Secretary, Teresa Gormley.

MOVED BY Howe SECONDED BY Poniatowski to approve the agenda as presented.  
MOTION CARRIED.

Lashbrook opened the meeting. Poniatowski stated that she had an opportunity to visit the property. The work space is in a three-car garage, using one bay and it is not connected to the house. It is a very small space.

Lashbrook - How close are the neighbors?

Poniatowski – On the other side.

Dan Sell – I’m about 500’ from him.

Lashbrook brought up employment concerns and discrepancies.

Poniatowski – No more than two people can work in that space comfortably.

Lashbrook welcomed applicant, Nick Gawlas, 2925 Sunnydale Lane who stated he is hoping to work from home doing a welding business. This is a small operation doing very small parts. He is 500’ from nearest neighbor, and has no neighbors on three sides. Gawlas stated he picks up parts to weld and then delivers them in his 1500 Dodge Ram truck.

Stacey Gawlas, 2925 Sunnydale Lane, stated they did not hire anyone. Nick had gotten very busy and thought he needed help but decided against it. Nick was working three jobs, adding it is nice to have him home now.

Poniatowski – the property is well kept and it is an all-contained work space.

Woloszyk asked Poniatowski to share more about her observations.

Poniatowski stated that she took pictures. “I don’t see big things happening there”.

Woloszyk inquired about safeguards in place for fire prevention.

Gawlas – I have a fire extinguisher, I am an LLC, and have commercial and liability coverage.

Howe – You have your own transformer and utility pole?

Gawlas – Yes.

Howe – Your neighbors have their own transformer, so if you lost power it should harm others?

Gawlas – Yes.

Stacey Gawlas – The original plan was to travel but they discovered that no one wanted work brought onto their space.

Nick Gawlas – If I have to expand, it is not feasible to do in the garage.

Lashbrook – What are your future plans? Adding another building?

Gawlas – I just want to get this off the ground.

Woloszyk – Are you advertising?

Nick Gawlas – No, word of mouth.

Lashbrook – Where do you keep the gases?

Nick Gawlas – Near the welding machine.

Lashbrook – No big deliveries?

Gawlas – No

Lashbrook – How do you get your steel?

Nick Gawlas – I don't have steel delivered. Everything is contained and all I do is weld it. I don't ever have a bunch of stuff outside. The weather will distort it – so, that's not good. An overhead crane was in the garage when I purchased it.

Howe – My husband and I did our own welding on the farm – not really any noise unless you're grinding but not much.

Nick Gawlas – most of what I do is TIG welding. No splash so not a fire hazard. Other types of welding send sparks and I do not do any of that.

Public time was opened at 8:04 pm.

Dan Sell, 2955 Sunnydale Lane. As residents we have full maintenance of the road. The last thing we need is extra traffic on the road. Having any additional employees would not be compatible with our road. I looked into repair to West End Lane. It was \$4,000 years ago, now probably about 4x that much. Kathy Howe can attest to the road. We put a couple loads of gravel on the road, by the end of the year we could not feel we did anything. The road needs to be rebuilt, reditched, and recrowned...needing probably 25 gravel train loads, then in a year another four gravel trains.

Woloszyk – These are all conditions that existed.

Sell – Oh yes, Mrs. Howe can attest.

Brian Whitefield, 3025 Sunnydale Lane. Tom and I have lived here 25 years – they are great neighbors. I am against this for one reason – not against Nick and family – it's that road! Then we have someone who hasn't lived there for 25 year comes in. It's a private area on a private road. We don't want it turned into a commercial business.

Alex Lengemann, 5705 Reynolds Road, Imlay City. I don't know any of this – however, the house is at the end of a dead end road with an unattached garage, surrounded by nothing on three sides...I get it...He could get deliveries from Amazon...he can sit on a computer at work...a man shouldn't need permission to work in his garage by himself. He can drive up and down that road all he wants.

Randy Lamphere, 1090 N. Lake Pleasant Road. I understand about their private drive. I have a buddy on Coachwood. He had trouble getting people to assist in building it up. When people live on a private drive, they have to agree to maintain the private drive.

Chris Dixon, 2999 Sunnydale Lane. I have no problem making a living on their own property. I don't want it turned into I-69 – maybe if this does go through, no employees or no semi trucks.

Robert Underhill, 5400 West End Lane. I have no problem if the road is used normally.

Mildred Sell, 2955 Sunnydale Lane. I have nothing against these fine people. We live in a residential subdivision with six families. But they have no business having a private business there. We cannot have a business back there and have employees. Running a full time business as his main employment does not belong in a subdivision. We would have no control over the traffic and upkeep of the road. Dan (Sell) has helped with landscaping and snow removal. Now there is a property across from the road from him (Gawlas). He could put up a pole barn but it would put more pressure on that road.

Dan Sell – I just found out he is interested in purchasing that property – there is no easement from ingress and egress. He would have to come into that property from

Slattery Road. (Sell shows Chairperson Lashbrook a copy of a survey and talked solely to Lashbrook). There is a 40' easement, if you put a road in and if it gets maintained...

Howe – We are not here to talk about purchasing additional property.

Poniatowski – The Home Occupation (hearing) is for the home he lives in.

Lashbrook – Home Occupations do not change zoning in any way, shape or form. The Supervisor enforces.

Whitfield – when have you been on West End Lane?

Lashbrook – I am not the Supervisor!

Mildred Sell – Is this going to be his main means of support?

Nick Gawlas – I would like to do this for myself.

Mildred Sell – He needs to be on a county road.

Nick Gawlas – The road quality – it has been this bad before I moved in.

Mildred Sell – We had other neighbors who refused to put in a dime. My husband removed snow, took care of dumpster. They did not. We need the other six families to help.

Dan Sells – Nobody now wants to put in to what it needs to bring road back up again.

Nick Gawlas – There will be less traffic because I would not have to leave every day.

Woloszyk – How much traffic do you generate?

Stacey Gawlas – I use it more than he does taking my kids out.

Woloszyk – If this goes through for you, you won't alter the amount of traffic you currently do?

Nick Gawlas – I want to maintain a good relationship with my neighbors. I like my neighbors.

Stacey Gawlas – We moved in six years ago – we have community. We have said if this does impact anything we would put in money to help. We do not want a building across the road. We enjoy the wildlife – we don't want people looking at us.

Mildred Sell – I don't have a problem with him doing on weekends or evenings if he wants to make more money. He would have to generate more product and add to the traffic. I don't think it should be his primary job in a subdivision.

Public time was closed at 8:28 pm.

Lashbrook – Obviously, the road is an issue but on a private drive, I get that. You guys live on a crappy road!

Howe – I know West End Lane. My drive is kitty-corner. The road is bad. That is a problem when you move onto a private road. We can request restrictions: no delivery trucks, dictate hours of business.

Lashbrook – I'm a teacher and go up and down the road eight times a day. I have deliveries as I like to shop.

Howe – (to the residents) I can understand your concern.

Lashbrook – What are your current work hours?

Nick Gawlas – 7am-3pm...whenever I have work, Monday through Friday.

Howe – How often would you estimate for your deliveries to go in and out?

Nick Gawlas – Probably, pick up on Monday and take out on Friday.

Lashbrook – What do you project if you do it full time? What is your game plan?

Nick Gawlas – If I outgrow my space, then I would look for a shop.

Lashbrook – I don't think anyone here has anything against you. They seem to be ticked off about their road. But we have had people tell us one thing and then do another. I don't think we will deny you but we will box you in with parameters.

Howe – If we can restrict deliveries.

Whitfield – Can we put it in for a year and then come back to see how it has been going? If we can put a fence around this and see how it goes.

Poniatowski shared a written proposed Motion with the Board.

Lashbrook – (to Gawlas) Will you be using the dumpster more?

Sell – It's not used anymore. Noise is not an issue.

Mildred Sell – A lot of traffic between their house and our house and we would need to maintain.

Woloszyk – What is “a lot”?

Mildred Sell – I see delivery trucks more often...buying things online. We all do it. But a business will put more strain on that.

Lashbrook – He (Gawlas) goes to get the product and then leaves. If he was self-employed and drove to his business, it's the same amount of traffic.

Whitefield – Don't need fences around it – we should make an annual review.

MOTION BY Poniatowski, SECONDED BY Howe, to approve the Home Occupation request of Nick Gawlas, 2925 Sunnydale Lane, with a conditional approval if these items are met:

- \*No additional staff;
- \*No additional traffic;
- \*Mr. Gawlas will be making pickups and drop-offs;
- \*Business hours will be from 8:00am to 3:00pm, Monday through Friday;
- \*Annual Review will be in April, 2023.

ROLL CALL VOTE: Woloszyk, Yes; Lashbrook, Yes; Howe, Yes; Poniatowski, Yes. Absent: Arnold and McClelland.

Yes (4) No (0) Absent (2) MOTION CARRIED.

NOTE – It was requested by Sunnydale Lane Residents to include West End Lane residents at the annual review in 2023.

MOTION BY Poniatowski, SECONDED BY Howe, to adjourn at 8:50 pm. MOTION CARRIED.

Submitted by:

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Teresa M. Gormley  
Recording Secretary

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Richard McClelland  
Secretary