

ARCADIA TOWNSHIP ZONING BOARD OF APPEALS
MEETING MINUTES OF March 1, 2022
Regular Meeting
JIM'S RECYCLING REVIEW (Every 5 Years)

The Arcadia Township Zoning Board of Appeals held a Public Hearing on Tuesday, March 1, 2022 at 6:00 p.m. at Arcadia Township Hall, 4900 Spencer Street, Lum, Michigan. This was postponed from February 15, 2022 due to lack of quorum.

Chairman Richard McClelland called the meeting to order at 6:00 p.m.

MEMBERS PRESENT: McClelland, Johnson, Ostrom and Bonesteel.

MEMBERS ABSENT: Jostock

OTHERS PRESENT: Teresa Gormley, Recording Secretary; see attached list.

APPROVAL OF AGENDA: MOVED BY Bonesteel, SECONDED BY Ostrom, to approve agenda as presented. MOTION CARRIED.

ELECTION OF OFFICERS

MOTION BY Ostrom, SECONDED BY Johnson, to keep the officers as in 2021.

ROLL CALL VOTE: Ostrom, Yes; McClelland, Yes; Johnson, Yes; Bonesteel, Yes.

YES (4) NO (0) ABSENT (1)
MOTION CARRIED

JIM'S RECYCLING QUINQUENNIAL (EVERY 5 YEARS) REVIEW

Chairman McClelland welcomed everyone and opened the meeting, setting ground rules, and inviting Jim Morris of Jim's Recycling to address the Zoning Board.

Jim Morris said he was here for the review and did not have much more to say.

Bonesteel questioned about discharge permit. Was it ever signed? Was it sent in?

Angie Morris stated Global Environmental addressed this and a copy of the report was emailed to Supervisor Howell on or about October 18, 2021.

Bonesteel asked if they had gotten a response? The Recording Secretary added that as far as the township office was concerned, the Supervisor did not discuss this.

Jim Morris stated that he added speed bumps and made changes so water flows away, along with other things, adding that he has complied with everything “they asked us to do”. Angie Morris added that they have sent the email from EGLE to Supervisor Howell.

Bonesteel suggested the Board review the Checklist submitted by Deputy Poniatowski in October, 2021.

Chairperson McClelland read from the checklist and asked for comment. (NOTE: Recording Secretary will attach a copy of the deputy’s checklist comments for review with these Minutes):

Regarding Item 1. No additional comments.

Regarding Item 2. Bonesteel felt this was sloppy work on behalf of the deputy, expecting more description on the condition of the slab.

Regarding Item 3. No additional comments.

Regarding Item 4. Bonesteel asked Jim Morris for an explanation. Morris stated that basically it burns off fuel oil pressure.

Regarding Item 5. Bonesteel stated that a lot of cars can be seen, asking Morris how many cars does he have? Morris stated he really couldn’t answer that. Ostrom asked Morris if he was having trouble selling cars/parts due to the pandemic. Morris answered yes.

Regarding Item 6. No additional comment.

Regarding Item 7. Regarding the number of employees, Bonesteel stated that that was a lot more than five. Johnson added that people need work. Jim Morris stated that there shouldn’t be a limit on the number of families we can feed. Ostrom stated that there are both Fulltime and Parttime. Johnson stated that the other location is in Attica Township – he can see how employees moving back and forth fluctuates.

Regarding Item 8. Bonesteel asked why trucks are going out at 6AM? Angie Morris stated that business hours are 8AM-5PM. Trucks do need to go out before 6AM on occasion. Bonesteel asked why do they need to go out before 8AM? Johnson replied probably to beat the traffic. Jim Morris stated that the trucks have to get to their destination to get in line for loading or unloading.

Regarding Item 9. After a small discussion about the number of vehicles in the lot, referring to Deputy’s checklist stating 700-800 parts of cars, McClelland asked Bonesteel if she was okay with that and she said sure.

Regarding Item 10. Angie Morris stated that some cars move fast but some don’t. They need employees to keep up the public demand.

Regarding Item 11. Jim's Recycling helps with clean-up days in Arcadia Township, Lapeer Township and Metamora.

Regarding Item 12. Jim stated that the DEQ wanted to know where all the 600,000 gallons of water went? Mostly ground absorption.

Regarding Item 13. No additional comment.

Regarding Item 14. No additional comment.

Regarding Item 15. Angie Morris stated they work with Workman's Compensation on safety issues.

Regarding Item 16. No additional comment.

Regarding Item 17. Jim Morris talked with Supervisor Howell who got the County to dig out the ditches so people can no longer park on the road.

McClelland then stated that there is an issue with Item 7, number of employees. Bonesteel asked Morris' what is a feasible, fair amount – seems like employees are parking in the yard? Angie Morris stated that Jim would want it unlimited, but Jim spoke and said 25 employees. Angie stated that they probably may never get to 25 employees though. Bonesteel inquired if there was enough parking for employees and Jim Morris said yes.

Ostrom stated they have 15-17 employees now, but Bonesteel added that includes a place not within our jurisdiction. McClelland reminded that Jim Morris felt 25 would be maximum number of employees. Bonesteel questioned if Jim Morris was jokingly getting "smart" with the Board, and Jim replied that "it gets better every year, Joyce". To which Bonesteel answered "well, that's great".

Johnson stated that the township needs to keep it fair, referring to (Zeller) Electric, i.e., Jessie Barker (who was before the Planning Commission earlier in 2021 seeking permission to run an electrical or generator business), adding "we need to review them yearly".

McClelland stated, "back to Jim – 20 employees for me".

MOTION BY Ostrom, to authorize 20 employees, excluding Jim and Angie Morris.

Angie Morris stated that it is hard finding people to work.

MOTION SECONDED by Johnson. Motion Carried. It was agreed that the quinquennial (every 5 year) review will continue to be done, with annual checklist review by the deputy between the months of July thru October.

Johnson asked what the Board thought about the car count? Jim Morris stated that to him he'd like to sit back a bit and wait on the market instead of dealing the numbers. "I've got junk in my blood. I buy a lot of junk. I try to make a dollar".

Angie Morris added they cannot turn people back who bring their old or damaged cars there. They can't tell them to go back. Then cars get littered in people's yards.

Johnson stated that he felt this Board was holding Jim Morris down at 300 cars. Bonesteel disagreed. Johnson added that if Jim is over the limit, then we should raise the limit. Bonesteel stated, "so we give him 700 cars and he wants 1000. In 1998 he had permission for 75 cars and six employees. The number of employees never really changed".

Johnson said he felt the car count should go up. Bonesteel added that she thought it was time given the way it is.

MOTION BY Johnson, to allow 700 cars, adding after the Motion was made, that Johnson felt Jim should be able to do what he can, ½ are parts cars that are not in the counting – and that Jim's is the only recycling center in the area.

McClelland asked Morris what number of cars is good with him? Morris answered he likes to hold on to at least 100 cars to sell parts, tires, motors, front and rear clips.

McClelland asked Bonesteel if she was good with 750. She answered sure. Johnson also answered sure.

Johnson asked to amend his current motion on the floor to read:

MOTION to authorize storage on the lots up to 750 cars. SECONDED BY Ostrom.

ROLL CALL VOTE:

McClelland, Yes; Johnson, Yes; Bonesteel, No; Ostrom, Yes.

Yes (3) No (1) Abent (1) MOTION CARRIED

(Recording Secretary's Note: Next scheduled Review Hearing will be on or about February 1, 2027 unless there is a concern as determined by the township deputy between now and then.)

SETTING OF NEXT MEETING DATE AND TIME: The next meeting of the Zoning Board will be on Tuesday, April 5, 2022 at 6:00 pm to review and approve the Minutes of this meeting.

MOTION BY Johnson, SUPPORTED by Ostrom, to adjourn meeting at 6:42pm
MOTION CARRIED.

Submitted by: _____

Richard McClelland
ZBA Chairman

Signed: _____

Teresa M. Gormley
Recording Secretary