

Whitehall Township  
Planning Commission  
March 1, 2023  
Meeting Minutes

- I. **Call To Order:** Chair Sharon Sikkenga called the meeting to order at 6:03 pm
- II. **Pledge of Allegiance**
- III. **Roll Call:** Sharon Sikkenga, Tom Zmolek, Amy Rusin, Angel Quinn, Carmen Rodriguez, Madge Kraai were all present. Kathy Dusseau was absent.
- IV. **Approval of Agenda:** Motion by Quinn to approve agenda, supported by Rodriguez, motion carried.
- V. **Approval of February 1, 2023 meeting minutes:** Motion to accept meeting minutes by Rodriguez, supported by Sikkenga, motion carried.
- VI. **Public Hearing of Proposed special use/site plan:** Public hearing was called to order at 6:05 pm by Chair Sikkenga
  - A. Scott Erdman proposed used for tire recycling such as in construction, barrel bottoms, play grounds, walkways, etc. All parts of the tires once recycled can be sold. Processing of the tires would not be burning rather shredding with blades into two inch pieces and using a bead puller to pull out the wires. He stated that the plan is the collection of tires to be recycled would be continually pulled from and added to rather than just sit in storage. He plans to start small and/or slow (average 1600 tires per truckload x 5 trucks). The site plan was developed based on EGLE, Fire Marshal and Township approval. Planning commission asked additional questions for further clarification
  - B. Public Comments:
    1. Darwin Carlson- Collected 13 pages of signatures from residents and businesses that share his point of view. He shared about the potential threat soil contamination from the Tire Recycling facility. Also, He discussed EGLE guidelines that have them spray tires weekly with pesticides to prevent mosquitos- this will likely contaminate the groundwater. He said that according Article 17 the permit requested is not allowed. He has pictures of the creatures that would be affected by the Tire Recycling business and the practices it needs to stay in business. Furthermore, he made it clear that the Dowgiac Tire facility was not near any houses. His home is 250ft. from the proposed tire recycling site. He does not want this business so close! Darwin Carlson's letter is added to the Planning Commission records binder.
    2. Commissioner Kim Cyr- acknowledged that recycling is important to us. He added that Muskegon County needs a place to take tires. Acknowledged that EGLE approved the potential Tire Recycling site

and that approval is important to consider.

3. Sandra Mastaler- is enthusiastic about recycling, but is not in favor of the location of the Erdman Tire Recycling facility. She feels it will be too close to residents' homes.

She wants transparency with all of the business ' dealings and feels she can't support this business due to a lack of information.

Contamination decreases property values. Regardless, of Mr.

Erdman's goal of starting small, one must consider the big picture.

Spoke longer due to Jaclyn Bax and Tim Bax giving their 3 mins each over.

Sandra sent her comments to be shared at meeting prior to it to the township office email and they are added to the Planning Commission records binder.

4. Kristine Jordahl- Acknowledged Article 11 of Ordinance which opposes zoning change however, is not personally opposed to recycling. After researching the previous wastewater plant she is worried the tire recycling facility it will end up with the same fate, thus contaminating the surrounding land.
5. Raymond Flowers- Acknowledged that last time Scott Erdman spoke he did not have limitations to his future business compared to his newly shared start small approach. Why change the Limited Industrial zone when there are other ways to make money. During the previous Planning Commission discussion time, questions arose, but never got answered. He wants the Planning Commission to do a good job this time and follow ....
6. Deb Windebacher- Tire facility will be located across from her home. She wonders, "Who will benefit?" She does not want to see it in her view!
7. Sharon Benner- She has lived here 50 years. The tire recycling facility doesn't make sense to have in a residential area. She worries about the smell, fumes and dust it will create. A healthy environment is what she wants. She votes no on the special use permit!
8. Juice Moehlman- acknowledged the train derailment in East Palestine, Ohio. Vinyl chloride was being carried in several train cars. ....Why move the Dowgiac Tire Recycling facility to the township??? Why contaminate another area??

9. Stan Waruszewski- Will monitoring wells be at property to test the water? Will we be cleaning that mess up? What if a fire occurs? It took Reed City weeks to put fire out. Who pays for the financial burdens that could arise? Tire recycling facility needs the same restrictions as the landfill. (Kathy Fox offers her 3 mins) A bond would have to be purchased that covers – Tires (rubber)/ Plastics/Clean-Up. (Steve Moran gave his 3 mins) Stan went onto explain the big picture needed to assist in the clean-up. Are questions being asked? Concerned FEMA won't step in if there is an issue.
10. Jeremy Bengry- No one wants to live across from an Industrial Zone. Muskegon Township got sued....
11. Scott Wall- if tires catch on fire the carcinogens will be leaked in the air and harmful. If tire dust is improperly managed it will be harmful to workers who addressed them in the facility.
12. Joel Evertsen- no matter what there's going to be waste. The natural beauty of this area brought him here. Walmart already interrupted the traffic flow. More water contamination will occur.

VII. **Close of Public Hearing:** Motion to close public hearing by Quinn, supported by Chair Sikkenga at 6:54 pm. Motion carries.

Rachael Novak, Township Attorney, states to ask questions of Erdman and residents prior to Commission's motion concerning special use permit.

VIII. **Planning Commission discussion** and review of key criteria for special use (in consideration of Section 17.04 of the Zoning Ordinance)

A. Will be designed...

- Non harmonious since most of the area is small farm and residential
- Bad location/ location is a big concern
- Due to Fusion Fluid's growth, the noise and traffic of the area is already being impacted
- Should keep a residential feel
- There are legitimate environmental concerns
- Fitting in with the community is important

B. Will be served...

- Acknowledged that Trustee Dennis Kroll, foresees the Township's Fire Authority's incapability to handle tire fires especially if out of control; not enough man power to control a tire fire.
- If residents would need to be evacuated due to fire, this could be a financial burden

- Township may need a bond to handle smoke plume as a result of a tire fire

C. Will not create...

- Acknowledges Section 1106 in Township ordinances that we should be concerned of outdoor storage of tires is defined as “junk yard” according to Township ordinance
- Section 18.17e outdoor tire storage also diminishes economic values of the area properties. Further this section states that outdoor storage for vehicular parts is prohibited.
- Article 4 addresses junkyards; no outdoor storage of tires allowed
- Acknowledges manufacturing is allowed in the zoning classification, however, the Planning Commission believes this is geared more towards things like manufacturing items such as rubber grommets.

D. Will not involve...

- Even when all regulations are followed by Erdman and EGLE, a hazardous outcome is still a strong possibility.
- Open storage of tires are highly flammable
- Wastewater isn't completely cleaned up from previous issues, making the area itself a fire risk; further, soil contamination is a real possibility and the cleanup of the current wells from the waste water contamination is not complete.
- Cutting machines are not loud in regards to noise to area
- Pollinators, bee colonies and agriculture may be adversely affected due to weekly spraying of pesticides.
- The amount of tires would result in strong, unpleasant odors, which would be magnified if hundreds of tires are stored there.
- Outdoor storage of tires is big fire risk

E. Will be consistent...

- The intent is for the production of rubber product
- Due to established Township ordinances and Master Plan former supporters of the tire recycling are now not in favor
- Such a proposed use will not be consistent with the intent and purposes of the zoning ordinance

**(See also Rachel Novak’s Legal descriptions of the reasons for the denial of special use permit)**

IX. **Roll Call** vote concerning special use permit; Motion to deny special use permit made by Rodriguez, supported by Rusin, Sikkenga declares the motion made by Rodriguez is carried. **Ayes:** Tom Zmolek, Amy Rusin, Angel Quinn, Sharon

Sikkenga, Carmen Rodriguez, Madge Kraai. **Nayes:** none. Special use and site plan is denied.

X. **Correspondence:** None

XI. **Unfinished business:** None

XII. **New Business:** None

XIII. **Public Comment:**

- Darwin Carlson inquired after update Amendment process and pickle ball court progress
- Juice Moehlman asked why there is no police report concerning plants at Johnson Park
- Jeremy Bengry inquired if a stop light at the US 31 exit ramp for Colby Rd could be put in
- Erica Bengry commented that a Facebook page for Whitehall Township to share information could be an asset for better reaching Township residents

XIV **Announcements:** The next Planning Commission meeting is April 5, 2023


XV **Adjournment:** Motion to adjourn was made by Rusin, supported by Rodriguez, motion carried at 7:33 pm

  
\_\_\_\_\_  
Sharon Sikkenga, Chair

4-12-23  
date

  
\_\_\_\_\_  
Angel Quinn, Vice Chair

4-12-23  
date

  
\_\_\_\_\_  
Madge Kraai, Minutes

4-12-23  
date