

**ACME TOWNSHIP**  
**Zoning Board of Appeals**  
**February 13, 2003**

Thursday, 7:30 p.m.  
Acme Township Hall  
Acme, Michigan

**Meeting called to Order 7:29 p.m.**

**Members present:** J. Kuncaitis (Chair), N. Knopf, H. Smith

**Members excused:** L. Belcher, P. Collins

**Staff present:** S. Corpe, Zoning Administrator and Recording Secretary

1. **Review and approval of the agenda, inquiry as to conflicts of interest:** Agenda approved with no conflicts noted.
2. **Correspondence:** None
3. **Reports:** None
4. **Hearings:**
  - a) **Public Hearing on Application #2003-1Z by Consumers Energy for approval to expand existing electrical substation facilities for provision of an essential service pursuant to Section 5.4 on property currently zoned A-1, Agricultural and located at 10005 Bates Road** (Attachment A included and incorporated by reference): Kuncaitis read the public hearing notice into the record, and read Section 5.4 Pete Hembrough and Ken Bindchatel, Consumers Energy, was present in support of the application. They explained that voltage must be added to the existing substation to better serve the community. Fencing will be added at the same height as existing fencing, and the new equipment will be of the same height or shorter than the existing equipment. One additional power pole to add a high voltage line to the nearby subdivision will be set. The additional voltage will serve the entire region and not just Acme Township residents and businesses.

Knopf asked if there is currently any vegetative screening around the existing facility. She is not familiar with this site, but is thinking about the much larger station on Keystone Road. Kuncaitis also recommended adding shrubbery along the fence line. Mr. Bindchatel stated that one problem with this would be that they wouldn't want to add a sprinkler system, so the shrubs would likely die. They sometimes approach neighbors about helping them plant shrubs or trees for screening on their property. Knopf asked about berms instead, but Mr. Bindchatel responded that these would be impractical. Kuncaitis pointed out that the surrounding lands are in agricultural use. This site is also just under an acre, so this would be about the maximum amount of use the property can take. Mr. Bindchatel agreed, noting that they also have to leave room to bring in portable generators in case of power outages.

**Public Hearing opened and closed at 7:42 p.m., there being no public comment.**

Knopf asked if there are future developments that might make electric substations more attractive (placing them underground, putting them in buildings). Mr. Bindschatel replied that there are many reasons why this might not be desirable, even if more aesthetically pleasing. Placing the equipment and lines underground is two to three times more expensive than running them above ground, generating higher power bills for customers. When there is an outage, the break in the line is less visible, so it requires more time to find and fix the problem, leading to longer inconvenience to customers.

**Motion by Smith, support by Knopf to approve Application #2003-1Z.  
Motion carried unanimously.**

Kuncaitis would like to have review of essential services structures remain vested in the ZBA. He feels that Acme residents serving on the board should be able to review the situation, particularly where aesthetics are concerned. Mr. Hembrough volunteered to have his company's attorney work with the township as needed or desired to discuss the issue further. He also said that when new substations are sited, they begin the process of choosing a location well in advance and work closely with township officials and residents to keep everyone informed and try to make the situation as easy on everyone as possible.

The rest of the ZBA concurred that they would like to have review remain vested in them, but also recommended that the Planning Commission consider the question of how such reviews should be performed in the future to see if they feel any sort of change is warranted.

**5. Other Business:**

- a) **Discuss lack of contact from Stephen Plamondon, Application #2002-16Z continued from the November 14, 2002 meeting** (Attachment B included and incorporated by reference): Corpe explained that Mr. Plamondon requested a hearing in October, 2002 regarding placement of a garage in his front yard on Bunker Hill Road. At the hearing, the ZBA requested further information from the applicant prior to rendering a decision. Applicant has neither provided the required information, nor has he responded to the last several meeting and information submission deadline reminders Corpe has given him.

**Motion by Knopf, support by Smith to remove Application #2002-16Z remove from the ZBA calendar due to lack of applicant response, and to have the applicant reapply if he has renewed interest. Motion carried unanimously.**

- b) **Discuss information from Jim Christopherson regarding consideration of Use Variances** (Attachment C included and incorporated by reference): Corpe explained that our attorney has presented us with case law indicating that use variances should appropriately be considered by the ZBA. Previously, we had been advised that we should not consider such applications. The board agreed that if our attorney is advising us that we

should hear use variance requests, we should proceed to do so. Corpe will ask the Planning Commission to amend the ordinance language in Section 5.3.3 to allow us to do so.

6. **Approval of minutes from the November 14, 2002 regular meeting** (Attachment D included and incorporated by reference):

**Motion by Smith, support by Knopf to approve the minutes of the November 14, 2002 regular meeting as corrected to Kuncaitis as excused. Motion carried unanimously.**

**Meeting adjourned at 8:30 p.m.**