

**VILLAGE OF SPARTA  
PLANNING COMMISSION  
Regular Meeting  
August 5, 2024, 7:00pm  
75 N. Union St. (Sparta Civic Center)**

**Present:** Chairperson Emilie Henry, Commissioners Bob Liscombe, Jon Braybrook, Robert Carlstrom, Rose Frederick, Gary Moody, Christina Owens, and Robert Whalen.

**Absent:** None.

**Also present:** Village Manager Jim Lower, DPW Director Bill Hunter, Fire Chief Dan Olney, and Village Clerk Katy Shelton.

- 1) **Call to order:** The meeting was called to order at 7:00pm.
- 2) **Pledge of Allegiance:** The Pledge of Allegiance was recited.
- 3) **Roll call:** Formal roll call was taken. Those in attendance/absent are noted above.
- 4) **Additions or corrections to the business and consent agenda:**
  - a. Approve Regular Planning Commission Meeting Minutes of July 8, 2024. Commissioner Moody noted an error on those minutes in which he was mistakenly listed as “absent” when he was in fact present.
- 5) **Approval of consent and business agenda:** With the above correction, motion by Whalen with a second by Carlstrom to approve. Motion passed unanimously.
- 6) **Public comment on agenda items:** This will be covered under the “public hearing” item.
- 7) **Public hearing:**
  - a. **Special Land Use Application 200 Maple Street Chemical Mixing and Storage:**

Public hearing opened at 7:02pm. Kassra Darehshori, 2011 Devenwood Lane, Grand Rapids, the owner of Aaltoll LLC, spoke and described his business and its history. He said that his company is a contract chemical manufacturing company that produces energy and

water based curable adhesives, coatings, and inks for use in graphic arts and industrial applications. He said that he has made significant investments to revitalize the building at 200 Maple St for its use as a manufacturing facility and office space. (This is the former Federal-Mogul building.) He said that his company shares the space with Cascade Die Coating, which uses the other half of the building.

Commissioners then asked Mr Darehshori several questions regarding the operations of the company as well as questions relating to the fire that occurred there on May 21, 2024. The main concern of the Commission was that Aal Toll started operations without getting the appropriate prior approvals and inspections from the Village. Therefore, when the Fire Department came on scene to fight the fire, they had no knowledge of what sorts of chemicals they might be encountering. Commissioners also asked about the status of fire suppression equipment.

Terry Brandt, from parent company Aalchem in Pennsylvania, discussed some of the chemicals that the company uses. He also spoke about giving that information to the Fire Departments that were on site as well as the Kent County Emergency Management office and the Hazardous Materials Team from the Grand Rapids Fire Department.

Sparta Fire Chief Dan Olney then gave his report to the Commission about the night of the fire as well as his thoughts on the chemicals that are used at that location. In particular, he compared the amount of chemicals stored there with chemicals stored at other Sparta businesses. He emphasized that the main cause of the black plumes of smoke and noxious vapors was from the roof of the building melting – not from the burning of any of the stored chemicals. He said that it was determined that neither an evacuation nor a shelter in place order was needed. He said it was also determined that all of the product involved was contained to the building and did not make its way to any storm drain or natural waterway.

Several residents asked about the registered letters that were sent out regarding Aal Toll. Jack Draper, 355 Martindale St, Sparta, said that his business received a letter, but other residents did not. The Village Manager responded that it's a state law that everyone within 300' of the proposed business received a registered letter.

There were other questions regarding who Aal Toll's customers were and if they were shipping things overseas. It was mentioned by several people that it appeared as if Aal Toll had ignored local regulations and "cut the corners" when they began operations at that location. There was a lot of concern expressed about the possibility of future fires.

Mr Darehshori admitted that his company had made mistakes in the past but said he wouldn't do that in the future. He also denied cutting any corners.

Robert Barber, 77 E. Division, Sparta, said that he owned a small business in the village. He said that **everyone** needs to play by the rules. If you need to get proper zoning, you get proper zoning. If you need to get the proper permit, you get the proper permit. He asked Mr Darehshori how he could let fire fighters enter that burning building without having advance notice of the chemicals that were contained within it.

Jackson Morris, 349 Fairlane, Sparta, said that he felt the company didn't disclose adequate information about the chemicals they had on site until they were forced to by the fire. He said that Mr Darehshori was an experienced businessman and knew fully well the proper way to conduct his business. He also asked if the groundwater had been contaminated in any way. He then questioned that if the fire had not occurred, at what point would the company have alerted the Village as to the nature of the chemicals being stored at their facility.

William Lewis, 126 Ida Red, Sparta, asked what caused the fire. He also asked about the mixing of chemicals at a different location by this company.

Tom Peoples, 179 Alma St, Sparta, asked why the company didn't submit the proper paperwork before they started the processes which caused the fire.

Shawn Ornlín, 20598 \_\_\_\_\_, Sparta, asked if the pits were still open at the location. Mr Darehshori said that they were and were in an area of the building that would need to be demolished.

Ricky Johnson, 129 Centennial, Sparta, said that the night of the fire he had to pack up his family and move to another location due to the smoke and noxious smells. He said that it wasn't until 5-8 days later that he was able to get any good information as to what kind of

chemicals were involved in the fire. He said that Mr Darehshori had bought a really old building and didn't tell the Village what sorts of chemicals they were using and storing there. He also said that he didn't think there should be businesses such as these in such close proximity to residential neighborhoods.

Dan Olney, 200 10 Mile Rd, Sparta, is the Sparta Fire Chief. He said that the business obviously didn't give proper notification to the Village before they started operations. He said that the Village released information on the day after the fire regarding what chemicals were involved. He reiterated that the black cloud seen during/after the fire was due to the melting of the insulation and rubber roofing in and on the building – and not due to chemicals.

Robert Bearsma, 372 Fairlane Dr, wanted to know how much water was needed to put out the fire.

Jackson Morris, who spoke earlier, asked if the company has received any compliance fines. Jeff Carnate from All Chem, said that they have not received any OSHA violations. He said that the only incident that has ever occurred was when one of their customers improperly dumped one of their drums. After the drum was found, the company had to change some of the labeling on their drums. It was agreed that once the drums leave their possession, that the company has no control over what their customers do with them.

Public hearing closed at 8:27pm. Regular meeting resumed after a short break.

## **8. New Business:**

**a. Special Land Use Application – 200 Maple St. Chemical Mixing and Storage:** Village Manager Lower gave a precis of this request and what it involves. He said that the Village had received a special land use request for this location from Aal Toll to operate a chemical production, blending and storage operation. If approved, this application would only account for a portion of the building since Cascade Die Casting is leasing the other portion for light manufacturing.

He said that he first had to determine what special land use (if any) this use falls under because it is not specifically mentioned in the Village ordinance. He decided that the closest option is in Section 82-253(7): metal plating, buffing, and polishing, subject to appropriate measure to

control the types of process to prevent noxious result and/or nuisances requirements.

He then said that there are both specific requirements in the ordinance related to the specific special land use being requested, but also a set of general standards that need to be met before an approval can be recommended to the Village Council from the Planning Commission.

The **specific** requirement of a minimum of a two acre lot size **has** been met. The specific requirement that main and accessory buildings shall be set back at least 100' from all property lines and a minimum of 200' from adjacent residential uses **has not** been met. There is a specific requirement regarding outside storage. The submitted proposal does not appear to be proposing any outside storage, although the Village needs to confirm this with the applicant. Two other requirements are not applicable to this business.

There are also several general standards applicable to all special land uses. The first refers to the Village of Sparta Master Plan and the second has to do with the outside appearance of the building and property. Both of those standards **have been** met. The third standard refers to ensuring that the necessary public facilities, such as storm water drainage, fire protection, sanitary sewer disposal, et al, be adequate to serve the proposed project. The Village Manager said that the site will need fire suppression in order to meet this requirement. He also stated that the applicant would need to work with the Village to ensure that no chemicals enter the Village water, waste water, or stormwater system.

The fourth requirement states that the "proposed use shall not be hazardous or disturbing to neighboring uses or cause any conflict to the existing use and quiet enjoyment of surrounding property." The fifth requirement states that the "proposed use shall not involve activities, processes, materials and equipment, and conditions of operation that will be detrimental to any person, property, or the general welfare by reason of excessive traffic, noise, smoke, fumes, glare, or odors."

He said that in light of the recent fire and potentially dangerous nature of the proposed use, the Planning Commission and ultimately the Village Council will need to determine whether these last two requirements have been met.

The Commissioners and the Village Manager then spent some time discussing this application. The Village Manager said that this issue was on the agenda for the next Village Council meeting on August 12<sup>th</sup>. Commissioners Liscombe and Moody discussed creating a new zoning classification for this type of business and potentially allowing it to move forward. Commissioner Carlstrom said that the fire at this location scared him and made him not be able to trust the company. Commissioner Whalen said that the company didn't do the right thing from the beginning. Although he said he was very much "pro business", he could not vote to move forward with this application, noting that the company did not meet several of the above requirements.

Motion by Moody with a second by Liscombe to create a separate zoning category for this business and to move forward. Roll call vote as follows: Moody, Braybrook, Liscombe, and Frederick voted for this motion. Whalen, Carlstrom, Owens, and Henry voted against this motion. The motion failed since it was a tie vote.

Motion by Whalen with a second by Owens to deny this application. Roll call vote as follows: Whalen, Carlstrom, Owens, and Henry voted to deny this application. Frederick, Liscombe, Moody, and Braybrook voted to approve this application. The motion failed since it was a tie vote.

This issue will be revisited at the next Village Council meeting on August 12<sup>th</sup>.

- b. **Site Plan Review: 260 W Division St. Sparta Village Complex:** The Village Manager discussed the site plans. He said that the next steps include getting building permits, putting the project out to bid, selecting a contractor, and deciding on the bond amount. He anticipates breaking ground next March or April 2025. Motion to approve the site plan made by Moody with a second by Frederick. Motion passed 7:1 with Liscombe dissenting.

**9. Unfinished business:**

- a. None.

**10. Public comment:**

- a. None.

**11. Village Manager Report:** Village Manager Lower thanked the Commission for their work on the Aal Toll application. He said that the

Village followed the statutory requirement regarding sending registered letters to people within 300 yards of the business. He said that this issue will go to the Village Council with **no** recommendation from the Planning Commission since the vote to approve ended in a tie. He said there were lots of projects coming up in the next year. He specifically mentioned the DNR grand applications, a playground by the new Sowing Seeds day care facility, the kayak boat launch by the Rogue River, the new Village Complex, and the Sparta Town Square Project with the railroad depot relocation and parking lot resurfacing. He said that a new wastewater superintendent had been hired and has already started work. Commissioner Whalen thanked Commissioner Carlstrom for his help in bringing this employee to Sparta.

#### **12. Commissioners Comment:**

Commissioner Whalen said that Commissioner Carlstrom would be a write in candidate for the Village Council this November due to a problem with his nominating petition. He urged everyone to write him in on their ballot stating that no one has been more integral to the successful work of the Council than Carlstrom has. He said that Carlstrom is particularly suited to that role due to his professional background.

Commissioner Moody asked what the cost of the new Village Complex was estimated to be. The Village Manager said it was in the neighborhood of \$2,500,000. He anticipates obtaining a bond of \$1,500,000. He said that the building currently housing the Village offices will bring in money once it is sold. It was mentioned that the cost to rehabilitate the current offices was approximately \$1,000,000, so selling that building and building a new facility made fiscal sense.

**13. Adjournment:** Meeting was adjourned by Chairman Henry at 9:37pm.

Submitted by Katy Shelton, Village Clerk.