

Sumpter Township
Planning Commission
October 12, 2017

Meeting called to order by chairman Stalmack at 7:00 pm showing present: Bardell, Borden, Clark, Cichewicz, Stalmack, Pokerwinski, Sherwood, Planner Atkin, Clerk Hurst and 12 residents.

Motion by Pokerwinski supported by Bardell to approve the minutes of Planning Commission meeting of September 14, 2017. Motion carried unanimously.

5. Public Hearing:

A. To consider the special land use permit to allow a Hobby Kennel in the RF, Rural Farm zoning district as required by Section 4.7.2(l) of the zoning ordinance. The site for the proposed special land use is located at 41185 Judd Rd., Belleville, MI 48111.

Motion by Bardell, supported by Borden to open the public hearing at 7:02 pm for the special land use permit to allow a hobby kennel in the RF, Rural Farm zoning district as requested by section 4.7.2(1) of the zoning ordinance. The site for the proposed special land use is located at 41185 Judd, Belleville, MI 48111. Owners James & Gina Freeman spoke and stated they need more than 3 dogs because they foster dogs. They have 7 acres the yard is fenced in. The dogs will live in the house. Planner Chris Atkin reviewed the site plan. The zoning was checked and by special exception in RF hobby kennels are a permitted. The ordinance officer Peter Gregory checked the property and found everything up to code and informed them that the special exception was necessary. Section 6.29 (a) for the amount of acres the applicant can have a maximum of 31 dogs. They will only have a maximum of 10 dogs. Planner stated they are at least 100' away from neighbors. They are not having any additional buildings at this time. Planner said if the commission allows this his recommendation is to cap the amount of dogs to 10. Commissioner Bardell asked about having puppies and that would exceed the 10 dogs. Owners stated they spay and neuter all their dogs. Neighbor Ellen Bowen who lives 2 doors down spoke and wanted to know if the township has an ordinance on noise due to barking. Planner said yes it is under the general ordinance.

Motion by Cichewicz, supported by Borden to close the public hearing at 7:21 pm. Motion carried unanimously.

Motion by Bardell, supported by Sherwood to approve with restriction not to exceed 10 dogs. Motion carried unanimously.

B. To consider the special land use permit to allow a 175 foot tall Wireless Communication Facility in the RF, Rural Farm zoning district as required in Section 6.7.2(q) of the zoning ordinance. The site for the proposed special land use is located at 20060 Haggerty Rd. Belleville, MI 48111.

Motion by Borden, supported by Bardell to open the public hearing at 7:25 pm for the special land use permit to allow a 175 foot tall wireless communication facility in the RF, rural farm zoning district as required in section 6.7.2 (q) of the zoning ordinance. The site for the proposed special land use is located at 20060 Haggerty, Belleville, MI 48111. Planner Chris Atkin explained from his review this is allowed in the RF zoning by special exception. The applicant Fred Low-Chaille Tower Consultants for Tower Co has answered all the required questions on the application. The following are the recommendations from the planner. 1. Applicant to supply the township with copies of all appropriate permit documentation once approved, inform or supply the township and commission with documentation from MDEQ relation to the wetland area identified. 2. Structural capacity can the ground hold the weight. Should supply the documentation. 3. Security bond to insure that if needed to dismantle site there would be funds to pay for removal. 4. To have a 6' foot fence with barbed wire on top for the interest of public safety. 5. Due to the existence of existing trees and other

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vegetation. The planning commission to consider of all landscape requirements for this project has been met. Applicants Fred Low and Jason Woodward stated they were contracted by Verizon to find a site to erect the tower. They are working with RF (radio frequency) to fit in with other location. They must comply with the FAA with the airport being so close. They have no problem with the township stipulations. They will obtain all permits necessary. There will be a small cabinet not a large building. If the tower fell it would need 75' around site to contain debris, it would implode in a small area. Commissioner Cichewicz asks how many have you built. Answer over 1,000 all over the US. Each tower is engineered for the state of Michigan standards. Most towers are over engineered. Resident George Toma of 1900 Haggerty spoke and stated he did not want to see a tower out his back yard. He totally disagrees 100%. He wants to know why he was not asked if he wanted this. He stated there are a lot of wetlands there. Shawna of 19785 Haggerty spoke and stated she suffers from migraines and asked if the signals will cause her pain. She has wetland concerns and does not want traffic; she wants the country to stay rural. Thomas Johnston, 20115 Haggerty spoke and does not want the cell tower. Applicant spoke and addressed the residents' concerns. Traffic would be approx. 4 trucks once a month after construction. Cannot build in a wetlands per DEQ, the historical society and the Indian tribes must be notified for their input. Health issues are illegal they are covered under the federal law. MDOT approve needed. It is very challenging due to the airport restrictions. Property values are not known. The tower can be for up to 4 Cell Company. Verizon is the owner of this site. Resident Marvin Cox spoke and wanted to know how much are you paying him for this? The applicant cannot say.

Motion by Cichewicz, supported by Sherwood to close at 8:07. Motion carried unanimously.

Planner stated that by Michigan Law 3514 Subsection 6 that if the commission tables this Michigan law after 60 day from application it would be automatically approved.

Motion by Cichewicz, supported by Borden to approve the wireless communication at 20060 Haggerty. Motion carried. 1 nay (Bardell).

6. New Business:

A. Motion by Borden, supported by Bardell to set a public hearing regarding large energy solar farm ordinance November 9, 2017 at 7:00 pm. Motion carried unanimously.

B. Motion by Borden, supported by Bardell to set a public hearing regarding portable storage containers-zoning ordinance November 9, 2017 at 7:00 pm. Motion carried unanimously.

C. Master plan update will be discussed next meeting.

Open Floor: Planner stated that Mr. Abraham requested a 1 day rotary event and he advised against it.

Adjournment: Motion by Cichewicz, supported by Sherwood to adjourn at 8:38 pm. Motion carried unanimously.

Respectfully submitted,
Esther Hurst
Sumpter Township Clerk