

Sumpter Township
Planning Commission Meeting
Thursday, March 8, 2018, 7:00 p.m.
23480 Sumpter Rd., Belleville, MI 48111
Minutes

Meeting called to order by Chairman Stalmack at 7:00 p.m. Showing present: Bardell, Cichewicz, Bordon, Clark, Stalmack, Oddy, Pokerwinski and Sherwood. Excused absence: Belinski. Also showing present: Planner Atkin, Deputy Clerk Hadyniak and 9 residents.

4. Minutes:

- A. Motion by Oddy, supported by Sherwood to approve the Regular Planning Commission Minutes of February 8, 2018 with a correction to the header. Motion carried.

5. Public Hearing:

Motion by Bordon, supported by Oddy to open the Public Hearing. Public Hearing opened at 7:03 pm. Motion carried.

A. To receive public comment to rezone 3.30 acres of the property split from the southwest corner of 48651 Harris Rd. (Parcel no. 81-019-99-0001-706) from the existing Single Family Residential (R-2) zoning district to the Agricultural (AG) zoning district.

Planner Atkin asked Mr. Low from Chaille Tower Consultant (Verizon Wireless) to come speak to the Planning Commission about the request to be zoned back to agricultural (AG) for a wireless communication facility. Mr. Low said he was speaking on the behalf of Marcel and Linda LeBlanc of 48761 Harris Rd. who are the current land owners of the parcel they are trying to re-zone. Mr. Low from Verizon Wireless stated they were looking to have the southwest parcel of the land be re-zoned back to agriculture (AG) so Verizon could put up a communication tower. The request for rezoning is for the construction of a new 175-foot wireless communication tower (172-foot monopole with 3-foot lighting rod) as permitted by special land use in the proposed zoning district. Planner Atkin stated the proposed rezoning of the 3.30-acre parcel located on the east side of Lohr Road setback was just ten (10) feet shy to reach the two-hundred (200) feet requirements. Planner Atkin told the Planning Commission to look at the possible use of the land, not the current use. The 3.30-acre vacant parcel, currently used for agriculture is currently pending for land division approval. An application was received by the Township on January 18, 2018. Upon planning staff review, it was determined the proposed division meets the requirement of the Michigan Land Division Act, PA 288 of 1967, as amended; at the time of this review, the application was circulating among departments for review. Planner Atkin also stated the future land use plan of the Sumpter Township Master Plan has designated the subject property for Suburban Residential which will allow for a variety of residential housing types. A goal of this designation is to promote open space with cluster development. Planner Atkin mentioned the land is in a flood zone which could also prohibit any further development. Josh King of 48360 Harris Rd. questioned the access to the parcel, what type of tower and does the area to be re-zoned have utilizes? Arnold McCurdy of 19280 Lohr Rd. stated he didn't want to look at the communication tower from his house and was worried about the property value. Mr. McCurdy stated he didn't want the Planning Commission to approve the cell tower and if it could be placed somewhere different on the property. Planner Atkin stated it wasn't decided by the Planning Commission for the placement of the communication tower. Josh King of 48360 Harris Rd. asked if a survey was done to see if the communication tower

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was located in the best position and won't it make more sense to locate the tower where it already has a main gas line running. Mr. Low stated the location was determined for this specific site based on thorough computerized studies. Like traditional cellular phone systems, PCS operates on a grid system, by overlapping cell mesh to form a seamless wireless network. Based on a computerized engineering study which takes into account, among other things, local population density, traffic patterns and topography, RF (radio frequency) engineers have identified the necessary location for this additional PCS site in Sumpter Township.

Motion by Cichewicz, supported by Sherwood to close the Public Hearing. Public Hearing closed at 7:38 pm. Motion carried.

Amanda King of 48360 Harris Rd. asked the Planning Commission to consider not passing this re-zoning. Linda LeBlanc of 48651 Harris Rd. stated the cell tower will be one hundred eighty (180) feet from the road, if the tower was to fall it would do so on the property. Plus will the high tree lines on the property you probably won't be able to even see the tower, expect the top. Trustee Oddy asked if it was possible to move the communication tower over to the southeast corner of the property and raise the tower footing. Mr. Low explained it wasn't possible to move because of the high flood plain in that area and the footing on the tower would have to be risen which would cause more State and Federal issues.

Motion by Cichewicz, supported by Borden to recommend sending to the Township Board to re-zone the property back to agriculture (AG). Motion carried.

Motion by Bordon, supported by Bardell to open the Public Hearing. Public Hearing opened at 7:48 pm. Motion carried.

B. To receive public comment a proposed request seeking approval for a special land use permit to allow a 175-foot-tall Wireless Communication Facility in the AG, Agricultural zoning district as required in Section 4.6.2(aa) of the zoning ordinance. The site for the proposed special land use is located on a 3.30-acre parcel split from the southwest corner of 48651 Harris Rd. (Parcel no. 81-019-99-0001-706) Belleville, MI 48111.

Planner Atkin stated the applicant submitted for the construction of a new 175-foot wireless communication tower (172-foot monopole with 3-foot lighting rod), designed to provide space for co-location of future service providers, located in a 10,000-square foot area of fenced leased property, within a 3.30-acre parcel, 967 feet south of the intersection of Harris and Lohr Road. The site will be accessed from a 12-foot wide gravel drive to be installed within a 30-foot wide access easement from Lohr Road. Ten thousand (10,000) square feet of the property will be leased for the installation of 175-foot-tall wireless communication tower and ground structures/components. The remaining 3.07 acres will continue as an agricultural use. Planner Atkin indicated that Verizon was interested in a six (6) foot tall chain link with fence topped with three (3) strands of barbed wire that will surround the communication tower. As for the landscaping surrounding the structure will

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be six (6) foot evergreen buffer as mentioned in the Township ordinance. Per FAA, the cell tower lighting isn't required. Per the Michigan Zoning Enabling Act, PA 110 of 2010 as amended; *the body or official responsible for approving special land uses shall approve or deny the application not more than 60 days after the application is considered to be administratively complete.* Trustee Oddy asked Mr. Low from Chaille Tower Communication why they opted to use propane not gas at the communication tower. Mr. Low explained to him in emergency situation it depends on the power, they prefer diesel. Commissioner Cichewicz asked if the communication tower is only to provide coverage on Verizon users only. Trustee Oddy wanted to know if this type of tower could be piggy backed off different towers within the community. Mr. Low replied saying the technology and equipment used on those towers are very different which in turn would need to be modified. Trustee Oddy stated that the first motion it didn't specified the dimension on the lot size and needs to be re-opened. Josh King of 48360 Harris Rd. asked about the tower base, if there is a potential for other carriers, and how does Verizon know when they experience a power outage. The ground mounted equipment will include two (2) cabinets, one (1) propane generator and one (1) 1,000-gallon propane tank. Mr. Low explained that all the data will be feed back to the home office to notify if the station is running low on fuel. Josh King asked Mr. Low about 5G technologies and if this would be available with this new communication tower being installed.

Motion by Oddy, supported by Bardell to close the Public Hearing. Public Hearing closed at 8:19 pm. Motion carried.

Planner Atkin thought it would be acceptable to say pending the distance from the center of the base on the tower, not to extend further than two hundred (200) feet. To the south of the cell tower location they are zoned agriculture (AG) and they are at one hundred and eighty (180) feet currently. According to Mr. Low all they would need to do is extend the size twenty (20) feet to the north and east to meet the requirements. Planner Atkin stated if that is all that is needed is the additional twenty (20) feet north and east, the dimensions should be four hundred and nineteen (419) feet by three hundred and eighty (380) feet. Planner Atkin stated that would be three point six five five (3.655) acres.

Motion by Cichewicz, supported by Oddy to re-open the motion to send to the Township Board to rezone 3.655 acres of the property split from the southwest corner of 48651 Harris Rd. (Parcel no. 81-019-99-0001-706) from the existing Single Family Residential (R-2) zoning district to the Agricultural (AG) zoning district with the dimensions not to exceed four hundred and nineteen (419) feet by three hundred and eighty (380) feet.

Planner Atkin addressed the barbed wire on the fencing that Verizon would like to install to surround the structure. Trustee Oddy wanted to know if it's possible to climb the tower or use some type of device to climb up the tower. Mr. Low explained it wasn't really possible to climb or throw a rope on the tower to climb; it was more of a safety measure. Planner Atkin pointed out that

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the Planning Commission allowed the previous communication tower to have the six (6) foot chained link fencing then three (3) strands of barbed wire.

Motion by Cichewicz, supported by Sherwood to recommend the special land use on the condition the property being re-zoned to agriculture (AG), items listed under *Wireless Communication Facility Requirements* provided by Planner Atkin and provide a landscape plan and details to indicate how screening for the wireless communication support structure base, accessory buildings and enclosures will be achieved.

6. Old Business:

Planner Atkin gave an update on the Master Plan's next section after the Future Land Use. The implementation section is essentially statements of goals and objectives designed for future growth and redevelopment. The zoning section had adjustments to the manufactured housing communities to be consolidated. Planner Atkin talked about Capital Improvement Projects (CIP) which would be a "wish" list for the Township to start budgeting five (5) to seven (7) years for items that would benefit the community. By doing this action it would help with future landing in the Township and give residents knowledge of what directions the Township is planning on going. Planner Atkin talked about the ordinance enforcement and how it's essential for existing ordinances to be enforced. Planned Atkin discussed briefly about the coordinating with adjacent communities to send out a notice similar to Van Buren Township Master Plan. Again Planner Atkin stated this was still a rough copy of the Master Plan and items throughout still need to be filled in.

7. Open Floor: Clarification of the process of the Special Land Use to go for final approve to the Board was explained by Planner Atkin and Trustee Oddy.

8. Adjournment: Motion by Bardell, supported by Cichewicz to adjourn at 8:42 p.m. Motion carried.

Respectfully submitted,

Dawn Hadyniak
Deputy Clerk
Sumpter Township