

MINUTES

SUTTONS BAY TOWNSHIP PLANNING COMMISSION REGULAR MEETING - NOVEMBER 07, 2023

CALL TO ORDER AND NOTATION OF QUORUM

Chair Tom Koernke called the Regular Meeting of the Suttons Bay Township Planning Commission to order on Tuesday, November 7, 2023, at 6:00 p.m. at the Suttons Bay Township Office, 95 W. 4th St., Suttons Bay, MI, with participation available by Zoom Remote Electronic Access.

Present: Tom Koernke, Andy Brandt, John Clark, Don Gregory, Rhoda Johnson, Patti Miller

Absent: Dee McClure, Dennis Rathnaw

One Vacancy on the Commission

Quorum Established

Staff: Steve Patmore, Mary Kuznicki

Via Zoom: Township Attorney Timothy Figura; Twp Communications Attorney Marc Daneman; Twp. Radio Engineering Consultant Andrew Felde.

Audience: Robert Labelle, Verizon Wireless; Mr. Antoun, TeleSite Wireless; RF Engineer from Verizon.

It was noted that Doug Periard has been appointed as the new Township Supervisor and cannot serve on the planning commission per the advice of the Twp. Attorney. A member of the township board will need to be appointed to fill this position on the planning commission.

APPROVAL OF THE AGENDA

John Clark/moved, Patti Miller/supported, to approve the Agenda as submitted, carried.

CONFLICT OF INTEREST: *Andy Brandt recused himself from discussion from agenda item #1*

APPROVAL OF MINUTES

Minutes from 9/19/23 and 10/03/23 tabled by chair, Tom Koernke to allow more discussion time for item #1 on the agenda.

PUBLIC COMMENT: None

ITEMS OF DISCUSSION/CONSIDERATION

1. Continued discussion and consideration of the Telesite Wireless/Verizon Wireless request for a Special Land Use Permit to construct a 197' monopole wireless communications tower structure on property on Bahle Road.

ZA Patmore gave a brief introduction of the process.

Chair Koernke asked if anyone from Verizon or TeleSite Wireless had any additional comments or information to present to the Planning Commission.

Verizon Rep, Mr. LaBelle spoke to Planning Commission:

State law requires limited time to vote on the Special Land Use Permit requested by Verizon to construct the monopole structure. The expiration date is November 16th, 2023. Mr. LaBelle commented on the number of commissioners in attendance to vote. Full board consists of 9 commissioners on the panel. With Doug Periard being excused, there are only eight on the panel. The zoning ordinance requires the approval of a majority of the entire PC to approve a Special Land Use Permit. So with two absent at this evening's meeting and one being recused from voting on item #1, this means that five out of five members present must vote affirmative to grant the permit, which may be more difficult to achieve. Mr. LaBelle is reserving his rights to request a table of the vote and waive the expiration so that a full board of the remaining eight commissioners are in attendance to receive the full vote.

He spoke about the two legal standards:

#1 The Ordinance 15.2.8

Collocating on existing tower

#C the RF interference- Reviewed new coverage maps as requested at the last meeting.

Topographical map shows ridge on the map where county coverage ends, county tower only offers north coverage, the Verizon tower would allow for coverage both North and South.

#E Other Items Factors

1. It does not reduce the number of towers. Verizon feels we will need a second or possibly a third tower to achieve good coverage in the rural/undeserved areas.
2. The second tower location is in a very populated area, it's a great location, and it avoids residential areas.
3. Capacity issues and offloading- tower location will help with overcapacity issues but is not too close to interfere and not too far to have gaps in coverage
4. County tower is too far north and does not provide service to southern areas.

#2 Telecom Communications Act - owner of the tower cannot prohibit other vendors from using their tower.

Verizon has proven that there is a gap in coverage/service and the necessity for an additional tower in the county. Verizon can offer a less intrusive tower and less intrusive goal, if another provider chooses to build a tower, the tower would be placed in a residential area which means it would be intrusive.

Regarding the county tower- it is an inferior tower

#1 Cost has a very high increase and a very high rent rate, way above market costs.

#2 tower has been there for two years and no other vendors have collocated on the tower. AT&T has its own 40-foot wooden pole and Verizon can't get to the steep location of the site.

#3 it's a better site, it's ideal property; both location and coverage are better.

#4 bad location and doesn't serve the gap

If allowed - would be able to collocate with other cell services, they cannot say no, they have to allow competitors on their site, would put a master leasing agreement in place.

Mark Danemon, Township Wireless Communication Engineer (via Zoom):

It is his formal recommendation to accept the Special Land Use Permit requested by Verizon.

Tim Figura, Township Attorney (via Zoom):

The deadline cannot be tabled without 90 day deadline, the voting would be more difficult to get five votes out of five commissioners, versus five out of nine if all commissioners were in attendance. He's leaning with Mark that the new tower will be very valuable. Stated that it is his formal recommendation is to grant the Special Land Use Permit requested by Verizon

Steve Patmore commented that the township is in compliance with the Federal Telecommunications Act.

The Commission then discussed how they wanted to continue this review.

The Commission decided that its analysis regarding the Verizon tower request would continue by analyzing the testimony and submitted documents in light of Section 15.2.1 and 15.8.

Discussion of the remaining Section 15.2 standards would be considered only if the Commission determines that the Application satisfies Section 15.2.8 (A)-(E).

Key points for discussion

High Ridge - is it currently residential or for future residential areas? Verizon: Both. We have to serve the underserved areas as well as the limited services areas which means areas that have potential to build new housing or new subdivisions. There's a potential for a 70-acre farm on Stony Point that is for sale. When sold, the property could be modified to residential use in the future.

Pricing is negotiable based on the county. Did they try to negotiate with Verizon? Verizon said the county would not accept current pricing. They would have to reduce by 50% and 70% and Verizon doesn't feel the county would come down in price, county never responded with a new pricing.

History shows that Verizon considered the county site originally but then the county took it after all Verizon's research. Verizon looked at the Brandt site and then that got turned down, then they looked at the ATT site which was unattainable, and now they're back to the Brandt site. Verizon has made four attempts to build their own tower or join a second tower.

Rhoda Johnson - Ordinance does not say that all requirements need to be met, only considered and if yes, then the commissioners can vote.

PC Discussion of Section 15.2.8, point by point:

A. Insufficient structural capacity of existing wireless towers or other suitable structures and infeasibility of reinforcing or replacing an existing wireless tower.

On the basis of written submissions and testimonies received by the commission, it appears that the existing wireless communications tower located at the Leelanau County Governmental Center has adequate structural capacity for colocation of wireless communication equipment.

B. Unavailability of suitable locations to accommodate system design or engineering on an existing wireless tower or other structures.

On the basis of written submissions and testimonies received by the commission, it appears that the existing wireless communications tower located at the Leelanau County Governmental Center has available locations for colocation of wireless communication equipment.

The commission determines that this section is not the section to address the capability of the signal from the existing tower.

C. Radio frequency interference or other signal interference problems at existing wireless towers or others structures.

The commission finds that, while both the existing county tower and the proposed Verizon tower would improve to some extent the wireless coverage for the Lake Leelanau Narrows and South Lake Leelanau areas, the township's RF Engineering consultant Andrew Felde, Drew Wireless, concluded that the proposed Bahle Road site would be "of greater benefit to all carriers, first responders, residents, and visitors."

The proposed Verizon tower would provide better wireless coverage both within the referenced target area and for much of the township and parts of the adjacent governmental entities.

The major factor in this service coverage area stems from the topographical limitations of the county tower location and the approximate 235-foot elevation difference between the county tower and the Bahle Road tower site.

D. The refusal of owners or parties who control wireless towers or other structures to permit an antenna to be attached to such wireless towers or structures.

The commission finds that, on the basis of written submissions and testimonies received by the commission, the owner of the existing tower would permit colocation on that tower.

Economic factors were not considered to be a refusal.

E. Other factors which demonstrate the reasonable need for the new wireless tower.

The commission finds that approval of the Verizon Bahle Road Site would benefit Suttons Bay Township to a much greater extent than would be by requiring Verizon to collocate on the existing county tower. As the Drew Wireless report to the commission concluded " the Bahle site (1010'AMSL) is situated almost at the

peak (1069 AMSL) of the ridge which divides the peninsula.” This fact affords the Bahle Site a very generous coverage capacity to many different frequency band and service providers.

As agricultural uses of wireless services continue to expand, and as wireless residential and cell phone usage generally expands within the township, the significant additional coverage afforded by the Bahle Road site will benefit large portions of the township which would have otherwise received limited or no coverage from the existing tower location.

For the reasons listed above, the commission finds that the Applicant has demonstrated that there is a need for the new wireless tower which cannot be met by the existing tower. ~~As stated in~~ Section 15.2.1 of the zoning ordinance, recognizes that “the public need and demand for advanced telecommunications and information technologies” be balanced against potential intrusion on neighboring properties. The Bahle Road site is relatively remote and not intrusive on neighboring properties.

The proposed Verizon tower would service the areas which would have been serviced by the existing tower and will more effectively extend wireless technology to substantial portions of the township that would not be serviced by the existing tower.

Based on testimony, chair Koernke took a roll call vote on section 15.2.8:

YES: John Clark, Rhoda Johnson, Patti Miller, Don Gregory, Tom Koernke.

NO: None

ABSTAINING: Andy Brandt

Absent: Dee McClure, Dennis Rathnaw.

One Vacancy on Commission

Motion Passes 5-0

The Commission then reviewed the remaining requirements of Sections 15.2 and Article 20 for approval of the Verizon Application with the assistance of the Zoning Administrator.

APPLICABLE PARTS OF SECTIONS 15 AND 20 SUTTONS BAY TOWNSHIP ZONING ORDINANCE TELESITE WIRELESS / VERIZON WIRELESS SITE PLAN REVIEW NOVEMBER 7, 2023

SECTION 15.2.1 INTENT

The general purpose and intent of these regulations is to regulate the establishment of Wireless Towers and Wireless Equipment in accordance with MCL 125.3514 of the Michigan Zoning Enabling Act (“ZEA”) and the Federal Telecommunications Act of 1996 (“FTA”) and in recognition of the public need and demand for advanced telecommunication and information technologies and services balanced against the impacts such facilities may have on properties within the Township. It is further the purpose and intent of these regulations to:

- A. Provide for the appropriate location and development criteria for Wireless Towers and Wireless Equipment within the Township.
- B. Minimize the adverse effects of such facilities through careful design and siting; maximize the use of existing and future communication Wireless Towers and encourage the multiple uses of such facilities and protect the character of residential areas throughout the Township by limiting Wireless Towers to non-residential zoning districts.
- C. Promote the public health, safety, and welfare of the Township.

SECTION 15.2.3 Zoning District Restrictions

Wireless Towers and Wireless Equipment, whether classified as a permitted use, or as a special land use, under the following provisions of this Zoning Ordinance, shall be allowed in all zoning districts in the Township, except for the Residential District.

Application meets this restriction

SECTION 15.2.7 New Wireless Towers and Wireless Equipment Applications

Wireless Towers to be newly-approved, and Wireless Equipment that do not qualify for co-location or for use in an existing Equipment Envelope under Section 15.2.4, and Section 15.2.5 shall require an application for approval under a special land use permit under the procedures in Section 15.2.5 except that the period for approval or denial is ninety (90) days.

SECTION 15.2.8 General Special Land Use Standards for Wireless Towers

A new wireless tower shall not be approved unless it can be demonstrated by the applicant that there is a need for the new wireless tower which cannot be met by placing an antenna on an existing wireless tower, or on another structure, or through the replacement of an existing wireless tower. Information concerning the following factors shall be considered in determining that such need exists:

PC STARTED REVIEWING THESE STANDARDS ON OCTOBER 17, 2023

- A. Insufficient structural capacity of existing wireless towers or other suitable structures and infeasibility of reinforcing or replacing an existing wireless tower.
- B. Unavailability of suitable locations to accommodate system design or engineering on an existing wireless tower or other structures.
- C. Radio frequency interference or other signal interference problems at existing wireless towers or others structures.
- D. The refusal of owners or parties who control wireless towers or other structures to permit an antenna to be attached to such wireless towers or structures.

- E. Other factors which demonstrate the reasonable need for the new wireless tower.

SECTION 15.2.9 Specific Wireless Tower Special Land Use Standards

The following standards apply to all Wireless Towers requiring a special use permit.

- A. A Wireless Tower may be located on a zoning lot containing other principal uses. The wireless tower may be located within an area smaller than the minimum lot size of the applicable zoning district provided the zoning lot complies with the applicable minimum lot size for the existing principal use or is a legally established nonconforming lot. The area within which the wireless tower is located shall be the area subject to the requirements of this section, rather than the entire zoning lot, unless otherwise provided herein.

Meets

- B. The Wireless Tower shall meet all requirements of the zoning district in which it is located which are not inconsistent with this section. Minimum setback requirements shall be measured from the boundary of the zoning lot to the closest portion of the wireless tower, or the accessory equipment or storage area, whichever is closer.

Should be a condition of approval.

- C. The minimum distance between a Wireless Tower and any property line shall be equal to the height of the proposed tower, unless engineering specifications provided dictate otherwise, as determined through a certification by a licensed and registered professional engineer.

Setbacks shown on the Site Plan: North: 950' East: 500' South: 380' West: 240'

- D. Wireless Towers shall be constructed and maintained in compliance with all applicable construction codes, which include the Electronics Industries Association/ Telecommunications Industry Association (EIA/TIA) Structural Standards of Steel Antenna Towers and Antenna Supporting Structures.

Should be a condition of approval.

- E. Wireless Towers shall not be used for advertising purposes.

Should be a condition of approval.

- F. Fencing shall be required to ensure security and safety of a Wireless Tower with accessory equipment structure or storage area. Fences shall consist of durable wood,

vinyl, metal or other similar materials and shall not contain barbed wire, razor wire, electric current, or charge of electricity. Fences shall not exceed a height of eight (8) feet.

Fencing is shown on the Site Plan meeting this standard.

- G. The Wireless Tower shall have a landscape buffer so that the base of the wireless tower and accessory equipment structure or storage area shall be screened from any right-of-way or residential use. Such landscape buffer shall be placed on the site in a manner which will maximize the aesthetic and environmental benefits, while at the same time providing the visual buffer required herein. The standard buffer shall consist of a landscaped strip at least four (4) feet wide outside the perimeter of the equipment storage area. The quality and composition of landscape elements shall be of generally acceptable evergreen varieties and species of trees and shrubs hardy to Leelanau County. The buffering requirements outlined herein may be waived by the Zoning Administrator or Planning Commission where existing vegetation to be maintained on the site generally accomplishes the same effect.

The Site Plan shows that the proposed tower would have existing wooded vegetation on the west and south sides, and orchards on the east and north sides.

As proposed, the equipment enclosure should not be visible from public roads or adjacent properties.

- H. Wireless Towers shall not have a shiny or reflective finish.

The Application indicates that the proposed tower would not have a shiny or reflective finish.

- I. Wireless Towers shall not be artificially lit, unless required by the FAA or other applicable authority. If lighting is required, the lighting alternatives and design chosen must cause the least disturbance to the surrounding views.

Not Applicable – no tower lighting proposed.

- J. Not less than one off-street parking space shall be provided on-site for use by service and public safety vehicles.

Site Plan shows more than one off-street parking spaces.

- K. Adequate ingress and egress to the Wireless Tower shall be provided by means of an all-weather durable driveway not less than twelve (12) feet in width.

Site Plan shows a 12-foot-wide gravel driveway access from Bahle Road.

The Leelanau County Road Commission Engineer was sent a copy of the Site Plan and he indicated that they would not approve the driveway as shown.

The Applicant was warned by the Zoning Administrator in writing in April 2023 of concerns with the proposed driveway location.

The Special Use Permit could be approved with a condition that Road Commission approval be obtained and submitted to the township along with any Site Plan revisions. In the event that significant Site Plan changes are required to comply with Road Commission requirements, the township may require an amendment to this Special Land Use Permit.

- L. No Wireless Tower shall be placed within a public right-of-way or within a road easement.

The proposed tower is not located within a public road right-of-way or road easement.

- M. All Wireless Towers over one hundred (100) feet in height shall be designed for co-location. If co-location is not part of the application, then the applicant must demonstrate in the application as to why co-location is not possible.

Applicant submitted a statement of intent to allow colocation with the Application.

- N. All Wireless Towers that utilize guy wires shall have those guy wires clearly marked by a colored sleeve.

Not Applicable - Application is for a monopole tower.

- O. A Wireless Tower proposed to be located on a National or State registered historic landmark or in a local historic district established in conformance with the Local Historic Districts Act, Public Act 169 or 1970, as amended, may be denied if the antenna would detract from the historic character of the historic landmark or district.

Not Applicable

SECTION 15.2.10 Specific Wireless Equipment Shelter Special Land Use Standards

- A. Wireless Equipment Shelters in the Agricultural, Rural Residential and Commercial zoning districts shall comply with the following requirements:

- 1. Shelter Size. The shelter structure shall not contain more than sixteen (16) square feet of gross floor area or be more than six (6) feet in height.

No shelter shown on the Site Plan.

- 2. Equipment storage buildings or cabinets shall comply with all applicable building codes.

Condition of Approval

- 3. The Shelter may be located:

- a. In a front or side yard provided the Shelter is no greater than four (4) feet in height or sixteen (16) square feet of gross floor area. The cabinet/structure shall be screened by an evergreen hedge with an ultimate height of at least forty-two to forty-eight (42-48) inches and a planted height of at least thirty-six (36) inches, with eighty-five (85) percent opacity throughout the year.
- b. In a rear yard, provided the Shelter is no greater than six (6) feet in height or sixteen (16) square feet in gross floor area. The cabinet/structure shall be screened by an evergreen hedge with an ultimate height of eight (8) feet and a planted height of at least thirty-six (36) inches, with eighty-five (85) percent opacity throughout the year.

No shelter shown on the Site Plan.

SPECIAL LAND USE PERMIT SECTION 20.8 - GOVERNING STANDARDS

In deciding to grant or to deny a special land use application, the Commission shall establish that the following standards shall have been satisfied, together with all other requirements of the Ordinance. The standards enumerated herein are intended to promote the intent and purpose of the Ordinance and to ensure that the land use or activity authorized shall be compatible with the zoning district, the adjacent uses of land, the natural environment, and the capacities of public services and facilities affected by the proposed land use. These standards shall ensure that the proposed land use or activity is consistent with the public health, safety and welfare of the Township.

Each of the proposed special land uses on the proposed location shall:

- A. Meet all the specific requirements of the particular special land use contained in the zoning district for which the special land use is proposed.

Reviewed Above

- B. Be designed, constructed, operated and maintained so that such use will not change the essential character of the zoning district and surrounding vicinity in which it is proposed.

Section 15.2.8 covers this standard – the intent of Article 15 references character.

- D. Be served adequately by essential public facilities and services, including but not limited to highways, streets, off-street parking, police, fire protection, drainage district, refuse disposal, water and sewage facilities, schools, etc.

The Leelanau County Road Commission Engineer was sent a copy of the Site Plan and he indicated that they would not approve the driveway as shown.

The Special Use Permit could be approved with a condition that Road Commission approval be obtained and submitted to the township along with any Site Plan revisions. In the event that significant Site Plan

changes are required to comply with Road Commission requirements, the township may require an amendment to this Special Land Use Permit.

E. Not unduly burden the capacities, or negatively impact public services and facilities affected by the proposed special land use, nor result in excessive additional public cost for the creation of facilities and services not otherwise available.

There was no evidence submitted to indicate that the use would negatively impact public services. The proposed use would increase the availability of emergency calls.

F. Not adversely affect the natural environment, especially any creek, stream, lake, pond, wetlands area, floodplain or the groundwater.

There was no evidence submitted to indicate that the use would adversely impact the environment.

G. Not adversely affect farmland or farming operations, but to the extent practicable preserve it as open space or provide adequate buffering between the special land use and farmland.

Although the site would require the removal of part of an existing orchard, the presence of the tower would prevent residential development of the property.

H. Demonstrate in the site plan that there exists sufficient protection to ensure that there will be no additional storm water runoff created by the proposed special land use; or that adequate and full measures have been taken to accommodate such storm water runoff on the proposed site location. For purposes of this standard the receipt of a Soil Erosion permit or Drain Commissioner's review shall satisfy this requirement.

The Application did not include any stormwater design or calculations; however, it did include a statement that they would comply with this requirement.

The Leelanau County Drain Commissioner was sent the Site Plan, and replied that a drainage plan would be required.

The Special Use Permit could be approved with a condition that Drain Commissioner / Soil Erosion approval be obtained and submitted to the township along with any Site Plan revisions. In the event that significant Site Plan changes are required to comply with their requirements, the township may require an amendment to this Special Land Use Permit.

I. Provide that the special land use including off-street parking, loading and unloading areas, outside storage areas, and areas for the storage of trash, which face or are visible from neighboring property or public thoroughfares, shall be screened in accordance with Section 3.12 Landscaping, Greenbelts, Buffers, Screen, and Fences.

Reviewed in 15.2.9.G

J. Conform to the requirements of Section 3.18 Outdoor Lighting Standards.

No outdoor lighting is shown on the Site Plan, however, should be a condition of approval.

K. Not be hazardous to adjacent or neighboring properties, or involve uses, activities, materials or equipment which will be detrimental to the health, safety or welfare of persons or to adjacent and neighboring properties, through the excessive production of traffic, noise, smoke, odor, fumes, or glare.

There was no evidence submitted to indicate that the use would be hazardous to neighboring properties.

L. Be in compliance with the requirements of the district in which it is proposed and with all other standards in this Ordinance, as well as with the requirements of the County Road Commission, County Building Inspector, County Drain Commissioner, District Health Department, Leelanau County Soil Erosion Control Officer, Suttons Bay/Bingham Fire Department, DNR, and other applicable Township, County, State, and Federal statutes.

Motion to (approve with conditions / deny) the Application and Site Plan for a Special Land Use Permit for a 197-foot monopole Wireless Communications Tower submitted by Telesite Wireless / Verizon Wireless on property at the northwest corner of Herman Road and Bahle Road in Suttons Bay Township. Property Number 45-011-019-014-00. Property Owner: Evelyn Brandt Trust. This decision is based upon the Application, Site Plan dated 08/09/23, propagation maps, staff and consultant reports, public comment, and findings of fact.

If Approval – add:

- ***The Zoning Administrator is authorized to execute this permit based upon the conditions approved below.***
- ***Add the conditions as discussed.***

If denied – add the reasons for denial in writing

15.2.10 Standards for Shelters

The proposed site plan by Verizon meets shelter standards but must make a condition that all collocators have to meet the same standards.

POSSIBLE CONDITIONS IF APPROVED – presented by ZA, Steve Patmore

1. Special Land Use shall be in compliance with the requirements of the County Road Commission, County Building Inspector, County Drain Commissioner, District Health Department, Leelanau County Soil Erosion Control Officer, Suttons Bay/Bingham Fire Department, DNR, and other applicable Township, County, State, and Federal statutes, including Federal Communication and Aviation Agencies.

2. Prior to execution and issuance of the Special Land Use Permit, a permit or approval from the Leelanau County Road Commission shall be submitted to Suttons Bay Township. In the event that significant Site Plan changes are required to comply with their requirements, the township may require an amendment to this Special Land Use Permit.
3. Prior to execution and issuance of the Special Land Use Permit, a permit or approval from the Leelanau County Drain Commissioner/Soil Erosion Office shall be submitted to Suttons Bay Township. In the event that significant Site Plan changes are required to comply with their requirements, the township may require an amendment to this Special Land Use Permit.
4. Electric, telephone, coaxial cable and other lines shall be located underground per Section 19.13.
5. Wireless Tower shall not be used for advertising purposes.
6. Wireless Towers shall be constructed and maintained in compliance with all applicable construction codes, which include the Electronics Industries Association/ Telecommunications Industry Association (EIA/TIA) Structural Standards of Steel Antenna Towers and Antenna Supporting Structures.
7. Equipment storage buildings or cabinets shall comply with all applicable building codes. Any future Wireless Equipment Shelters, including any future co-locators, shall comply with Section 15.2.10
8. Any wireless tower which is abandoned shall immediately be removed or demolished. For the purposes of this section, abandoned shall mean that no antenna or other commercial antenna has been operational and located on the wireless tower for one hundred eighty (180) days or more. Where the removal or demolition of an abandoned wireless tower has not been lawfully completed within sixty (60) days of the applicable deadline, and after at least thirty (30) days written notice, the Township may remove or secure the removal of the facility or required portions thereof. The Township may place a lien on the property to cover costs for the removal of the wireless tower. A lien on the property shall be superior to all other liens except taxes.
9. Wireless Towers shall be constructed and maintained in compliance with all applicable construction codes, which include the Electronics Industries Association/ Telecommunications Industry Association (EIA/TIA) Structural Standards of Steel Antenna Towers and Antenna Supporting Structures.
10. Payment of any applicable escrow fees.

Steve Patmore submitted the sample motion (listed above) which he read to commissioners. Motion was approved with conditions 1- 10 as listed above as amended with the application and site plan.

Motion by Rhoda Johnson, support by Patty Miller, all Ayes, motion approved to grant the Special Land Use Permit to Verizon. Record vote as a roll call vote, with Andy Brandt abstaining due to conflict of interest.

ROLL CALL VOTE:

YES: John Clark, Rhoda Johnson, Patti Miller, Don Gregory, Tom Koernke.

NO: None

ABSTAINING: Andy Brandt

Absent: Dee McClure, Dennis Rathnaw.

One Vacancy on Commission

Motion Passes 5-0

Verizon's Mr. LaBelle asked if the site plan is approved as well. This was confirmed.

Chair Koernke submitted that remaining time does not allow for discussion of item #2 on the agenda.

REPORTS:

Zoning Administrator - Steve Patmore submitted his Report.

Planner – Township Planner Mathew Cooke will prepare items 4 through 12 for the new zoning ordinance overhaul. He suggested that commissioners review articles in reference to the agricultural district.

Township Board – Short Term Rental is going to the Township Board for their review, public comments are welcomed but not required, process to nominate a new trustee to the Township Board is underway, letters of interest for a new trustee have been received by Clerk, Jean Moe. Doug Periard is absent from this meeting due to being voted in as Township Board chairperson, fulfilling Tom Nixon's term.

Chair Comments – Chair Tom Koernke agreed with Steve Patmore to complete the overhaul of zoning ordinance, with suggestion of making the end of year (2023) as a deadline. Make revisions as needed. Possibly set time limit for discussion, 20 minutes or 30 minutes suggested to discuss portions of the ordinance during regular meetings so that regular business could be conducted during regular meetings and no special meetings would be required to finish overhaul. Tom asked commissioners to read previous minutes for approval at the December meeting. Also read sections on Zoning Ordinance and be prepared to discuss and comment.

Commissioner's Comments - None

PUBLIC COMMENT: None

NEXT MEETING: Regular Meeting scheduled for Tuesday, December 5, 2023 @ 6:00pm

ADJOURNMENT: The meeting was adjourned at 7:45 p.m.

Mary Kuznicki Recording Secretary

Reviewed with suggested revisions from Staff and PC Chair.

Minutes Approved As-Revised by the Planning Commission on January 16, 2024.

Dee McClure, Planning Commission Secretary