

LELAND TOWNSHIP PLANNING COMMISSION

Ross Satterwhite, Chairperson – term expires 8/25
Skip Telgard, Secretary – term expires 8/25 Sam Simpson – term expires 12/24
Clint Mitchell, Township Board Rep – term expires 12/24 Lee Cory – term expires 12/26

PLANNING COMMISSION MEETING - PUBLIC HEARING

Wednesday, January 3, 2024; 7:00 p.m.
Leland Township Library/Munnecke Room
203 E Cedar Street, Leland, MI 49654

- I. Meeting Called to Order by Satterwhite – Pledge of Allegiance by All in attendance
- II. Approval of Agenda (additions/subtractions) Simpson motions to approve, Mitchell seconds, all present in favor; the motion is approved
- III. Declaration of Potential Conflicts of Interest - None
- IV. Approval of Minutes: December 6, 2023 – Mitchell – one comment – 1st action needs to note who seconds, and Simpson with Atlas. Approved pending updates. Satterwhite motions, Simpson seconds. All present in favor; the motion is approved
- V. Correspondence – ZA Cypher has correspondence, will discuss this during the Atlas discussion
- VI. Public Comment - (limited to three minutes per person unless extended by chair)
Keith Ashley – a small committee has been put together to oppose 211 Main. They are working on the character amendment, not expecting it to be exact wording for ordinance. Is hoping wording will go into Master Plan or Ordinance. Can submit something before next meeting for PC review.
Cypher: Feb agenda is residential character amendment only.
Satterwhite: inquires about intention being character only. Ashley – has other aspects too.
Cypher: During Master Plan discussion, it would be a good time to add the committee wording to discussion. Add this to agenda as its own item.
Satterwhite: how many people are in the group? 5 - 6 members
Cypher: should PC assign specific representative? Sees it as a conflict, Lee should not participate.
- VII. Reports:
 1. Township Board representative
Nothing to report
 2. ZBA representative
Nothing to report
ZA Cypher received a call from Petersen's attorney. 21 days to appeal after approval of minutes. Attorney says to expect a package. They did not appeal w/in 21 days of previous findings. Brad Wierda from Smith and Johnson is our attorney. 21 days from today is the time they now have to respond.
- VIII. **NEW BUSINESS**
 1. Election of officers
Satterwhite cannot be ZBA rep if he is elected chair
ZBA rep needed – Cory agrees
Satterwhite agrees to be Chairman
Simpson is Vice Chairman
Telgard – Secretary
Mitchell motions to approve officer roles, Satterwhite seconds. All present in favor; the motion is approved

2. Goals

Satterwhite – questions what the intent of this was.

Cypher: get through language of character, master plan, etc.

PC agrees these are the main goals to work through in 2024:

- Master Plan
- Residential character, then commercial
- Ordinance itself
- Get through appeals
- Remove old cell tower (June/July timeframe)

Satterwhite: anything else? STR's are an issue. Cypher: Political party impacts how this is viewed. Nuisance is something they can hang their hat on.

Satterwhite suggests talking about dock usage. Rentals are happening that are not permitted under this ordinance.

Simpson would rather talk about docks than STR. They spent a lot of time on STR's last year. PC agrees to keep STR's on the radar. Cory wants to discuss this further. Cypher will send Cory minutes related to STR's. STR's should be regulated by the Township Board. Also waiting to see what the state says. Clause can be added to Master Plan about STR's, this could be the guidance document. PC agrees to pay attention to the STR's but not make it a goal at the moment.

3. Meeting time change

Simpson would prefer that meeting be moved from 7 pm to 5:30 pm. Other townships have earlier start times and get through items quicker. Satterwhite: Can everyone do that? Yes. Could we move to Mondays? Let's keep it as is on Wednesday for now, discuss changing to Monday later.

Telgard's motion to change meeting time, Lee seconds motion. All present in favor; the motion is approved.

IX. OLD BUSINESS

1. Public Hearing – Atlas Tower

Bill Williams

Hand outs provided as requested during last meeting.

Ashley asks where it is. Map provided to clarify. Blue dot is new, Red dot is old pole. Blue dot provides coverage that we need. Satterwhite: is there another tower north? Bill – no, no wooden poles that require replacement.

ZA for SB township communicated that their PC just approved at 197' tower, new tower for Verizon. Just approved in November. Williams: that tower isn't ATT, so won't provide coverage for ATT.

Satterwhite: are towers specific to carriers? Normally towers are built for multiple carriers in urban areas.

Williams: if approved, he'll file for permits. Simpson: how long? 3 weeks to get materials, the tower itself can go up in 3 hours.

Mitchell: coverage doesn't seem too different. Williams agrees.

Items discussed by PC and Williams in Findings document:

Section 6.03.B Site Plan: Under conditions – Williams has requested waivers on sketch and aerials

Section 6.03.B.8: Discussion about utilities. Williams states that the south side of the property is 300' and has a power line. ZA Cypher says it should be shown on the plan. Williams states that once they are approved, drawings will be updated and changed.

Section 6.03.B.11: Discussion about exterior lighting. No 24/7 lighting is proposed, there will be service lighting only for when someone comes on site to do service work.

Section 6.03.B.12: No landscape plan provided. PC discusses whether or not landscape is planned, Williams states that neighbors cannot see building so landscaping not necessary. ZA Cypher to review and determine if landscape is required.

Section 6.03.B.15: No storm drainage or storm water management plan provided – will go through this with someone else (Other agency)

Section 6.05.B: Existing vegetation should be preserved – ZA Cypher to review and decide.

Section 6.05.E: Emergency vehicle access required. Atlas waiting for communication from Leland Fire Chief, but access road will be required.

Section 6.05.H: No exterior lighting proposed, Williams confirms that Service Lighting will be on site.

Section 6.05.J: No street development proposed; conditions presented by Road Commission and MDOT must be met before permits are issued.

Section 6.05.O.3: Standard references spill prevention, storage, hazardous substances, etc. – Applicant will conform to all requirements from applicable regulatory agencies. Williams states that they have no issues with other agencies.

Section 16.01: General Standards: general comment made that Emergency Services support personnel see this tower as a benefit as most use a cell phone for emergency calls.

PC agrees that general conditions are met. Discussion switches to existing tower and the need to remove it once new tower is installed. Williams states that AT&T has a permanent easement but that new owner will not allow access to have tower removed. Ordinance typically requires that tower be removed within 180 days after being deactivated. PC agrees to add this to goals for June or July.

Section 16.30: Distance requirements from property line not met on eastern property line. Atlas and AT&T will comply with this condition. Tower needs to be 224' from each property line, this will be shown in the next set of drawings.

Section 16.30.B.6: The proposed tower meets all FAA requirements and is not in any flight path.

Section 16.30.B.10: Notarized statement has been submitted.

Public comment/questions:

Keith Ashley has a question: if property got split, there wouldn't be enough fall zone. There will be a recorded easement if that happens.

No discussion about Findings:

Satterwhite moves to approve, with conditions, the application for special land use approval and Mitchell seconds. All present in favor; the motion is approved

2. Residential Character Amendment - tabled to February meeting

PC needs to be prepared for next meeting on this.3. Draft Master Plan – tabled to February

meeting

X. Other Business (as required) - None

XI. Zoning Administrator Comment – Cypher thanks PC for their efforts. No other comments.

XII. Planning Commission Comment – Will try to keep meetings at 2 hours or less.

XIII. Public Comment - (limited to three minutes per person unless extended by chair)

Keith Ashley – is there a document of the STR language? It's in the archives. Recommends looking at agenda to find minutes. Cypher wants reminder and will look too.

XIV. Adjournment – 8:18 adjourned by Satterwhite.

NOTE: A quorum of Leland Township Board members may be present. No Leland Township Board business will be conducted at this meeting.