

Springfield Township
Planning Commission Meeting
Minutes November 18, 2013

Call to Order: Chairman Baker called the November 18, 2013 Business Meeting of the Springfield Township Planning Commission to order at 7:30 p.m. at the Springfield Township Civic Center, 12000 Davisburg Road, Davisburg, MI 48350.

Attendance:

Commissioners Present:

Dean Baker
Ruth Ann Hines
Dave Hopper
Bill Leddy
Kevin Sclesky
Linda Whiting
Neil Willson

Commissioners Absent

Consultants Present

Doug Lewan, Planner, Carlisle Wortman, Associates
Randy Ford, Engineer, Hubbell, Roth and Clark, Inc.

Approval of Agenda:

Commissioner Willson moved to approve the agenda as presented. Seconded by Commissioner Hopper. Voted yes: Baker, Hines, Hopper, Leddy, Sclesky, Whiting, Willson. Voted no: None. Absent: None. Motion Carried.

Public Comment: None

Consent Agenda:

1. Minutes of the October 21, 2013 Planning Commission meeting

Commissioner Hopper moved to approve the minutes of the October 21, 2013 meeting as presented. Seconded by Commissioner Whiting. Voted yes: Baker, Hines, Hopper, Leddy, Sclesky, Whiting, Willson. Voted no: None. Absent: None. Motion Carried.

Public Hearing: None

New Business:

**1. SBA Tower Final Site Plan & Special Land Use
Parcel ID # 07-09-426-002**

Mr. Jonathon Crane introduced himself to the Commission. He stated that the Commissioners could contact him before, during and after the construction if they have any questions about the tower. He stated that he is attending on behalf of SBA, Sam Bernstein Associates who has a franchise with the State of Michigan to construct communication antennas on state owned land. They are proposing a tower at the rest area on northbound I-75. This proposal came before the Planning Commission a few years ago and was fully approved and authorized and the project was delayed due to the economy. He contacted Collin Walls and was informed that he would have to go through the process over again because the site plan had expired. He stated that he will go before the Zoning Board of Appeals later this week. They are proposing a 150 foot tall monopole antennae which would be suitable for 4 carriers; AT & T is proposed to be the first carrier located on the pole. Mr. Crane summarized his experience in constructing cell towers including towers located in Springfield Township. He stated because of the demand along I-75 and Dixie Highway for communication services, they are reducing the size of the cells at Bordines and South Holly Road site and putting one right in the middle. Data usage is the biggest user on the spectrum.

Mr. Lewan summarized his review letter dated November 11, 2013 and stated that the applicant has been through the entire process in 2008/2009. They are requesting the same variance from the Zoning Board of Appeals this month and they also received Special Land Use approval in 2009. Since the time period has lapsed, the approval has expired for the project. This is a Final Site Plan approval and recommendation of the Special Lane Use. He stated that aside from a little jog in the access drive at the tower site, the site plan is essentially the same site plan as the one that was approved before. There is a shed type structure that works with the tower proposed. This is a Special Lane Use. He stated that a few of the items addressed in 2009 have not been addressed. The setback issue is based on the 70 foot setback and this issue is set to be heard by the Zoning Board of Appeals on Wednesday, November 20, 2013. There is an outside chance that the Zoning Board of Appeals will not approve this again so any motion to approve the site plan should be made with the condition that the ZBA grant the same approval that they did in 2009. They have no issues with the natural resources on the site and what might happen there. The 18 foot wide grass paver drive they believe is a good idea. He stated that he would like to know what vehicles would be visiting the site and how many trips they would take. The parking area that is shown will not accommodate large vehicles. They would ask the applicant if they consulted with the Fire Department on the use of the grass pavers instead of pavement. In the previous reviews, they raised an issue regarding storm water detention. There is some impervious surfaces being created and they want the applicant to look at some detention on site. He will refer this item to Randy Ford for his opinion on whether or not the small detention area that is proposed is sufficient or not.

Mr. Lewan continued that they did have some concerns about landscaping. These are things that could be addressed prior to this plan going to the Township Board. There is existing plant material shown on the site and our ordinance says that this existing plant material needs to be identified on the site plan. There are some trees that due to their proximity to the construction site could be impacted by the construction. The landscape provision indicate that tree protection methods have to be shown on the plan for example, snow fencing needs to be shown. The landscape maintenance program needs to be identified. He stated that all of the different acceptable landscape screening items are mentioned in the report. The Planning Commission should determine what is appropriate. Mr. Lewan summarized landscape requirements as determined by the ordinance and outlined in his review. He stated that identifying the existing plant material on site would be important so that they could determine what screening would be appropriate. A waiver of landscape screening can be requested by the applicant and the criteria are outlined in the zoning ordinance. There is a combination of buffer and existing landscaping that could meet the ordinance provisions, but not having an accounting of existing landscape means they would have to use buffer #3 or buffer #4. No lighting is proposed on the plan and the tower will not be lit. The proposed signage is on the plans. The applicant proposes to paint the structure gray which Mr. Lewan agreed with. Other ordinance requirements include compliance to Federal and State standards regarding the effects of radio frequency emissions. The ordinance requires security to be posted in case the facility is no longer needed and this information needs to be provided. The engineer's report was received. The applicant has supplied a letter from the FAA stating that the tower will not be detrimental to air navigation. Mr. Lewan stated that they need a contact person designated for Township records in case there are problems. Mr. Lewan stated that he is comfortable with the proposal. There are a number of items that can be gone through prior to approval. The location is logical and will affect a minimum amount of residents that will fill a void in cell capacity. The biggest issue is the landscape buffer requirements and showing how this meshes with the existing landscaping, but he is comfortable with working with the applicant if this was a condition of approval prior to going to the Township Board.

Mr. Randy Ford stated that Zoning Ordinance 16.09 requires that the applicant provide a signed certification by a registered Engineer in the State of Michigan that attests to the anticipated failure mode, if any, of the cell tower design. The first letter submitted by the applicant did not provide a break point but it was pointed out on one of the site plan sheets that the tower will be designed to have a fall zone of 70 feet or less which is the approximately the rear setback. He asked for clarification and he received another letter from the engineer at Sabre industries indicating that it would meet wind speeds of up to 90 miles per hour and he clarified the safety factor that was built into the design. If there were conditions that exceeded the standards and the tower were to collapse, it would collapse upon itself and within the 70 foot setback. In accordance with ordinance requirements, they do have to provide onsite detention to store the difference in run off between the pre-development and post-development conditions. The amount of grass pavers and aggregate is minor and the detention requirement is small. There is grading detail provided on the drawings. Some of the details are not provided, but these are minor and Mr. Ford's suggestion is that if the Commission is comfortable, he could review it

administratively. They did include sedimentation and soil control measures at the site. Consistent with the previous submission, this is an unmanned facility and will not include water or sewer.

Commissioner Hopper asked Mr. Ford if he was comfortable with the letters from the Engineer.

Mr. Ford answered yes; the manner in which it would collapse is outlined and they are comfortable that it will be contained within the fall zone.

Commissioner Hopper stated that plan E-1 shows one 4 inch phone line and plan E-3 shows 2; this needs to be clarified. The plan view of the landscaping shows 7 white pines and the chart shows 6; this needs to be clarified.

Commissioner Hines asked Mr. Lewan if the letter from the Fire Chief was sufficient to ease his concerns.

Commissioner Hines provided a copy of the letter to Mr. Lewan.

Mr. Crane stated that he went and saw the Fire Chief and he said that he didn't have any problems with the drive. A letter from the Fire Chief was provided.

Commissioner Hines stated that she is comfortable with the location because there are not residences abutting the property and she is also comfortable having the landscaping administratively reviewed by the planner.

Commissioner Willson stated that he didn't have anything.

Commissioner Leddy stated that he was originally concerned about the breakpoint but is satisfied after receiving the second letter.

Commissioner Sclesky stated that he did not have any problems.

Chairperson Baker agreed with having the Township Planner work with the applicant to set appropriate screening. It is a unique situation in that it is next to residential property but the houses are a great distance away. They will want to include in any motion the requirement for the applicant to get the necessary variances and that they do have to go to the Township Board for Special Land Use. He asked if there were any gates or barriers planned to prevent someone from driving down the entry service drive.

Mr. Crane replied no.

Chairperson Baker asked if Mr. Crane was going to be the contact person.

Mr. Crane stated that he listed the Project Director and the representative from the SBA Headquarters in Boca Raton, Florida in the documents that he submitted. He stated that these numbers would also be posted on the tower in case someone had a problem.

Chairperson Baker asked how tall the fence would be.

Mr. Crane responded 6 feet.

Chairperson Baker stated that he would be comfortable having Randy Ford manage the water details at the site.

Mr. Lewan stated that the agenda item is for Final Site Plan and Special Land Use. Mr. Lewan read the Special Land Use standards from the Springfield Township Code of Ordinances. He stated that he believes that these standards are met. He stated that Section 40-145 (a) 1-7 should be outlined in the motion to recommend to the Township Board for Special Land Use.

Commissioner Hopper moved to grant Final Site Plan approval to SBA Corporation for SBA Communication Tower on Site #07-09-426-002, specifically the northbound I-75 rest area noting that:

- 1. A variance has been applied for and is required in front of the Zoning Board of Appeals to allow for a 70 foot setback in lieu of the required 150 foot**
- 2. The drive that is proposed has been reviewed and approved by the Fire Chief for emergency vehicle access**
- 3. Address landscape notes with the Township Planner which include:**
 - a. Show existing plant material and existing tree protection measures**
 - b. Provide a maintenance program**
 - c. Provide required screening. This may be verified by Township during construction or the applicant may apply for a variance or a waiver**
- 4. Adjust the white spruce count on the landscape plan**
- 5. The gray color is acceptable for the tower color for this project**
- 6. Provide security for removal as required by the ordinance**
- 7. Address engineer notes with the Township Engineer prior to construction to provide a profile view of the outlet storm, address the**

Engineer's soil erosion detail notes. Address Engineer's outlet structure details.

- 8. Recommend Special Land Use approval to the Township Board in accordance with Springfield Township Code of Ordinances Section 40-145 (a) 1-7 because:**
- a. The proposed use is in harmony with the appropriate and orderly development of the zoning district in which situated and is not detrimental to the adjacent residential district.**
 - b. The traffic to and from this proposed use will not be hazardous to the neighborhood**
 - c. The density as proposed will not be burdensome on the adjacent uses**
 - d. Public services are capable of handling the minimal increased service load caused by this proposal**
 - e. Natural environment will be preserved with this proposal as depicted**
 - f. The proposal is compatible with the adjacent uses of the land**
 - g. All of the foregoing has been addressed under the Special Land Use requirements**

Seconded by Commissioner Leddy. Voted yes: Baker, Hines, Hopper, Leddy, Sclesky, Whiting, Willson. Voted no: None. Absent: None. Motion Carried.

2. Septic Regulations - discussion

Chairperson Baker stated that this request came from the Zoning Board because they had had a number of septic variances on lake front requests recently and they wanted some guidance and consideration about this matter. He stated that the OCHD accepts a 50 foot setback from the high water mark but the ordinance requires 100 feet.

Mr. Lewan summarized a memo presented to the Planning Commission dated November 12, 2013. He reviewed some historical documents including, "Environmental Standards for Site Plan Review in Springfield Township" dated April 1984. He stated that at this time, the OCHD gave a recommendation that the 100 foot was a preferable distance. The Michigan Department of Natural Resources provided similar recommendations. Springfield Township changed the ordinance to 100 feet at that time. This requests came about based on the number of requests that have recently come before the Zoning Board of Appeals. They are coming forward for properties that were originally set up as cottages and now some of the seasonal cottages are being made into full time residences. The CWA memo provided definitions that are found in the ordinance. Oakland County still has the 50 foot setback which was set in 1975 and applies to platted subdivision lots or meets and bounds lots. In 2001, the County changed the Code to 100 feet for Site Condo lots. They also researched the Michigan Department of Environmental Quality Standards document regarding septic dated January 2013. This document recommends 100 feet and this would represent MDEQ's recommendation. He stated that for many years, the residents that live on the lakes have been able to meet the 100 feet setback and

Mr. Lewan's recommendation is to maintain the setback at 100 feet. For individual lots that demonstrate a practical difficulty, these cases may be presented to the Zoning Board of Appeals on a site by site basis.

Chairperson Baker concurred. He provided a summary of recent variance requests that have gone before the Zoning Board of Appeals.

Old Business:

1. Extractive Provisions – update

Mr. Lewan provided a summary regarding revisions to Mining and Extractive portions of the ordinance including an email report and additional marked up copies of both Section 40-597 Mineral Mining and Division 14 E-1 Extractive District. He stated that he had met with a Dave Birchler, a representative of the Edward Levy Corporation, who operates a mining and extractive operation in Springfield Township.

Mr. Lewan discovered that the incorrect attachment was provided to the Planning Commission and he assured the Commission that he would research this topic in more detail including history of the Township's involvement and would come back to the Commission in December with a report for the Commission.

2. Strategic Plan – update

Mr. Lewan summarized a Strategic Plan memo outlining the proposed time frame that was accepted by the Township Board on November 14, 2013. This plan includes joint sessions with the Township Board and the Planning Commission with the first joint meeting being the Planning Commission meeting to be held in January 2014.

Other Business:

1. Priority Task List

Commissioners reviewed and made updates and revisions to the current Priority Task

2. 2014 Meeting Schedule

Commissioners discussed the presented schedule of meetings on the 3rd Wednesday of every month. They considered the fact that Martin Luther King Jr. Holiday falls on January 20, 2014 which is a proposed meeting date. They discussed the possibility of changing this date since the Township offices were closed for the holiday. Commissioners considered another day during the month that would be available since Chairperson Dean Baker had a commitment every Monday throughout the spring and summer months that he is forced to miss because of the Planning Commission meetings. Commissioners decided that they would let Township staff research other available days and bring this back to the Commission at the December 2013 meeting.

3. Election of Officers

Commissioner Hopper moved to appoint Commissioner Baker as Chairperson of the Planning Commission for 2014. Seconded by Commissioner Sclesky. Voted yes: Baker, Hines, Hopper, Leddy, Sclesky, Willson. Voted no: None. Absent: None. Motion Carried.

Chairperson Baker moved to appoint Commissioner Hines to act as Vice-Chairperson of the Planning Commission for 2014. Seconded by Commissioner Whiting. Voted yes: Baker, Hines, Hopper, Leddy, Sclesky, Willson. Voted no: None. Absent: None. Motion Carried.

Adjournment:

Commissioner Hines moved to adjourn the meeting at 9:48 PM. Supported by Commissioner Hopper. Voted yes: Baker, Hines, Hopper, Leddy, Sclesky, Whiting Willson. Voted no: None. Absent: None. Motion Carried.

Erin A. Mattice, Recording Secretary