I Call to Order and Attendance

Chairperson Harris called the meeting to order at 7:33 p.m.

II Minutes of May 3, 2001 and May 14, 2001

Behan made a motion, supported by Gargaro to approve the minutes of the May 3, 2001 and May 14, 2001 meetings as written. The motion passed on a unanimous voice vote.

III Enforcement Report - Larry Houghton

A written enforcement report was distributed. Putters explained the report and the enforcement activities.

Public Comment

At the request of Chairman Harris, Public Comment was moved to the beginning of the agenda.

• Alyce Conrad stated that she could not hear the Zoning Administrator (use microphone).
• There were no other public comments.

IV Cases

1. CASE #16-01 Pamela Jo Keller, SPECIAL USE PERMIT, Home Occupation, 2857 West Levering Road, Section 6, Center Township.

A request by Pamela Jo Keller for a Special Use Permit for a Home Occupation for retail sales of miscellaneous items. The property is located at 2857 West Levering Road, Section 6, T37N-R5W, Center Township, is zoned FF-2 Farm and Forest and is tax parcel number 24-04-09-06-100-002. The request is per Section 2102-12 of the Zoning Ordinance.

Coon presented the request for retail sales in the front portion of the applicant’s property located on W. Levering Road near Zmikly Road. The proposed structure is 8’x12’, 96 sq.ft. Items to be sold include artwork, books, flowers, produce, camping supplies and other miscellaneous products. A pro-con sheet was distributed and discussed. Center Township Board recommended approval subject to conditions: the items are to be confined to the interior of the building, hours of operation are to be 7:00 am to 9:00 pm, it must avoid the appearance of a business, yard sale or flea market.

Pamela Jo Keller stated that she would be selling miscellaneous items. It is more of a road side stand than a retail store. She agreed to the hours of 7am to 9pm, adding that she may not be open that entire time, but wishes to operate during those hours.
Putters stated that the Township asked that the miscellaneous items to be more clearly identified. Keller responded that camping supplies include pots and pans, soap, fire wood and kindling and a wide variety of items for camping. There may be lighting on the interior of the structure. Laughbaum asked if it is for summer only? Keller answered that it would go into the fall, but it would be removed at the end of the season. It will be placed on cement blocks.

There were no public comments.

Eby stated that there should be specific items listed for sale. Keller stated there would be cooking utensils, campfire wood, kindling, pots and pans, and other things to make it easier for people to camp with.

The Township concerns were discussed including the standard that the items must be confined to the building.

Keller stated that there are people in the Township who have items outside. There are piles of kindling outside the Township Supervisor’s store. She wants to make her stand appealing to the eye. She was told by the Township that plants could hang on the outside of the building.

Harris stated that a home occupation cannot have the appearance of a retail use. This use depends on passer-by traffic. The Home Occupation is a Special Use Permit.

Keller stated that campfire wood could be set completely out-of-sight, or behind the building. There could be a sign for the campfire wood.

Eby asked about the size of the barn on the property, it is 24'x16'. The building for the Home Occupation is only 96 sq.ft. and the applicant is allowed 600' sq.ft. Next year she may expand, but would like to start out small. The barn is not available for her use.

Scott stated that if the structure becomes an accessory building, it must be able to be used with the residence. It is a stand, with three sides, and not a building. Keller stated that it can be used as a wood shed on the property. The size of an accessory building does not fit the description of the proposed building. It should blend with the surrounding properties. Keller stated that her residence is a mobile home, the structure will be removed in the fall.

Harris asked if the SUP could be granted on a limited time basis, it cannot.

Blanchard arrived at 7:48 pm.

The applicant agreed to a time limitation. She stated that she could return to the County for review in one year or at the end of the season.

Putters stated that if the terms of the Special Use Permit are violated, the permit can be revoked. If it appears like a yard sale it could be revoked.

Jones made a motion to approve Case #16-01, Special Use Permit for a Home Occupation at 2857 W. Levering Road, Center Township, to allow retail sales of produce, flowers, homemade/craft items, used books and camping supplies which cannot include consumable or flammable supplies for reasons that the building is less than 600 sq.ft. of floor area, a letter of support was received by a neighbor, the business will be operated by occupants of the property and the use has a deep setback from Levering Road, with ample parking/maneuvering space, and subject to the SUP being reviewed in one year as agreed to by the applicant. The approval is conditional upon hours of operation being 7:00 a.m. to 9:00 p.m., items must be contained to the 8'x12' building, outside firewood must be concealed behind the building. Scott supported the motion which passed on the following roll call vote: Yes; Harris, Behan, Jones, Scott, Blanchard, Laughbaum, Eby, Derrohn, Gargaro. No; none. Absent; none.

The applicant stated that she has read the Home Occupation standards of the Ordinance.
2. CASE #15-01 Matthew VanAvery, SPECIAL USE PERMIT, Larger than maximum size accessory building, 3568 Levering Road, Section 6, McKinley Township.

A request by Matthew VanAvery for a Special Use Permit to construct a larger than maximum size accessory building. The property is located at 3568 Levering Road, Section 6, T37N-R4W, McKinley Township, is zoned FF-2 Farm and Forest and is tax parcel number 24-10-06-200-013. The request is per Section 2201-8 of the Zoning Ordinance.

Coon explained the request for a 1,680 sq. ft. accessory building in a FF-2 District, where 1,200 sq.ft. is the standard allowed. The site plan, tax parcel map and request/ location map was used to explain the request. The location of the proposed accessory building is 180' from the right-of-way. If the location were 250' from the r-o-w or behind the residence, a 2,400 sq.ft. building would be allowed. The location is wooded and the Township recommended approval.

The applicant was not present and there were no public comments regarding the request.

Putters stated that the proposed site of the accessory building is in the front or side of a proposed house. There is a mobile home on the property. If it were behind the residence, a 2,400 sq.ft. building would be allowed. The property is a wide property, it is in a rural location on a straight road, and the site is heavily wooded. It would be difficult to see the building.

Eby made a motion to approve Case #15-01, Special Use Permit for a Larger than maximum size accessory building, 3568 Levering Road, Section 6, McKinley Township as shown on the site plan dated 4-18-01, because the structure is on a wide property, in a rural location, on a straight road, it is a heavily wooded site, it would be difficult to see the building and McKinley Township recommended approval. Scott supported the motion which passed on the following roll call vote:
Yes; Harris, Behan, Jones, Scott, Blanchard, Laughbaum, Eby, Derrohn, Gargaro. No; none. Absent; none.

3. CASE #69-00 Wade-Trim for Frank Giese, SPECIAL USE PERMIT, Land Development Standards, Milton Road, Section 34, Maple River Township.

A request by Wade-Trim, Inc. for Frank Giese for a Special Use Permit for Land Development Standards to create a 22-unit Site Unit Condominium on property located on Milton Road, Section 34, T36N-R4W, Maple River Township. The property is some 45.33 acres, is zoned FF-1 Farm Forest and is tax parcel number 24-09-14-34-300-016. The request is per Section 2102-14 and/or 1901 of the Zoning Ordinance.

The case was withdrawn by the applicant.

4. CASE #83-00 Damien Farrell Design Group, PRELIMINARY PUD-1, MIXED USE, 3654 US-31 North (Windjammer Marina Property), Section 18, Littlefield Township.

A request by Damian Farrell Design Group for Crooked Lake Properties LLC for a Preliminary Mixed Use PUD-1 Planned Unit Development Overlay District, to apply to the following property: two (2) tax parcels being numbered 24-07-17-18-451-005 and 24-07-17-18-451-004 being some 3.22 acres bordered by US-31 to the north for some 521', Cincinnati Avenue to the west, Crooked Lake for over 300' and Crooked Lake Yacht Club to the east. The parcel is located in Section 18, T35N-R4W, Littlefield Township, the Windjammer Marina property. The requested mixed uses include R-2B District uses (multiple family), B-1 District uses. The request is per Ordinance Section 1800.

Staff distributed two draft motions, one for approval and one for denial.

Putters explained the request for an overlay PUD-1. The proposal is a major redevelopment of the property from marina to residential with retail uses and marina activity. A work map was shown which was used to determine density. The site is slightly over 3 acres. The area in blue is proposed to be excavated/dredged to allow condos with boat houses underneath. These would be built at the location of existing boat slips at the west end of the site. The orange colored area showed the previous shoreline from the underlying plat. The proposal has been reduced from 36 to 24 units with garages along the road side and the buildings have been reduced in height. The proposed pedestrian way was pointed out. The plan also includes building a pedestrian bridge and condos where the easternmost boat house is now located.

Based on the language of the PUD Section of the Zoning Ordinance, if the open space were available to the public, double density could be allowed using the area reserved for open space. In calculating the land area, staff used the lagoon and areas to be dredged in the calculation. The areas in blue all are included in the calculations for density. By counting walk ways as double density, it increases the density by 2 units. Density was used for two bedroom units. Using the aforementioned calculation methods and including the commercial part of the property, the allowed density could be 23.5 units. This calculation could come close to meeting the preferred density, but not with the present zoning classification. It was calculated at the R-2C level which is the highest density district in the Zoning Ordinance.
An approval could be contingent upon a zoning change to R-2C, which the applicant has applied for. The Township recommended conceptual approval in looking at the redevelopment of the property. They felt it was a good change from boat houses, to residential and retail amenities. The township board voted unanimously to support the redevelopment and the Planning Committee had one descending vote. There are still quite a few unanswered questions. It is a very complicated and intense development. The applicant provided much detail in the preliminary PUD, more detail perhaps, than is necessary. The possible resolutions were read and explained by Putters. The issues remaining to be resolved include density, environmental issues, and other agency approvals. The draft motions were guidelines which could be changed to suit the motioner.

Under the current zoning, B-1, only 14 units would be allowed. It would require rezoning to R-2C to come close to the 24 units being proposed.

Jones stated that he has a real problem using the water area to increase the density (i.e. calculating previously dredged areas as land). The water could not be refilled to land. How can it be used to calculate density? It would be a better project if it were less dense.

Gargaro stated that DNR would regulate that area.

John Talbot stated that this is an unusual case. Part of the request has been submitted to the DEQ.

Harris stated that he cannot reconcile this. When considering a rezoning, the Planning Commission cannot look at the use. That can be considered contract zoning. When reviewing a rezoning case, the Planning Commission must look at all of the uses allowed in the proposed district. It is an unusual case.

Putters asked, how do you make the project work? It may work if the property were zoned R-2C which would allow for increased density. The PUD overlay allows the uses. The property owner doesn’t want to loose the commercial zoning status.

Laughbaum asked if letters had been received. There have been letters received, most are concerned with high density.

Harris stated that this project has been before the Planning Commission for several months. If they proceed in this manner, there is inequity and fairness is compromised. It is contrary to law and to procedure.

MDOT has jurisdiction on the road access. At this point, the entire property frontage is open for access. Limiting the access is an improvement.

Talbot stated that he is confused because of conversations with the Planning and Zoning Office. They are proceeding as directed by staff. They have met with the Crooked-Pickerel Lake Association, the Township Planning Committee, Littlefield Township Board and Tip of the Mitt. There seems to be strong support for the style of development. There will be public benefits. There are obviously specific issues to be resolved. They have compromised based on the meetings with the various agencies which include a change to 24 units and eliminating buildings taller than 30 feet. The proposal is now for single story buildings along the road and the design has changed to a “see-through” design. They have met with people and made significant design changes. There appears to be support within the community and they would like preliminary PUD approval.

Derrohn stated that the Township approved the concept under direction from staff. It was on the Township agenda before the rezoning request. There are many issues that must be cleared up. The conceptual idea was approved.

Jones stated that he has not seen a project of this size that requires this many permits. He appreciates the 24-unit reduction, but to give conditional approval would be difficult. The Planning Commission is not authorized to give conceptual approval.

Talbot stated that approval would not be a substantial step in any direction.
Scott made a motion to table the request until after the rezoning is decided. Blanchard supported the motion which passed on the following roll call vote: Yes; Harris, Jones, Scott, Blanchard, Gargaro. No; Behan, Laughbaum, Eby, Derrohn. Absent; none.

5. CASE #17-01 Franklin-Northern Land Company, SPECIAL USE PERMIT, Land Development Standards, Seldon Road, Section 1, Springvale Township.

A request by Franklin-Northern Land Company for a Special Use Permit for a Land Development project to create a 20-unit Site Condominium on property located on Seldon Road, Section 1, T34N-T4W, Springvale Township. The property is tax parcel number 24-14-20-01-100-011 and is zoned FF-2 Farm and Forest. The request is per Section 2102-14, Land Development Standards, of the Zoning Ordinance.

Coon explained the request for a 20-unit site condo development. It is accessed off Seldon Road with the Orchard Road easement bordering the east end of the property. Orchard Road, along the east, is not a developed road. There is open space included in the plan which is accessible to all units. The site plan has been amended to include conceptual house sites on each lot and now it shows the County Roads. The lot lines were not reconfigured and it appears that the lots sizes include the road easement. There is road access from Seldon Road. Questions remain about springs on the property and poor site distance at the access point. Conditional approval was recommended by the Township and the Springvale Township Planning Committee minutes were distributed.

Brian Fullford, from Wade-Trim, represented the applicant. Fullford stated that after the last meeting, they confirmed with Emmet County Road Commission that there is a road easement along the east end of the property. A petition to abandon the road may be filed. Setbacks were modified from Orchard Road. They received a recommendation from the fire department recommending approval. Concerns raised about Great Lakes Gas Company transmission lines were addressed in a letter from GLGC. Their letter, which was distributed, includes suggestions for the development. There were questions at the Township level regarding clustering of homes, which Fullford stated is accomplished because of limitations due to the steep terrain.

Fullford feels that the proposed plan is the best use of the property. The private road grades are a maximum of 7%, and the roadway is 30 ft. wide including shoulders. They are confident that health department approval will be granted. Soil borings indicate sandy gravel. There is moisture on the north end of the property. The plan includes significant open space with 2,900 ft. of hiking trails. A MDEQ application has been submitted to allow access through the wetland areas at the entrance. Preliminary reports indicate that the project will be permitted by MDEQ. The small area south of Unit 20 has been left in a drainage easement and is a possible future connector. He asked for conditional approval to allow the project to move forward.

Paul Liss with GLGC stated that there are two high pressure gas lines in the 125’ easement. The Site Plans reflect the easement correctly. There are restrictions on roads and utilities crossing their easement. There is a minimum cover of 36” required. Additional cover is required for roads. Wade-Trim has worked with other pipe line companies. There is no possibility of the pressure being increased as the lines are at their maximum allowable operating pressure. The lines are ½” thick steel pipes and conduct all natural gas. The lines have been in since 1968 and are maintained and surveyed annually. They can detect if the coating has gone bad and they check for corrosion. It is safe.

Fullford stated that the pipeline easement will be fully disclosed on the condominium documents.

Alyce Conrad, Springvale Township Planning Committee member, asked if the setback standards will be met along Orchard Road? Will the setbacks be as shown on the drawing or will the setbacks be reduced if the road is abandoned? The area is wooded with a steep hill which is a nice buffer. If the road is abandoned it becomes part of the property and the setback becomes 35’ from the rear property line.

Scott made a motion to approve Case #17-01, Special Use Permit for Land Development for a 20-unit site condo, Seldon Road, Springvale Township conditionally on DEQ approval to allow the access road to go through the wetland, soil erosion approval, a sealed drainage plan be presented to the planning office, engineering that shows that the flow of the stream will not be effected by the development, and specifications from Great Lakes Gas Transmission Company regarding an agreement in crossing the easement. Behan supported the motion which passed on the following roll call vote: Yes; Harris, Behan, Jones, Scott, Blanchard, Laughbaum, Eby, Derrohn, Gargaro. No; none. Absent; none.

A recess began at 8:48 pm and the meeting resumed at 9:02 p.m.
6. CASE #7-01 Emmet County Planning Commission, TEXT AMENDMENT, Private Road Standards.

A request by Emmet County Planning Commission to amend the Zoning Ordinance as follows:

A request to amend the text of Article XXI Section 2102 by changing and adding standards for private roads in paragraph 14, Land Development Standards, as follows:

Amend Par 12(b)-i Access Road Standards, with proposed standards to replace the existing table to read:

<table>
<thead>
<tr>
<th>Table: Standards for Private Roads</th>
</tr>
</thead>
<tbody>
<tr>
<td>Access Types</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Road Easement</td>
</tr>
<tr>
<td>Road Surface</td>
</tr>
<tr>
<td>Shoulders</td>
</tr>
<tr>
<td>Cul-de-sac Easement (Diameter)</td>
</tr>
<tr>
<td>Cul-de-sac Surface (Diameter)</td>
</tr>
<tr>
<td>Maximum Road Grade</td>
</tr>
<tr>
<td>Maximum Cul-de-sac grade</td>
</tr>
</tbody>
</table>

Where a standard option or range is included, the final figure shall be determined at the public hearing. The purposes of the amendment is to bring private road standards up to or close to those recommended by the National Fire Protection Association, Bulletin 1141, and to apply a uniform set of standards to guide owners and designers of land division projects. A specific standard may be set, modified or deleted based on findings at the Public Hearing(s).

Delete the last paragraph in (b)-2, as it is covered in the Standards Table.

The Public Hearing was opened by Harris.

A memo was distributed prepared by the Office of Planning and Zoning dated May 23, 2001.

Putters explained the legal notice which allows decision making regarding width of road surface and cul-de-sac/turn-arounds. Fire departments and persons designing land division projects had requested common standards for private roads. Throughout the County, different standards were required by different fire departments. The memo which shows a table comparing roads and cul-de-sacs was explained. The table compared National Fire Protection standards, Emmet County Road Commission standards, and ranges of standards in approved land developments and a township suggestion. The memo was read and explained. The City of Petoskey Public Safety Department did approve some “Y” turn-arounds in Bay Harbor.

Paul Mooradian explained that Washtenaw County has recently reduced their road width standards which seem to be for metropolitan areas. Counties may not be able to maintain roads and developers do not build public roads. The standards being proposed are national fire standards. How would private roads serving 24- building units be regulated? Would the Windjammer Marina project be a driveway or a road? Condominium ownership is a form of ownership. Mooradian recommends that developments less than 3 to 4 lots do not need 24', but feels 18' is fine. He suggests 24' maximum. He read Bear Creek Township’s private road ordinance standards. Twenty-two feet (22') seems adequate, based on his experience. Fire safety is a consideration, but do not take away property owner rights. If we choose to live on a narrow road, that is our choice. How many fire trucks in Emmet County have not been able to travel on narrow roads?

Harris commented that the proposal is at the request of the Townships and Fire Departments.

Bill Hoffmann commented: What we have in Emmet County we should try to preserve. Standard fire department rules might work well on flat land, however, in Emmet County there are winding roads and hills. Each development should be evaluated on a case-by-case basis. Unique sites should be looked at and not forced into developments requiring wide roads and turnarounds to cut out a hill and trees. When pondering the amendments, remember to allow the roads to fit into the environment. Allow a safe harbor with flexibility. Without flexibility, we may destroy the country side. Also consider three point turn arounds rather than cul-de-sacs.

Craig Cottrill stated that he works in steep terrain and has built roads over the years. He has kept in mind the aesthetics of the north, the quaintness, natural places and quaint drives. He would hate to see that disappear. To meet some of these standards, some areas would be completely destroyed to create the roads. Keep flexibility and compromise. Intricate steep hillsides takes planning to make it safe. He is concerned with both the width and the grades.

Tom Swenor would like the Commission to consider “Y” or “T” type intersections. The standard should not require 4/10 of an acre for a cul-de-sac. He doesn’t feel it takes that much room to turn around a fire truck. He compared the proposed
maximum grades with County roads; Division Road is 11% to 13%; Fosters Woods Road is 13% grade, and Bellmer Road is 9% grade and was just recently resurfaced. Emmet County Road Commission doesn’t always meet their 7% grade standard.

Conrad stated that cul-de-sacs are preferred by Springvale Township. Flexibility and common sense is necessary.

Wayne Boss, not an Emmet County Resident, but a developer, engineer, and Township supervisor, has been involved in development throughout the state. The national standards are based on urban requirements, big city situations. We’re far from that. Fire trucks can negotiate “T” and “Y” turn arounds. To restrict private roads as proposed would be a mistake. Andrew Bowman, from the Cottage Company, has been a long time resident of Emmet County. He feels that rules that we make may not achieve the desired results.

Les Cottrill, property owner in Friendship Township, feels that environment and aesthetics are main concerns when developing. He is concerned that the road restrictions would put him out of business. He creates low density development and does a good job.

Scott stated that the road width issue is an important issue. Springvale Township has had a wide variety of width recommendations discussed. There are concerns about mowing down the woods. It must be taken into consideration. It is difficult to satisfy both arguments. In some circumstances, 18’ is enough, in others, it is not.

Can a flexibility clause be added? Could it be a variance? The standard set is a minimum, it could include a flexibility clause, but would not be a variance.

Is there a way to require a road design with the application for a development? The argument is being made that a narrower road can be built safe. If an engineered design is provided, they can explain how the plan will work, under the minimum standards. A professionally designed road could be required.

Putters stated that there is a standard requiring engineered plans in the Zoning Ordinance.

Scott stated that if a design plan proves that an 18’ road works, then it could be approved.

Laughbaum asked why it needs a professional? A person can build a house without being a professional.

Scott responded that the fire department is requesting 24’ road widths. This would allow flexibility. It is only for five or more lots and subdivisions.

Jones agreed that requiring an engineered plan for deviations from the standards is an option.

Looking at the memo, the narrowest approved roadway was 20’.

Eby stated that there is no focus. Looking at the entire amendment is too much at once.

Laughbaum stated that he is prepared to require 22’ road width, for the entire road including shoulders. Behan agreed.

Blanchard stated fire departments always want the maximum.

After some additional discussion, with no consensus, the case was deferred until the next regular meeting.

7. CASE #9A-01 White Pine Land Company, SPECIAL USE PERMIT, Telecommunications Facility, Canby Road, Section 4, Center Township.

A request by White Pine Land Company for a Special Use Permit to construct a wireless communications facility including a 199' self-support tower on property located on Canby Road, Section 4, T37N-R5W, Center Township. The property is zoned FF-2 Farm Forest and is tax parcel number 24-04-09-04-200-005, owned by JC & Maxine Byard. The request is per Section 2102-2 of the Zoning Ordinance.

Putters explained the request for a 199' communications tower on a site previously rejected for a 250' tower. The location was shown using a tax parcel map along with a request/location map, profile drawing, site plan, and photos of preferred towers/monopoles. The proposed location is over 300' from Canby Road. The Planning Commission has always tried to achieve the goals of: no tall lattice type structures, avoid lighting and encourage applicants to find sites that will screen towers (like wood lots) use existing structures, use other communication towers, use pole towers which are less bulky and less noticeable. A self rusting designed pole was shown in the photographs. The location was shown using the entire county map which located other towers in Emmet County. Center Township recommended approval, noting that an unpainted mono-pole with a natural rusting appearance was preferred. Options are unknown. Coverage areas are also unknown. Would two smaller towers work? The site plan shows a light on the top of the tower. A letter would be necessary from the FAA stating that a tower light is not required.

Christopher Strickland stated that if the tower is approved, engineered plans will be required. He does not believe it would require lighting. Approval has been applied for through the FAA. Strickland explained that his company could look into the feasibility of a monopole tower. He has latitude to adjust the height, but did not to agree to construct a mono-pole. The problem with a monopole tower, which is typically 50' to 100', is that it would have a significant increase in the girth. A monopole with four or five tenants would be as large as a lattice tower, only solid rather than lattice. It would be cost prohibitive. It is not as pretty a picture as it sounds.

Gretchen VanLoozen lives on Pyjar Hill. She has concerns with long term neighbors and their need to have this income. Is the County addressing that concern? Would it be possible to get the same function from two 100' towers? If it were
screened, it wouldn’t affect them nearly as much as a mono-pole or lattice tower would at the proposed location. Another concern is mortality rates of birds due to collisions with communication towers. Van Loozen read statistics from US Fish and Wildlife studies. This tower, she stated, is on a flight path of migrating birds. She strongly encouraged co-location. She suggested an overall County plan for towers.

Debra Godzik abuts the property in question. She stated that the proposed tower is nearer to the Godzik home than the property owner’s home. There is no verification that lights will not be required. She has not heard just reasons why smaller communication towers will not work, other than to cut into profitability. People choose to live in this area because of the environment. She does not want things prohibitive to the natural environment. She’d like to preserve it.

Maxine Byard, owner of the site of the proposed tower, stated that she would like to be able to use a cell phone for medical reasons. She would like the cellular facility installed. There are others with medical conditions who would also like cell phones. She would like a communication tower and doesn’t care about the height or the visual impact. She pays for 911 service and would like to be able to use it.

Steve Johnston, owns property across the road. He would like the County to stick by their guidelines and require two smaller towers. If it can be done with two smaller towers and keep it lower, he would be supportive, 199’ is still excessive.

Connie Marshall, Center Township resident, asked what happens to the next company if the request is granted? What happens to the landscape in 10 to 20 years? Once it’s done, what can be done to reverse it?

Sandy DeSanto stated that a 199’ tower is too high. Her property overlooks Lake Michigan and the proposed tower is in the view. Why did they choose the valley surrounded by fields rather than a hidden area? She understands the health and emergency reasons for wanting coverage, but would encourage the board to follow their policy and guidelines.

Ruth Hunt, lives ½ mile from the proposed tower. She feels that the tower company has compromised after the last proposal was turned down. There are no lights and no guy wires. It’s a good compromise and it meets zoning regulations. She does not feel a much shorter tower would be as good or as effective. Lower towers conflict with the goals of no more towers than necessary, as it will require two rather than one tower if they are shorter. She has been speaking with neighbors and of over 100 people she has polled in the community, there has been very good response. Letters of support were submitted. There are dead places within the County. A person can’t always predict when they will need a cell phone. A concern was previously raised about property values, and after speaking with a real estate agent, she feels that property in Bliss Township have not dropped in value because of the Police Tower which exceeds 300 ft. Property is still selling and property values have not gone down. Is next to the woods the right location? Should property be cleared to hide a tower? Why have a tower if it’s not effective? Godziks do not live on the property adjacent to the proposed tower. There is very good support for the tower.

Tom Sciobior, part owner of the property next to the tower, stated that riding down Canby Road he has used a cell phone. He explained how a tower could be better screened and used an example of a tower east of Indian River. It is a 115’ monopole in the pine trees and rises about 20’ above the trees. They can be situated in the woods without disturbing the trees.

Bill Barber, a neighbor, stated that JC (Byard) has lived on the property for over 70 years. A cell phone is cheaper than a regular phone. He’s paid taxes on his property and should be able to have a cell tower on the property.

Dave Maylowski, lives behind the property. He stated that the tower is not going to bother him.

Pauline Steel, neighboring property owner, stated that her husband fell, and perhaps a cell phone would have helped him receive emergency services.

Sandy DeSanto, voiced concerns about a statement by White Pine that a tower would cover 3 to 4 miles. She is concerned that additional towers will be needed for additional coverage. She suggested a Tower Master Plan.

Misty Maylowski, neighboring property owner, uses a cellular phone and loses the signal 3 to 5 miles from her home when coming from Levering. She would like to be able to use her cellular phone whenever it is needed.

Gene Dixon, neighboring property owner, has lived on his property for 75 years. There are times when he needs assistance and a cellular phone would help.

Christopher Strickland stated that the distance between towers, which cover 3 to 5 or 6 miles, would be approximately twelve miles.

Derrohn asked if two towers at 100’ each could accomplish the same as one 199’ tower? Strickland stated that at 199’ ft., the lowest antenna would be at 150’. Because of the tree-line and terrain, it would not be feasible. 100’ towers have been used in flat areas. Flexibility was demonstrated in lowering the height of the tower. They are trying to find a balance in making money and working with the community.

Blanchard asked why the County hasn’t thought about where towers should go? Why don’t we lobby in Lansing to co-locate on State Police Towers? She added that the County is accepting their “no” rather than attempt to work with them to allow co-location.
Strickland stated that the State Police Towers cannot be used because of security and it would be a commercial venture and then they would lose their tax exempt status.

Eby stated that over the years, it was decided where towers should go. There are spaces in between. The height is in keeping with the ordinance. A mono-pole in Brutus is 195', the one east of Alanson is a lattice tower, but much more intrusive.

Strickland stated that five tenants can be located on the shorter tower (under 200').

Putters stated that a mono-pole can be placed in a wood lot and he gave examples in Bear Creek Township. They do not require much tree clearing. What if mono-poles were constructed along the higher fringes of the valley at 100' each? Strickland stated that being in the valley requires height, but there are no shadows. The previously provided signal strength profile shows the range, it will not go as far.

Laughbaum asked if a mono-pole tower would kill more birds than a lattice tower? No, because there are no guyed wires on the lattice tower.

What is the service area? It looks like it will be out into the lake. At the reduced height, Strickland was not sure. He stated that coverage does go farther over water because of the flat surface. He thinks it could reach Boyne Highlands. Companies hire independent engineering firms to show where there is a lack of signal. They know that people would like service where they propose to locate a tower. His company hopes to provide a tower for multiple tenants. The idea of two towers would not be feasible for multiple tenants. Each carrier would require a pole.

Laughbaum stated that lattice towers are allowed in FF-1 and FF-2. Fire towers went away after years of being used. The code requires that towers be removed if not used. Mono-poles look like dead elm trees, he prefers towers.

Laughbaum made a motion to approve the proposed plan to allow the tower to be built on private property as proposed. Behan supported the motion. After some discussion, and the roll call vote for the amendment to the main motion (which follows), the motion failed on the following roll call vote: Yes; Behan, Laughbaum, Derrohn, Gargaro. No; Harris, Jones, Scott, Blanchard, Eby. Absent; none.

Behan amended the motion to add a condition of no light. Derrohn supported the amendment to the main motion. The motion was voted on before the main motion and it passed on the following roll call vote: Yes; Harris, Behan, Jones, Scott, Blanchard, Eby. Absent; none.

Jones stated that if it were a mono-pole, he would go along with the plan. There is a need for cellular service. Jones asked about a Federal Law requiring locating with a Triangulation Regulation. It has to do with the way the engineering is done. Laughbaum remembers the fire towers and they were used as landmarks when walking or riding a motor cycle. Windmills are seen around the country and are not only mono-poles. He feels lattice has a more rural character. Mono-poles seem to fit urban areas better.

Harris stated that an outside source has not been used to provide generation maps. Perhaps information is necessary from an independent professional engineer.

Eby stated that there have been propagation maps provided in the past. It would be preferred for different tower heights, for comparison, to show where service is provided and where it is lacking.

Eby asked the applicant to return with propagation maps for 115' and 200' towers and consider a mono-pole structure.

Eby then made a motion to table the case until next month. Scott supported the motion which passed on the following roll call vote: Yes; Behan, Jones, Scott, Blanchard, Eby, Derrohn, Gargaro. No; Harris. Pass; Laughbaum. Absent; none.

Gargaro briefly left the meeting and returned at the end of the roll call vote for the motion to table the request.

8. CASE #19-01 Thomas Gokee, Special Use Permit, Home Occupation, 6799 Armock Road, Section 10, Littlefield Township

A request by Thomas Gokee for a Special Use Permit for a Home Occupation to conduct a printing offset business on property located at 6799 Armock Road, Section 10, T35N-R4W, Littlefield Township. The property is zoned R-1B One Family Residential and is tax parcel number 24-07-10-400-014. The request is per Section 2102-12 of the Zoning Ordinance.

Coon explained the request for a printing wholesale business in an existing accessory building on property located on Armock Road, Littlefield Township. Little, if any, traffic will be generated. The proposal shows the rear of the 393 sq. ft. building being used for the Home Occupation. The Township recommended approval. No complaints have been received from neighbors.

Ken Gokee was present, representing the applicant. He stated that Thomas Gokee understands the standards of the Zoning Ordinance.

Derrohn made a motion to approve Case #19-01, Special Use Permit for a Home Occupation for an offset printing business on property located at 6799 Armock Road, Section 10, Littlefield Township. There will be no outside employees, no signs, no retail sales, the applicant understands and will comply with the standards of the Ordinance and Littlefield Township recommended approval. Blanchard supported the motion which passed on the following roll call vote: Yes; Harris, Behan, Jones, Scott, Blanchard, Laughbaum, Eby, Derrohn, Gargaro. No; none. Absent; none.
A request by Lakeforest Land Company for a Special Use Permit to construct a 9-hole golf course on property located in the Eagle Beach Development, Section 22, T35N-R4W, Littlefield Township. The property is zoned FF-1 Farm Forest and RR-1 Recreation Residential and is tax parcel number 24-07-17-22-100-017. The request is per Section 601-3 and Section 800-7.

Putters explained the request for another 9-hole golf course on a development being built in phases. The location was shown along with a request/location map and tax parcel map. The plan states that the same pesticide plan as the original 9-hole course will be used. A drainage plan is being done by Boss Engineering. The first 9 holes is being finished currently. Bob Shorter and Wayne Boss were present. The second nine is shown on the plan in pink. The plan follows the original map, which has been developed over a 12 year period, with one exception. Part of the course was moved back from the lake. The hole closest to the lake is approximately 450' from the lake.

Putters read a letter from a concerned neighbor and provided the applicant with a copy.

Derrohn made a motion to approve a Special Use Permit to construct the balance of an 18-hole golf course, being 9-holes, as shown on the plans dated 5/15/01PZ and 5/29/01PZ because it is in accord with the original plan and the Township recommended approval. Behan supported the motion which passed on the following roll call vote: Yes; Harris, Behan, Jones, Scott, Blanchard, Eby, Derrohn, Gargaro. No; none. Absent; none.

VI Other Business

• Public Comments
  • Paul Mooradian stated that he thinks Scott’s idea about engineered plans being required for private roads is a good idea. It insures that engineered drawings will be used to construct private roads. This should be used for splits over five, for site condos, condominiums or plats. Under four splits it is not necessary. Mooradian stated that the cost of an engineered road would be approximately $10,000. It is a great monitoring system. Even if the road width standard were increased to 24', it must still be policed.

• PDR meeting
  Coon reminded the Planning Commissioners that the PDR/TDR workshop is scheduled for June 13, 2001, 6:30pm - 9:00pm. There are now two presenters. The meeting will be held at the NCMC College Library Conference Room.

• Steep Slope Ordinance
  Two memorandums were distributed, one prepared by Bidstrup Engineering and one prepared by the Tip of the Mitt Watershed Council.

  Putters explained that the County Board of Commissioners has approved funding for research on Steep Slopes. Laughbaum made a motion to form a committee of three to work with the hired firm. Gargaro supported the motion. There was discussion on the motion and Gargaro volunteered for the committee. The motion failed on the following roll call vote: Yes; Laughbaum, Gargaro. No; Harris, Behan, Jones, Scott, Blanchard, Eby, Derrohn. Absent; none.

  During the discussion, Laughbaum stated that the Office of Planning and Zoning, Soil Erosion and the committee could come up with a report, within six months. It may eliminate some of the need for a zoning change.

  Dick Oelke stated that he would agree to assign someone from Bidstrup Engineering to study the steep slope issue. Kevin McGraw from Strathmore Development Company stated that there are few remaining lots that can be developed along the areas impacted by steep slopes. There are concerns with the two sites that his company is developing. He would like to be informed when there are concerns. Information from Engineering firms is important. The proposed language is so strong and strict, it will be difficult to enforce. Hiring an engineering firm to assist will be much less intrusive.

  Laughbaum stated that aesthetics and erosion are main concerns. After the previous motion failed, Laughbaum then made a motion to lay the steep slope ordinance on the table for six months to allow individual research. Behan supported the motion which failed on the following roll call vote: Yes; Behan, Scott, Laughbaum. No; Harris, Jones, Blanchard, Eby, Derrohn. Absent; none.

  The issues need to be resolved.

  Staff will prepare standards and then advise the Planning Commission. Gargaro will be informed of meetings between Friendship Township, Planning and Zoning Office staff and others involved with the Steep Standards Ordinance.

• Silver Creek Commons - release bond
  Putters stated that the developer of Silver Creek Commons has requested the $1,000. bond be returned. The subject road has a 12 ft. wide black top surface, and three (3) feet of gravel shoulder on each side. Haverstick does not wish to seal coat the shoulders, and would like to leave the road as it is now improved. The consensus of opinion of the Planning Commission was to seal coat (or blacktop) the road shoulders as originally stipulated.

VI Adjournment
Chairperson Harris declared the meeting adjourned at 11:35 p.m.

James Scott, Secretary Dated