ISABELLA COUNTY
PLANNING COMMISSION

May 14, 2015

A Regular Meeting of the Isabella County Planning Commission was held on May 14, 2015 in Room 225 of the Isabella County Building, 200 North Main Street, Mt. Pleasant, Michigan.

MEMBERS PRESENT: Gordon Gilchrist, Jim Horton, Cheryl Jindeel, Phillip Vogel, Nancy White, Tim O'Neil, Kelly Bean, Ann Silker, Jeremy Murphy

MEMBERS ABSENT: None

SUPPORT STAFF PRESENT: Tim Nieporte, Director
Ray Johnson, Planner/Zoning Administrator
Kim Kennedy, Recording Secretary

The meeting was called to order by Mr. Bean at 7:00 pm.

The Pledge of Allegiance was recited by the Commission.

APPROVAL OF AGENDA

Mr. Bean requested that the agenda be approved as presented.

A motion was made by Mr. Murphy supported by Ms. Jindeel to approve the agenda as presented.

Yes: Gordon Gilchrist, Jim Horton, Cheryl Jindeel, Phillip Vogel, Nancy White, Tim O'Neil, Kelly Bean, Ann Silker, Jeremy Murphy

No: None

Motion carried

PREVIOUS MINUTES

Minutes of the April 2015 regular meeting were circulated to the Commission prior to the meeting for their review.

A motion was made by Ms. Jindeel supported by Mr. Murphy to approve the minutes with as presented.

Yes: Gordon Gilchrist, Jim Horton, Cheryl Jindeel, Phillip Vogel, Nancy White, Tim O'Neil, Kelly Bean, Ann Silker, Jeremy Murphy

No: None

Motion carried

LIAISON REPORTS

Zoning Board of Appeals – Mr. Gilchrist stated that the Zoning Board approved a variance for a two cell towers at their last meeting.

Parks & Recreation – Mr. Murphy informed the board that the new landing at Coldwater Lake Family Park has been completed and that the dock is installed.

Board of Commissioners – Mr. Horton reported that the Board discussed Proposal #1 which was defeated and The County Administrator gave the budget timeline.

TOWNSHIP CONCERNS – None

PUBLIC COMMENT – None

NEW BUSINESS

SPR#15-03 Integral Builders

An application was filed on April 14, 2015 by Jon Miller of Integral Builders which included a site plan layout, a deed and survey and map of the property

The Board reviewed the criteria of Section 11.06, Standards for Site Plan Review.

General Board discussion took place.

A motion was made by Mr. Gilchrist seconded by Mr. Murphy to approve Site Plan Review # 15-03 which was submitted by Jon Miller on behalf of Integral Builders LLC, to establish a Sales Office and Storage Shop in the General Commercial (C-1) district. With the stipulation to provide the Zoning Administrator with a copy of the driveway permit issued by the Isabella County Road Commission, and to work with the appropriate authority to ensure water runoff from the site is shed appropriately and not onto adjoining properties.

Yes: Gordon Gilchrist, Jim Horton, Cheryl Jindeel, Phillip Vogel, Nancy White, Tim O'Neil, Kelly Bean, Ann Silker, Jeremy Murphy

No: None

Motion Carried

SUP#15-02 Verizon Wireless Site – "Vernon Twp. – Coleman Rd."

Mr. Johnson explained that Kathy Hayes on behalf of Verizon Wireless is requesting a special use permit to erect a new wireless communications tower with a maximum height of 195'. The application includes a wireless communications compound of 100' x 100' to contain the tower and ground equipment. The site is approximately 27 acres. It is approximately 333' along the road and 1051' and is AG-2, General Agricultural.

Mr. Johnson informed the Board that an application for multiple variances was filed on March 13, 2015 by Mrs. Hayes on behalf of Verizon Wireless which was heard by the Isabella County Zoning Board of Appeals on April 15, 2015. The result of the hearing included the following approvals:

1. Approval was granted for the applicant to construct said communications tower 303 feet from a residentially owned or zoned property.
2. Approval was granted for the applicant to construct said communications tower 2.5 miles from an existing communications tower.
3. Approval was granted for the applicant to construct said communications tower 250 feet from an existing property line.

Mr. Johnson stated that after review of the criteria in Section 12.05 (H) of the ordinance, with the above approved variances, the application appears to be complete and meet the criteria of the Section 12.05 (H) of the ordinance criteria and comments on design standards.

Public Hearing was opened and closed with no comment.

The Board discussed the applicant's responses to Section 12.03 General Requirements for Special Land Uses.

The Board discussed the applicant's responses to Section 12.05 (H) Communication Towers and Antennas

General Board discussion took place.

A motion was made by Mr. Murphy seconded by Mr. Vogel to recommend approval of Special Use Permit # 15-02 which was submitted by Kathie Hayes on behalf of Verizon Wireless, to allow for a new wireless communications tower in the General Agricultural (AG-2) district. With stipulations:

1. The applicant shall provide evidence is in compliance with all applicable codes.

2. Provide the Zoning Administrator with a copy of the following approvals: FFA, FCC, Tall Structures Act and any applicable state or Federal acts.

3. The Applicant shall provide the Zoning Administrator with a report or letter from the FFA that the proposed tower complies with safety requirements for all public and private airports in or within four (4) miles of Isabella County.

4. The Applicant shall provide a security of $15,000 in the form of cash or surety bond as per the zooming ordinance requirements.

5. In the event the surety bond securing the removal of the telecommunications tower and equipment upon abandonment or discontinuance of service is terminated or canceled, the applicant is required to replace the surety bond with another cash or surety bond that complies with zoning ordinance requirements.

SUP#15-03 Verizon Wireless Site – "Isabella Twp. – Beal City Rd."

Mr. Johnson explained that Kathy Hayes on behalf of Verizon Wireless is requesting a special use permit to erect a new wireless communications tower a maximum height of 195'. The application includes a wireless communications compound of 100' x 100' to contain the tower and ground equipment. The site is approximately 27 acres. It is approximately 390' along the road and 1300' deep and is zoned AG-3, Agricultural Buffer.

Mr. Johnson informed the Board that an application for a variance was filed on March 13, 2015 by Mrs. Hayes on behalf of Verizon Wireless which was heard by the Isabella County Zoning Board of Appeals on April 15, 2015. The result of the hearing included the following approval:

1. Approval was granted for the applicant to construct said communications tower 324 feet from a residentially owned or zoned property.

The Board discussed the applicant's responses to Section 12.03 General Requirements for Special Land Uses.

The Board discussed the applicant's responses to Section 12.05 (H) Communication Towers and Antennas

Public Hearing was opened and closed with no comment.

General Board discussion took place

A motion was made by Mr. Murphy seconded by Mr. Vogel to recommend approval of Special Use Permit # 15-03 which was submitted by Kathie Hayes on behalf of Verizon Wireless, to allow for a new wireless communications tower in the General Agricultural (AG-2) district. With stipulations:

1. The applicant shall provide evidence is in compliance with all applicable codes.

2. Provide the Zoning Administrator with a copy of the following approvals: FFA, FCC, Tall Structures Act and any applicable state or Federal acts.

3. The Applicant shall provide the Zoning Administrator with a report or letter from the FFA that the proposed tower complies with safety requirements for all public and private airports in or

within four (4) miles of Isabella County.

4. The Applicant shall provide a security of $15,000 in the form of cash or surety bond as per the zooming ordinance requirements.

5. In the event the surety bond securing the removal of the telecommunications tower and equipment upon abandonment or discontinuance of service is terminated or canceled, the applicant is required to replace the surety bond with another cash or surety bond that complies with zoning ordinance requirements.

Yes: Gordon Gilchrist, Jim Horton, Cheryl Jindeel, Phillip Vogel, Nancy White, Tim O'Neil, Kelly Bean, Ann Silker, Jeremy Murphy

No: None

Motion Carried

SUP#15-04 Brad Malley – Mineral Extraction Industry (POND)

Mr. Nieporte stated an application was filed on April 17, 2015 by Brad Malley which includes a site plan, a narrative of the proposed earth change, comments on review criteria and comments on design standards.

Mr. Malley is requesting a special use permit to establish a mineral extraction industry. The application includes a detailed narrative of the activity. The site is approximately 60 acres. Earth change is approximately 10 acres. The area is zoned AG-2, General Agricultural.

Mr. Malley informed the Board that they do not have any plans of making using the site as a long term gravel pit or selling it the material. They do not intend to develop it, but they do plan to use it as personal recreational land. They will not have any late hours.

Mr. Nieporte inquired about the hours of operations.

Mr. Malley stated that the hours will be between 7:00 am to 7:00 pm.

Mr. Vogel asked about the spoils pile in a photo provided which shows plastic material intermixed with soil.

Mr. Malley stated they are working on cleaning that up and are looking at different options for recycling or disposing of the plastics.

Public hearing was opened 8:10

Ms. Barb Bunker inquired if the newly created pond would take water from her pond and if it would affect her water well.

Mr. Malley stated that they are down to a clay layer and that the water table is high in this area and will not take water from her pond, and that her water well is in a different zone of groundwater.

Ms. Bunker inquired about the cranes and their habitat.

Mr. Nieporte explained that wetlands and habitat would be handled at the DEQ level.

Mr. Rick Hovey inquired about the need for a Soil Erosion Permit.

Mr. Nieporte stated the DEQ will handle the wetland permits and the Community Development Department will handle the Soil Erosion Permit. Mr. Malley has applied for and been granted a soil erosion permit.

Mr. Hovey inquired who will be monitoring the erosion control

Mr. Nieporte stated that Mr. Tilmann and Mr. Johnson are certified by the DEQ for soil erosion and sedimentation control and will be monitoring the site as per the DEQ requirements.

Mr. Hovey inquired about if any of the spoils piles have been tested for contaminates.

Mr. Malley stated that the State project they are working on and removing the spoils from would not allow for contaminated soils to be transported.

Mr. Hovey asked about stumps being buried.

Mr. Malley stated that it is legal to bury stumps but the plan to burn as much as they can.

Mr. Steve Morgenstern inquired about the hours of operation if it would be year round. His concern was operations during hunting season.

Mr. Malley stated operations would cease around October.

Ms. Jackie Curtiss, Denver County Trustee stated that the Denver County Board is in favor of this proposal. This area has been known for garbage being disposed of on road sides and the township struggles keeping it cleaned up. She believes this will help deter this with the activity taking place.

Public hearing closed at 8:22 pm

The Board discussed the applicant's responses to Section 12.03 General Requirements for Special Land Uses.

The Board discussed the applicant's responses to Section 12.05 (W) Mineral Extraction Industries.

A motion was made by Mr. Horton seconded by Mr. Murphy to recommend approval of Special Use

Permit # 15-04 with the following stipulations:

1. Planning Commission approved hours of operation from 7:00 am to 7:00 pm.

2. All fill Material brought on site will have any and all debris removed and disposed of properly.

3. The applicant will provide copies of any necessary DEQ permits (i.e. Wetland, etc.) for the operation. In the event there are no DEQ permits required, the applicant ill provide a written statement by the DEQ stating the same.

4. All necessary soil erosion and sedimentation controls will be installed, maintained and added as necessary, as required by the Natural Resources and Environmental Protection Act, 1994 PA451.

5. The applicant will provide copies of driveway permits issued by the Isabella County Road Commission.

6. The applicant will work with the Isabella County Road Commission for any County road maintenance and dust control as required by the road commission.

7. The applicant will remediate the property as per the zoning ordinance.

Yes: Gordon Gilchrist, Jim Horton, Cheryl Jindeel, Phillip Vogel, Nancy White, Tim O'Neil, Kelly Bean, Ann Silker, Jeremy Murphy

No: None

Motion Carried

PUBLIC COMMENT - None

STAFF COMMENTS – Mr. Nieporte informed the Board that his office was contacted by the 4-H office to produce the County plat book. We to finalize the contract for this production.

PLANNING COMMISSIONER'S COMMENTS – None

ADJOURNMENT

A motion was made by Mr. Murphy to adjourn the meeting seconded by Ms. Jindeel at 8:30 p.m.

Nancy White, Secretary