

ISABELLA COUNTY  
PLANNING COMMISSION

November 12, 2015

A Regular Meeting of the Isabella County Planning Commission was held on November 12, 2015 in Room 225 of the Isabella County Building, 200 North Main Street, Mt. Pleasant, Michigan.

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

**MEMBERS ABSENT:** None

**SUPPORT STAFF PRESENT:** 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. Johnson requested an amendment to the agenda to add a Coe Township Farmland Agreement between item #13 and #14.

Mr. Bean requested that the amended agenda be approved.

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

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

No: None

Motion carried

**PREVIOUS MINUTES**

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

A motion was made by Mr. Gilchrist supported by Mr. Horton to approve the minutes as presented.

Yes: Gordon Gilchrist, Jim Horton, 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 reported that the Board had one variance at the last meeting for a parcel that was approved.

Parks & Recreation – Mr. Murphy reported that there was a no meeting last month. But the prior meeting covered year end projects.

Board of Commissioners – Mr. Horton informed that the Board of Commissioners are in the process of doing a footprint study of the County Buildings. Department budgets have be completed.

**TOWNSHIP CONCERNS** – None

**PUBLIC COMMENT** – None

## **NEW BUSINESS**

### **SUP#15-05 Verizon Wireless**

Mr Johnson informed the Board an application was filed on October 12, 2015 by Kathie Hayes on behalf of Verizon wireless to erect a 195 monopole communications tower located at 5021 W Stevenson Lake Rd. The application included a site plan, a letter from Robert E. Beacom (design engineer), current and proposed coverage maps, a report on the property regarding wetlands and threatened species prepared by Aamazon Natural Resources Consulting, and comments on review criteria and design standards.

After review of the criteria in Section 12.05 (H) of the ordinance, the application appears to be complete and meet all except two (2) items of the criteria of Section 12.05 (H) of the ordinance. The applicant has applied a variance to meet the two exceptions.

Mr. Johnson did note that utilizing the data within the County's GIS, analysis showed that approximately 36% of homes in Gilmore Township will be affected by the installation of this tower in regards to cellular coverage.

Mrs. Hayes on behalf of Verizon explained the site location and the reasons for applying for the Special

Land Use permit.

Mr. Robert LaBelle attorney for Verizon stated that Verizon has a 100% safety record for this type of tower and that even through Hurricane Katrina no towers toppled or sheered. Mr. Labelle provided information that 97% of calls to 911 are made from cellular telephones and that currently 47% of American have no land line and that number is steadily increasing. Mr. Labelle spoke on the Department of Homeland Security's desire to have calls coming from cell phones for 911. Mr. Labelle stated that the site and location was chosen to balance not being too far or too close to an existing tower to create permanent gaps in coverage or interference between towers. Mr. Labelle stated to the Planning Commission that in order for them to deny the request it must be because of substantiated evidence and not just because someone doesn't want it in their backyard.

Public Hearing was opened at 7:30 p.m.

Camelle Kutis of 9440 N Woodruff Rd. questioned the proposed site location and how Verizon made a decision that was the best location.

Gordon Bloem representing Gayle and Robert Losinger adjacent property owners stated the proposed location does not meet the fall distance nor the required distance to a residentially used parcel line therefore the general standards of the guidelines ordinance are not being met and that it will be detrimental to their property. They are asking the Board to not approve this permit.

Anita Pohl representing the Gilmore Township Board stated that there has been nothing but support from residents and that the Township Board is in support of this tower.

Collene Vogel 6167 N. Fordyce, stated that for safety reason this tower is greatly needed, there have been several accidents in the area, and that there is no coverage for many of the residents and most do not have landlines.

Gayle Losinger 5445 W. Stevenson Lake Rd, adjacent to the proposed location stated that her property is a recreational and that she feels this tower is too close to their property line.

Robert Losinger owns property west of Gayle Losinger and informed the board that he was in favor of the tower but believes it will decrease the value of his property and thinks Verizon can move the tower further from his property line.

Mr. Robert LaBelle clarified that this property is the only one that will fit into the ordinance and provide the coverage for the Littlefield Lake area. Mr. Labelle showed on the site plan that they will be crossing wetlands and not building on wetlands. The service road will be constricted and will go through a small portion of wetlands.

Public Hearing was closed at 7:55

Mr. Horton expressed concerns about public safety in the area and that there are many individuals who do not have land lines. It was Mr. Horton's view that an increase in cellular coverage may in fact

increase property values in the area.

The Board discussed the applicant's responses to Section 12.03 General Requirements for Special Land Uses and found the tower is consistent with the County's goals in the Master Plan, that there is no increase in density and the development is not detrimental to adjacent properties, there is no increase in hazardous activities affecting neighboring properties, and the use is not conducted beyond the allowable hours within the ordinance.

The Board discussed the applicant's responses to Section 12.05 (H) Communication Towers and Antennas and found that the application was consistent with the requirements of the ordinance.

A motion was made by Mr. Murphy seconded by Mr. Gilchrist to recommend approval of Special Use Permit # 15-05 which was submitted by Kathie Hayes on behalf of Verizon Wireless, to allow for a new wireless communications tower in the General Agricultural (AG-3) district. With the following 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 zoning ordinance requirements. 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.
5. The Applicant will apply for and be issued a soil erosion and sedimentation control permit.
6. The applicant will receive a variance for the reduction in the required setback distance from a residentially used or zoned parcel and for the reduction in the required fall distance.

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

No: None

Motion Carried

**SPR#15-07 R.E. Investments LLC (Luthy Metals)**

Mr. Johnson informed the board that an application was filed on October 16, 2015 by R.E. Investments (i.e. Luthy Metals) applicant is requesting by Site Plan Review to construct an 80 x 80 ft addition to be used as storage incidental to Luthy Metal Sales. Included in the application is a topographical and demolition plan, proposed site plan, building elevation plan, and a general floor plan showing the current use of the buildings. This site was originally permitted as a primarily commercial use with some manufacturing. Staff would like to note that the new property will be a split zoned parcel C-1 (General Commercial) and I-1 (Light Industrial). The new construction will be primarily located in the Light Industrial district. The applicant has indicated no new manufacturing areas will be established and the primary use of the entire property is commercial in nature.

The applicant will be creating a new parcel which will have a width less than that required in the Light Industrial district and the new construction will be less than the required distance from a residential district as per Article 8 of the ordinance. The applicant has applied for a variance to meet this requirement.

Mr. Johnson stated that staff would also recommend that the commission impose a condition that the applicant apply for and receive a Soil Erosion and Sedimentation Control permit and obtain a variance for the width and distance of the new construction to the R-2 district to the south.

General Board discussion took place

Mr. Bean reviewed with the Board Section 11.06 and found that this application was consistent with the ordinance.

A motion was made by Mr. Gilchrist supported by Mr. Vogel approve Site Plan Review Permit Number 15-07 (SPR#15-07) which was submitted by R.E. Investments, to construct an 80 x 80 ft storage addition in the General Commercial (C-1) and Light Industrial (I-1) district. With stipulations:

1. The applicant will receive a variance for the reduction in required parcel width and distance to the R-2 district to the south.
2. The applicant will apply for and receive a soil erosion and sedimentation control permit.

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

No: None

Motion carried

### **Review Coe Township Text Amendment**

The Coe Township Planning Commission recommended approval to their Township Board on September 2, 2015 the attached Text Amendment to the Coe Township Zoning Ordinance. Attached is a copy of the amendment for "Refuse Containers" along with draft minutes and a letter seeking your review per MCL 125.3307.

Board review took place.

Mr. Johnson stated that staff will forward to Coe Township a letter stating that the Commission has reviewed the request and has no concerns.

**Review Sherman Township Text Amendment:**

On September 9, 2015 the Sherman Township Planning Commission held a public hearing and recommended the attached Text amendment for “Signs for Filling Stations” to the Township Board. Attached are the draft minutes and a letter seeking your review per MCL 125.3307.

Board review took place.

Mr. Johnson stated that staff will forward to Sherman Township a letter stating that the Commission has reviewed the request and has no concerns.

**Review Union Township Map and Text Amendments:**

- a. The Union Township Planning Commission recommended approval to their Township Board on September 15, 2015 the attached Map Amendment which would rezone a property at 931 S. Isabella Rd from Industrial (I-1) to Residential (R-1). Attached is a copy of the amendment along with draft minutes seeking your review per MCL 125.3307.
- b. The Union Township Planning Commission recommended denial to their Township Board on September 20, 2015 of the attached Text amendment which would remove the 100 ft setback from Section 22.2 H of the Union Township Zoning Ordinance. Attached is a copy of the amendment along with draft minutes seeking your review per MCL 125.3307

Board review took place.

Mr. Johnson stated that staff will forward to Union Township a letter stating that the Commission has reviewed the request and has no concerns.

**Farmland Agreement – Mitchell Rolland Township**

Kevin Mitchell has made an application to the Farmland and Open Space Preservation Program (PA116). The application is for a 40 acre parcel in Section 14 of Rolland Township which is planned and zoned for Agriculture. The application is for 10 years and appears to be complete.

The Board had no concerns.

**Farmland Agreement – Turnwald Coe Township**

Kevin Turnwald has made an application to the Farmland and Open Space Preservation Program (PA116). The application is for a 58 acre parcel in Section 18 of Coe Township which is planned and zoned for Agriculture. The application is for 10 years and appears to be complete.

The Board had no concerns.

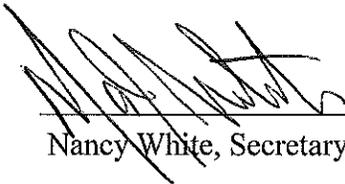
**PUBLIC COMMENT** – None

**STAFF COMMENTS** – Mr. Johnson asked the planning commission members to please bring their ordinance next meeting as staff will have some updated pages to hand. Mr. Johnson also noted that staff will review with the Planning Commission the proposed changes to the 4:1 ratio and non-farm dwellings at a future meeting.

**PLANNING COMMISSIONER'S COMMENTS** - None

**ADJOURNMENT**

A motion was made by Mr. Murphy to adjourn the meeting seconded by Mr. Vogel at 8:40 p.m.



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Nancy White, Secretary