

Milton Township  
Planning Commission  
Unapproved Meeting Minutes  
July 11, 2017

Members present: Chairman Hefferan, Kingon, Cole, Lefebvre, Kopkau, and Merillat  
Members absent: Murphy

Also present: Weinzapfel and 6 audience members.

Hefferan called the meeting to order at 7:00pm.

Approval of minutes dated June 12, 2017:  
Correction, remove duplicate of Kingon under Members Present.  
Minutes **approved by unanimous consent** with the correction.

ZA Report:

Weinzapfel said a workshop is in Cadillac on August 16<sup>th</sup>. Weinzapfel discussed the fireworks complaints with the township board last night and they do not want the planning commission to review it. All complaints should be directed to the county police department.

Agenda:

1. Public Hearing for Adult Foster Care Home.
2. Public Hearing for Cellular Tower.
3. Torch River Marina Rebuild Subcommittee Report.
4. Shoreline Protection Subcommittee Report.
5. Outside Sales and Displays discussion.
6. Set agenda for August 15, 2017 meeting.

**Motion** by Kingon to approve the agenda. Seconded by Lefebvre. **Motion carried.**

1. Public Hearing for Adult Foster Care Home:

Hefferan opened the public hearing and discussed the application to convert the Torch River Motel to an AFC Home. This is in relation to Public Hearing 2017-03-SU. Address: 5103 SW Torch Lake Dr., Rapid City, MI 49676. Parcel # 05-12-006-046-00. The current zoning is Village. Property owners are Chris and Laurie Copeland/South Torch Resort, LLC. Applicants are Ashley and Mike Dull.

Ashley Dull gave a brief presentation regarding the licensing which would begin prior to starting construction.

There were no members with a conflict of interest.

The meeting was advertised in the June 22<sup>nd</sup> Elk Rapids News.

Kingon discussed subcommittee meetings and discussions with Ashley and Mike Dull. The subcommittee was satisfied that the conditions of the special use were adequately met.

Informational Questions from the Audience: None.

Merillat asked regarding the parking. How many and what are we basing this on? It should be 1/1 for staff and ½ for residents. This is noted in 117.1805 of the ordinance. There are 14 units and 14 parking spaces, plus one for each employee. There are four for employees. Only 11 are required as per our ordinance. There are no provisions specifically for AFC. We are citing Nursing Home Facility.

Merillat asked regarding specifics on lighting. Dull pointed to the site plan showing one light at the entrance and one at the exit. All will comply with the ordinance.

Correspondence Received:

One letter received in support of the Special Use Permit from John Peal dated June 15, 2017.

Those speaking in support:

No one wished to speak.

Letters received in opposition:

None received.

Those speaking against:

No one wished to speak.

Public Hearing is closed for deliberations.

Cole said this is a plus for the area. It will be a quieter use for the facility than it was as a motel. It will be less transient and it is much needed for our township.

**Motion** by Lefebvre to approve 2017-03-SU. Seconded by Cole.

Roll Call:

Cole: Yea, it meets all the requirements of the ordinance and will be a useful facility.

Merillat: Yea, it meets the ordinance and the Master Plan 8-6.

Kingon: Yea, it brings something to the community we do not have now. It is supported through the Master Plan

Lefebvre: Yea. It meets the criteria for the Special Use and is supported on page 8-2 of the Master Plan.

Kopkau: Yea. It meets the requirements of the Master Plan and the ordinance.

Hefferan: Yea. It meets the Master Plan, specifically on page 8-6, #1 under Residential Development and it complies with the ordinance.

**Motion carried.** (6-0)

2. Public Hearing for a Cellular Tower:

Tower is off Ringler Road: 2017-04-SU. The applicant is Austin Babich Pyramid Network. The tower owner is ERS Telecom Properties. The Parcel # is 05-12-325-013-00.

There are no conflicts of interest.

The meeting was advertised in the June 22<sup>nd</sup> Elk Rapids News.

Weinzapfel gave a brief presentation. The lease agreement could not be drafted in time for the Public Hearing. Public comment will be taken and the public hearing may be tabled by the

Planning Commission.

This will be a cell tower located on 12426 Ringler Road. Co-location will be allowed. The current zoning is AG. There is a need for a cell tower in that location shown on coverage maps provided. At the next meeting, if the lease agreement has been created and the attorneys have approved, it will go through one more round of public comment and then the Planning Commission will deliberate.

Hefferan discussed the subcommittee meetings and summarized. The two towers we currently have in the Township are at capacity and has necessitated a third tower located southern part of the township. We reviewed chapter 17 and chapter 21 in the ordinance and this request meets the requirements.

Letters in support:  
None received.

Those wishing to speak in support:  
Nells Velliquete, 12426 Ringler Road said he lives at the address and Verizon cell service is intermittent at best and would love to have better cell service there.

Letters received in opposition:  
A letter received in opposition from Linda Winkler-Prins who owns property on Hickin Road.  
A letter received in opposition from John Vanbrook.  
A letter received in opposition from Eric James and Mona Hoopfer.  
A letter received in opposition from Laura Harms.

Those wishing to speak in opposition:  
Eric James of 645 Kingsmill Ct., Oldsmar, FL 34677. He said he is not against technology. Why does the tower have to be right there? The property owner has property all through that area along with electricity and enough access areas. Our property is pristine and has been left in its natural state. There is a long-term commitment to maintaining his property in its present state. That does not include having a cell tower next to it.

Barry Cole, attorney for Eric James said he understands the need for a cell tower. The question is why does it need to be in this exact location. It could not be closer to my client's property. It's 197 feet tall. The ordinance requires setbacks. It exactly satisfies the requirements. If you look at the map, there is room all over for it. Convenience for the developer should not be considered. Topographical information is currently missing from this application. This is required by the ordinance. Perhaps there is no topographical information that justifies this location. The ordinance chapter 16 gives consideration to nearby property owners. Also, is the consistent with the character? No. It doesn't fit anywhere. However, this does disturb future uses. He would ask that the commission consider the topography does it make sense to put the tower right there?

Response:  
Dean Velliquette, president of Cherries R Us said when they were approached by the developers with area where the tower could be located. Its present location is as far away from any current home as it can be. There is one house within 3/8ths of a mile. We tried to isolate it as much as we could. Improving the service of the area is our goal, not the money. Pyramid said there was a need for a tower and they came to us.

Weinzapfel said ERS is working on revising the lease agreement and request that the decision be tabled and be placed on the August agenda. Hefferan expressed his disappointment that the applicant was here last month and he is not here tonight to follow through with what he said he would do.

In reference to 117.1623D(1) suggests the need for topographical information.

Public Hearing is closed for deliberations.

**Motion** by Cole to table the Public Hearing for 2017-04SU until the August 15, 2017 meeting due to the application not being complete and the lease agreement needing to be finalized and reviewed by the township attorney. Seconded by Kingon. **Motion carried.**

3. Torch River Marina Rebuild Subcommittee Report:

Cole said this matter has been settled. Looking at the application, we recommend that Mr. Peal go to soil erosion and then come back with final plans. The subcommittee has had two on-site meetings. The final product is much improved. He will not need a special use permit because a marina is an allowed use in the village zone.

4. Shoreline Protection Subcommittee Report.

Kingon said that Murphy made a strong point that some expertise was needed and Kingon looked at other language in other townships. We worked on it and were very happy with some changes we made in the draft dated July 10, 2017. However, upon further inspection, the certification is more toward erosion control on the water side rather than the land side. Unfortunately, the proposed language will not work. We are talking about another approach to beef up the sketch plan review standards. A meeting is scheduled July 26th. We also talked about some procedure whereby Weinzapfel would review applications with a standing subcommittee.

5. Outside Sales and Displays Discussion.

This subcommittee has not yet met.

6. Set agenda for August 15, 2017:

1. Public Hearing Cell Tower.
2. Shoreline Protection Subcommittee Report.
3. Set meeting for Outside Sales and Display.
4. Set agenda for September meeting.

Meeting adjourned by order of the chair at 8:09pm.

Respectfully submitted,

Joseph Merillat