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P.O. Box 157  
10405 Merrill Road  
Hamburg, Michigan 48139

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Planning Commission  
Hamburg Township  
10405 Merrill Rd., P.O. Box 157  
Hamburg Township, Michigan 48139  
February 21, 2018  
7:00p.m.

**1. CALL TO ORDER:**

Present: Cyphert, Goetz, Leabu, Muir and Priebe  
Absent: Menzies & Vlcko  
Also Present: Scott Pacheco, Planning/Zoning Consultant

**2. PLEDGE TO THE FLAG:**

**3. APPROVAL OF THE AGENDA:**

Motion by Muir, supported by Priebe

To approve the agenda as presented

Voice vote: Ayes: 5                      Nays: 0                      Absent: 2                      MOTION CARRIED

**4. APPROVAL OF MINUTES:**

a. January 17, 2018 Planning Commission Minutes

Motion by Priebe, supported by Cyphert

To approve the January 17, 2018 minutes as presented

Voice vote: Ayes: 5                      Nays: 0                      Absent: 2                      MOTION CARRIED

**5. CALL TO THE PUBLIC:**

Chairman Goetz opened the call to the public. Hearing no public comment, the call was closed.

**6. OLD BUSINESS: None**

**7. NEW BUSINESS:**

a. Public Hearing for the Zoning Text Amendment (ZTA) 18-001: Zoning Text Amendment to Article 9, Section 9.2.4, "Standards for Agricultural, Scenic or Recreational Ponds" to remove Planning Commission approval for the creation of ponds.

Planning/Zoning Consultant Pacheco stated that this was introduced to the Commission at the last meeting. This is to remove the requirement for Planning Commission review for the creation of ponds. Section 9.2.4 has been changed to wherever it said Planning Commission review, it will say Zoning and Planning Administrator review.

Chairman Goetz opened the public hearing. Hearing no public comment, he closed the public hearing.

Discussion was held on the need for soil erosion permits. Pacheco stated that the Drain Commission would conduct inspections. The Zoning Administrator would issue a Land Use Permit and a final inspection would be required to make sure the pond was built as approved.

Pacheco stated that this would be a recommendation to the Township Board and then it would go to Livingston County for their approval.

Motion by Priebe, supported by Cyphert

To recommend to the Township Board approval of the revisions to Article 9, Section 9.2.4, "Standards for Agricultural, Scenic or Recreational Ponds" to remove Planning Commission approval for the creation of ponds. (ZTA 18-001)

Voice vote: Ayes: 5                      Nays: 0                      Absent: 2                      MOTION CARRIED

**8. ZONING ADMINISTRATOR'S REPORT:**

Pacheco stated that next Wednesday is the joint meeting with the Township Board, Planning Commission, Zoning Board of Appeals, and Parks & Recreation Commission. Livingston County will also be present to make a presentation on the Livingston County Master Plan which is almost complete. There will also be an attorney present from Johnson, Rosati to give a presentation on Medical Marijuana. He briefly outlined those items that will be discussed regarding Medical Marijuana. At that meeting we will also be discussing the year in review and what was accomplished in 2017 as well as a Code Enforcement presentation. We will be discussing some of those items we will be looking at in 2018 for Zoning Text amendments plus General Ordinance amendments. We will then conclude with a Master Plan update. This will require action by the Planning Commission to approve a Notice of Intent to Plan. He further stated that the requirement has changed that we can include in the notice to all of the agencies that all future correspondence will be by email and you can put in that email where you can find a link to the plan on our website.

Commissioner Priebe stated that the Commission had amended our ordinance to allow a dock on a piece of property when there is no house. She asked if there is anything that we need to do to tighten that up to eliminate public access by a community and asked how that would act with the keyhole ordinance. Pacheco stated that the Gallagher property is doing it in violation of our ordinance. Our ordinance requires them to have improved roadway access to the site and on-site parking, which none of the lots have. They could not have had docks under our previous ordinance either because it treated docks as an accessory structure. They would need a primary use on the property. We loosened the regulations to eliminate the primary use, but they have to have roadway access and parking. He stated that he does not know how we could tighten that up, but we could talk about it. We do have a pretty strict keyhole ordinance as well. We had some code enforcement along Edgelake this year where several property owners purchased a lot together and put in a dock. He further stated that he is confident that we have regulations in place. We may want to have an attorney review it based on current court cases.

**9. ADJOURNMENT:**

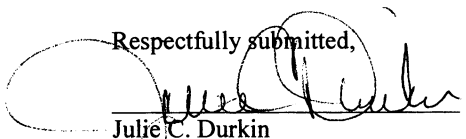
Motion by Priebe, supported by Muir

To adjourn the meeting

Voice vote: Ayes: 5                      Nays: 0                      Absent: 2                      MOTION CARRIED

The Regular Meeting of the Planning Commission was adjourned at 7:17 p.m.

Respectfully submitted,

  
Julie C. Durkin  
Recording Secretary

The minutes were approved

As presented/Corrected: \_\_\_\_\_

  
Fred Goetz, Chairperson

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**To:** Planning Commission  
**From:** Amy Steffens, AICP  
**Date:** May 10, 2018  
**Re:** Request for twelve-month extension of final site plan review approval SPA17-002 for wireless communications facility at 6400 M-36 (TID 15-23-300-028)

**Project History:**

On April 13, 2017, applicant TeleSite Wireless for Verizon Wireless and TowerCo submitted plans for a new wireless communications facility within a 91-foot by 64-foot lease area, at the Hamburg Township wastewater treatment plant. The project includes a 197-foot tall galvanized grey monopole, a 1,000-gallon propane tank; and two eight-foot tall equipment cabinets and generator on a 11.5-foot by 19.5-foot concrete pad. The 62-foot by 49-foot equipment area would be enclosed by a fence.

At the May 17, 2017 public hearing of the Planning Commission the preliminary and final site plans (SP17-002) were reviewed for compliance with the site plan review standards of the zoning ordinance. The Commission made a recommendation to the Township Board to approve the preliminary and final site plan with the following eight conditions:

1. A removal bond shall be submitted and accepted by Hamburg Township.
2. Development shall conform to the site plans file-dated April 13, 2017.
3. An engineered drainage plan, to include a bioswale or best management practice, shall be submitted with the land use permit application.
4. A soil erosion and sedimentation control permit will need to be obtained from the Livingston County Drain Commissioner prior to the start of construction.
5. A maintenance plan, as deemed necessary by Hamburg Township, shall be submitted and accepted by the township.
6. The wireless communications facility shall comply with all local, state, and federal regulations.
7. No barbed wire is permitted as part of this project.
8. Privacy slats will be added to the fence.

At the June 6, 2017 township board meeting, the preliminary and site plans were approved with the same conditions as what the Commission recommended, with the exception that the maintenance plan, as deemed necessary by Hamburg Township, shall be submitted and accepted by Hamburg Township over and above any maintenance agreement in the lease agreement.