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**Planning Commission
Hamburg Township
10405 Merrill Rd., P.O. Box 157
Hamburg Township, Michigan 48139
May 16, 2018
7:00p.m.**

1. CALL TO ORDER:

Present: Goetz, Hamlin, Leabu, Menzies, Muir and Priebe

Absent: Cyphert

Also Present: Amy Steffens, Planning/Zoning Administrator & Scott Pacheco, Planning/Zoning Consultant

2. PLEDGE TO THE FLAG:

3. APPROVAL OF THE AGENDA:

Amy Steffens, Planning/Zoning Administrator requested that we move New Business Item 7b before Item 7a. The applicants for Item b are present. The applicants for Item 7a were going to be present, but have not yet arrived.

Motion by Menzies, supported by Priebe

To approve the agenda as amended moving 7b before 7a

Voice vote: Ayes: 6 Nays: 0 Absent: 1 MOTION CARRIED

4. APPROVAL OF MINUTES:

a. February 21, 2018 Planning Commission Minutes

Motion by Muir, supported by Priebe

To approve the February, 2018 minutes as presented

Voice vote: Ayes: 6 Nays: 0 Absent: 1 MOTION CARRIED

5. CALL TO THE PUBLIC:

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

Chairman Goetz welcomed the Commission's newest member John Hamlin.

6. OLD BUSINESS: None

7. NEW BUSINESS:

- b. Amendment to site plan approval SPA 16-004 at 9495 Chilson Road to allow for changes to the approved freestanding sign and allow a sign waiver from the requirements in Article 18, Section 18.11

Scott Pacheco, Planning/Zoning Consultant, stated that this is the Mazur Automotive site. The changes that are being proposed are:

- reduce the overall size of the sign and the base from 11'1" wide by 4'11" tall to 8'2" wide by 5'11" tall
- change the materials from a graphic printed on a sign board attached to a stone veneer masonry Structure to an 8 square foot push through acrylic sign at the top with a 24 square foot electronic messaging sign on a 2 foot tall masonry base;
- change the proposed lighting from a ground mounted directional lights to halo lite with transparent letters at the top of the sign and an electronic messaging sign below that

He has provided drawings of both what was approved originally and the changes being proposed. The original sign was approved in June 2016 with the site plan approval. The sign is 4.5 feet from the right-of-way of M-36 where 10 feet is required so a sign waiver was requested and granted at that time. Along with these two signs, there are two signs on the building that are not being changed, with the exception of the logo, which can be approved by the Zoning Administrator at the time of the Land Use Permit. This is before the Commission because it is a significant change to the size and materials. There is a heavily traveled commercial area with other signs. The sign is not dramatically different than those signs. He has provided plans on what the sign would look like. The only question he had was if the sign lettering was opaque lit or transparent. The sign does meet all of the standards of Section 18.11 which are the sign waivers and 9.11.5 which are the sign lighting standards under our site plan review as well as Section 4.5.7 (L) 7 which is the sign regulation standard for site plan review. The only suggestion that he would have is if the top portion lettering is not opaque, they should be to make it less intrusive.

Mr. John Nagel of Image 360 explained their request.

Commissioner Leabu stated that the developer has done a commendable job. The building is a pleasure to look at. He stated that in writing the sign ordinance, their intent was that the lettering would come through not the bright white top. He believes that the lighting should come through the letters. He discussed other design issues and stated that he would have to go along with the ordinance referring to the electronic part. Pacheco reviewed the ordinance which states that signs with internal illumination shall have the lettering and graphic in lighter colors than the background to the maximum extent practical. Discussion was held on the regulations regarding the electronic portion including timer controls, frequency, etc. Pacheco stated that animation is not allowed under our ordinance. Mr. Nagel described the sign and stated that it is a halo lit sign which means the lighting is on the back of the lettering. He explained the software for the digital portion including the light sensor which regulates the power output.

Discussion was held on the location of the sign. Pacheco stated that it is 160 feet from the corner of the site in the original location as approved on the site plan, approximately in the middle of the building.

Discussion was held on examples of what could be on the electronic portion advertising specials, etc.

Discussion was held of whether this would require approval of the Township Board. Steffens reviewed the site plan review procedure for changes. Pacheco stated that the Planning Commission can approve the changes without needing to go before the Township Board. He stated that their sign letters as proposed are actually translucent so light does shine through them. The Commission could approve it without conditions if you want the lettering to be illuminated, which is what he is hearing as the desire of the Commission.

Motion by Priebe, supported by Leabu

To approve the proposed amendment to the Site Plan approvals (SPA16-004) at 9495 Chilson road to allow the changes to the freestanding sign; because the project complies with all the zoning regulations and meets

the site plan review standers in Article 4, Section 4.4.3 and the proposed signs meets the sign waiver requirements in Article 18, Section 18.11 in the Township zoning ordinance as stated at the meeting tonight and in the staff report.

Voice vote: Ayes: 6 Nays: 0 Absent: 1 MOTION CARRIED

- a. Request for twelve-month extension of final site plan review approval SPA 17-002 for wireless communications facility at 6400 M-36 (TID 15-23-300-028)

Planning & Zoning Administrator Steffens stated that in April 2017, the applicant submitted plans for the proposed wireless communication facility which includes a 197 foot tall monopole and a 1,000 gallon propane tank all within a leased area of the Hamburg Township Wastewater Treatment Plant facility. The plan was approved by the Planning Commission in May 2017 and it went on to the Township Board and approved June 6, 2017. The Ordinance says that unless a Land Use Permit and Building Permit are pulled and construction begun, a site plan approval expires after one year from the date the Township Board approval. We are quickly approaching that one year mark. The Ordinance does allow a one year extension by the Township Board with a favorable recommendation by the Planning Commission upon evidence by the application that construction is eminent. That is what is in front of the Commission tonight. TowerCo has indicated that they believe construction will start late 2018 or early 2019 so we do believe construction is eminent. If the site plan extension expires, they would have to go back through the whole site plan review process again. Staff recommends that the Planning Commission recommends the twelve month extension to the Township Board. Nothing has changed in the ordinance or the plan since the approval. We have received some of the documents that we needed including the maintenance plan, an acceptable approval bond and we have had engineering review.

Jason Woodward representing TowerCo stated that you will see construction. He reviewed what has taken place since the approval including applying for all of the Federal Regulatory reviews. While they were in that process, they were delayed by the Tribal notifications. There are multiple Indian tribes that have to respond to their request which is a federal requirement when you build a tower. They then missed the window to bring the site in with Verizon for this year. They could not commit their funding allocation dollars because of all of the delays. They went back to Verizon and said that we need to have this built either by the end of this year or beginning of next year, and they have agreed. His approach to Verizon was actually a six month extension, however a year extension would be great. It may sit without their antenna on it for the first part of January until they get their funding allocation.

The question was asked if there is going to be any co-locators coming in. Mr. Woodward stated not right now. One of the things that is promising is that this is the busiest time they have seen in the last 8-9 years in the wireless industry. They are promoting this to T-Mobile and AT&T. Another promising thing is the State of Michigan has opted into Firstnet, which is the new two-way interoperability system that is controlled through the Federal Government's Spectrum program. He further explained the problems they have had with two-way networks since 9-1-1 and other national disasters with congestion and other problems during national emergency situations. The Federal Government after, Hurricane Katrina in 2011, allocated funds for a spectrum band to provide to entities throughout the country a first responder network that would be owned and controlled by the Federal Government. They did not have enough funds allocated so they went out for RFP and AT&T won the bid. He further discussed the use of the Firstnet system for first responders during an emergency and how it prioritizes calls. He discussed the advantage to the community. He stated there is a big need here which will draw AT&T into a lot of these sites. We also have the T-Mobile and Sprint merger. He does have assurances from Verizon, and the tower is going to be built. However, they do need a little leeway.

Commissioner Hamlin stated that in reading the ordinance, it does indicate that when you have a request for an extension, we should have a schedule of commencement. He asked if there is a more specific date when construction would begin. Mr. Woodward stated that he does not have an exact date, but he did tell Verizon that they had to dig dirt by December 1st. He further stated that there is a sister site that was supposed to link to this one that was put on hold until this one is complete. Commissioner Leabu asked if it would help them if we put a date in the extension or would it be better with a simple one-year extension. Mr. Woodward stated that he feels that the Commission should put in a date of February 1, 2019 to hold firm. He wants to make sure and put the pressure on Verizon. If we say a year, it could open the door for further delay. It may be good to leave the door open for a further extension in the case of emergency. One thing that is good is that their regulatory items are done, he just needs Verizon to sign the lease. They hold the lease until everything is ready to go. You never want to put the tower in until there is a written agreement. It was stated that our ordinance does address abandoned towers.

Discussion was held on the history of the project including the original site being at the gun club.

Motion by Menzies, supported by Priebe

The Planning Commission recommends approval of an extension to the final site plan review approval SPA17-002 until February 1, 2019 because the applicant has demonstrated that commencement of the project is imminent per Section 4.5.8. Approval is subject to the following conditions:

1. Development shall conform to the site plans file-dated April 13, 2017 and amended on July 7, 2017.
2. A soil erosion and sedimentation control permit will need to be obtained from the Livingston County Drain Commissioner prior to the start of construction.
3. The wireless communications facility shall comply with all local, state, and federal regulations.
4. No barbed wire is permitted as part of this project.
5. Privacy slats will be added to the fence.

Voice vote: Ayes: 6 Nays: 0 Absent: 1 MOTION CARRIED

8. ZONING ADMINISTRATOR'S REPORT:

a. 2020 Master Plan Update progress report

Steffens listed the members of the Steering Committee including Planning Commissioners Joyce Priebe and Victor Leabu. She stated that they held a meeting last Friday where they introduced the survey questions and are now awaiting feedback. They would like to take the survey live the first week of June. All this is out on our Master Plan 2020 Update website if the Commissioners would like to take a look at the surveys that have been done by the Parks and Recreation as well as the sample survey they have done and provide any feedback. In the summer they are going to begin heavy public participation events. They are trying to come up with ideas of hitting people where they are including going to homeowner's associations, Family Funfest, Library events, Senior Center events etc. Anything you think would be worthwhile for us to look at to meet people and get them interested in the Master Plan update, please let staff know.

Commissioner Leabu stated that he understands that people will be able to take the survey online, but questioned if there will there be hard copies for people to fill out as well. Steffens stated that we will have stacks available at Township Hall, Library, Senior Center, etc. and we will be handing them out at the Funfest and other events. They are hoping to get roughly 600 responses, which is about what they got back from the Parks survey.

9. ADJOURNMENT:

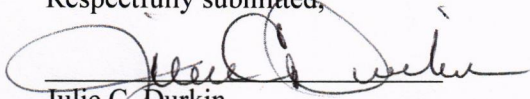
Motion by Menzies, supported by Priebe

To adjourn the meeting

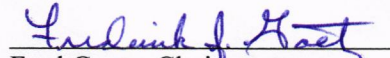
Voice vote: Ayes: 6 Nays: 0 Absent: 1 MOTION CARRIED

The Regular Meeting of the Planning Commission was adjourned at 7:53 p.m.

Respectfully submitted,


Julie C. Durkin
Recording Secretary

The minutes were approved
As presented/Corrected: 9-19-18


Fred Goetz, Chairperson