

NORTHFIELD TOWNSHIP PLANNING COMMISSION Minutes of Regular Meeting November 5, 2014

1. CALL TO ORDER

The meeting was called to order by Chair Marlene Chockley at 7:04 P.M. at 8350 Main Street.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL AND DETERMINATION OF QUORUM

Roll call:

Janet Chick	Present
Marlene Chockley	Present
Brad Cousino	Present
Kenneth Dignan	Absent with notice
Sam Iaquinto	Absent with notice
Larry Roman	Present
Mark Stanalajczko	Present

Also present:

Planning Consultant Douglas Lewan,
Carlisle/Wortman Associates
Recording Secretary Lisa Lemble
Members of the Community

4. APPROVAL OF AGENDA

Chockley moved item 10A to precede Old Business. Roman asked that the Second Call to the Public be moved to precede Comments from Commissioners.

- ▶ **Motion:** Roman moved, Chick supported, that the agenda be amended with item 10A to moved precede Old Business and the Second Call to the Public moved to precede Comments from Commissioners.
Motion carried 4—0 5—0 on a voice vote.
- ▶ **Motion:** Chick moved, Stanalajczko supported, that the agenda be adopted as amended.
Motion carried 4—0 5—0 on a voice vote.

5. FIRST CALL TO THE PUBLIC

Nowatzke Site Plan. Dale Brewer, 11548 East Shore Drive, said this plan should not have been accepted by the Township because there is no approved traffic study for it. Lewan said he has reviewed this proposal for a service station and convenience store, which has received approval for a Conditional Use Permit, and it included a traffic study. He said the Township engineer has concerns about that study and has asked for more information, and it is likely that a revised plan will have to be submitted before the staff find it ready for consideration by the Planning Commission.

Master Plan Amendment/Biltmore Proposal. Joanne Marttila Pierson, 5756 Earhart Road, urged the Commission to provide more information about this proposal on the Township's website. She said she has heard that Biltmore has decided not to pursue this. Chockley said she has not heard that. Pearson said the master plan must be adhered to.

Mary Christianson, 409 East Shore Drive, said she is a new resident and was thrilled to hear there is a master plan for the Township. She said she is at the meeting because of information she received while voting that there may be plans to change the master plan.

6. CORRESPONDENCE

Scio and Green Oak Townships Master Plans. Chockley noted that these had been received and are being reviewed.

Emails from the Public. Chockley said she has been reading all of the emails she has been receiving from members of the public. She said there seem to be misconceptions from some people about Township Manager Fink's attendance at Planning Commission meetings. She said he is not staff for the Commission, but attends because he is interested in the Township's planning issues, and when he sometimes has to leave during meetings to attend to other duties that should not be interpreted as a slight to anyone in the room.

7. REPORTS

7A. Board of Trustees

Chick reported that at the October 28th workshop meeting the Board:

- voted to keep approval of Conditional Use Permits at the Board level.
- approved hiring Tetra Tech for engineering services for last phase of the Barker Road non-motorized pathway.
- approved amendments to Downtown Development Authority (DDA) tax increment financing (TIF) plan.

She also noted the Parks and Recreation Board is requesting participation from the public via an online survey available on the Township website regarding the parks master plan they are working on.

7B. ZBA

No report.

7C. Staff Report

Nothing to report.

7D. Planning Consultant

Nothing to report.

8. PUBLIC HEARINGS

**8A. Case JPC#140004; Timothy and Anita Phillip;
Location: 6741 Sutton Road; Request for
Conditional Use Permit to allow a Commercial
Communications Apparatus (Cellular
Telephone Tower) for AT&T Mobility;
Parcel 02-22-400-001**

- **Motion:** Stanalajczo moved, Chick supported, that the public hearing be opened.
Motion carried 5—0 on a voice vote.

Wally Haley, attorney representing AT&T Mobility, quoted statistics from a 2013 Detroit Free Press article: Michigan's 6.7 million land lines in 2000 had been reduced to 2.6 million in 2012, and cell phones had increased from 3.5 million in 2000 to 9.3 million in 2012.

He referred to the application for this 175 foot cell tower to fill a gap in coverage in the Township, noting that Lewan has recommended approval, and he offered to answer questions.

Lewan noted the Zoning Administrator inspected the site on October 25th, found no zoning violations, and observed the signage giving notice of the request that is required by the zoning ordinance. He briefly reviewed his report noting that this is a request for a new tower, not a co-location of an antenna. He said three items are still required for the application:

- An environmental impact statement
- An affidavit stating other carriers will be allowed to co-locate on this tower
- An application for full site plan review

Terri Gordinier, 5196 Sutton Road, said it would be great to be able to use her cell phone at home. In answer to her question, Haley said AT&T will not be providing internet service via this tower other than data service subscribers can opt for. Jim Nelson, 7777 Sutton Road, said the tower will be way back from the road and will be a big help to people in the area.

Julian Konwinski, 25 Pine Drive, asked whether AT&T is considering going to satellite service rather than building towers. He said this is used successfully in third world countries.

In answer to questions from Fink, Haley said a fiber line will be run along Sutton Road to serve this tower. Referring to the question from Ms. Gordinier, Fink strongly encouraged AT&T to consider providing AT&T DSL and UVerse to more Township residents. Haley said he will take that message back to AT&T and will put Fink in contact with people there.

In answer to a question from Stanalajczo, Haley said a survey that showed a cell tower within one mile of this site was shown to be incorrect. Lewan said even if a tower had been approved for that site, its CUP would have expired within one year. In answer to a question

from Chick, Foley said towers shorter than 200 generally do not have to be registered with the FAA. In answer to another question from Chick, Haley said the effective service radius around a tower depends on many factors including topography and foliage, but there is generally about a one mile effective radius.

In answer to another question from Chick, Haley said despite the comments from Mr. Konwinski, almost no cell phones have the signal power to reach a satellite, and despite investments in satellite systems, there is nothing to suggest that the technology to allow all cell phones to connect to satellite will be possible in the near future.

- **Motion:** Stanalajczo moved, Roman supported, that the public hearing be closed.
Motion carried 5—0 on a voice vote.

8B. New Article 53.0 Whitmore Lake North Territorial (aka Mixed Use South) Overlay District. Proposed amendment to the zoning ordinance for a new overlay district to coincide with the new Mixed Use South Master Plan Future Land Use Category. This district will require specific development design standards as well as a modified list of allowable permitted and special land uses in this area of the Township. Zoning Ordinance Map Amendment to include the new Whitmore Lake/North Territorial Overlay District at the intersection of and within the surrounding area of Whitmore Lake and North Territorial Roads.

- **Motion:** Stanalajczo moved, Chick supported, that the public hearing be opened.
Motion carried 5—0 on a voice vote.

Lewan noted that the Commission had been discussing this district for quite a while, and he explained that the intent is to allow a wider range of uses in this area while allowing taller buildings and placement of buildings closer to the road than in other districts. He noted the underlying zoning will not change and all of the existing land uses will remain valid.

Dale Brewer, 11548 East Shore Drive, said he is excited about seeing this adopted. He said it will be a great asset for the community. Terri Gordinier, 5196 Sutton Road, said traffic at US-23 and North Territorial is terrible, and asked whether a traffic study has been done. Lewan said traffic impacts will be studied as each proposal for development is submitted based on the types of uses that could come in because the traffic impacts can vary widely. He noted that the existing zoning already allows for high-intensity uses.

- **Motion:** Chick moved, Stanalajczo supported, that the public hearing be closed.
Motion carried 5—0 on a voice vote.

8C. **Article 34.0 Residential Office.** Proposed elimination of the Residential/Office District.

- ▶ **Motion:** Chockley moved, Stanalajczo supported, that the public hearing be opened.
Motion carried 5—0 on a voice vote.

Lewan presented a map showing that there are only two very small parcels with this zoning in the Township, and the proposal is to combine this district with the Enterprise Services District (Article 42).

- ▶ **Motion:** Roman moved, Chick supported, that the public hearing be closed.
Motion carried 5—0 on a voice vote.

8D. **Article 40.0 Limited Industrial.** Proposed modification of the Light Industrial District text (Section 40.02) to allow Landscape and Lawn Care businesses as permitted uses, and (Section 40.03) to allow Outdoor Storage of Materials as a Conditional Land Use. Section 40.04 (D) Floor Area Ratio is also proposed to be deleted from this section.

- ▶ **Motion:** Chick moved, Roman supported, that the public hearing be opened.
Motion carried 5—0 on a roll call vote.

Lewan briefly reviewed the proposed changes.

- ▶ **Motion:** Stanalajczo moved, Roman supported, that the public hearing be closed.
Motion carried 5—0 on a roll call vote.

8E. **Article 41.0 General Industrial.** Proposed modification of the General Industrial District text (Section 41.02) to remove signs as a permitted use. Section 41.01(D) Floor Area Ratio is also proposed to be deleted from this section.

- ▶ **Motion:** Chick moved, Stanalajczo supported, that the public hearing be opened.
Motion carried 5—0 on a voice vote.

Lewan briefly reviewed the minor changes being proposed.

- ▶ **Motion:** Roman moved, Chick supported, that the public hearing be closed.
Motion carried 5—0 on a voice vote.

8F. **Article 42.0 Enterprise Services.** Proposed modification of the Enterprise Service District text (Section 42.02) to add the following uses as permitted uses in this district: Single-family dwellings; ~~Two~~Two-family dwellings; Home Occupations; Offices of Architects, engineers, surveyors and similar professionals; Executive, administrative, legal accounting, insurance, real estate and similar offices; Places of worship;

Public Buildings; Preschool, primary and secondary schools, and essential services. Section 42.04(D) Floor Area Ratio is also proposed to be deleted from this Section..

- ▶ **Motion:** Cousino moved, Stanalajczo supported, that the public hearing be opened.
Motion carried 5—0 on a voice vote.

Lewan noted this proposal combines the LO and ES districts.

- ▶ **Motion:** Roman moved, Chick supported, that the public hearing be closed.
Motion carried 5—0 on a voice vote.

8G. **Zoning Ordinance.** The re-codification of the entire Northfield Township Zoning Ordinance for the purposes of incorporating formatting changes and for clarification and minor changes to certain provisions.

- ▶ **Motion:** Roman moved, Chick supported, that the public hearing be opened.
Motion carried 5—0 on a voice vote.

Fink explained that while the zoning ordinance has been organized and presented in a way that is accessible to the public, the same has not been true for Northfield Township's other ordinances. He said a company has been hired to collect and organize all of the ordinances—which is known as codification—so they will be available to the public without requiring considerable research.

- ▶ **Motion:** Roman moved, Chick supported, that the public hearing be closed.
Motion carried 5—0 on a voice vote.

10. NEW BUSINESS

10A. **Case JPC#140004; Timothy and Anita Phillip; Location: 6741 Sutton Road; Request for Conditional Use Permit to allow a Commercial Communications Apparatus (Cellular Telephone Tower) for AT&T Mobility; Parcel 02-22-400-001**

- ▶ **Motion:** Stanalajczo moved, Roman supported, that the request in Case JPC#140004 by Timothy and Anita Phillip for a Conditional Use Permit to allow a Commercial Communications Apparatus (Cellular Telephone Tower) at 6741 Sutton Road for AT&T Mobility, Parcel 02-22-400-001, be approved with these conditions:

- Provision of an environmental impact statement,
- Provision of an affidavit stating other carriers will be allowed to co-locate on this tower, and
- Provision of an application for full site plan review.

**Northfield Township Planning Commission
Minutes of Regular Meeting
Public Safety Building; 8350 Main Street
November 5, 2014**

In answer to a question from Chockley, Haley said two proposed cell phone sites shown on maps provided by AT&T have been moved back to at least 2016. Cousino asked if users of non-AT&T services will benefit from this tower. Haley said most providers do not provide roaming service, so until another co-locates an antenna on this tower it will benefit only AT&T subscribers.

- ▶ **Motion:** Stanalajczo moved, Roman supported, that the request in Case JPC#140004 by Timothy and Anita Phillip for a Conditional Use Permit to allow a Commercial Communications Apparatus (Cellular Telephone Tower) at 6741 Sutton Road for AT&T Mobility, Parcel 02-22-400-001, be approved with the elimination of landscaping requirements and with these conditions:

- Provision of an environmental impact statement,
- Provision of an affidavit stating other carriers will be allowed to co-locate on this tower, and
- Provision of an application for full site plan review.

Motion carried 5—0 on a roll call vote.

9. OLD BUSINESS

9A. New Article 53.0 Whitmore Lake North Territorial (aka Mixed Use South) Overlay District.

- ▶ **Motion:** Roman moved, Chick supported, that the adoption of new Article 53.0 Whitmore Lake North Territorial (aka Mixed Use South) Overlay District be recommended for approval to the Northfield Township Board.

In answer to a question from Stanalajczo, Lewan said outdoor seating for any restaurant would require approval of a conditional use permit.

Motion carried 5—0 on a roll call vote.

9B. Article 34.0 Residential Office.

- ▶ **Motion:** Roman moved, Stanalajczo supported, that the adoption of Article 34.0 Residential Office be recommended for approval to the Northfield Township Board.
Motion carried 5—0 on a roll call vote.

9C. Article 40.0 Limited Industrial.

- ▶ **Motion:** Roman moved, Stanalajczo supported, that the adoption of Article 40.0 Limited Industrial be recommended for approval to the Northfield Township Board.
Motion carried 5—0 on a roll call vote.

9D. Article 41.0 General Industrial.

- ▶ **Motion:** Roman moved, Stanalajczo supported, that the adoption of Article 41.0 General Industrial be recommended for approval to the Northfield Township Board.
Motion carried 5—0 on a roll call vote.

9E. Article 42.0 Enterprise Services.

- ▶ **Motion:** Roman moved, Cousino supported, that the adoption of **Article 42.0 Enterprise Services** be recommended for approval to the Northfield Township Board.
Motion carried 5—0 on a roll call vote.

10. NEW BUSINESS continued

- 10B. Northfield Preserve.** Request by David F. Sherman on behalf of Northfield Hills, LLC, to extend the site plan approval for the Northfield Preserve site condominium which is set to expire December 16, 2014.

Lewan explained that four extensions have been granted for this proposal since preliminary approval in 2008. He said he has no objection to a further extension, but noted that the site plan review process changed in 2011, and a variance granted for the proposal expired six months after it was granted. He recommended that the applicant provide a brief presentation since only one present Commissioner was involved at the time of original approval.

In answer to a question from Chick, Fink said while the applicant originally planned to develop the site he is now marketing it for sale. He said he also has no objection to an extension, but cautioned in general that long-term extensions be reviewed to insure that Township plans have not diverged significantly from the approved proposal.

- 10C. Zoning Ordinance.** The re-codification of the entire Northfield Township Zoning Ordinance.

- ▶ **Motion:** Roman moved, Chick supported, that the re-codification of the entire Northfield Township Zoning Ordinance be recommended for approval to the Northfield Township Board. **Motion carried 5—0 on a roll call vote.**

11. MINUTES

October 15, 2014, Regular Meeting

Chockley pointed out three minor changes.

- ▶ **Motion:** Chick moved, Chockley supported, that the minutes of the October 15, 2014, regular meeting be approved as corrected, and to dispense with the reading.
Motion carried 5—0 on a voice vote.

12. POLICY REVIEW & DISCUSSION

Joint Meeting with Township Board. Chockley noted the Commission has been invited to meet with the Township Board on November 11th to discuss sewer services reports that were recently distributed.

13. SECOND CALL TO THE PUBLIC

Zoning Change. Wayne Dockett, 9097 Main, said the zoning of his property has changed several times since 1970 when he purchased it, and he would like to be notified in writing about what is involved in the change from the LO to ES designation.

Nowatzke Site Plan. Dale Brewer, 11548 East Shore Drive, said the meeting at which the Township Board acted on this request was not properly called, and while the Board may address that as a housekeeping matter, but until minutes are approved only a recommendation for approval exists. Stanalajczo said State law includes a provision stating that minutes are considered approved if not acted up within five days of the next meeting.

Northfield Preserve. Dale Brewer, 11548 East Shore Drive, said he has always been under the impression that even though the Township's site plan approval process has changed since the preliminary site plan was approved, the proposal would proceed under the zoning regulations in place at that time.

14. COMMENTS FROM THE COMMISSIONERS

Stanalajczo read a lengthy statement commending Fink for his work as Township Manager and said recent criticism from citizens about his work on the Biltmore request for an amendment to the master plan are unfounded. He said Fink has been doing exactly what the Township Board wants him to be doing.

Chockley commended all of the Township's professional staff and the Commissioners, and urged everyone to work together cooperatively.

15. ANNOUNCEMENT OF NEXT MEETING

A November 11th joint meeting with the Township Board and the regular Commission meeting of November 19, 2014, both at 7:00 P.M. at the Public Safety Building were announced as the next Commission meeting times and location.

16. ADJOURNMENT

- ▶ **Motion:** Roman moved, Chick supported, that the meeting be adjourned.
Motion carried 5—0 on a voice vote.

The meeting was adjourned at 9:04 P.M.

Prepared by Lisa Lemble.

Corrections to the originally issued minutes are indicated as follows:

Wording removed is ~~stricken through~~;

Wording added is underlined.

Adopted on December 17, 2014.

Marlene Chockley, Chair

Kenneth Dignan, Secretary

Official minutes of all meetings are available on the Township's website at
<http://www.twp-northfield.org/government/>